

[No. 103.]

AN ACT

Authorizing the conveyance of certain real estate.

Preamble

WHEREAS, Charles Wetherill, late of the county of Philadelphia, deceased, died intestate, there being vested in him an interest in certain real estate, which descended to him as one of the heirs at law of his father, Samuel Wetherill, deceased; which said real estate the said Samuel Wetherill had sold in his life time, but the titles to which had not been conveyed by him: *And whereas*, It is desirable that the titles to the said real estate should be perfected by the delivery of deeds, legally executed for the same, to the purchasers.

Adm'r of
Chas Weth-
erill to exe-
cute deeds

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 it shall and may be lawful for the administrator of the said Charles Wetherill, deceased, on the payment or securing of the consideration agreed upon with the said Samuel Wetherill, in his life time, to make and execute deeds, in fee simple, to all such persons as could lawfully claim the same from the said Samuel Wetherill, were he now living, for any part or parts of the real estate of the said Samuel Wetherill, deceased, which descended to the said Charles Wetherill, as one of the heirs at law of the said Samuel Wetherill, and which the said Samuel had contracted to sell in his life time, and which was held either in severalty or as tenant in common: *Provided*, That the said administrator, before making any such deed, shall give security by bond, filed in the orphans' court of the county wherein the lands to be conveyed are situated, the security to be approved of by the court aforesaid, and in such an amount as the court shall deem sufficient, for the faithful application of all moneys which shall come into his hands, in consequence of making such deeds.

Trustee of
Eliza Bow-
man to sell
real estate

SECTION 2. That Doctor William G. Knowles, of the township of Darby, in the county of Delaware, trustee of the separate estate of Eliza Bowman, wife of Thomas Bowman, of the city of Philadelphia, be and hereby is authorized and empowered, with the approbation of the said Eliza Bowman, to sell and convey, or to mortgage the whole or any part of the separate estate of the said Eliza, conveyed by her

and her husband to said Doctor William G. Knowles, by deed, dated April twenty-six, one thousand eight hundred and thirty-seven, and to give a good and valid deed or mortgage therefor, free and discharged from the trusts of said deed of April twenty-six, one thousand eight hundred and thirty-seven, and to invest the proceeds of such sale or mortgage in other property, real or personal, to be approved by the said Eliza Bowman, upon such trusts as she may direct and appoint; and that the said Eliza Bowman be and hereby is empowered and authorized to revoke and annul the trusts declared of said estate by said deed of April twenty-six, one thousand eight hundred and thirty-seven, and to declare new trusts as to the said estate, or any part thereof.

Invest proceeds

SECTION 3. That for the purpose of enabling the religious society in the borough of Warren, county of Warren, now incorporated under the name, style and title of "The Methodist Episcopal Church, of Warren Station, borough of Warren, Pennsylvania," to discharge the debts by the said society contracted, in constructing a building suitable for public worship, it shall and may be lawful for the said corporation, by their corporate name, and under the hands and seals of the trustees of the said corporation, or a majority of them, to make, execute and deliver, to any person or persons, body or bodies corporate, for the purpose of paying and discharging the debts of the said corporation as aforesaid, good and sufficient deed or deeds, of all the right, title and interest, in law or equity, of the said corporation, of, in, and to those certain in-lots, in the borough of Warren, Warren county, Pennsylvania, known and designated on the map of said borough, as in-lots number two hundred and seventy-seven, (277,) and number two hundred and seventy-eight, (278,) with the appurtenances, or either of the said lots, or any part or parts thereof, as the said trustees may deem expedient, subject to such reservations and conditions as they may think proper, for the purpose of paying off some of the liabilities of the said corporation as aforesaid, or for the purpose of raising money to enable the said corporation to pay its said debts.

Methodist Episcopal church of Warren to sell real estate

SECTION 4. That Jacob Koons and Jane his wife, be and they are hereby authorized to sell and convey, in fee simple, all that certain tract of land situate in Green township, Franklin county, containing eight acres, devised by Elizabeth Green, late of the said township, deceased: *Provided*, That before making any such sale and conveyance, the said Jacob Koons shall give bond with security, in the orphans' court of Franklin county, to the satisfaction of said court, that the money arising from such sale shall be invested in other real estate, for the benefit of the parties entitled, under

Jacob Koons and wife sell real estate

the will of the said Elizabeth Green, and for such estates and interests as they now have therein.

