

No. 155.

AN ACT

For the relief of Peter Hess, and others, recently of Fayette county, Pennsylvania.

Preamble.

WHEREAS, Samuel Mullen, lately of Fayette county, Pennsylvania, but now of Guernsey county, Ohio, intermarried with Susan Hess, a daughter of Peter Hess, in the year one thousand eight hundred and thirty-nine, sold a certain farm or tract of land situate in Fayette county aforesaid, to Isaac Crow, of the same county; but in consequence of her being then, and ever since, non compos mentis, the said Susan Mullen has been incapable of joining with her husband in any conveyance for the said tract of land to the said Isaac Crow, so as to discharge the same from her right of dower therein; and in order to indemnify the said Isaac Crow, his heirs and assigns, against any claim of dower by the said Susan Mullen, in said premises, in the event of her surviving her said husband, the said Samuel Mullen, and said Peter Hess, as his surety, executed a bond and judgment to the said Isaac Crow, in the penal sum of two thousand dollars, with condition aforesaid; which judgment remains a lien on the real estate of the said Peter Hess, situate in Fayette county aforesaid: *And whereas*, The said Peter Hess has sold his said real estate, but is unable to recover the consideration money for the same, in consequence of said lien; for remedy whereof, therefore,

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

Trustee of Susan Mullen to perfect certain deeds.

James Fuller, of Fayette county, Pennsylvania, uncle of Susan Mullen, the wife of Samuel Mullen, lately of said county, now of Guernsey county, Ohio, who is a daughter of Peter Hess, lately of Fayette county aforesaid, now of Guernsey county aforesaid, be and he is hereby appointed trustee of the said Susan Mullen, who has for a long time been, and still is, non compos mentis, to continue trustee during her unsoundness of mind; and the said trustee is hereby authorized and required, if he approve of the same, to signify his assent to the sale and conveyance of a farm or tract of land situate in Fayette county aforesaid, sold by the said Samuel Mullen, to Isaac Crow, in one thousand eight hundred and thirty-nine, in writing, upon any deed or deeds for the said premises, which has been, or may hereafter be, executed by the said Samuel Mullen, to the said Isaac Crow, his heirs or assigns; and the deed or deeds so made by the said Samuel Mullen, and assented to by the said trustee, and acknowledged by him in the manner now required by law for the acknowledgment of deeds, shall vest the estate thereby granted by the said Samuel Mullen, in the said Isaac Crow, his heirs and assigns, as fully, to all intents and purposes, as if the said Susan Mullen were competent to execute the same, and had duly executed and acknowledged such deed according to law: *Provided*, That before the said trustee shall signify his assent to any such deed, the said Peter Hess shall execute a bond to the said trustee, for the use of the said Susan Mullen, in such penalty as the orphans' court of Fayette county, aforesaid, shall direct, accompanied by a judgment or mortgage, duly executed, upon unincumbered real estate of sufficient value, in the state of Ohio, conditioned for the payment to the said Susan Mullen, annually, during her life, in the event of her surviving her said husband, of the interest on one-third of the value of the above

mentioned premises, (to be fixed by the said trustee, and the owner thereof, and if they cannot agree, or the same be not bona fide made, then to be fixed in such manner as the said orphans' court may direct,) or of one-third of the rents, issues and profits thereof, to be fixed as aforesaid, in lieu of her dower in said premises.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 156.

A SUPPLEMENT

To the act incorporating the Delaware mutual safety insurance company.

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 to every person, firm or stockholder, who may or shall be entitled to a Surplus certificate, proportion or share of the surplus or safety fund of said corporation, amounting to five dollars, agreeably to the first and second sections of the act to which this is a further supplement, a certificate shall be issued in conformity with said act, but no certificate shall issue for less than five dollars nor for any fractional part of five dollars, but all such fractional part or sum or sums less than five dollars, shall be passed to the contingent fund of the company, and applied to the expenses and other charges thereof: *Provided,* That the president and directors, in case of loss, shall have power to declare a pro rata deduction of the amount of the outstanding certificate, and to call in the original certificate, and issue new ones in their stead, less the pro rata reduction. Proviso.

SECTION 2. The said company may, from time to time, receive notes or other securities, real or personal, premiums from persons intending to effect insurances therewith, or from any other person or persons under such regulations or agreements as shall be authorized by the directors, which said notes or other securities may be negotiated, transferred or conveyed by the said company for the purpose of paying claims for losses accruing in the course of its business, and on such portion of the said notes or securities as may exceed the amount of premiums paid or agreed to be paid by the parties, from whom the same may have been received, the said company may allow and pay such interest or other compensation not exceeding five per cent. per annum, as may be agreed upon by the directors. Insurance.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

APPROVED—The ninth day of April, one thousand eight hundred and forty-four.

DAVID R. PORTER.