

1791.

## CHAPTER MDXVII.

*A SUPPLEMENT to the act, entitled "An Act to declare and regulate escheats."*

(Original act, vol. 2, pa. 425.)

**WHEREAS**, it is proper that persons purchasing lands in this state may transmit their possessions to their children, relations, or friends, who may still remain in, and be the subjects of, foreign states : Therefore,

Aliens enabled to acquire, take, hold and dispose of real estate by devise or descent.

**SECT. I.** *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 every person, being a citizen or subject of any foreign state, shall be able and capable in law of acquiring and taking, by devise or descent, lands and other real property in this commonwealth, and of holding and disposing of the same, in as full and ample a manner as the citizens of this state may or can do, and no such lands or estate so held by devise or descent shall escheat or be forfeited to the commonwealth, for or on account of the alienage of such person claiming the same under any last will, or succeeding thereto, according to the laws of this commonwealth.

And to dispose of personal estate, by testament or otherwise.

**SECT. II.** *And be it further enacted by the authority aforesaid,* That all such persons shall be able and capable in law to dispose of any goods and effects, to which they may be entitled within this state, either by testament, donation, or otherwise, and their representatives, in whatever place they may reside, shall receive the succession, according to the laws of this commonwealth, either in person or by attorney, in the same manner as if they were citizens of this commonwealth.

Alien enemies excepted.

**SECT. III.** *Provided nevertheless, and be it further enacted by the authority aforesaid,* That nothing, herein contained, shall be construed to prevent the sequestration of any real or personal estate belonging to any such alien, during the continuance of war between the United States of America and the state or prince, of which such person may be a citizen or subject.

Passed 23d February, 1791.—Recorded in Law Book No. IV. page 130. (i)

(i) For the existing law respecting wills will be found a retrospective view of aliens, see post, chap. 2737, 10th of all the laws passed on the same subject. February, 1807, in the notes to which

## CHAPTER MDXVIII.

*A further SUPPLEMENT to the several acts of the General Assembly respecting auctions and auctioneers.*

(See chap. 903, vol. 1, page 599, and the notes thereto subjoined.)

**WHEREAS** inconveniences have arisen by restraining auctioneers from holding their auctions wheresoever they may judge it convenient in the city of Philadelphia, the district of Southwark, or the townships of the Northern-Liberties and Moyamensing : For remedy whereof,

**SECT. I.** *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 each and every auctioneer already licensed, or who may hereafter be licensed by the governor of this commonwealth, under the subsisting laws thereof, to make sale, by public auction, of any lands or tenements, goods, wares, merchandize, or other property whatsoever, at any place or places, which the said auctioneers respectively may deem most beneficial to him, within the city of Philadelphia, the district of Southwark, or the township of the Northern-Liberties or Moyamensing. 1791.

Licensed auctioneers may sell property at any place within the city, &c.

**SECT. II.** *Be it further enacted by the authority aforesaid,* That such parts of any former act or acts of Assembly of this commonwealth, as prevent either of the said auctioneers now licensed or hereafter to be licensed as aforesaid, from holding public sales in the city of Philadelphia, the district of Southwark, or townships of the Northern-Liberties and Moyamensing, shall be, and the same are hereby declared to be null and void, to all intents and purposes whatsoever, any clause matter or thing therein contained, to the contrary thereof in anywise notwithstanding. Repeal of such parts of former laws as are contrary to this act.

Passed 26th February, 1791.—Recorded in Law Book No. IV. page 125.

## CHAPTER MDXIX.

*An ACT for erecting the townships of Hamilton and Lower-Smithfield, in the county of Northampton, into a separate election district, and the townships of Upper-Smithfield and Delaware, in the said county, into a separate election district.*

**SECT. I.** **WHEREAS**, by a representation made to the legislature by the freemen of the townships of Hamilton, Lower-Smithfield, Upper-Smithfield and Delaware, in the county of Northampton, it appears they labour under great inconveniences, owing to their remoteness from the place where the general election for said townships is now held: For remedy whereof,

**SECT. II.** *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 the townships of Hamilton and Lower-Smithfield, in the county of Northampton, be, and the same are hereby erected into a separate election district, to be called the fourth district of said county, and that the freemen of the said townships of Hamilton and Lower-Smithfield, shall hereafter meet at the house now occupied by Col. Jacob Stroud, in the said township of Lower-Smithfield, for the purpose of holding elections, conformably to the constitution and laws of this commonwealth. Fourth election district erected. Elections where held.

**SECT. III.** *Be it further enacted by the authority aforesaid,* That the townships of Upper-Smithfield and Delaware, in the said county of Northampton, be, and the same are hereby erected into a separate election district, to be called the fifth district of said coun- Fifth election district erected.