

the use of said water at any and all times, when it may, in the opinion of the canal commissioners, or of the legislature, become necessary for the use of the canal, or when it becomes necessary to draw the water off for the purpose of making repairs, and in that case no compensation or damages shall be allowed for any improvements or erections made in consequence of the privileges granted by this act.

WM. A. CRABB,

Speaker of the House of Representatives.

CHARLES B. PENROSE,

Speaker of the Senate.

APPROVED—The twentieth day of February A. D. one thousand eight hundred and forty one.

DAVID R. PORTER.

[No. 22.]

AN ACT

Relating to the Estates of David Woelper and Mary Pentland, deceased.

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 in all cases where the executors of the last will and testament of David Woelper, late of the district of Spring Garden, in the county of Philadelphia, victualler, deceased, have purchased real estate against which they had claims, in order to prevent greater loss to the estate, the same are hereby confirmed and made good and valid: *Provided always* ^{Real estate purchased by executors of D. Woelper confirmed.} *nevertheless,* That such estate shall be held by said executors, and the survivors and survivor of them for the uses and purposes mentioned and declared in and by the said last will and testament in relation to the testators' estate and property, of which he died, seized and possessed, and subject to all the powers and authorities therein declared of and concerning his other estate. And it shall and may be lawful for said executors and the survivors and survivor of them hereafter whenever in their sound judgment and discretion they shall believe it to be for the benefit of the said estate, to purchase other real estate for the like reasons as above mentioned, but always for the same uses and purposes, and with the same powers and authorities aforesaid in relation to real estate already bought.— ^{Other real estate may be purchased by D. Woelper's executors.} And it shall further be lawful for the said executors and the survivors and survivor of them, and they are hereby authorized ^{Executors}

may sell real estate. and empowered at any time and times hereafter, to sell and dispose of all such real estate either at public or private sale, and for such price as in their judgment and sound discretion may be deemed most advantageous for the estate of their said testator, agreeably to said last will and testament, and to all intents and purposes as if he had been seized and possessed thereof at the time of his decease. And to make and execute deeds of conveyance to the purchasers in fee simple, or for such estate and interest as they may have therein discharged of said uses and trusts.

Make deeds, &c.

Preamble.

WHEREAS, William Pentland, of the city of Pittsburg, by his intermarrige with a certain Mary Watson, became seized in right of the said Mary of a certain real estate, consisting for the most part of unimproved lots in and about said city: *And whereas*, The said William did, with the full knowledge and assent of his said wife, incur a large debt in the erection of certain buildings on a portion of the said property lying within the said city, to the great and manifest advantage of the inheritance therein: *And whereas*, The said Mary hath since died, leaving issue one child, Andrew W. Pentland, a minor, and without any provision made for the payment of the said debt, whereby the inheritance has been discharged therefrom and the creditors who have advanced their money for its improvement are likely to lose a large portion of their just claims upon the said property, and the said William to be moreover deprived of the means of educating and maintaining the said minor in a manner suited to his circumstances and condition in life: Therefore,

Wm. Pentland authorized to sell certain real estate.

SECTION 2. That the said William Pentland be and he is hereby authorized to sell and dispose of so much of the unimproved real estate of the said minor as may be required to discharge the debts *bona fide*, incurred in and about the erection of the said buildings: *Provided*, the same shall not exceed the sum of eight thousand five hundred dollars: *And provided moreover*, That the sale or sales so to be made, shall be approved by the orphans' court of the county of Allegheny, and security given to the satisfaction of the said court for the proper application of the moncy's arising therefrom to the purposes indicated in this act.

WM. A. CRABB,
Speaker of the House Representatives.

CHARLES B. PENROSE,
Speaker of the Senate.

APPROVED—The twenty-third day of February, A. D. eighteen hundred and forty one.

DAVID R. PORTER.