

SECTION 15. The legislature reserves the right to revoke, Charter may alter or annul the charter hereby granted, at any time they be annulled. may think proper.

SECTION 16. The president or secretary of the said company shall, at the end of five years after the date of this corporation, and at the end of every year thereafter, transmit to the Auditor General a full statement, under oath, of the said company, and that the said company shall pay to the commonwealth a tax of eight per centum on all dividends which may exceed ten per centum on the capital stock actually paid.

Statement to Aud. Gen.

Tax on dividends.

LEWIS DEWART,
Speaker of the House of Representatives.
J. R. BURDEN,

Speaker of the Senate.

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

JOS : RITNER.

No. 86.

An Act

To authorize John L. Radcliff, executor of the last will and testament of Richard Dale, deceased, to sell and convey certain real estate, and for other purposes.

WHEREAS, Richard Dale did on the twenty-first day of February, Anno Domini, one thousand eight hundred and thirty-three, convey to Anthony Tripple, of the city of Philadelphia, a certain brick messuage or tenement, and lot of ground, situated on the west side of Garden street, between Callowhill and Wood streets, in Penn township, in the county of Philadelphia; *Whereas*, said Anthony Tripple, not being able to pay the purchase money for said lot, has conveyed the same to John L. Radcliff, the acting executor of the last will and testament of said Richard Dale, now deceased; *And whereas*, it has been represented to the legislature that it would be much to the advantage of all persons in interest to have the said lot, with the appurtenances, sold; Therefore,

Preamble relative to the sale of Richard Dale's estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in Gen-*

J. L. Radcliff, *eral Assembly met, and it is hereby enacted by the authority of the same*, That John L. Radcliff, acting executor of the last will and testament of Richard Dale, deceased, be, and he is hereby authorized and empowered to sell said lot of ground, situate on the west side of Garden street, between Callowhill and Wood streets, in Penn township, in the county of Philadelphia, with the appurtenances thereof, (it being the same that was conveyed to him, the said John L. Radcliff, by Anthony Tripple,) and execute a deed of conveyance for the same to the purchaser or purchasers thereof: *Provided however*, before any such sale is made, the said executor shall give bond, in the name of the commonwealth, in such sum, and with such security as the Orphans' court, having jurisdiction over his accounts, as executor, shall approve, conditioned for the faithful application of the proceeds of said sale, according to the decree of said court.

Proviso.

Preamble relative to the sale of the real estate of Narcissa Smith & Lavina Bever.

WHEREAS, Samuel Smith, of Ohio township, Beaver county, was intermarried with a certain Narcissa Bever, to whom John Bever, now deceased, and Lydia his wife, in the life time of the said John, by indenture, bearing date the fifteenth day of June, one thousand eight hundred and thirty-one, did grant, bargain and sell, unto the said Narcissa, wife of the said Samuel Smith, in fee simple, seventy-five acres, or thereabouts, of land, being an undivided part of a larger tract of land, called Belgrove, lying and being situated on the waters of Raccoon creek, formerly in Washington county, but now in Beaver county, which said tract was granted to the said John Bever, by the Commonwealth of Pennsylvania, by patent, bearing date the twelfth day of February, one thousand seven hundred and ninety-one, the residue of the said tract having been sold and conveyed unto Thomas Adams and Lavina Bever, (sister of the said Narcissa,) who held as tenants in common with the said Narcissa, that afterwards, to wit: on the third day of September, A. D., one thousand eight hundred and thirty-two, the said Samuel Smith, in right of his said wife, and the said Lavina, in her own right, by articles of agreement between them and the said Thomas Adams, did agree to and with the said Thomas Adams, for the consideration therein mentioned, to sell and convey to him, the said Thomas Adams, all the right, title, interest and claim of them, the said Narcissa and Lavina, of, in and to the said tract or piece of land; that since the making of said agreement, the said Narcissa has deceased, leaving three children, in their minority, all under the age of fourteen years, to wit: John B., Susan, and Matilda Jane, for whom Hamilton Smith has been appointed guardian; That the greatest portion of the

purchase money has been paid by the said Thomas Adams, to the said Samuel Smith, but as the death of the said Narcissa, since the making of the said agreement, has rendered him unable to execute a deed to the said Thomas Adams, in fulfilment of the said contract, he cannot collect the balance of the purchase money yet due; Therefore,

SECTION 2. Hamilton Smith, the guardian of the aforesaid minor children, be, and he is hereby authorized to carry the aforesaid contract into effect, and for that purpose to make and execute such deeds of conveyance as may be deemed necessary, upon the payment, or security of the payment of the balance of the purchase money, and interest thereon, if any be due: *Provided*, That the judges of the Orphans' court of Beaver county, upon due examination of the above recited facts, shall be of opinion that said contract ought to be carried into full and complete effect, and shall order and direct such conveyance.