SECTION 5. That the administrators of Christian Ley, late of Myerstown, Lebanon county, deceased, be and they are hereby authorized to grant and convey, and to unite with William Hoch, or any person duly authorized by him in granting and conveying to the administrator or administrators of Daniel Drinkle, late of Reading, Berks county, deceased, in trust for the persons legally entitled to the same, one undivided sixth part of all the lands and tenements not heretofore sold, situate in the counties of Schuylkill and Dauphin, mentioned and referred to in a certain article of agreement between the said Christian Ley, and the said William Hoch, the said Daniel Drinkle and Daniel D. B. Keim, dated September eleventh, Anno Domini, one thousand eight hundred and thirty, recorded in Schuylkill county, on the fifteenth day of September, one thousand eight hundred and thirty; and also to grant and convey, and unite with the said William Hoch, or any person duly authorized by him in granting and conveying to the administrators of the said Daniel D. B. Keim, deceased, in trust for the persons legally entitled to the same, one other undivided sixth part of the said lands and tenements, and to execute and deliver good and sufficient deeds of conveyance for the same; the said administrators of the said Daniel Drinkle, and the said Daniel D. B. Keim, deceased, paying or securing to be paid by mortgage of the lands so conveyed, all balances and sums of money due from them respectively, or from their respective intestates to the estate of the said Christian Ley, deceased, according to the provisions of the said article of agreement: *Provided*, That the said administrators of the said Christian Ley, deceased, before the execution and delivery of any such deeds of conveyance, shall give such sufficient security for the faithful and proper appropriation of the moneys to be so paid, or secured to them, as the orphans' court of Lebanon county shall direct; and in default of such security, the said moneys shall be paid into the said orphans' court, to be by them distributed according to law, the said administrators of the said Christian Ley, deceased, having nevertheless, the same right to enforce the payment of the said mortgages, by process, execution and sale, as if, having given such security as aforesaid, the sums of money due thereon were payable to them.

SECTION 6. That the administrators of the said Daniel Drinkle, deceased, and of the said Daniel D. B. Keim, deceased, be and they are hereby authorized to unite in granting and conveying to the administrators of the said Christian Ley, deceased, in trust for the persons legally entitled to the same,

one undivided third part of all such lands and tenements, mentioned and referred to in the said articles of agreement, whereof the titles were granted to, or vested in, the said Daniel Drinkle, and the said Daniel D. B. Keim, or either of them, at the date of the said articles of agreement, or afterwards; and also to grant and convey to the said William Hoch, or to his assigns, one other undivided third part of all such lands and tenements, and to execute and deliver good and sufficient deeds of conveyance for the same.

SECTION 7. That a deed from Mary C. Wilson, guardian of Stewart Wilson, an idiot, to Martha Wilson, dated the twenty-fifth of September, one thousand eight hundred and forty, shall be held valid to convey the title of Stewart Wilson to the lands therein described, in trust for the said Stewart Wilson, and the said Martha Wilson, after giving bond for the faithful application of the proceeds of any moneys arising from any sales to be made by her; which bond shall be in such sum, and with such surety, as the orphans' court of Bradford county shall direct, and the same shall be filed in the office of the clerk of said court; after which, the said Martha Wilson may sell and convey the said real estate, and confer the title of the said Stewart Wilson upon the purchaser or purchasers.

Guardian of
Stewart Wil-
son

Deed made
valid

SECTION 8. That Benjamin Brown, David Bligh and J. G. Grier, committee of the Harmonsburg sub-school district, in the county of Crawford, and acting as trustees of a certain lot of ground belonging to the village of Harmonsburg, for the use of a school, be, and they are hereby authorized to execute a certain contract heretofore made with N. J. Upham, for the exchange of a portion of said lot for other land, if they shall deem the same to the advantage of said school; and to make a deed to said N. J. Upham for the portion of said lot given him in exchange, and to receive from him a deed conveying to them the said land, to and for the same uses and purposes for which said lot was held, and for no other use.

Crawford co
Committee of
Harmons-
burg school
district to ex-
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SECTION 9. That George Yardley, Amos Vansant and William D. Brown, are hereby constituted trustees in the room and stead of those named by Thomas Yardley, Esquire, Yardley to of Lower Makefield township, in his deed dated the twenty-fifth day of February, one thousand seven hundred and ninety-three; and the above named trustees hereby appointed, are authorized and empowered to sell and convey the property conveyed by said deed or any part thereof, and to execute a deed therefor in fee simple to the purchaser or purchasers, and invest the proceeds of such sale in the purchase of ground for, and in the erection of a building on the same, in the most eligible situation, to be held in trust by them and their heirs

Trustees of
Thomas
sell real es-
tate

and assigns, for the use and purposes of a free school for the education of the youth of that neighborhood forever: *Provided nevertheless*, That the sale so as aforesaid to be made, shall be confirmed by the court of common pleas of Bucks county, and that said trustees shall give bond in a sum to be fixed, and with security to be approved by the court aforesaid, for the faithful performance of the trust expressed and declared in the deed aforesaid, and vested in them by virtue of this act.

Proviso

Deacons of
New Britain
Baptist
church to
make deed
&c

SECTION 10. That the deacons of the "New Britain Baptist church," in the county of Bucks, are hereby authorized and empowered to make and execute a deed of release to Amos Griffiths, or to his heirs, administrators, executors or assigns, for the sum of two dollars, charged on the lands of said Amos Griffiths, by the deed of David Jones, dated

Proviso

Anno Domini, one thousand seven hundred and sixty-seven, and to be annually paid to the church aforesaid: *Provided nevertheless*, That said release shall in no wise be executed for a less sum than forty dollars.

