

No. 62.

AN ACT

To enable Thomas Chambers, administrator *de bonis non*, with the will annexed, of the honorable Thomas Duncan, deceased, and Frederick Watts, guardian of the minor children of Robert C. Duncan, deceased, to carry into full effect a certain compromise, and to authorize the Orphans' Court of Westmoreland county to appoint a guardian for Paul Trout.

WHEREAS, Rebecca H. Duncan, widow of Robert C. Duncan, deceased, and Thomas Chambers, esquire, administrator *de bonis non*, with the will annexed, of the honorable Thomas Duncan, deceased, and Frederick Watts, esquire, guardian of Thomas Duncan and Benjamin S. Duncan, minor children of the said Robert C. Duncan, deceased, have presented their petition to the Legislature, at the present session, stating that controversies have existed between the said parties, in relation to certain property therein described, and that they were desirous of compromising the same on terms therein specified, but had not the legal ability to effect this object, and praying for authority to accomplish the same: Therefore,

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 the said Thomas Chambers, as administrator *de bonis non*, with the will annexed, of the honorable Thomas Duncan, deceased, be, and he is hereby authorized and empowered to execute and deliver to the said Rebecca H. Duncan, widow, and to Thomas Duncan and Benjamin S. Duncan, minor children of the said Robert C. Duncan, deceased, a deed or deeds, or such other assurances in the law, as may be deemed necessary to convey to the said Rebecca and the said minor children, Thomas and Benjamin S., such estates and interests respectively, in a certain island at the junction of the Susquehanna and Juniata rivers, called Reed's island, and on which the said Rebecca now resides, as would have been vested in the said widow and children, if the said Robert C. Duncan had died intestate, seized of the said island and its appurtenances in his demesne as of fee, and to do any act or acts that may be necessary, on the part of the said Thomas Chambers, as administrator as aforesaid, to carry into full effect the compromise recited in the said petition.

SECTION 2. The said Frederick Watts, as guardian of the said Thomas Duncan and Benjamin S. Duncan, minor children as aforesaid, be, and he is hereby authorized and empowered to execute and deliver to the said Thomas Chambers, a deed or deeds, or such other assurances in the law as may be deemed

Preamble.

T. Chambers
to convey to
R. H. Duncan
and her chil-
dren an
island in the
Susquehanna

F. Watts,
guardian, &c.
to convey to
T. Chambers,
in trust, &c.
certain pro-
perty in Cum-
berland co.

necessary to convey to the said Thomas Chambers, his heirs and assigns, to be held by him in trust for the purposes expressed in the last will and testament of the honorable Thomas Duncan, deceased, all the right, title, interest and claim of the said minor children, under a devise from the said Thomas Duncan, deceased, contained in his said last will and testament, to and in two tracts of land, described therein as "two tracts of land, one in Newton township, Cumberland county, containing about two hundred and fifty acres, bought from Samuel Calwell, and a tract of about four hundred acres, bought from Nicholas Wall, in Southampton township;" and to do any act or acts that may be necessary on the part of the said Frederick Watts, as guardian as aforesaid, to carry into full effect the said compromise.

Preamble to
the 3d sect'n.

WHEREAS, Thomas Hanna, executor of the last will and testament of Catharine Trout, late of the township of East Huntingdon, in the county of Westmoreland, deceased, hath, by his petition, represented to the General Assembly, that Paul Trout, a son and legatee of the said Catharine, is deaf and dumb, and by reason of that infirmity is incapable of managing his property, and that he is above the age of twenty-one years: Therefore,

O. C. of
Westm'd co.
may appoint
guardian of
Paul Trout.

SECTION 3. The Orphans' Court of the said county, if they be satisfied of the truth of the facts aforesaid, be, and they are hereby authorized and required to appoint, upon the application to them for that purpose by the said Thomas Hanna, or any next friend or friends of the said Paul Trout, some suitable person or persons, guardian or guardians of the person and estate of the said Paul Trout; and the said guardian or guardians may be removed, and others appointed in their stead; shall be subject to the same accountability and responsibility, shall give security for the due performance of his or their trust, if the said court shall deem it necessary, in the same manner as guardians appointed by the said court in the ordinary course of law for minors, and shall have all the rights, powers and privileges of such guardians last aforesaid: *Provided*, That as soon as the said court may be satisfied that the said Paul Trout, by reason of instruction or otherwise, has become capable of taking care of his person and estate, the said guardianship shall cease.

Proviso.

WM. PATTERSON,

Speaker of the House of Representatives.

THO'S. RINGLAND,

Speaker of the Senate.

APPROVED—The fifth day of March, one thousand eight hundred and thirty-four.

GEO: WOLF.