

said Henry Whilt has received possession of the said premises, and on his part has fully complied with the contract; that Mary Davis, the said executrix of Daniel Davis, deceased, and one of the parties to the contract, has since died intestate, and Benjamin Martin administered to her estate; that no deed has been executed for the said tract of land, and a difficulty arises in making the proof of the contract which the existing laws require, before the court of common pleas: Therefore,

SECT 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 it shall be lawful for the orphans' court of Bedford county, to hear the proofs and allegations of the said Henry Whilt, and others interested, in relation to a certain tract of two hundred and five acres of land, in the township of Providence, and county of Bedford; and on being fully satisfied that he, the said Henry Whilt, ought to receive a title for the said land, the said court shall authorise the said Benjamin Martin, administrator of the estate of Mary Davis, deceased, to make and execute a deed, in fee simple, for the same, to the said Henry Whilt: *Provided,* That if it should appear that any part of the purchase money remains unpaid, the same shall be paid, or secured to be paid, under the directions of the court aforesaid.

Duty of orphans court of Bedford co. in the case of Henry Whilt.

Proviso. Balance of purchase money.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.

No. 160.

AN ACT

For the relief of the administrators of John Kendall, deceased, and Isaac Griffith.

SECT. 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 the Auditor General, of this commonwealth, be and he hereby is authorised and required, to audit, and re-settle the account of militia fines, collected by John Kendall, now de-

Auditor General to re-settle accounts of J. Kendall and I. Griffith late deputy marshalls.

ceased, late a Deputy Marshall of the United States, for the counties of Berks and Schuylkill, as rendered by John Miller, and John Bickel, his administrators; and of Isaac Griffith, late a Deputy Marshall, of Bucks county; and in such re-settlement of said accounts, to allow all such charges as would have been allowed, in a settlement of said accounts with the United States, or as it has been customary to allow, in the settlement of similar accounts, by the accounting officers of the said United States; and the amount of any balance which may be found to be due, to the aforesaid administrators of John Kendall, shall be paid out of the state treasury, in the usual manner: *Provided*, Such balance shall not exceed the sum of three hundred and ninety-six dollars and ninety-five cents: *Provided further*, That the lien of the commonwealth, against the real estate of the said Isaac Griffith, and his securities, shall not be destroyed, or in any wise impaired, so far as respects the residue, which may be found remaining due from him to the commonwealth, after such re-settlement, by any thing contained in this act.

Balance due.

Limit in case of J. Kendall. Proviso. This act not to affect lien, in case of I. Griffith.

FREDK. SMITH,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini, one thousand eight hundred and thirty-one.

GEO. WOLF.



No. 161.

AN ACT.

To incorporate the Fishing creek rail-road company.

SECT. 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 Charles Graeff, John Goddard and George M'Eldrige, of Philadelphia, Simeon Guilford, of Lebanon county, George N. Eckert, of Berks county, Samuel Hain, Benjamin Aycrigg, of Schuylkill county, or any two of them, be and they are hereby appointed commissioners, to do and perform the several things hereinafter mentioned, that is to say: they shall on or before the first Monday in May next, procure three books, one of which shall be opened at the

Commissioners appointed to open books.