

No. 64.

An Act

To vest in Amelia Mathews, a certain escheated estate, and for the sale and conveyance of certain real estate.

Preamble.

WHEREAS, James Mathews, late of Buckingham township, Bucks county, a man of colour, died vested of a house and lot of ground in said county, and certain personal property, and leaving a daughter, Amelia Mathews, which property was escheated to the Commonwealth, under the impression that there were no heirs of inheritable blood to receive, as Amelia his daughter was a slave to John McKaleb, of Frederick county, and state of Maryland: *And whereas*, the said McKaleb, agrees to manumit and set free the said Amelia, if the Legislature will vest the right of this Commonwealth, to the aforesaid escheated property in the said Amelia Mathews: 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 all the right, title, claim and interest, which this Commonwealth may have acquired by reason of any escheat or supposed escheat, from the want of known heirs of James Mathews, a man of colour, late of Buckingham township, Bucks county, deceased, in or to the real and personal estate of which he died possessed, shall be, and the same is hereby granted to Amelia Mathews, the daughter of the said James Mathews, deceased: *Provided*, That no other claim or right of this Commonwealth, except that derived by the said escheat, shall pass by virtue of this act, nor shall the rights of individuals be affected or impaired thereby: *And provided further*, That this act shall not take effect until the said John McKaleb, the master of the said Amelia, now a slave, shall manumit and set free the said Amelia.

Proviso.

2d Proviso.

Estate of
Daniel
Druckemiller

Proviso.

Preamble.

SECTION 2. Daniel Druckemiller, of the county of Northumberland, is hereby authorized and empowered to sell and convey the real estate of David Weiser, late of Penns township, in Union county, deceased, and he shall have full power and authority to execute a deed or deeds, to the purchaser or purchasers thereof, subject to the approval of the Orphans' Court of said county: *Provided*, That the said Daniel Druckemiller, before he proceeds to the sale of said property, shall give security to be approved by the Orphans' Court of Union county, for the faithful application of the proceeds of the sale of the said estate, agreeably to the provisions of the will of David Weiser, deceased, and the decree of the said Orphans' Court.

WHEREAS, by an act of Assembly, passed on the fifth day of March, in the year of our Lord one thousand eight hundred

and four, Babara Weiser, administratrix, and Benjamin Weiser, administrator of Conrad Weiser, of Penns township, in Northumberland, now Union county, deceased, were authorized to sell, grant and convey, in fee simple, in the manner therein specified, all the town and out lots of the said Conrad Weiser, situated in the town of Weisersburg, adjoining the town of Selinsgrove, in the township aforesaid: *And whereas*, the said Barbara and Benjamin, are both deceased, leaving some of the lots undisposed of: *And whereas*, John Bassler and Daniel Weiser, have been since duly appointed administrators de bonis non of the said Conrad Weiser, deceased, and now pray the Legislature to pass a law conferring on them the same power which was heretofore granted to the said Barbara and Benjamin Weiser, deceased, for the purpose of disposing of the said unsold lots and of settling up the estate of said deceased: Therefore,

SECTION 3. John Bassler and Daniel Weiser, administrators de bonis non of Conrad Weiser, late of Penns township, deceased, or the survivor of them be, and they are hereby authorized, on part and behalf of the heirs of said deceased, to sell, ^{Estate of} grant and convey, all the right, title and interest of him the said ^{C. Weiser.} Conrad Weiser, deceased, in and to the following lots, situated in the said town of Weisersburg, viz: Lots number eight, eleven, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, as fully and firmly, as he the said Conrad Weiser, in his life time might have done; they the said administrators de bonis non, first entering into a recognizance with approved security, to the Orphans' Court of Union county, to apply the money arising from such sales, to the payment of the debts of said deceased, and the residue to pay over to his heirs or their legal representatives.

WHEREAS, it is represented to the Legislature of this Commonwealth, that five several pieces of real estate, viz: Lots number ^{Preamble.} seventy-nine, ninety, ninety-five, eighty-eight and forty-four, situate in the town and township of Beaver, in the county of Union, were by the last will and testament of Daniel Fisher, vested in the German Reformed congregation of Heidelberg, in Lebanon county; and which are said to be unproductive to said congregation in their present situation: Therefore,

SECTION 4. The present elders of said German Reformed church and congregation of Heidelberg, in Lebanon county, and their successors, be and are hereby authorized to make sale of ^{Of the con-} the said five lots of ground at such time and place, and in such ^{gregation of} manner as the said congregation may from time to time direct, by resolutions entered upon its church minutes, and make deed or deeds to the purchaser or purchasers thereof, which shall be good and valid, to convey to said purchasers all the right, title and interest of said congregation, in and to the same, by virtue of the said last will and testament of the said Daniel Fisher, deceased.

