

CHAPTER CXV.

An ACT to prevent the sale or disposal of spirituous or other liquors without license, at or near places of religious worship.

SECT. I. *BE it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the first day of October next if any person or persons shall bring any kind of spirituous liquors, beer, or cider, for the purpose of retailing, giving away or vending the same at or near the place where any congregation, society, or meeting shall be assembled for the purpose of religious worship, except in stores or licensed taverns, he, she, or they shall forfeit the liquors so brought or offered for sale, and on conviction before any justice of the peace of the proper county, shall pay a fine not exceeding twenty dollars for the use of the poor of the county or township where the offence shall have been committed; and where there are no poor, to the supervisors of the township for the use of the highways.

No liquors to be sold at or near religious assemblies.

Except in taverns.

Penalty for offending.

Such liquors to be seized, and sold.

Proceeds how applied.

Prosecution to be brought within 48 hours, &c.

SECT. II. *And be it further enacted by the authority aforesaid, That upon complaint being made on oath or affirmation to any justice of the peace of the proper county of any offence against the provisions of this act it shall be the duty of said justice to issue his warrant commanding the constable of the proper township, or any other person who will consent to execute the same, to seize all such liquor so offered for sale; and the same shall be sold at public sale, and the proceeds thereof applied for the use of the poor of the county or township where the offence shall have been committed, and where there are no poor to the supervisors of the township for the use of the highways; Provided, That no person shall be prosecuted or convicted for any offence against this act unless such prosecution be commenced within forty-eight hours after the offence has been committed.*

JOHN WEBER, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of April, one thousand eight hundred and eleven,

SIMON SNYDER.

CHAPTER CXVI.

An ACT relative to dower, and for other purposes.

WHEREAS by the tenth section of an act passed April fourth, one thousand seven hundred and ninety-seven,

entitled, "An act supplementary to the act, entitled, "An act directing the descent of intestates' real estates and distribution of their personal estates, and for other purposes therein mentioned," it is enacted that if any testator shall devise or bequeath to his wife any portion of his estate, such devise or bequest shall be deemed and taken to be in lieu and bar of her dower out of the estate of her deceased husband in like manner as if the same were so expressed, unless such testator shall by his last will and testament declare otherwise; but that nothing in the said section contained shall deprive the widow of her choice either to dower or the estate so devised or bequeathed; but no time is limited or any mode prescribed when or how such choice shall be made or ascertained, and it is inconvenient to heirs, creditors and purchasers, that such uncertainty should continue; Therefore,

SECT. I. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of devises or bequests to widows, which by force of any last will and testament, or by operation of law will bar such widow of dower subject to her right of election to dower or to the estate devised or bequeathed as aforesaid, it shall be lawful for the orphans' court on the application of any person interested in the estate of the testator at any time after twelve months from the death of the testator, to issue a citation to any such widow to appear at a certain time, not less than one month thereafter in the said court, to make her election either to accept of such devise or bequest in lieu of dower, or to wave such devise or bequest, and to take her dower; of which election a record shall be made which shall be conclusive to all parties; but if such widow shall refuse or neglect to appear upon such citation, upon due proof to the court of the service thereof, the said neglect or refusal shall be deemed an acceptance of the devise or bequest and a bar of dower, of which a record shall be made which shall be conclusive to all parties concerned.

Widows may be cited to appear.

Within what time.

And shall elect between dower, and any devise, bequest, &c.

Consequences of non-appearance.

SECT. II. *And whereas* it frequently happens that on the final settlement of the accounts of the estates of testates and intestates the personal assets are found to be deficient and the balance is decreed to be and remain chargeable on the real estate of the testator or intestate.

Be it further enacted, That from and after the passing of this act, in all cases after the final settlement of any administration account in the orphans' court, it shall appear that there are not sufficient assets to pay and satisfy the balance appearing to be due and owing from the estate of the deceased, it shall be lawful for the said court on the application of the executors or administrators or any others interested therein, to make an order that so much of the real estate of which the de-

On a balance appearing against the estate of deceased on settlement of administrators accounts, satisfaction to be made from the real estate.

Who may sell.

And to what amount.

Of contribution from the heirs, &c.

How sales to be made.

ceased was seized or possessed at the time of his decease, shall be sold by the executors or administrators as in the judgment of the court shall be sufficient to satisfy such balance ; and the said court shall likewise decree in such cases what contribution shall be made by the heirs or devisees respectively towards the payment of any debts chargeable on the real estate of any testator, either generally in the first instance, or where the land decreed to be sold shall have been in any manner devised to any heir or devisee after any such sale being made; and all such sales shall be had, made, and conducted as in other cases of sales made under the decree of the orphans' court by the existing laws.

JOHN WEBER, *Speaker of the House of Representatives.*

P. C. LANE, *Speaker of the Senate.*

APPROVED—the first day of April, one thousand eight hundred and eleven.

SIMON SNYDER.

CHAPTER CXVII.

A SUPPLEMENT to an act. entitled, " An act to appoint commissioners to regulate the streets, lanes and alleys in the district of Southwark, and to lay out new streets, lanes and alleys therein for the accommodation of the inhabitants, and to lay out the roads therein mentioned through the said district and parts of the township of Moyamensing and Passyunk ;" passed on the twenty-ninth day of September, in the year of our Lord, one thousand seven hundred and eighty-seven.

Certain powers granted to the Philadelphia court of quarter sessions.

Appeal, &c. granted.

SECT. I. BE it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all and every the powers and authorities vested in the supreme executive council by the sixth and seventh sections of the act to which this is a supplement, be, and the same are hereby transferred to, and exclusively vested in the court of quarter sessions for the city and county of Philadelphia, subject however to removal or appeal to and revision in the supreme court in the same manner and under the same provisions and restrictions as are or may be by law provided in other similar cases.

Repealing section.

SECT. II. And be it further enacted by the authority aforesaid, That so much of the sixth and seventh sections of the said act, and so much of an act, entitled, " An act for vesting the powers formerly exercised by the supreme executive council in the proper departments under the present constitution of