

time aforesaid, shall appoint three competent persons for the above purposes; and the managers so appointed, together with those elected by the stockholders of the institution, shall compose the board of managers; and so much of any act as is hereby altered or supplied is hereby repealed.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the treasurer of the county of Philadelphia shall, upon warrants drawn on him by the commissioners of said county, pay to the treasurer of the House of Refuge the sum of five thousand dollars per annum, during the periods and at the times mentioned in the first section of this act.

County to pay similar annuity to that of the state.

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

WM. G. HAWKINS,  
*Speaker of the Senate.*

APPROVED—The thirtieth day of March, A. D. one thousand eight hundred and thirty-two.

GEO. WOLF.



No. 104.

AN ACT

Relative to real estate, and vesting the rights of this commonwealth by reason of escheat, to the personal property of James Forster, in Elizabeth Somers.

WHEREAS, it appears by proceedings had in the Supreme court for the western district of Pennsylvania, that a certain Matthew S. Mason has been adjudged a lunatic, and that Trevanion B. Dallas was, by the said court, duly appointed a committee to take care of the estate of the said Matthew S. Mason; and it further appears that the jury, by their verdict, declared said Matthew S. Mason to be non compos mentis, prior to the sixteenth day of October, in the year of our Lord one thousand eight hundred and thirty-one: *And whereas,* said committee has represented to the legislature, that on the day and year last mentioned, and whilst said Matthew was so a lunatic, he, the said Matthew S. Mason, made a parole agreement with Harmar Denny, for the pur-

Preamble relative to the purchase of a certain property near Pittsburg, by M. S. Mason, a lunatic.

chase of a piece or parcel of ground situate in the Reserved tract, opposite Pittsburg, being parts of lots numbers two hundred and sixty-eight and two hundred and sixty-nine; for which he the said Matthew S. Mason was to pay the sum of four thousand dollars; and that under and by virtue of said agreement, possession of the premises has been taken; extensive improvements are in progress, and a considerable portion of the purchase money paid; and said committee, further expressing his desire to guard against all future doubt or difficulty in relation to said agreement, and stating his belief that the interest of the said Matthew S. Mason would be best promoted by legislative interposition: 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 the agreement made by Matthew S. Mason with Harmar Denny, upon the sixteenth day of October, in the year of our Lord one thousand eight hundred and thirty-one, for the purchase of a certain piece or parcel of ground, situate in the Reserved tract opposite Pittsburg, being parts of lots numbers two hundred and sixty-eight and two hundred and sixty-nine, and which said agreement was made whilst, and at the time said Matthew S. Mason was a lunatic, be and the same is hereby declared to be as good, valid and binding, between the parties thereto, as though the said Matthew S. Mason had been of sound mind at the time of making said agreement.

Confirmation  
of purchase.

Deed of con-  
veyance.

SECT. 2. *And be it further enacted by the authority aforesaid,* That a deed of conveyance or assurance in law, be and the same is hereby authorized to be made by the said Harmar Denny to Trevanion B. Dallas, committee of the estate of Matthew S. Mason, for the property specified in the foregoing section, according to the terms and conditions of the original agreement between said parties.

Trustees of  
Frankstown  
school author-  
ized to sell  
and convey  
certain lot.

SECT. 3. *And be it further enacted by the authority aforesaid,* That Robert Irwin, Ephraim Galbraith and Paul Fraizier, trustees of the Frankstown school, in the county of Huntingdon, or their successors, be and they are hereby authorized and empowered to sell and convey a lot of ground with the appurtenances, situate and being in the town of Frankstown, in the county aforesaid, it being the same lot of ground which L. Lowry did convey to the trustees of the aforesaid school, for the purpose of erecting a school house thereon; and that the moneys arising from the sale of said lot and appurtenances, shall be applied to the purchase of ground, and the erection of a new school house thereon, and to no other purpose whatsoever.

Appropriation  
of purchase  
money.

SECT. 4. *And be it further enacted by the authority aforesaid,* That James S. Smith and Henry Hollingsworth, exc-

cutors and trustees named in the last will and testament of Philadelphia. Robert Blackwell, late of the city of Philadelphia, deceased, Sale of certain property the estate of Robert Blackwell dec'd. authorized. be and they are hereby authorized to sell by public or private sale, or to let on ground rent, a certain lot or piece of ground, situate on the south side of Pine street, between Second and Third streets, from the river Delaware, in the city of Philadelphia, containing in front on Pine street, one hundred and thirty-six feet, and in length or depth one hundred and forty-four feet, bounded on the east and west by other property, late of the said Robert Blackwell, on the north by Pine street, and on the south by Stamper's alley, and to make and execute to the purchaser or purchasers thereof, a good and sufficient deed or deeds of conveyance and assurance, in the law for the same, which conveyance and assurance, shall vest in such purchaser or purchasers, all the estate right, title and interest in law and equity, which the said Robert Blackwell, at and immediately before his death, had and held in the same as fully and completely, and with like effect as if the said conveyance and assurance had been made and executed by the said Robert Blackwell, in his life time, and that the monies arising from such sale, be appropriated by the said executors and trustees, agreeably to the intention and meaning of the said Robert Blackwell, deceased, as expressed in his last will and testament, with respect to his residuary estate. Appropriation of proceeds.

