

LAWS OF PENNSYLVANIA

third Friday in March, one thousand eight hundred and forty-three.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The twenty-fourth day of March, one thousand eight hundred and forty-two.

DAVID R. PORTER.

[No. 70.]

AN ACT

To authorize William Linn, trustee of the minor children of Robert and Ann Stockton, to sell and convey certain real estate and for other purposes.

Preamble

WHEREAS, It is represented, that on the twenty-sixth day of June, Anno Domini, one thousand eight hundred and twenty-three, W. B. Galbraith, conveyed to William Linn, a certain lot of ground, situate in the borough of Shippensburg, and county of Cumberland, numbered forty-two in the plan of said town, in trust for the sole and separate use of Ann Stockton, the wife of Robert Stockton, and after her death to her children in fee: *And whereas*, the said Ann is dead, leaving issue six children, and it is believed to be for the interests of the said children, four of whom are minors, that the said real estate should be sold. Therefore,

William Linn
to convey real
estate

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 the said William Linn, trustee as aforesaid, is hereby fully authorized to sell and convey the said lot of ground, either at public or private sale, for the best price he can obtain for the same, and to make title to the purchaser: *Provided*, That, after deducting the reasonable expenses of said sale, he shall pay over the balance of the money arising from said sale to the children of the said Robert and Ann Stockton, and to the guardian of such as are minors,

to be by the said guardian expended in their education and support; and the said guardian shall give security to be approved of by the orphans court for the faithful appropriation of the said money.

SECTION 2. *And be it further enacted by the authority aforesaid,* That the guardians of the minor children of David Scott, late of Luzerne county, deceased, shall have full power to sell and convey such portions of the real estate of the said minors as is unproductive, and such sale being approved of by the orphans court of the said county shall be good and valid to pass the title to the purchaser or purchasers: *Provided,* That the said guardian, shall give security for the faithful appropriation of the moneys arising from such sale or sales.

The guardians of the minor children of David Scott authorized to sell real estate

WHEREAS, John McCullough, late of the county of Washington, deceased, did in his life time, authorize and empower his son James, of the borough of Canonsburg, to sell and dispose of a certain house and lot of ground, with tanyard, on Greer street, in said borough; that in pursuance of said authority said James did sell the same to Joseph Brown, and Robert Donaldson, but that no deed was made during the life time of said John. Therefore,

SECTION 3. *And be it enacted,* That the said James McCullough, of the borough of Canonsburg, be and he is hereby authorized and empowered to make and execute, a good and sufficient deed in fee simple, for all the right, title, and interest of the said deceased, to Joseph Brown, and Robert Donaldson, for the house and lot with appurtenances as above described, *Provided,* That before the execution of said deed, said James shall enter into bond with surety to the heirs of said John, in double the amount of the purchase money, to be filed in the orphan's court for the use of said heirs, for the proper application of the said purchase money, agreeably to the provisions of the will of said deceased.

James M' Cullough authorized to make a deed

SECTION 4. That Benjamin Haywood, Strange N. Palmer, and John C. Sims, or a majority of them, and their associates, successors and assigns, be and they are hereby created and constituted a body corporate and politic by the name, style, and title of the "North branch Coal and Iron Company," the capital stock of which company shall not exceed two hundred thousand dollars, and the said company may hold not exceeding three thousand acres of land at any one time in the counties of Columbia and Luzerne, and the said company shall have the same powers, liberties, privileges, and immunities, and be subject to the same terms and conditions as are imposed on the "Anthracite Iron Company," passed the twenty-fifth day of May, in the year of our Lord, one thousand eight hundred and thirty-nine: *Provided,* That the company hereby created shall not be restricted to the use of

North Branch coal and iron company incorporated

Anthracite coal, in carrying on their operations, and they are hereby further authorized to employ such portion of their capital as may be necessary in mining coal, constructing rail roads, and in transporting to market, and in vending the produce of the lands, mines, and manufactures, and in dealing in such articles of personal property as may be necessary to enable them successfully to carry on their operations.

Trustees of
the Methodist
Episcopal
Church of
Lewistown
authorized to
sell certain
real estate

SECTION 5. That the trustees for the time being of the Methodist Episcopal church of the borough of Lewistown, in the county of Mifflin, be and they are hereby authorized and empowered, by good and sufficient deed to sell and convey in fee simple to John R. Weeks and David Hough, and their heirs, in trust for the use of the First Regular Baptist Church of the Borough of Lewistown, the lot and building known as the old Methodist meeting house, and lot situate on third street in said borough; and the said John R. Weeks, and David Hough, are hereby authorized and empowered to execute a mortgage on said property to Francis McClure, and Moses Kelley, and their heirs in trust for the use of the Associate Church of Lewistown; the present owners of said property to secure the payment of the balance of the consideration money thereof, according to the agreement made between the said Associate and First Regular Baptist Churches; and the twelfth section of the act of thirtieth March, one thousand eight hundred and thirty-two, entitled "an act relative to real estate, &c." be and the same is hereby repealed.

