

No. 156.

AN ACT

Relative to certain real estate.

Preamble.

WHEREAS, Thomas Rider, a foreigner, late of Turbett township, Mifflin county, state of Pennsylvania, died intestate, and without legal heirs, seized and possessed of a certain farm in the township and county foresaid: *And whereas*, it appears on sufficient evidence that it was the intention of the said decedent to devise and bequeath the said farm, together with his personal property, to John P. Wharton, an orphan boy, late a member of his family, reserving an interest therein, or in the moneys arising from the sale thereof in favor of Jean Walker, the fulfilment of which intention was prevented by the sudden death of the aforesaid decedent:

Therefore,

SECT. 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,*

Escheated estate of T. Rider vested in J. P. Wharton.

Subject to support of J. Walker.

Proviso.

Not to interfere with other rights.

Administrator of C. Johnson's estate, Centre county, authorised to sell, &c.
Proviso.

Security to orphans' court.

That all the right, claim and interest which this commonwealth may have acquired, by reason of any escheat or supposed escheat, from the want of heirs of Thomas Rider, late of Turbett township, Mifflin county, state of Pennsylvania, deceased, to the real estate whereof he died seized, is hereby vested in John P. Wharton, his heirs and assigns, subject nevertheless to the support of Jean Walker, for and during her natural life, which support shall be in lieu and satisfaction of any judgment, and all claims which the said Jean may have against the estate of the said Thomas Rider, deceased: *Provided*, That no other claim or right of this commonwealth, excepting that derived from said escheat or supposed escheat, shall pass by virtue of this act, nor shall the rights of individuals be affected thereby, excepting those whose names are mentioned in this act.

SECT. 2. *And be it further enacted by the authority aforesaid,* That Joseph Johnson, administrator of the estate of Catharine Johnson, late of Lamar township, Centre county, Pennsylvania, deceased, be and hereby is authorised to sell, dispose of and convey, all the right, title and interest in a house and lot of ground situate in Lamar township, Centre county, aforesaid, of which the said Catharine Johnson died possessed: *Provided*, That no title shall pass by virtue of such sale until the aforesaid Joseph Johnson shall have given sufficient security to the orphan's court of said county for the faithful distribution of the proceeds of such sale, to those who now

are, or may hereafter be entitled to receive it: *And provided further*, That said sale shall not be valid until confirmed by the orphans' court of said county.

2d proviso.
Confirmation
of sale.

SECT. 3. *And be it further enacted by the authority aforesaid*, That the right and title of Samuel M'Attee of the township of Southampton, county of Bedford, state of Pennsylvania, to a tract or parcel of land situate in Beam's Cove, township and county aforesaid, described and bounded as set forth in deed poll dated fourteenth of May, eighteen hundred and twenty-nine, granted to the aforesaid Samuel M'Attee by John Donahoe, of Curragh, in the Queen's county, Ireland, by his attorney in fact, the Reverend Thomas Heyden, of Bedford county, Pennsylvania, be and is hereby confirmed and made valid as the same would have been had the aforesaid letter of attorney been authenticated in the manner and form prescribed by the laws of this commonwealth.

Title of S.
McAttee to
land in Bed-
ford county
made valid.

WHEREAS, Kizia Hugg, of the city of Philadelphia, a married woman, did in the year one thousand eight hundred and twenty-seven, purchase from Robert M'Neill, a certain house and lot of ground, the consideration money paid therefor being her own individual property: *And whereas*, it was directed and intended that the deed conveying to her trustee the right and title to the said property should expressly preserve to her the sole use and disposal thereof, not subject to the control of her husband: *And whereas*, it appears, that in consequence of some error on the part of the conveyancer, the sole, absolute and unconditional disposal thereof has not by the said deed been vested in her or her trustee Marmaduke S. Hugg, as directed and intended by the parties interested, to wit, George W. Hugg, Kizia Hugg his wife, and Marmaduke S. Hugg, trustee of Kizia Hugg:

Preamble to
4th section.

Therefore,

SECT. 4. *And be it further enacted by the authority aforesaid*, That Marmaduke S. Hugg, trustee of Kizia Hugg, be and is hereby authorised, (the written consent and direction of the said Kizia being first had and obtained,) to mortgage, sell, lease, or otherwise dispose of the said house and lot as effectually as if the said trust had been unconditional and unlimited.

Trustee of
K Hugg
empowered
to dispose of
house & lot.

WHEREAS, it is represented to the legislature that the administrator of Henry B. Grubb, late of Rapho township, Lancaster county, deceased, purchased and had conveyed to him by deed on the first day of April, eighteen hundred and twenty-six, in trust for the heirs of said deceased, eighty-seven acres, and one hundred and twenty nine perches of land, in said township, the timber on which was taken and used at the furnaces and iron works late of the deceased, for the benefit of his heirs, which

Preamble to
5th Section.

was the object of the purchase, that the said land afterwards was wholly unproductive to the heirs, and was sold to George Long, of Rapho township, for which the consideration money is paid, (excepting ninety dollars,) and the said Long has possession of the said land:

Therefore,

SECT. 5. *And be it further enacted by the authority aforesaid,* That Harriet A. Grubb, widow of Henry B. Grubb, and guardian of his minor children, be and she is hereby authorised to convey by deed to George Long, his heirs and assigns, in fee, all the right and title of Edward Grubb, Charles Grubb, Clement Grubb, Mary Grubb, Sarah Grubb, and Alfred Bates Grubb, minor children of Henry B. Grubb, deceased, in and to a certain tract of land consisting of eighty-seven acres, and one hundred and twenty-nine perches, situated in said township, purchased by the administrator of Henry B. Grubb, in trust for his heirs, which deed of conveyance shall be as valid and effectual in law as if the said minors were of full age, and had executed the same: *Provided,* That before the said deed shall be made or rendered valid, the said Harriet A. Grubb shall give bond to the commonwealth in such sum, in such form, and with such sufficient security as the orphans' court of Lancaster county may direct, for the faithful execution of the trust hereby committed to her, and the proper application of the purchase money remaining unpaid on said sale, in such manner as said court may direct for the benefit of the heirs and representatives of said deceased.