SECT. 5. *And be it further enacted by the authority aforesaid,* That before the said executors and trustees, shall proceed to make such sale, they shall give security in the Orphans court, for the city and county of Philadelphia, in such manner, and in such sum as the said court shall order and direct, for the faithful execution of the power hereby committed to them, and for the proper and faithful application of the proceeds of the sale of the real estate, hereby authorized to be sold. Security to Orphans court by executors.

SECT. 6. *And be it further enacted by the authority aforesaid,* That all the right, title and interest, which this commonwealth may have acquired, by reason of any escheat or supposed escheat, from the want of heirs or any known kindred of Edward Hooper, formerly of the borough of Uniontown, in Fayette county, deceased, in and to the real estate whereof he died seized shall be, and the same is hereby granted to and vested in Sarah Desellens, (formerly Sarah Hooper, widow of said Edward Hooper,) and her heirs forever: *Provided,* That no other right of this commonwealth except that derived by said escheat, or supposed escheat, shall pass by virtue of this act, nor shall the rights of individuals be in any wise affected or impaired thereby: *Provided further,* That nothing contained in this act, shall interfere with the right of the commonwealth under an act, entitled "An act relative to collateral inheritances." Escheated estate of E. Hooper of Fayette co. vested in S. Desellens. Proviso. Rights of third persons. 2d proviso. Collateral inheritance tax.

Executors,  
&c. of estates  
of J. A. Han-  
na and R.  
Dearmond, of  
Dauphin co.  
authorized to  
sell interest of  
decedents in  
certain lots at  
Presqu' Isle.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the executors or administrators of the estates of John A. Hanna and of Richard Dearmond, late of the county of Dauphin, deceased, be and they are hereby authorized and empowered to sell and convey all the estate, right, title and interest which the said John A. Hanna and Richard Dearmond, severally had at the time of their respective deaths, in and to certain in-lots and out-lots, in and near the town of Erie, in this state, the property of the Harrisburg and Presqu'Isle company, viz: In-lots, numbers two thousand and forty-eight, two thousand six hundred and forty-six, three thousand two hundred and ninety-two; and out-lots, numbers four hundred and eighteen, five hundred and nineteen, and any other lots in which they may be interested as members or proprietors of the said company: and the said executors or administrators shall pay over the nett proceeds of the said sales, after deducting reasonable costs and expenses to the several persons entitled to the same, with power nevertheless, if they shall deem it advisable to refer the distribution of the said proceeds of sales, to the court of Common Pleas, of the county of Erie, the decision of which court thereupon (due notice having been given to all persons interested,) shall be final and conclusive upon all persons interested in the same; and it shall be lawful for the said executors or administrators, respectively to sell and convey by virtue of an attorney or attorneys, in fact to be by them respectively authorized and appointed in writing.

Preamble to  
8th section.

WHEREAS the late Reverend Patrick Lonergan, by his writing, dated September fifteenth, eighteen hundred and one, did give unto the Right Reverend Doctor John Carroll, then Bishop of Baltimore, but now deceased, certain lots of ground situate in Waynesburg, in the county of Greene, the titles to which are in the name of said Patrick and on record in said county of Greene, for the purpose of erecting a Catholic Church and residence for a priest; and in consequence of the death of said Bishop Carroll, without having executed said trust, the said lots remain unsold and unprofitable: Therefore,

Bishop Ken-  
rick of Phila-  
delphia au-  
thorized to  
sell certain  
lots in  
Waynesburg,  
Greene co.

SECT 8. *And be it further enacted by the authority aforesaid,* That for the purpose of carrying into execution the said trust and paying the debt already contracted in building a Catholic church in Waynesborough aforesaid, the Right Reverend Francis Patrick Kenrick, Bishop of Philadelphia, be and and is hereby authorized and empowered to bargain and sell for the best price that can be got, all or any of the lots formerly the property of Patrick Lonergan, in the town of Waynesburg, in the county of Greene, (excepting the one on which the church is built,) and to make and deliver good and sufficient deed or deeds to the purchaser or purchasers, to have the same effect as if they had been made by the said

John Carroll, in his life time, in execution of the trust reposed in him by the said Patrick Lonergan: *Provided*, That no sale or sales made under this act shall be valid until approved of by the Orphans court of said county of Greene. Proviso.  
Approval of  
sale.

