

for township officers in the county of Clinton, shall hereafter be held on the third Friday of February.

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

JN. H. EWING,  
*Speaker of the Senate.*

APPROVED—The tenth day of April, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 83.]

## A N A C T

To authorize John Dismant, Courtland J. Fell, and James Kerr, to sell and convey certain real estate.

**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 John Dismant, Esquire, of Upper Providence township, Montgomery county, State of Pennsylvania,

J. Dismant to  
sell lands of  
W. M. Bring-  
hurst, in  
Schuylkill co

is hereby authorized and empowered to sell, either at public or private sale, and convey all the right, title and interest of William Morris Bringhurst, who is non compos mentis, that he in anywise has to two certain contiguous tracts of land, situate in Rush township, Schuylkill county, Pennsylvania, containing together thirteen hundred and sixty-seven acres and seventy perches, with allowance for roads, which he, the said William, holds as one of the heirs at law of his late father, Israel Bringhurst, deceased, and as one of the heirs at law of Israel Bringhurst, junior, and Doctor Lewis B. Bringhurst, deceased, and by virtue of a deed from William Major and his wife, to him the said William, and the other heirs at law of the said Israel Bringhurst. And the said John Dismant, is also authorized and empowered, to sell and convey in manner

And lands of  
Francis M. &  
S. A. Hobson

as aforesaid, all the right, title and interest in the said estate of Francis Moses Hobson and Sarah Ann Hobson, minor children and heirs at law of their late mother, Mary Matilda Hobson, deceased, formerly Mary Matilda Bringhurst. And

And lands of  
M. M. & C. A.  
Rittenhouse

he, the said John Dismant, Esquire, is also hereby authorized and empowered, to sell and convey in manner as aforesaid, all the right, title and interest in said estate, of Mary Magdalene Rittenhouse and Charles Augustus Rittenhouse, minor children

and heirs at law of their late mother, Ann Rittenhouse, formerly Ann Wismer. And the said John Dismant is hereby authorized, to execute a deed or deeds, to convey in fee simple to the purchaser or purchasers, all the interest, right and title of said William M. Bringhurst and the said minors in said estate, which shall have the same legal force and effect as if said William were of sound mind, and the said minors were of full age, and had done the same themselves: *Provided*, That before the execution of such deed or deeds, the said John Dismant shall give such security as shall be approved by the orphans' court of Montgomery county, conditioned for the proper application of the proceeds arising from such sale, according to law.

SECTION 2. That it shall and may be lawful to and for Courtland J. Fell, trustee under the marriage settlement of Mary Fenimore, late Mary Fell, wife of Jason L. Fenimore, to cut down, remove, and sell so much of the wood and timber on the several tracts of land situate in the counties of Luzerne, Northampton and Monroe, or some of them, which descended to the children of Jonathan Fell, late of the city of Philadelphia, deceased, by his death and intestacy, (one-seventh part whereof belonged to the said Mary, at the making of such marriage settlement) as may be thought most for the benefit of the estate; also to mine minerals from the said lands, remove and sell the same; and also to sell and dispose of and convey to the purchasers, such part or parts of said lands, as he shall think most expedient; and all the moneys arising from said sale of timber, minerals, or lands, to invest under the order of the orphans' court, for the city and county of Philadelphia, in such way, for such purposes, and on such security as the said court shall approve; and the income and interest of the moneys so invested, shall be received and disposed of under said decree, and the principal thereof shall also be disposed of according to the same: *Provided*, That before any sale of said land shall be made, or any wood cut or removed, or minerals mined, the written consent of the said Mary Fenimore and the other parties interested; or in case of her death, or the death of the persons who now are, or shall become interested therein, if of age, and if the guardians of them under age be obtained, and filed in the office of the clerk of the orphans' court, of the city and county of Philadelphia.

SECTION 3. That James Kerr, of the county of Northampton, be and is hereby authorized to sell, at public or private sale, and convey in fee simple, a certain lot of ground with the appurtenances, situated in the borough of Bridgewater, in the county of Beaver, which he now holds by virtue of a deed, dated the sixth day of May, one thousand eight hundred and thirty-seven, in trust and for the use and behoof of Caroline Hemphill, wife of Thomas Hemphill; and also in trust and

Proviso for the use and behoof of all and every the child or children of the said Thomas begotten of her body: *Provided nevertheless*, That before the said James Kerr shall execute any deed for the aforesaid lot of ground, he shall give bond with such security as the orphans' court of Northampton county shall direct, conditioned for the proper investment of the money arising from such sale, and the application of the proceeds thereof for the uses and purposes mentioned in said deed.