Hamilton Smith, guardian, authorized to make deed.

Proviso.

WHEREAS, it has been represented to the legislature, that a certain Abraham Dawson, deceased, by his last will and testament, bequeathed to the inhabitants of West Caln township, Chester county, a certain tract of land, containing thirty-two acres and an half, for the use of the poor of the said township, on condition of their paying to his executors the price of patenting the same; *And whereas*, it appears that this condition has been complied with, and that in consequence of the establishment of a county poor house, the poor are supported at the general expense of the county; *And whereas*, an act was passed on the seventh day of April, one thousand eight hundred and seven, authorizing James M'Clellan and Hugh Thompson, Esquires, to sell and dispose of the said tract of land, with its several rights, privileges and appurtenances, and to pay over the moneys arising from such sale, to the supervisors of the highways of the said township, for the time being, to be placed by them at interest, on mortgage; or other sufficient security, and the interest arising therefrom, to be applied by the said supervisors and their successors, to the repair of the roads and highways of West Caln township, all of which has been done; *And whereas*, it is the desire of the citizens of the aforesaid township, that the moneys aforesaid shall be applied to common school purposes; Therefore,

Preamble relative to bequest of Abr'm. Dawson, of Chester county.

SECTION 3. The supervisors of the township of West Caln, in the county of Chester, be, and they are hereby authorized and required to pay over to the directors of the common schools for the district composed of the township aforesaid, on or before the first day of July next, all money or moneys which are now, or may be in their hands, by an act passed

Money to be paid over to the directors of common schools.

the seventh day of April, eighteen hundred and seven, to be applied by the said directors to the building or repairing of school houses, or both, or to the purposes of tuition, as to them may seem best.

Aud. Gen. to settle escheated estate of Robert Manners, dec. SECTION 4. That the Auditor General be, and he is hereby authorized and directed to settle and adjust the amount of costs and charges which may become due in the case of the alleged escheat of the estate of Robert Manners, deceased, and to draw his warrant on the State Treasurer, for the amount to be found due in favor of the deputy escheats, on his filing bond, with one good security, for the faithful distribution of the amount of said costs among the persons entitled to the same.

Auditor General to furnish copies of records, etc. SECTION 5. That the Auditor General be, and he is hereby required to furnish copies of all and every record or paper on file in his office, on the demand of any person for that purpose made, on payment of the fees allowed by law, and that he be authorized to employ an additional clerk, when necessary, at a yearly salary not exceeding seven hundred dollars, which sum is hereby directed to be paid out of any money not otherwise appropriated by law.

H'y. Fagely, guar'n of the heirs of Jac. Lauer, of Berks co., dec., authorized to sell real estate. SECTION 6. That Henry Fagely, of Berks county, guardian of William Lauer and Harry Lauer, minor heirs of Jacob Lauer, deceased, shall be, and is hereby authorized to sell and convey a certain tract of land in Longswamp township, in the county of Berks, containing three acres, more or less, with the appurtenances, of which the said Jacob Lauer died seized, and the proceeds thereof to apply or invest for the use of the said minors, (saving the rights of other heirs and creditors of the said deceased,) as the Orphans' court of Berks county shall order and direct: *Provided*,

Proviso. That the said Henry Fagely, before he shall proceed to sell said land, shall become bound before said court, in such sum and with such sureties as the said court shall require, upon condition, faithfully to execute the powers herein granted: *And provided further*, that before any such conveyance shall be made, the said Orphans' court shall examine the terms of such sale, and approve thereof, and the title of said land shall thereupon vest in the purchaser, for such right as the said deceased was seized of at the time of his decease.

Preamble relative to estate of Chr'n Micksh, of Luzerne co. WHEREAS, Christian Micksh, of the township of Upper Nazareth, in the county of Northampton, became in his lifetime, lawfully seized in his demesne as of fee, of and in a certain tract of four hundred acres of land, situated on the waters of Black creek, in the county of Luzerne, and also of the equal undivided half part of a certain other tract of four hundred and eight acres and allowance, situated on the head

waters of the Nescopeck creek, in the county of Luzerne, and being so thereof seized, died intestate, leaving issue three children, to wit: Jacob, Joseph, and Rosanna, since intermarried with Henry C. Beitel, one of whom, to wit: Joseph, is since deceased, leaving a widow and two children, who are still in their minority, and have for their guardian John Beitel; Therefore,

SECTION 7. That Jacob Micksh and Henry C. Beitel, the surviving administrators of the said Christian Micksh, deceased, be, and they are hereby authorized and empowered to sell, at public or private sale, as they may deem most expedient and proper, the premises aforesaid, and to make and execute a deed or deeds of conveyance to the purchaser or purchasers: *Provided*, That the administrators aforesaid, prior to making such sale, shall give bond to the Commonwealth of Pennsylvania, in such sum, and with such security as the Orphans' court of the county of Northampton shall direct and approve of, conditioned for the faithful application of the proceeds of sale, according to law.