SECT. 9. *And be it further enacted by the authority aforesaid*, That the said Francis Patrick Kenrick shall be entitled to retain a reasonable sum for expenses and charges. Expenses of  
sale allowed.

SECT. 10. *And be it further enacted by the authority aforesaid*, That it shall and may be lawful for the present or any future trustee or trustees of the marriage settlement of the twenty-third day of September, in the year of our Lord one thousand eight hundred and twenty-three, made by Mary Towers, then Mary Tucker, previously to her then intended marriage with John Towers, since deceased, during the life time of the said Mary Towers, upon the request in writing, of herself and her three children therein named, or such one or more of the said children as may be living at the time of such request, from time to time to sell and convey in fee simple, either absolutely or by way of mortgage, the whole or any part or parts of the real estate conveyed to the trustee in and by the said settlement, and to grant and assure the same to the purchasers or lenders respectively and their heirs, and to give receipts and discharges for the purchase and mortgage moneys which shall fully and finally acquit and exonerate all persons paying the same. Trustees of  
marriage settlement of  
Mary and  
John Towers  
authorized to  
sell and convey real estate.

SECT. 11. *And be it further enacted by the authority aforesaid*, That such purchase and mortgage monies may be applied during the life time of the said Mary Towers, as she may from time to time direct in improving the whole or any part or parts of the said real estate, or in paying for improvements thereon erected or to be erected, or invested in trust for the uses and purposes in the said settlement expressed and contained. Appropriation of proceeds.

SECT. 12. *And be it further enacted by the authority aforesaid*, That the trustees for the time being of the Methodist Episcopal church of the borough of Lewistown, in the county of Mifflin, be and they are hereby authorized and empowered by good and sufficient deed to convey in fee simple to Henry Stoner, of said borough, the old meeting house and the lot on which it is erected, being the property of the members of the aforesaid Methodist Episcopal church, for the price or consideration heretofore fixed and agreed upon by and between the said trustees of the aforesaid church, by and with the consent of the members of the said church, and such conveyance is hereby declared valid and effectual to pass the title of the said congregation to the said Henry Stoner in fee simple and to his heirs and assigns: *Provided*, That the proceeds of such sale shall be applied by the said trustees to such purposes as the members of the aforesaid church or a majority of them shall direct. Trustees of  
the M. E.  
church in  
Lewistown  
authorized to  
convey old  
meeting  
house and lot  
to H. Stoner.  
  
Proviso.  
Appropriation of proceeds of sale.

Escheated  
estate of  
James Forster  
vested in  
Elizabeth  
Somers.

SECT. 13. *And be it further enacted by the authority aforesaid,* That all the right, title and claim, which this commonwealth may have acquired, or now has, by reason of escheat, or supposed escheat, from the want of heirs, of a certain James Forster, deceased, in and to the personal estate which the said James Forster was, at the time of his death, entitled to, or possessed of, be, and the same is hereby granted to, and vested in Elizabeth Somers, the mother of the said James Forster, now deceased; and John Hosack of Washington county, is hereby authorized to recover any out standing debts, and receive all monies which could have been recovered and received by the said James Forster in his life time, and to pay the same, together with what monies may be in his hands, to the said Elizabeth Somers or her order.

JOHN LAPORTE,

*Speaker of the House of Representatives.*

WM. G. HAWKINS,

*Speaker of the Senate.*

APPROVED—The thirtieth day of March, A. D. one thousand, eight hundred and thirty-two.

GEO. WOLF.

No. 105.

AN ACT

Authorizing compensation to John Rau for damages done by a certain state road, and for other purposes.

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 on written application of John Rau, of the township of Lowhill, in the county of Lehigh, if the same shall be made within one year after the passage of this act, the judges of the court of Quarter Sessions of the said county are hereby authorized to appoint six disinterested men to view and adjudge the amount of the damages (if any) sustained by the said John Rau, in consequence of a state road leading from Kutztown, in Berks county, to Mauch Chunk, in the county of Northampton, passing through the county of Lehigh, having been laid out and carried through the land

Lehigh co.  
court to ap-  
point persons  
to view dama-  
ges sustained  
by John Rau  
from a state  
road from  
Kutztown to  
Mauch  
Chunk.