Trustees of the German Luth. Church in Clarion co to sell real estate  
 Proceeds how applied

SECTION 4. That the trustees of the German Lutheran Reformed church of Licking, in Monroe township, Clarion county, are hereby authorized to make sale (after due public notice) of a lot of ground, six acres and thirty-five perches, belonging to said church, and to apply the proceeds thereof to defray the expenses of erecting a new house of public worship for said church; and the deed executed in pursuance of this act shall be good and valid, to pass the interest of said congregation to the purchaser.

Association of Friends for instruction of poor children to sell real estate  
 Proceeds how disposed o.

SECTION 5. The Philadelphia Association of Friends, for the instruction of poor children, and their successors, be and they are hereby authorized and empowered, to sell, exchange, or demise, in fee simple, or for any other or less estate, or upon ground rents redeemable or irredeemable, all or any portion of a certain lot or parcel of ground situate at the corner of Pegg and New Market streets, in the Northern Liberties of the county of Philadelphia, and held by them under two several deeds of conveyance, from Isaac W. Morris and others, dated the twentieth day of February, A. D. one thousand eight hundred and twenty-nine; and recorded in deed book J C, number one, pages one hundred and fifteen and one hundred and sixteen of the records of the said county: *Provided*, That the proceeds arising from exercise of the said power, shall, if the same be real estate or ground rents, be taken and held; or if the same be money, be re-invested either in real estate or otherwise, for and upon similar uses and trusts, to those declared in the above recited deeds of conveyance, but that the purchaser or purchasers, if the same shall be sold, shall be in no wise responsible for the proper application of the purchase money, or any part thereof.

Trustees of Presbyterian Congregation in Erie to sell real estate  
 Proceeds how applied

SECTION 6. That the trustees of the first Presbyterian congregation of the borough of Erie, in the county of Erie, and State of Pennsylvania, be and they are hereby authorized to sell, either at private or public sale, so much of lot number two thousand and forty nine, in the said borough, as may be necessary for the purpose of paying off the debts of the said congregation: *Provided however*, That the proceeds of the said sale shall be faithfully applied to the purposes herein indicated.

SECTION 7. That John Davies, Esquire and Jacob M. Awl,

trustees of the Methodist Episcopal burying ground, at Harrisburg, in the county of Dauphin, holding the same as trustees for said congregation, be and they are hereby authorized, to convey in fee simple, to the chief burgess, assistant burgess, and town council of the borough of Harrisburg, all the right, title, and interest of said congregation, to said lot of ground, situate on North street, in said borough, and lately occupied as a burying ground by said congregation, to be held by said corporation for the use of the Harrisburg water works.

Trustees of M. E. burying ground Harrisburg to sell real estate

SECTION 8. That John M'Clusky, guardian of John New-Guardian of J ton McDonald, of East Findley township, Washington county, N. McDonald be and is hereby authorized and empowered, to make and execute a deed of conveyance to John Johnston, for all the interest of his said ward, in a tract of land in East Findley township, in said county, late the property of William McDonald, deceased, adjoining lands of John Patterson, Angus McCoy, John Brownlee and others: *Provided*, That before the execution and delivery of said conveyance, the said guardian shall give security to the orphans' court of the county of Washington, in such sum as may be required, for the proper application of the purchase money.

to execute conveyance to J. Johnston

Proviso Security

SECTION 9. That John Lightner and John Reynolds, the administrators of James Hopkins, esquire, counsellor at law, late of the city of Lancaster, deceased, and the survivor of them, be and they and he are hereby authorized and empowered to sell, by public vendue or outcry, all the "York furnace estate" belonging to the estate of the said deceased, situate in Chanceford township, York county, on Otter creek, consisting of several tracts of land, containing one thousand and twenty-three acres and allowance, adjoining lands of Jacob Bair, George Ury, Thomas Grimes and others, together with the furnace and all other buildings thereon erected, and also the ore bank appurtenant and belonging thereto, and situate in Conestoga township, Lancaster county, containing twenty-five acres and one hundred perches, strict measure, being part of a farm belonging to the estate of the said deceased, containing two hundred and twenty-one acres and one hundred and forty-eight perches, strict measure, adjoining lands of David Hess, Jacob Sherk, Jacob Good and others; and also the balance of the said farm and the said York furnace estate, and the said ore bank, and also the balance of the said farm, to convey to the purchaser or purchasers thereof, by deed or deeds, which shall be as good and valid in law, as if made by the said James Hopkins, were he now living: *Provided*, That before exercising the power now conferred on them, the said administrators and the survivor of them, shall first apply to the orphans' court of Lancaster, and procure their order, approving of the time, place and terms of sale, and make report to the said court, of the manner in which they or

Adm'rs. of J. Hopkins, Esq Lancaster co to sell real estate, &c

Proviso

Approval of Orphans' Co. Lancaster co

he shall execute the said order, in like manner as is by law required in all cases of sales made under an order of the orphans' court: *And provided also*, That the said administrators, or the survivors of them, before exercising the authority conferred by this act, shall give security to the satisfaction of the said orphans' court, for the faithful execution of the power now conferred, and the due application of the proceeds of sale, according to law.