WHEREAS, Joseph Archambault and wife, of the then village of Newtown, in the county of Bucks, by a deed of trust dated April first, one thousand eight hundred and thirty-one, conveyed to John Linton, Silas Philips, John Bond, Amos Wilkinson, Samuel Philips, Thomas Goslin, and James Divine, a certain lot of ground in said village of Newtown, in trust for an association of sundry inhabitants of Newtown, and its vicinity, for the purpose of erecting thereon an independent anti-sectarian house of worship with a burying ground annexed, for the purpose of keeping up therein an independent house of worship, free from sectarianism, and a free burying ground for the accommodation of such persons in the vicinity and others, as may have no place elsewhere for the interment of their dead: *And whereas*, said deed of trust requires that whenever the number of said trustees shall be reduced to less than three, by means of death, resignation, removal, or otherwise, it shall be the duty of the survivors, at the instance of a majority of the efficient members of the aforesaid association, to convey the lot of ground, together with all the improvements thereon erected, unto other such persons, in trust for the aforesaid purpose of keeping up an independent anti-sectarian house of worship, and a free

burying ground as aforesaid: *And whereas*, the said association have by voluntary contributions erected a convenient two story building for the purpose: *And whereas*, but four of the trustees are remaining. Therefore,

SECTION 6. *Be it enacted*, That John Bond, Amos Wilkinson, Samuel Philips, and Thomas Goslin, remaining trustees for an association of sundry inhabitants of Newtown and its vicinity, in Bucks county, for the purpose of erecting an independent anti-sectarian house of worship, be and they are hereby authorized and empowered to convey to the burgess and town council of the borough of Newtown, the said trust for the purposes mentioned in the original deed of trust.

Trustees of
Newtown
Bucks co au-
thorized to
convey real
estate

SECTION 7. The burgess and town council aforesaid shall keep the said meeting house and burying ground in good and sufficient repair, and shall be authorized to alter and improve the said building so as to make it convenient for a town hall and such other purposes, as shall be approved of by said burgess and town council: *Provided always*, That no improvement or use of said building shall at all prevent or interfere with the intent and meaning of the association in keeping up an independent anti-sectarian house of worship, and free burial ground, subject however to the control and management of the said burgess and town council.

Duties of
town council

SECTION 8. That William Ramsey, administrator of the estate of James Farra, late of Warrington township, York county, deceased, be and is hereby authorized and empowered to sell by public sale, after giving notice by advertisement in one English, and one German newspaper, printed in the borough of York, for six successive weeks, all the real estate vested in the said William Ramsey, by virtue of a deed bearing date the first day of April, in the year of our Lord one thousand eight hundred and forty-one, by which James F. Machlen and Ellen his wife conveyed to the said William Ramsey as administrator with the will annexed, of the said James Farra, deceased, two tracts of land situate in Warrington township, York county aforesaid, one of which contains one hundred and thirteen acres and one hundred and forty-eight perches and allowance, the other tract containing thirty-one acres and thirty-three perches neat measure; and the said William Ramsey, administrator as aforesaid, is hereby further authorized to sell in manner aforesaid, all the estate which the said James Farra, deceased, had in the aforesaid two tracts of land, at and immediately before the time of his decease; and after the sale is so made, the said administrator is further authorized and empowered to convey to the purchaser by deed in fee simple, all the right, title, interest and estate in the said two tracts of land, which the said James Farra had in the same, at the time of his decease, or immediately before the same, as

Authorizing
the sale of the
real estate of
Wm Ramsey

also all the estate which the said William Ramsey, as administrator aforesaid, acquired in the same after the decease of the said James Farra.

Bond to be
given

SECTION 9. That the said William Ramsey, before exercising the authority vested in him by this act, shall give bond with one or more sureties to the commonwealth, in such sum as the orphans' court shall approve, conditioned for the faithful appropriation of the proceeds of the sale hereby authorized to be made, and that such bond when duly approved by the said court shall be filed amongst the records of the same.

Orphans'
court to distri-
bute the
money

SECTION 10. That upon application made to the said orphans' court, by the said William Ramsey, or by any person or persons who are or may be interested in the same, that said court shall make distribution of the money made from said sale, to and amongst those who shall be entitled to the same, in like manner as the proceeds of sheriff's sales are distributed, first deducting such necessary costs, fees and expenses, and such commission, to the administrator as the said court shall think just and proper, as a compensation for his trouble, responsibility and expenses, in carrying into effect the provisions of this act.

SECTION 11. That the Auditor General be and he is hereby authorized and required to transfer to James Herriott, during his natural life, one hundred and twenty shares of stock in the Erie and Waterford turnpike road company: *Provided*, That said transfer shall be in lieu of any further claim of the said James Herriott, in reference to the construction of said road.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

JOHN STROHM,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, one thousand eight hundred and forty-two.

DAVID R. PORTER.