

SECTION 2. All mortgages executed and acknowledged under the provisions of this act, shall be recorded in the recorder's office of the counties of Luzerne and Carbon, within thirty days after such acknowledgment, and such recording shall be as good and effectual in law, to all intents and purposes, as if the same had been recorded in all the counties in which the said mortgaged property may be situated; and all legal proceedings had upon said mortgages, shall be instituted in the court of common pleas of Luzerne and Carbon counties, whose judgment and final process shall be as effectual as if all the property was situated in said county, and no proceeding shall be had on any such mortgage, until the expiration of ten years from the date thereof, and in all cases of sale on any such mortgage, the proceeds thereof shall be applied pro rata to the payment of all debts of said company, of every description whatsoever: *Provided*, That nothing herein contained shall be construed to impair the obligations or liabilities of said company, under or by virtue of any pre-existing judgment or mortgages. Record of mortgages
Proviso

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The fourth day of April, eighteen hundred and forty-three.

DAVID R. PORTER.

[No. 72.]

AN ACT

To authorize the sale and conveyance of certain real estate, and for other purposes.

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 Philip Voneida, Michael Diefenderfer, Jesse Pennebecker and David Markley, trustees of the four United Congregations of Presbyterians or Reformed churches in Lancaster county, be and they are hereby authorized and empowered to sell and convey by deed or deeds in Lancaster co
Trustees of
certain
churches to
sell real es-
tate

fee simple a certain tract of land situated in Ephrata township, Lancaster county, containing ninety-eight acres and one-half, neat measure, bounded by lands of John Gross, Joseph Konigmacher, Richard R. Heitler, Jonas Nolt, David Markley, and others, being the residue or remainder of a tract of land containing one hundred and twenty-eight acres and allowance, sold and conveyed by John Balmer and wife, by deed bearing date the eleventh day of December, Anno Domini one thousand seven hundred and seventy-nine, to Adam Gill, Peter Fanghauser, and others, elders and trustees of four several congregations of Presbyterian or Reformed churches, in the townships of Cocalico, Earl and Warwick, their heirs and successors, to and for the use of the aforesaid several congregations, as a glebe for the minister for the time being.

**Manner of
sale**

SECTION 2. That the said trustees or the survivors are hereby authorized to sell and convey the said tract of ninety-eight acres and one-half, neat measure, as described in the first section, either as an entire tract or by a division of the same into smaller tracts, as they may deem most advantageous to the interests of those beneficially entitled; and grant and convey the same to the purchaser or purchasers thereof, his, her, or their heirs and assigns, as fully and for such estate as they now hold in the same, and divide the proceeds arising from such sale or sales amongst the said four congregations, according to their several interests in the same.

**Executor of
Jno Scott to
pay over cer-
tain money to
schools**

SECTION 3. That Peter Graybill, surviving executor of the last will and testament of John Scott, late of Donegal township, Lancaster county, deceased, be and hereby is authorized to pay over to the treasurers of the townships of East Donegal and Conoy, in the said county, in proportion to the number of taxables in each, the proceeds of the estate of the said John Scott, which may remain after paying the debts of the said deceased, and the bequests mentioned in the said will, who shall, with the approbation of the court of common pleas of the said county, invest the same in bonds secured by mortgage on real estate, within said county, in trust for the support of the schools of said townships; and shall apply the interest thereof from time to time, as the same may be received, as may be directed by the school directors of said townships respectively.

**Preamble
Franklin col-
lege**

WHEREAS, The trustees of Franklin college, in the borough and county of Lancaster, did on the tenth day of February, one thousand eight hundred and forty-three, by the name of the "Trustees of Franklin College, in the city and county of Lancaster," convey by deed to S. S. Hinman, William Santee, Judson Blackman, Frederick Fisher, Daniel Decker,

Holsey Taylor, Abigail Swartout, William Gragg, John Lantz, Peter Hollenbach, Ruel R. Brown, William B. French, and Benjamin Davison, several tracts of land in Bradford county, which were subsequently recorded in the office for recording deeds in Bradford county: *And whereas*, The said trustees and the said grantees in the above, mentioned deeds, are desirous that the title of the said grantees may be considered good and valid from the date of said conveyances, notwithstanding the misnomer of the said corporation in the same: Therefore,