SECTION 5. John Rutherford and Joshua Elder, trustees of the Paxton congregation in the county of Dauphin, be and are hereby authorized, to make sale of such part or parts of the lands belonging to said congregation, as may be agreed upon by said congregation in the county of Dauphin, and to make a deed or deeds, to the purchaser or purchasers thereof, which shall be good and valid, to convey to said purchaser or purchasers, all the right, title and interest of said congregation in and to said lands.

Of Paxton
congregation.

SECTION 6. Melchior Brindle, guardian of Mary Ann Menich, only child of George Menich, deceased, and William McKesson, guardian of Samuel Zeigler, and Solomon Maxwell, guardian of Sarah Catharine Maxwell, only children of Sarah Maxwell, deceased, formerly Sarah Zeigler, be and they are hereby severally authorized, to convey and release in fee simple on behalf of their respective wards, the minors aforesaid, all the right, title, interest and shares of said wards or minors respectively, in and to one hundred and twenty acres and one hundred and five perches of land, strict measure, more or less, situate in Green township, Franklin county, and lately sold by the heirs and legal representatives of Simon Menich, deceased, (under whom his grand children, the minors aforesaid, in right of their said parents are entitled,) to John Shively; and to convey and release in fee simple on behalf of their respective wards, the minors aforesaid, all the right, title, interest and shares of said wards or minors respectively, in and to five acres of land, strict measure, more or less, situate in the township aforesaid, and lately sold by the heirs and legal representatives of Simon Menich, deceased, (under whom his grand children, the said minors in right of their said parents are entitled,) to John Gelsing. And each of said guardians is empowered hereby, to execute the necessary conveyances for the transfer or releasing the above mentioned pieces or parcels of land to the respective purchasers, which shall have the same legal force and effect, as if the said minors were of full age and had done the same.

Of Simon
Menich.

SECTION 7. The said Melchior Brindle, guardian of Mary Ann Menich, is authorized and empowered to convey and release in fee simple, on behalf of his said ward, all her right, title, interest and share, in and to thirty-six acres and eighty-two perches of land, strict measure, more or less, situate in the said township, to William McKesson, in trust for Samuel Zeigler and Sarah Catharine Maxwell, after the death of the said Solomon Maxwell; the said land having been by agreement laid off as the proportion of the plantation of which Simon Menich died seized, to which Samuel Zeigler and Sarah Catharine Maxwell would be entitled, in right of their mother Sarah Maxwell, deceased, one of the daughters and legal representatives of said Simon, and in which, Solomon Maxwell having survived his wife, the said Sarah has a life estate as tenant by courtesy.— And the said guardian is authorized hereby, to execute the ne-

Same estate.

cessary conveyance for the transfer and releasing of the same to William McKesson, trustee as aforesaid, which shall have the same legal force and effect, as if said minor was of full age and had done the same.

SECTION 8. Charles Otto, guardian of the persons and estates of the minor children of John Otto, late of Williams township, in the county of Northampton, deceased, be and he is hereby authorized and empowered, in conjunction with those of the children who are full of age, to convey and assure to the Commonwealth of Pennsylvania, such part and parcel of a certain lot of ground late of said deceased, situate in the said township of Williams, as is occupied by the canal berm bank and towing path of the Delaware division, in passing through the said lot; and so much thereof as lies between the canal and Delaware river, together with so much of the said lot of ground, on the west side of the lock, as shall be necessary for a water way, pursuant to the award of the board of appraisers made in relation thereto. Of J. Otto.

SECTION 9. David L. Scott and Harry Morgan, executors of the last will and testament of George Scott, late of the borough of Towanda, in the county of Bradford, deceased, be and the same are hereby authorized to sell at public or private sale as to them shall seem expedient, the several tracts of wild and uncultivated land, in the said county of Bradford, and all or so many of the town lots and buildings in the said borough of Towanda, in which the said deceased had an interest, and of which he died seized, as may be necessary to erect convenient buildings and make suitable improvements for the accommodation of the family of said deceased, and for the common benefit of the devisees of said deceased, either upon a farm in Towanda or upon a farm in Wysox, in said county, of which the said deceased died seized: *Provided*, That before deeds shall be executed to the purchaser or purchasers, the said executors shall give bonds to the satisfaction of the Orphans' Court of said county, faithfully to apply the proceeds of such sales to the purposes aforesaid, and fully to account for the same in the settlement of their accounts. Of G. Scott.