Proceedings  
in Orphans'  
Court of Lan-  
caster & York  
counties

SECTION 10. It shall be the duty of the said administrators, after they shall have exercised the power conferred by this act, to make return of the order of sale to the orphans' court of Lancaster county, who shall order the clerk to file the same, and enter it at large upon the records of the said court, and the said clerk shall then make out and furnish the said administrators with an entire, full and certified copy of the said proceedings, who shall then cause the same to be presented to the orphans' court of York county, who shall, in like manner, order the clerk of the said court to file the same, and enter it at large upon the records of the said court, so as to be evidence, and give notice to all persons of what has been done in the premises.

Cl rks fees

SECTION 11. The clerk of each of the said courts, shall receive the same fees for the services enumerated in the foregoing section, that are now by law paid for similar services, in other cases of sales, under the orders of the orphans' court.

Sale how held

SECTION 12. It shall be lawful for the said administrators, to hold the sale authorized by this act, at any such place in the city of Lancaster, as the orphans' court of Lancaster county may designate.

Bucks county  
—guardian of  
Mary Wilson  
authorized to  
execute release  
to Matthew &  
J. P. Wilson

SECTION 13. That the guardian or guardians for the time being, legally constituted, of the person and estate of Mary Wilson, a minor child of Samuel Wilson, deceased, who was one of the surviving children and devisees of the Reverend Doctor James P. Wilson, late of the township of Warminster, in the county of Bucks, deceased, he and he, she or they are hereby authorized, to execute to Matthew Wilson and James P. Wilson, the other children and devisees of the said James P. Wilson, deceased, or to either of them, their heirs or assigns, a release or releases of all the right, title and interest of the said Mary Wilson, in and to the real estate devised by the last will and testament of the said James P. Wilson, upon the payment or security given to the satisfaction of the orphans' court, of the county or counties in which the said real estate is located, for the payment to the said ward of the share of the valuation thereof, to which she would be entitled agreeably to the appraisement of the same, made by the trustees or the survivors of the trustees appointed under the will of the said James P. Wilson, deceased, and recorded in the office for the recording of deeds in Bucks county, in miscellaneous book

Upon pay-  
ment or secu-  
rity given to  
Mary Wilson  
for her share  
of the ap-  
praisement

number eight, page three hundred and twenty-two: *Provided* <sup>Proviso</sup> *however*, That the said court or courts, shall be of opinion that the said appraisment ts a reasonable one, and that it would be for the interest of the said minor, that the said release or releases should be executed: *And provided moreover*, That the said guardian or guardians shall first file in the orphans' court, <sup>Guardian to file bond with security</sup> having jurisdiction of his or their accounts, a bond with sufficient security, to be approved by the said court, for the faithful discharge of his, her or their trust in the premises, in the manner already required of guardians, by the existing laws.

WM. A. CRABB,

*Speaker of the House of Representatives.*

JN. H. EWING,

*Speuker of the Senate.*

**APPROVED**—The tenth day of April, one thousand eight hundred and forty-one.

DAVID R. PORTER.

[No. 84.]

## AN ACT

To Incorporate the President and Managers of the Montrose and Summersville Turnpike Road Company.

**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 Calvin Summers, James C. Biddle, Almon H. Read, R. L. Sutphin, Sabin Hatch, Belus H. Foot, Moses C. Tyler, Abraham Du Bois, Charles Dimon, William L. Post, David Post, Secu Mylert, and Robert J. Nevin, of the county of Susquehanna, be and they are hereby appointed <sup>Commis'rs</sup> commissioners, to do and perform the several things hereinafter mentioned—that is to say: they shall, on or before the first day of December next, procure two books, and in each of them enter as follows: "We whose names are hereunto subscribed, do promise to pay the president <sup>Form of sub-</sup> and managers of the Montrose and Summersville turnpike road <sup>scription</sup> company, the sum of twenty-five dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of said company, in pursuance of the act of the general assembly of this Commonwealth, entitled 'An act to incorporate the president and managers of the Montrose and Summersville turnpike road company.' Witness