SECTION 4. *Be it enacted*, That the titles of the said S. S. Hinman, William Santee, Judson Blackman, Frederick Fisher, Daniel Decker, Holsey Taylor, Abigail Swartout, William Gragg, John Lantz, Peter Hollenbach, Ruel R. Brown, William B. French, and Benjamin Davison, to the lands in the said deeds described, shall be as good and valid to all intents and purposes as if no misnomer of the said corporation had been made in the said deeds; and the said deeds and the records or certified copies thereof shall be as good evidence of title, as if the said corporation had been called by its right name. Misnomer legalized

SECTION 5. That Eli Summers, Paul Dowling, and William W. Dunn, be and they are hereby appointed in the room of Joseph Thomas, Henry Kerr and Levi Roberts, to receive the moneys and perform the duties mentioned in the thirty third section of the act, entitled "An Act regulating election districts, and for other purposes," passed the thirteenth day of June, one thousand eight hundred and forty. Commissioners named in fifth section of act fourteenth April 1828 superseded

WHEREAS, A certain William Hamilton, late of the township of Blockley, in the county of Philadelphia, deceased, by a certain deed of indenture bearing date the tenth day of March, in the year of our Lord one thousand eight hundred and eight, granted and conveyed to Daniel Smith, Andrew Petit and James Traquair, (who are all deceased,) their heirs and assigns, two certain lots of ground, marked in the plan of Hamilton village, in said township, numbers thirty and thirty-two, in trust for the sole use of building and erecting or causing to be built or erected a house to be appropriated as an academy or seminary of learning for the instruction of youth, and for no other purpose, with a proviso that should "they, their heirs, executors, administrators or assigns" neglect to erect such building within twenty years, then the grant to be void and the lots to revert to said William Hamilton or his heirs: *And whereas*, In pursuance of said grant a building was so erected for the purposes of an academy or seminary of learning for youth, but in so erecting and constructing the same, the said trustees had to incur debts which they were unable to pay, in Preamble

consequence whereof the said premises were sold under a writ of venditioni exponas issued out of the district court for the city and county of Philadelphia, tested the tenth day of June, in the year of our Lord one thousand eight hundred and twenty-six, at the suit of a certain Nathan Jones, and became the purchaser thereof for the sum of six hundred dollars; and thereupon the said premises on the twenty-seventh day of September, in the year of our Lord one thousand eight hundred and twenty-six, were granted and conveyed by John Douglass, then high sheriff for the city and county of Philadelphia, to the said Nathan Jones in fee: *And whereas*, Afterwards, to wit, on the fourteenth day of July, in the year of our Lord one thousand eight hundred and thirty-seven, the heirs of the said Nathan Jones, (he being deceased,) granted and conveyed the said premises in fee to Thomas Davis, John Dale and James Coxie, in trust nevertheless for the use of "the Baptist church in Blockley township," for the purpose of an academy or seminary of learning as aforesaid: *And whereas*, The members and congregation of said Baptist church are desirous of erecting a building for a church thereon for the purpose of public worship.

Trustees of
Baptist ch
Blockley tp to
erect church

SECTION 6. That the present or future trustees of the said Baptist church are hereby authorized and empowered to erect a building for a church on any part or portion of said lots, without in any manner impairing their title thereto or working a forfeiture of said premises by reason of any conditions and stipulations mentioned and contained in said original grant, but the said title shall remain as firm and stable in them as though said building had not been erected.

Certain prop-
erty vested in
Nancy Call
Westmore-
land co

SECTION 7. That the title to a piece of land situate in Ros-trava township, Westmoreland county, conveyed to Isaac Call by deed dated tenth day of May, one thousand eight hundred and twenty-seven, and recorded in book number eighteen, page one hundred and ninety-eight, and containing about fifteen acres more or less, as is described in said deed, is hereby invested in Nancy Call, the widow of the said Isaac Call, deceased, as fully and effectually as the said Isaac Call could hold and dispose of the same, were he now living.

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

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

DAVID R. PORTER.