SECTION 8. That the Orphans' court of Mifflin county, are hereby empowered to make such orders and decrees as will authorize John Peachy, guardian of John Plank, Susanna Plank, Michael L. Plank, and Christian Plank, minor children of Christian Plank, late of Mifflin county aforesaid, to make sale of the real estate which they hold and possess in his right, in the township of Menno, in the said county of Mifflin, the same being one messuage and tract of land, containing seventy-seven acres, more or less, with the appurtenances, and adjoining land of George Wilson and others, and to make such deed or deeds of conveyance therefor, to the purchasers, as may be good and sufficient, to all intents and purposes, as if the same had been done by the said Christian Plank himself; and also, to make such orders and decrees in relation to the interest of Rebecca Plank, mother of the said minors, in the premises, as in the judgment of the said court may be most for the benefit of the said minors and the said Rebecca, and by securing her interest therein, as in cases of known intestacy, or otherwise: *Provided*, That before the confirmation of the sale which the said John Peachy may make, pursuant to the orders or decrees of the said Orphans' court, he shall give bond, in such sum, and with such securities as shall be approved of by the Orphans' court of the said county, conditioned for the faithful discharge of his duty, and the proper application of the money arising from such sale.

SECTION 9. That David Lintner, of Blacklick township, in the county of Indiana, be, and he hereby is appointed a

D. Lintner, committee of Peggy Lintner, daughter of John Lintner, deceased, and of her estate, with the same powers, and under app'd. a com. of P. Lintner. the same responsibilities as if he had been appointed by the court of Common Pleas of the proper county, under the provisions of the act of the thirteenth day of June, in the year of our Lord, one thousand eight hundred and thirty-six, entitled "An act relative to lunatics and habitual drunkards."

To make deed for 40 acres of land to J. Dixon.

SECTION 10. The said David Lintner shall execute such deed of sale to Joseph Dixon, of Blacklick township, Indiana county, for forty acres of land in said township, be the same more or less, as will convey to the said Joseph, his heirs and assigns, the title of the said Peggy, sold under the order of the Orphans' court of said county, by John Cunningham, guardian of said Peggy Lintner, upon his being paid for the same by the said Joseph, at the rate per acre at which the same was so sold, by the said John Cunningham, guardian as aforesaid, according to the terms of sale.

To make deed for lot in Blairsville to S. Moore.

SECTION 11. It shall be the duty of the said David Lintner, committee aforesaid, to execute such deed of sale to Silas Moore, for lot number thirty-four in the borough of Blairsville, in said county, sold by John Cunningham, guardian of said Peggy, under an order of the Orphans' court of Indiana county, as will vest in the said Silas, his heirs and assigns, all the title and interest of the said Peggy Lintner, upon payment by the said Silas to the said David, according to the terms of sale of the purchase money.

To make deed for lot to Alexander Nesbit.

SECTION 12. It shall be the duty of the said David Lintner, committee as aforesaid, to execute to Alexander Nesbit a deed of sale for lot number eighty-eight in the said borough of Blairsville, vesting in the said Alexander, his heirs and assigns, the title and interest of the said Peggy therein, upon payment by the said Alexander to the said David, of the purchase money, according to the terms of the sale made of said lot, by John Cunningham, guardian of the said Peggy, to the said Alexander.

Committee to be accountable.

SECTION 13. The said committee shall be held accountable for the moneys coming to his hands, and for the performance of all the duties of the trust, in all respects, and the like remedies afforded against him for neglect thereof, as is or shall be provided by law, in the case of committees appointed by the courts of Common Pleas of the several counties of this commonwealth.

Guardians of the minor children of T. Stober, to sell certain real estate.

