

of, and shall unanimously desire the same or any part to be sold by the order of the court, the said court may order or decree the sale thereof without granting any rule to show cause why the said estate or part thereof should not be sold, any practice to the contrary notwithstanding: and to remove doubts, all proceedings heretofore had and decrees made in the orphans' court in pursuance of the act, entitled "A further supplement to the act entitled "An act directing the descent of intestates real estates and distribution of their personal estates and for other purposes therein mentioned," passed April second, one thousand eight hundred and four,<sup>(2)</sup> or of the act<sup>(3)</sup> which is hereby amended where notice has been given in the newspapers of the application for a partition or valuation, or whereby the consent of the legal representatives to a rule to show cause has been waived, if otherwise legal, are hereby declared to be valid.

Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid, That where the orphans' court of any county hath heretofore decreed, or hereafter may decree a sale of an intestate's real estate or part thereof, by the administrators, the said court is hereby authorized to require and take sufficient security from such administrators conditioned for the faithful execution of the power committed to them in making such sale, and truly to account for and pay over the proceeds thereof in such manner as the said court shall legally decree.

Approved March 26, 1808. Recorded in L. B. No. 11, p. 235.

Note (\*). Chapter 2825; Supra this volume, p. 508.

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

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## CHAPTER MMCMLXXVIII.

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AN ACT MAKING APPROPRIATION FOR THE IMPROVEMENT OF THE STATE ROAD LEADING FROM PHILADELPHIA THROUGH WEST CHESTER TO STRASBURG, AND ALSO FOR THE BUILDING AND REPAIRING OF BRIDGES IN DELAWARE COUNTY.

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 the sum of two thousand dollars be, and the same is hereby appropriated, out of the arrearages of state taxes due this commonwealth from the county of Chester, to the improvement of that part of the state road leading from Philadelphia through West Chester to Strasburg, which lies within the county of Chester; to be recovered, received and expended, by the commissioners of the county of Chester, in such manner as they shall deem most conducive to the general interest, in repairing the part of the aforesaid road which lies in the county aforesaid; and that the further sum of two thousand dollars be appropriated, out of the arrearages of state taxes due from the county of Delaware, as originally part of the county of Chester, for the purpose of building and repairing bridges in the county of Delaware, in such manner as the commissioners of the said county shall direct.

Approved March 26, 1808. Recorded in L. B. No. 11, p. 237.

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#### CHAPTER MMCLXXIX.

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##### AN ACT TO DISSOLVE THE MARRIAGE CONTRACT BETWEEN ALEXANDER KERR AND RUTH, HIS WIFE.

Whereas Ruth Kerr, of Washington county, by her petition to the Legislature, hath represented that in the year one thousand seven hundred and ninety-five she was married to Alexander Kerr, with whom she lived in a miserable situation (being often beaten and her life frequently threatened) until the year one thousand eight hundred and three, when the said Alexander Kerr deserted her, with four small children, and has not afforded her any subsistence, and that though the said Ruth might possibly obtain a divorce by application to the court, yet that she is unable by reason of poverty, to pay the expenses incident thereto, and therefore prays legislative aid, and it being just and reasonable that relief should be afforded in such cases: Therefore,