AND WHEREAS, the said George Scott, at the time of his decease, held the legal title, by absolute and unconditional conveyances, to a valuable lot and buildings in the borough of Towanda, now and for several years past, in the possession and occupancy of Daniel Bartlett; and also, to a lot and buildings in the village of Monroe in said county, now and for several years past, in the possession and occupancy of William Hart; but it is alleged by the said Daniel Bartlett and the said William Hart, and the executors of the last will and testament of said deceased are induced to believe their allegations; that the said deceased held the said estates in trust for the said Daniel Bartlett and the said William Hart, respectively, subject to certain parol conditions severally to be performed by them, and it being important to the interest, as well to the said Daniel Bartlett and William Hart, as Preamble.

to the estate of the said deceased, that these claims should be speedily settled, and that too upon some recorded evidence:—
Therefore,

Said estate.

SECTION 10. Upon the petition of the said Daniel Bartlett or the said William Hart, to the Court of Common Pleas of Bradford county, and upon due proof to the satisfaction of the said court, that the said estates or either of them were held in trust by the said deceased for the said respective claimants, the said court shall, upon the performance of the conditions upon which they were so held respectively, order the evidence so taken to be certified and recorded in the office for the recording of deeds in the said county, and direct the said executors to execute to the claimant, making such proof, a deed for the estate so adjudged, to be held in trust as aforesaid.

WHEREAS, Michael Bachman, by deed, dated the first day of June, one thousand seven hundred and fifty, conveyed unto Andrew Smith, in trust and for the use of the German Reformed church and school of New Hanover township, then Philadelphia, now Montgomery county, a certain message and tract of land, situate in the township and county aforesaid, containing one hundred and three acres: *And whereas*, it is represented that the said tract of land aforesaid is unproductive, inconveniently situated, and it would be to the interest of said church and school to which it belongs that the same should be sold; Therefore,

Of German Reformed congregation of Montgomery county.

SECTION 11. Henry Smith, the surviving executor of Andrew Smith, trustee for the German Reformed congregation and school in the county of Montgomery, or, in the case of death, some other person, as a majority of said congregation may direct, be, and is hereby authorized to grant, bargain and sell, the said message and tract of land, situate in New Hanover township, and county of Montgomery, and to execute a deed or deeds, to the purchaser or purchasers thereof, which shall be good and valid, to convey to said purchaser or purchasers, all the right, title, interest and claim of the said executor and congregation, in and to the said premises, the proceeds arising therefrom to be vested in other real estate or property, as the said congregation, or a majority of them, may direct, to the same uses and purposes as the said message and tract are now holden and used.

Of the Germ. Luth. an congreg'n of Philadelphia

SECTION 12. The ministers, elders, and church wardens of the German Lutheran congregation in and near the city of Philadelphia, be authorized to let on ground rent, for a term of years, such parts of the real estate of which they are seized, as they may deem necessary and expedient, the income thereof to be appropriated for the establishment of a free school for the children of its members, and the support of the poor of the said congregation: *Provided*, That nothing herein contained, shall impair or divest the title of others to the property hereby authorized to be let on ground rent.

SECTION 13. Andrew M'Clenahan, guardian of Jane Hutchison M'Clenahan, a minor, is hereby authorized to convey and release in fee simple, on behalf of his said ward, all her right, title and interest in and to two certain lots of ground, situate in the borough of Milton, Northumberland county, the one of which is situate on the west side of Main street, adjoining lots of James Stoughton and James P. Sanderson, and extending in depth from said Main street to the river; and the other, situate on a back street, and adjoining lots of William H. Sanderson and Robert H. Hammond, late the estate of James Hutchison, deceased, (under whom his grand child, the said minor, in right of her mother, is entitled,) and the said guardian is hereby empowered to execute the necessary conveyance for the transfer or release of the said minor's interest in the above described property, which shall have the same legal force and effect as if the said minor were of full age and had done the same.

Of Jane H.
M'Clenahan.

SECTION 14. Robert Moore, John Vance, William Scott and James P. Kerr, executors of the last will and testament of James Kerr, late of Washington county, deceased, are hereby authorized and empowered to sell a certain tract or piece of land, with the appurtenances thereto belonging, situated in North Strabane township, in said county, containing one hundred and seventy-six acres, more or less, adjoining lands of William Kerr, John Kerr, Zachariah Rees, Errah Patterson and John Patterson, being a part of the estate of said testator, and to make and execute good and sufficient deed or deeds to the purchaser or purchasers thereof, conveying all such right, title and interest, as the said testator had therein, at and immediately before the time of his death: *Provided*, That the said executors, before they proceed to the sale of said property, shall enter into bond, with security, to be approved by the Orphans' Court of said county of Washington, for the faithful application of the proceeds of the sale thereof, according to the provisions of the will of said testator, and under the directions of said court.

Of J. Kerr.

JAMES THOMPSON,
Speaker of the House of Representatives.

JACOB KERN,
Speaker of the Senate.

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

GEO: WOLF.