

No. 419.

AN ACT

Relative to the Estate of John Haberacker, 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* Elizabeth Haberacker, widow of John Haberacker; Adam Rightmyer and Hannah Rightmyer, his wife; Louis Diehl and Margaret Diehl, his wife; George Samlin and Sarah Samlin, his wife; John E. Trexler and Valma Trexler, his wife; Henry A. Lantz and Mary M. Lantz, his wife; George Samlin, guardian of John Haberacker, Lewis Haberacker and Henry Haberacker, who are minor children of Frederick Haberacker, deceased; and Henry A. Lantz, guardian of William F. Diehl, Henry C. Diehl and Sarah Ann Diehl, who are minor children of Margaret Diehl, be and they are hereby authorized to apply to the orphan's court of said county of Berks, for the partition, valuation, acceptance and sale of all the real estate of which the said John Haberacker, deceased, died seized, except the house and lot which the said widow has a right to under the will of said John Haberacker, and may elect to live in during her natural life, in the same manner and with like effect as is provided for by law in cases of the estates of intestates, and the decrees of the said court thereon shall be of the same force and validity as decrees in cases of intestates' estates: *Provided, That if* Margaret Diehl shall accept of any part of said real estate, she shall hold the same and receive the rents, issues and profits thereof for and during her natural life, to and for her own sole and separate use, and after her death for her children or heirs, according to the will of the said John Haberacker, and if the said Margaret Diehl does not accept of any part of said real estate, or accepts a part thereof, not equal in value to her full share thereof, then and in that case she shall have the interest of the amount of money to which she is entitled in either case, to and for her sole and separate use for and during her natural life, and after her death said principal sum shall be paid to her children and heirs, according to the provisions of said will, said money in either case to be and remain a lien on said real estate, respectively, until it is fully paid, and when it is paid it shall be invested in real estate security for said purposes, under and according to the directions and order of said court: *And provided further, That* when said real estate shall have been accepted or sold, that said widow shall determine and elect on what part of said real estate a sum shall remain charged sufficiently large to raise for her annually the sum of two hundred dollars to be paid to her semi-annually, and said sum shall remain charged on said part of said real estate for said purposes for and during her natural life, and at and immediately after her death, said

principal sum shall be paid to the said heirs of the said John Haberacker, according to the provisions of his said will.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 420.

AN ACT

Relative to the assessment of taxes in the county of Delaware.

WHEREAS, Manifest injustice is suffered by many of the citizens of the township of Middletown, in the county of Delaware, in consequence of the present law requiring assessment of real estate where township lines divide property, to be made in the township where the mansion is located thereby depriving said township of the school and road taxes on lands lying therein; therefore,

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 from and after the passage of this act the assessors of said township, in the county of Delaware, shall return all real estate that is situate therein to the county Commissioners, and that the same be liable to taxation for school or road purposes.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twentieth day of April, one thousand eight hundred and fifty-four.

WM. BIGLER.