

tion of such minor child or children, then, and in every such case, the orphans' court of the county where the real estate lies, shall allow the guardian or guardians of such child or children to make public sale thereof, or of so much of the said real estate upon the best computation they can make of the value thereof, as the said court shall judge necessary for the purposes aforesaid, and to make a title thereto to the purchaser: Provided always, that the guardian or guardians aforesaid, shall, before they proceed to convey, give bond with sufficient surety to the orphans' court, to dispose of the proceeds of sale for the use of the said minor or minors, and to invest within six months from the receipt of the same, so much thereof, if any there be, as shall not be immediately required in good real or other securities for the same use.

Section XI. (Section XI, P. L.) And be it further enacted by the authority aforesaid, That where any person or persons shall hereafter die, having made and executed any testament and last will, and shall not therein have disposed of the residue of his or her personal estate, the executor or executors therein named, shall distribute such undisposed of residue to and among the next of kin, agreeably to the intestate laws of the commonwealth, but nothing in this section contained shall be construed to affirm or deny the right of any executor or executors to such undisposed of residue prior to the passing of this act.

Approved April 7, 1807. Recorded in L. B. No. 11, p. 15.

Note (*) See a supplement to the act in the text Chapter 2977; *infra* this volume, p. 867.

Note (*) Chapter 2498; 17 Statutes at Large p. 838.

CHAPTER MMDCCCXXVI.

AN ACT AUTHORIZING CERTAIN PERSONS TO SELL AND CONVEY A TRACT OF LAND, THE PROPERTY OF WEST CALN TOWNSHIP, IN THE COUNTY OF CHESTER.

Whereas it hath been represented to the legislature, that a certain Abraham Dawson, did by his last will and testament, bequeath to the inhabitants of West Caln township,

Chester county, a certain tract of land containing thirty-two acres and an half, for the use of the poor of the said township, on condition of their paying to his executors the price of patenting the same: And whereas it appears that this condition has been complied with, and that in consequence of the establishment of a county poor house, the poor are supported at the general expense of the county; it is therefore just and reasonable that the profits arising from the said tract of land, should now be applied to relieve the burdens of the said inhabitants in repairing their roads and highways; and as it appears that the land in its present state is unproductive; and that it would be more for the benefit of the said township, that it should be sold, and the price invested in some productive fund for the use aforesaid: Therefore,

Section I. (Section I, P. L.) 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 James M'Clellan and Hugh Thompson, esquires, are hereby authorized and empowered to sell and dispose of the aforesaid tract of land, with its several rights, privileges and appurtenances, as soon as the same can conveniently be done; either by public or private sale for the best and highest price which can be gotten for the same; and to give assurances and conveyances valid in law to the purchaser or purchasers, and his, her or their heirs and assigns forever; and they are hereby required to pay over the monies arising from such sale to the supervisors of the highways of the said township for the time being; and the said supervisors are hereby directed and required to place the same at interest on mortgage or other sufficient security; and the interest arising therefrom shall be applied by the said supervisors and their successors to the repair of the roads and highways of the said township.