

Sessions of the respective counties aforesaid, on the day aforesaid, or sooner if practicable, which shall be a record thereof, and from thenceforth the said road shall be, to all intents and purposes, a public highway, and shall be opened and repaired in all respects as roads are opened and repaired, which are laid out by order of court.

SECTION 5. The compensation of the commissioners shall be two dollars each, for every day necessarily employed by virtue of this act, and the accounts of said commissioners shall be adjusted and allowed by the commissioners of the respective counties through which the road passes, and paid by the treasurers thereof, on warrants drawn in the usual way, and in proportion to the length of the said road in such county respectively; the commissioners shall meet on the first Monday in May next, or as soon thereafter as possible, and complete the said work as soon as practicable; and if a vacancy or vacancies occur by resignation or otherwise, of one or more of said commissioners, the others, or a majority of them, shall appoint a person or persons in his or their place to perform the duties aforesaid.

Compensat'n
of comm'rs.

How adjusted
and allowed.

Commis'srs,
where to
meet.

Vacancies
supplied.

WM. PATTERSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO: WOLF.

No. 172.

AN ACT

To authorize the executors of the last will and testament of Joseph Shultz, deceased, to sell certain real estate, and for other purposes.

SECTION 1. *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 Daniel Shultz, Amos Shultz, and Isaac Shultz, junior, executors of the last will and testament of Joseph Shultz, late of Douglass township, in the county of Montgomery, deceased, are hereby authorized to sell at public or private sale, as to them shall seem most conducive to the interest of said estate, all the real estate of said deceased, situated in the township of Hereford, in the county of Berks, or such part thereof as they shall think advisable, and to convey the same, either in whole or in parcels, to the purchaser or purchasers thereof:

Sale of cert'n
real estate
authorized.

Proviso.

Provided, That before the execution of the deed or deeds for the premises, the said executors shall give bond, with such security as the Orphans' Court of Berks county will approve of, conditioned for the faithful application and distribution of the proceeds of sale, as the said Orphans' Court, having reference to the last will and testament of the deceased and the situation of his estate, shall order and decree.

**Preamble to
2d section.**

AND WHEREAS, Andrew Greiner died intestate, in the year one thousand eight hundred and twelve, or thereabouts, and left issue seven children, each of whom was entitled to draw of the intestate's estate the sum of fifty dollars, but the amount of two shares has not been paid by the administrator, they having emigrated to the western country previous to the death of the said deceased: *And whereas*, Upon the application of the securities of the administrator of said estate, the Orphans' Court of Berks county directed the said sum of one hundred dollars to be and remain a lien and charge upon the real estate of the said deceased, for the use and benefit of the said two absent heirs: *And whereas*, It has been represented by petition that the said heirs have never appeared nor been heard of since their removal to the west, during the period of twenty-two years, to claim the said amount thus secured to them: *And whereas*, It is also represented that great difficulty exists in the sale of the said land in consequence of this incumbrance being upon it:

**Unpaid two
shares, how
drawn.**

SECTION 2. The other heirs and legal representatives of the said Andrew Greiner, deceased, are hereby authorized and enabled to draw and receive the said sum of one hundred dollars, secured as aforesaid, together with the interest thereon, and upon the receipt thereof to give and execute sufficient acquittances of the same as shall discharge the lien therefrom: *Provided however*, That the said heirs and legal representatives, or any of them, previous to the receipt of the same, enter into bond or bonds, with such condition as the case may require, with security approved of by the Orphans' Court of Berks county, which said bond or bonds shall be filed with the clerk of the Orphans' Court aforesaid.

Proviso.

WM. PATTERSON,

Speaker of the House of Representatives.

JACOB KERN,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini, eighteen hundred and thirty-four.

GEO. WOLF.