H. A. Grubb, guardian of minor children authorised to convey certain property.

Proviso.

Security to Orphans' court of Lancaster co.

WHEREAS, Peter Lattig, the elder, late of Williams township, in the county of Northampton, deceased, conveyed a certain tract of land to Philip Protzman, in trust for the use and benefit of the widow and heirs of his son Peter Lattig, deceased, according to the laws of Pennsylvania regulating intestates' estates: *And whereas,* the heirs of the said deceased made partition of the said premises by parol agreement, and severally accepted of a purpart thereof at the valuation made by the persons by them mutually chosen for that purpose: *And whereas,* the said parties entered into the possession of their respective purparts, since which one of them, to wit, Mary the wife of William Miller, has died and left issue three children who are yet in their minority, and no power having been given to the said trustee to make conveyances to the heirs of the said deceased:

Preamble to 6th section.

Therefore,

SECT. 6. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the said Philip Protzman, and he is hereby authorised to convey and assign unto the surviving children of Peter Lattig,

P. Protzman authorised to convey

the younger, deceased, and to William Miller, in trust for the minor children of Mary, one of the daughters of the said Peter Lattig, deceased, the purparts by them respectively chosen as aforesaid, according to the terms of the agreement made between them, and that the conveyance or conveyances so as aforesaid made by the said Philip Protzman, be as good and effectual in the law to all intents and purposes, as if there had been no legal disability, and the said heirs had executed mutual releases to each other, or as if the said Philip Protzman had been empowered by the deed aforesaid, to make conveyance to the said heirs.

certain subdivisions of property.

SECT. 7. *And be it further enacted by the authority aforesaid*, That Samuel Paynter and Mary Paynter, and the survivor of them, and after the death of such survivor the trustees or trustee for the time being of a certain settlement made previously to her marriage, (recorded at Philadelphia, in deed book I H, number seven, page ninety-five, &c.) shall from and after the passing of this act, have power and authority by themselves, or by their respective attorneys or attorney, from time to time, and at all times to grant and convey in fee simple, the whole or any part or parts of the real estate in Philadelphia county, which by indentures of partition recorded at Philadelphia aforesaid, on the twenty-fifth day of January, in the year one thousand eight hundred and thirty, was allotted to the said trustees in severalty, reserving thereout for the uses of the said settlement unto the trustees or trustee thereof for the time being, their or his heirs and assigns, forever, such yearly rent-charges payable at such intervals as to the said parties so granting or conveying the same shall seem proper, and for the purposes aforesaid to make and execute all proper deeds and assurances, with clauses of distress and of re-entry, and with or without a clause or clauses, authorising the redemption or extinguishment of such rents within a certain term, and with such other clauses, covenants and provisions as may be needful or convenient in the premises.

S and M. Paynter, or trustees empowered to convey certain real estate in Philadelphia county.

SECT. 8. *And be it further enacted by the authority aforesaid*, That Henry Attick and Jacob Hart, guardians of the minor children of William Atkinson, (late of Fairview township, York county, deceased,) are hereby authorised and empowered to sell and convey all the right, title and interest of, in and to four certain unimproved lots of ground situate in the town of Lisburn, Allen township, Cumberland county, designated in the plot of said town by the numbers of seven, eight, twenty-four, and twenty-five, and to make and execute a sufficient deed or deeds to the purchaser or purchasers for the same: *Providea*

H. Attick & J. Hart, guardians, authorised to convey four lots in Lisburn, Cumberland co.

Providea.

Security to Orphans' court, and approval of sale.

however; That the guardians aforesaid, previous to making sale in pursuance of this act, shall enter into a bond or recognizance, with sufficient security, to be approved of by the orphans' court of Cumberland county, for the proper application of the moneys arising from said sale: *And provided further*, That such sale shall not be valid until approved of by the orphan's court of the county aforesaid.

Preamble to 9th section.

WHEREAS, Peter Shott, of Millersburg, in the county of Dauphin, in the year one thousand eight hundred and eight, purchased a lot or piece of ground from a certain Jacob Wingart, in the said town of Millersburg, the deed conveying the title to which appears to be defective, contrary to the true intent and meaning of the parties :

Therefore,

Title in a certain lot in Millersburg, Dauphin co. vested in P. Shott.

Proviso. Not to affect rights of third persons 2d proviso. Purchase money.

SECT. 9. *And be it further enacted by the authority aforesaid*, That the title to a certain lot of ground situate in the town of Millersburg, Dauphin county, numbered one hundred and sixty-two in the plan of said town, with the appurtenances, be and the same is hereby vested in Peter Shott, of the said county, in fee simple, as fully and effectually as it could have been by any deed of conveyance which might or ought to have been executed, conveying the said lot of ground from Jacob Wingart to the said Peter Shott: *Provided*, That nothing herein contained shall be construed to affect or interfere with the rights of third persons: *And provided*, That the purchase money of said lot be fully paid.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, A. D. one thousand eight hundred and thirty.

GEO. WOLF.

No. 157.

AN ACT

For the levy and collection of taxes upon proceedings in courts, and in the offices of register and recorder, and for other purposes.

SECT. 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 first day of July, one thousand eight hundred and thirty, the officers hereinafter men-