SECTION 14. That Philip Aumant and Solomon Ruthrauff, guardians of the minor children of Thomas Stober, late of Centre county, deceased, shall have power to sell and convey any and all the lands of the said minor children, which have descended to them by said deceased, and the proceeds

thereof to invest according to the direction of the Orphans' court of said county: *Provided*, That before any such sale, ^{Proviso.} the said guardians shall enter into a recognizance before said court, with sureties approved by the judges thereof, conditioned for the faithful execution of the powers herein granted: *And provided*, That no sale made in pursuance of this act, shall be valid for any purpose, unless such sale shall, ^{2d Proviso.} before conveyance, be examined and approved by said Orphans' court.

SECTION 15. That George H. Oliver, of the county of Philadelphia, guardian of Reuben, Mary, Benjamin, Eliza, ^{Guardian of the minor children of} Ann and Levi Oliver, minor children of Reuben Oliver, late ^{R. Oliver, of Phil'a co.,} of the county aforesaid, be, and he is hereby authorized to sell and convey, in fee simple, a certain lot or slip of ground, ^{authorized to sell real estate.} at the south west corner of Commerce and Delaware Fourth streets, in the city of Philadelphia, the said strip being in front or breadth on Fourth street, four and one half inches, and extending in length or depth one hundred and thirty-two feet: *Provided however*, That before any such sale is ^{Proviso.} made, the said guardian shall give bond, in the name of the commonwealth, in such sum, and with such security as the Orphans' court of the city and county of Philadelphia shall approve, conditioned for the faithful application of the proceeds of said sale, according to the decree of said court.

SECTION 16. That Eleazar Carey, and Rebecca D. Carey, ^{Guardian of the heirs of} his wife, (late Rebecca D. Chapman,) guardian of Edward ^{J. A. Chapman} Chapman, and Charles J. A. Chapman, minors and heirs at ^{law of Isaac A. Chapman, deceased, be, and they are hereby authorized to sell real estate in Luzerne co.} law of Isaac A. Chapman, deceased, be, and they are hereby authorized to sell and convey the one equal undivided half part of a tract of land, situate in Hanover township, in the county of Luzerne, surveyed in the warrantee name of Samuel Hicks, containing four hundred acres, and to execute a deed for the same, to the purchaser or purchasers thereof, under the direction and confirmation of the Orphans' court of said county.

SECTION 17. That Moses Rively, of the township of ^{Moses Rively} Kingsessing, in the county of Philadelphia, be, and he is ^{authorized to sell certain estate of Jacob Cooker, late of Phil'a} hereby authorized to sell and convey all the right, title, interest, property, claim, or demand of Mary Cooker, widow ^{county, dec.} of the late Jacob Cooker, deceased, situate in the township of Moyamensing, and county aforesaid, which the said Jacob ^{Proviso.} in and by his last will and testament, bequeathed to the said Mary, for and during her natural life: *Provided*, That the said Moses Rively file a bond or bonds, in the office of the prothonotary of the court of Common Pleas in and for the city and county of Philadelphia, for the faithful application of the proceeds of such sale.

J. M. Burtis, administrator of the estate of Orlando Porter, deceased, co., admr. of Orlando Por-
 ter, authorized to sell certain real estate.

SECTION 18. That John M. Burtis, (of Luzerne county,) administrator of the estate of Orlando Porter, deceased, be, and he is hereby authorized to sell and convey all the real estate of said decedent, and to make and execute sufficient deed or deeds to the purchaser or purchasers thereof; the whole proceedings therein, to be under the order and confirmation of the Orphans' court of the county in which such real estate is situated.

LEWIS DEWART,

Speaker of the House of Representatives.

J. R. BURDEN,

Speaker of the Senate.

APPROVED—The third day of April, one thousand eight hundred and thirty-seven.

JOS : RITNER.

No. 87.

An Act

To incorporate the Western Pennsylvania Hospital society, and the Pittsburg Board of Trade.

Preamble.

WHEREAS, a number of citizens of this commonwealth have formed themselves into a society, under the name of "The Western Pennsylvania Hospital society," for the purpose of establishing and supporting a hospital for the reception and relief of persons requiring medical or surgical treatment, and of insane persons, and the directors of the society have by memorial to the legislature, prayed to be incorporated; Therefore,

Managers.

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 Benjamin Bakewell, Michael Tiernan, Nathaniel Holmes, M. B. Miltenberger, Patrick Mulvaney, Walter H. Lowrie, Richard Biddle, William Morrison, Frederick Lorentz, Michael Allen, Samuel Fahnestock, John D. Davis, Jesse Lippencott, William Bell, James H. M'Clelland, John Irwin, (of Allegheny,) Jonas R. M'Clinstock, Samuel P. Darlington and William Wade, the present managers of the said society, together with the other