

SECT. 4. *And be it further enacted by the authority aforesaid,* That the following named persons shall be commissioners to do and perform the several things mentioned in the first section of said act, viz: Lewis Dewart, Henry Masser, Edward Gobin, Isaac Seigler, Peter Weimer, Gideon Markel, John Robins, John G. Youngman, Charles G. Doanel, Martin Weaver, Henry Shaffer, Francis W. Rawle, James A. Gilmer, George Weiser, Henry Yoxtheimer, John Young, John G. Martin, Alexander Jordan, William M'Carty, George Weitzel, Daniel Levy, Peter Martz, George Prince, Samuel M'Cormick, John B. Price, William N. Robins, Christian Baldy, Daniel Bogar, Jacob Bright, Samuel John, John Jones, William H. Muench, Albe C. Barret and Peter Leisenring; and the books, as therein mentioned, shall be opened on or before the first Monday of October next: and in case the said company shall deem it expedient to construct a rail-road instead of a canal from the Shamokin coal mines to the river Susquehanna, as authorized by the ninth section of said act, the letters patent to be issued by the Governor, agreeably to the second section thereof, shall be to incorporate the said company by the name, style and title of "The Shamokin rail-road company."

New stock
commission-
ers appointed.

Company may
substitute
rail-road for
canal and
change corpo-
rate style, ac-
cordingly.

JOHN LAPORTE,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini, eighteen hundred and thirty-two.

GEO. WOLF.

No. 216.

AN ACT

To authorize the administrators, de bonis non, with the will annexed, of Peter Mundorff, late of the borough of York, deceased, to sell and convey the real estate of said deceased, 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 Joseph Morris and Martin Ebert, administrators de bonis non, with the will annexed, of Peter Mundorff, of York,

Estate of Pe-
ter Mundorff,
of York.

Sale authorized.

Proviso.
Security.
Approval
sale, &c.

2d proviso.

Preamble to
2d section.

late of the borough of York, deceased, be, and they are hereby authorized to sell, by public or private sale, all the real estate of the said Mundorff, situate in the county of York; and to execute a deed or deeds of conveyance therefor, to the purchaser thereof, for such title and estate as the said Peter Mundorff had and held therein, at and immediately before his death: *Provided*, That before any such deed or deeds of conveyance shall be executed, the said administrators shall enter into security, to be approved of by the Orphans court of York county, for the faithful distribution of the proceeds of said estate, according to law, and provided also, that the said court shall approve of the terms and conditions of sale, before the said deed or deeds shall be executed: *And provided further*, That nothing herein contained shall interfere with or prejudice the rights of third persons.

WHEREAS, William Butler purchased from Jane Clark of the city of Philadelphia, with his own proper funds, a tract of land, called Wakefield, situate on the west side of the Youghiogany river, at the Great Crossings, in Fayette county, in this commonwealth, containing three hundred and sixty-two acres and a quarter, more or less, and allowance, &c. and being then in a state of ill health, from which he was not expected to recover, procured the deed for the same, to be made to his wife Margaret, now deceased, as a maintenance for her, in the event (he then contemplated) of her surviving him: *And whereas*, during his possession, though the clear profits of the said premises did not exceed twenty dollars, he laid out four hundred dollars in making improvements thereon, *And whereas*, the said William Butler and Margaret his wife, by articles of agreement, made and concluded the sixteenth day of September, Anno Domini, one thousand eight hundred and twenty-eight, by and between them and John Easter, junior, contracted for the sale of the said premises by them to him, in fee simple, for the sum of two thousand dollars, and the said John Easter, on the faith of the said contract, entered into the possession of the said premises, paid before the death of the said Margaret thirteen hundred and fifty dollars of the said purchase money, and expended in improvements on the premises, upwards of twelve hundred dollars: *And whereas*, the said Margaret, dying suddenly, more than eight months before the time when, according to said contract, the deed for the said tract of land was to be made to the said purchaser, no sufficient provision was made for the performance of the same contract in her life time, and there appearing no adequate provision therefor by existing laws, and it being but right and equitable that the said purchaser should have a clear title for the said premises, without disturbance from any person or persons claiming, through or under the said Margaret, for the purpose of carrying into effect the

said contract, and quieting and securing the said purchaser in the enjoyment of the said tract of land.

SECT. 2. *And be it further enacted by the authority aforesaid,* That William Butler, administrator of the estate of Margaret Butler, late of Adams county, deceased, is hereby authorized and empowered to cause to be proved in the court of Common Pleas of Fayette county, the contract in writing, entered into by the said William Butler and the said Margaret his wife, in her life time, of the one part, and John Easter, junior, of the other part, for the sale and conveyance by them to him, of a certain tract of land called Wakefield, situate on the west side of the Youghiogany river, at the Great Crossings, in the said county of Fayette, which probate being adjudged by the said court to be sufficient, the same court shall make an order, empowering the said William Butler, administrator of the said Margaret Butler, deceased, to make and execute a deed for the said lands and tenements contracted for, with the appurtenances for such estate and estates, and in such manner and form as the said court shall judge consistent with the true intent and meaning of the said contract, and the prothonotary of the same court shall indorse on, or annex to the said contract, the said probate, or a copy of the evidence thereof, together with a copy of the adjudication, order and proceedings of the said court in the case aforesaid, and certify the same under his hand and the seal of the same court, and thereupon the same shall be recorded in the office for recording of deeds of the same county, and the said deed being made and executed, and proved or acknowledged according to law, shall be of the same force and effect, to pass and vest the estate intended, of and in the said lands and tenements, with the appurtenances, as if the same had been executed and acknowledged by the said William Butler, and the said decedent in her life time, in conformity with the provisions of an act, passed the twenty-fourth of February, seventeen hundred and seventy, entitled "An act for the better confirmation of the estates of persons holding and claiming, under feme coverts, and for establishing a mode by which husband and wife may hereafter convey their estates."

Estate of Margaret Butler, late of Adams co. Adm'r authorized to prove contract rel. to the sale of certain land in Fayette co.

Execution of deed under direction of court.

Proceedings to be recorded, &c.

JOHN LAPORTE,

Speaker of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini, eighteen hundred and thirty-two.

GEO WOLF.