School directors of Darby tp. Delaware county to sell real estate

SECTION 11. That the school directors of the township of Darby, in the county of Delaware, be, and they are hereby authorized to sell and convey at public or private sale, and make and execute a good and sufficient title for all that lot and piece of land lying and situated on the Springfield road, in the township and county aforesaid, which said lot or piece of land was by indenture, bearing date the second day of April, one thousand seven hundred and thirty-five, granted and conveyed by David Thomas and Hannah his wife, to John Davis and Richard Parker for school purposes; and it shall be the duty of said school directors to apply the proceeds of said sale to the support of the common schools in the said district, in such manner as they may deem most conducive to the interests of the same.

Thomas Pritchett a trustee to pay over certain moneys

SECTION 12. That Thomas Pritchett of the city of Philadelphia, trustee of Abraham K. Pritchett, Josephine Timlow, late Josephine Pritchett, and Anna E. Holstein, late Anna E. Pritchett, be hereby authorized and required, on reasonable notice, to pay over to the said Anna E. Holstein and Josephine Timlow, or to their assignees and legal representatives, two-third parts of all moneys received by the said Thomas Pritchett, as trustee, from certain rents and ground rents with interest thereon, arising out of a certain trust created by the last will and testament of Anna E. Pritchett, late of Philadelphia, deceased, and by the same will directed to be laid out and expended in improving certain real estate devised by the said testatrix, in trust for the use of the said Abraham K. Pritchett, Anna E. and Josephine for life; the sum hereby

authorized and required to be paid to the said Anna E. and Josephine, or their legal representatives, being two-thirds of the sum received by the said trustee, from the rents of the real estate and ground rents, with interest thereon so as aforesaid, devised to the said devisees: *Provided nevertheless*, That the said trustee shall only be required to pay interest on said trust money during the time the same was loaned out or used by him: *And provided also*, That on refusal of the said trustee to pay the same so as aforesaid authorized and required, the said Anna E. and Josephine may sue for and recover the same: *Provided further*, That this act shall not be construed so as to in any manner interfere with the interest of Abraham K. Pritchett, in said trust fund. Proviso
2d proviso

SECTION 13. That Isaac John of Columbia county, Peter Shrontz and Abraham Campbell of Northumberland county, (surviving acting trustees under a deed from Henry Mettler and Elizabeth his wife, dated the twenty-third June, one thousand eight hundred and twenty,) or the survivor or survivors of them, are hereby authorized to sell at public or private sale, for the best price they can obtain, a lot of ground in Rush township, county of Northumberland, containing one and a half acres of land particularly described in the above deed, recorded in Northumberland county, in Book U., page four hundred and fourteen, four hundred and fifteen, and four hundred and sixteen, and to make and execute to the purchaser or purchasers, a deed conveying all the right vested in the trustees named in the said deed, and of the church for which they were trustees. The proceeds of the sale made under the provisions of this act, shall be paid over to the steward or stewards of the quarterly conference of the Northumberland circuit, in the Baltimore conference, to be held by them, for the use of the said circuit, under the direction of said quarterly conference: *Provided*, That no sale shall be made of the aforesaid premises by the said Isaac John, Peter Shrontz, and Abraham Campbell, or the survivors of them, under the authority of this act, until they shall have first obtained the consent of a majority of the members of said quarterly conference, who may be in attendance at any stated meeting of said quarterly conference. Trustees of
Henry Mettler and wife
to sell real estate
Proviso

SECTION 14. That the commissioners of the county of Greene are hereby authorized and empowered to sell and convey to the trustees of the Baptist church and their successors, of the borough of Waynesburg, in the county aforesaid, for the purpose of erecting a meeting house thereon, all the right, title and claim of the said borough, in and to the following described lot or piece of ground, to wit: To be cut off of the common of said borough, beginning at the west end of Greene co
comms to sell
real estate

said town, in a rectangular figure eighty feet fronting upon Main street, thence north one hundred and eighty feet next to and parallel with West street, for the purpose aforesaid.

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

B. CRISPIN,
Speaker of the Senate.

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

DAVID R. PORTER.

[No. 104.]

AN ACT

Relative to an old pier in the Delaware river, and for other purposes.

Preamble

WHEREAS, The lumbermen and other individuals navigating the river Delaware, have suffered great inconvenience and losses in consequence of an old pier at Mitchell's or Centre bridge, above New Hope, and the directors of the said bridge have heretofore neglected and refused to remove the said old pier; For remedy whereof,

Notice requiring removal of pier

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 it shall be lawful for any individual interested in the navigation of the river Delaware, to give thirty days notice to any officer or director of the corporation owning Mitchell's or Centre bridge, requiring the said company to remove the said old pier, and restore the navigation; and in case the said pier shall not be removed within thirty days after such notice shall be given, the said company shall forfeit and pay the sum of twenty dollars for every day afterwards that the said old pier shall remain in a situation to obstruct the navigation, to be sued for and recovered by any citizen of this commonwealth, as debts of similar amount are recoverable, and the process may be sued upon any officer or director of the company.