

No. 296.

AN ACT

To authorize the purchase, mortgage and sale of certain 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* Mary Rinedollar, surviving executrix of the last will and testament of Jacob Rinedollar, late of the Northern Liberties, in the county of Philadelphia, shipwright, deceased, be and she is hereby authorized to sell and convey, in fee simple, all the right, title and interest of the said Jacob Rinedollar, deceased, at the time of his death, of, in and to any lands, tenements or hereditaments, situate within the said county of Philadelphia, and to make and execute to the purchaser or purchasers thereof, good and sufficient conveyances and assurances in the law for the same, which said conveyances and assurances shall vest in such purchaser or purchasers, all the estate, right, title and interest, in law and equity, which the said Jacob Rinedollar, at and immediately before his death, had and held in the same, as fully and completely, and with like effect, as if the said conveyances and assurances had been made and executed by the said Jacob Rinedollar in his lifetime; and the moneys arising from such sale shall be appropriated by the said executrix, agreeably to the last will and testament of the said Jacob Rinedollar, deceased: *Provided, That* the said executrix, before said sale be made, shall give bond to the commonwealth, for the use of the persons interested, with such sureties and in such penalty, as the orphans' court of said county shall approve, conditioned for the faithful performance of the duties herein prescribed, and the appropriation of the proceeds of said sale according to said will; but no deed shall be executed for said estate, until the sale hereby authorized shall be approved by the court.

Executrix of
Jacob Rinedollar,
to sell real estate.

Proviso.

SECTION 2. The burgess and town council of the borough of Lew- Borough of Lew-
istown are hereby authorized and empowered to purchase a lot in said istown, to pur-
borough, for the purpose of erecting a market house and town hall chase real estate.
thereon; and for this purpose to receive a deed of conveyance, and to
execute under the corporate seal of said borough all the necessary
papers for the fulfilment of any contract the said burgess and town
council may enter into, in relation to the purchase of said lot and the
erection of said buildings; but in case the said burgess and town council
should deem it for the interests of said borough that the said buildings
should be erected by a company, the court of quarter sessions of Mifflin
county, with the concurrence of the grand jury thereof, is hereby au-
thorized to incorporate a company for said purpose, with proper restric-
tions; and the said burgess and town council and the commissioners of
Mifflin county, are hereby authorized to subscribe such sums, under
the provisions and restrictions of the charter of incorporation as to them
may seem right and proper; and said charter may at any time be altered
or annulled by the legislature.

SECTION 3. That upon the petition of Amelia Faucett, surviving Executrix of
executrix of the last will and testament of Catharine Lynch, late of the Catharine Lynch
borough of Uniontown, Fayette county, deceased, and the legatees to sell real estate.

named in said last will and testament, who are of age, and the guardians of those who are minors, the orphans' court of said county are hereby authorized, in case they shall be of opinion that the same will be advantageous to the petitioners, to grant an order to the said surviving executrix, to sell at public sale, and execute a good and clear title to the purchasers, in fee simple therefor, all that certain lot or piece of land situate on the south-west corner of Elbow and Morgantown streets, in the borough of Uniontown, aforesaid, of which the said Catharine Lynch died seized, and invest the proceeds of said sale in other real estate in said county, to be held on the same trusts and conditions as the said lot, authorized to be sold, is subject under said will: *Provided*, That before such sale shall be made, the said executrix shall give a bond to the commonwealth, for the use of the persons interested, with such sureties and in such penalty, as the said court shall approve, conditioned for the faithful execution of the authority hereby given, and the investment of the proceeds of said sale in other real estate, as aforesaid: *And provided also*, That such sale shall not be carried into effect, nor said investment be made, until the same shall be approved by the said court.

Proviso.

Trustee of Sarah Brooks, to mortgage lot.

SECTION 4. That Thomas Elmes, trustee of Sarah Brooks and her children, be and he hereby is authorized to raise a sum of money not exceeding one thousand dollars, by mortgage of a certain lot or piece of ground, with the three story brick messuage thereon erected, situate on the east side of Delaware Sixth street, between Pine and Powell streets, in the city of Philadelphia, containing in breadth north and south sixteen feet nine inches, and in length fifty feet three inches: *Provided*, That the sum so raised be applied, within twelve months after the receipt thereof, to reduce a mortgage of thirty-seven hundred dollars on certain of the trust estate; and that before said sum be raised, the said trustee shall give bond to the commonwealth, with such surety and in such penalty, as the court of common pleas of the city and county of Philadelphia shall approve, conditioned that the sum so raised shall be faithfully appropriated, as above mentioned; and the third section of the act, entitled "An Act to convey certain real estate, and for other purposes," passed April thirteenth, one thousand eight hundred and forty-three, be and the same is hereby repealed.

Proviso.

Trustees of Elizabeth L. Cochran, to invest moneys.

SECTION 5. That it shall and may be lawful for the present or any future trustee or trustees of the separate estate of Elizabeth L. Cochran, wife of William G. Cochran, of the city of Philadelphia, under a marriage settlement made on the ninth day of May, Anno Domini one thousand eight hundred and twenty-five, recorded at Philadelphia, in deed book G, W, R, number six, page six hundred and twenty-six, &c., to invest and to re-invest from time to time, during the continuance of the trust, the capital of all or any moneys held or that may be held upon or under the trusts of the said indenture, or any of them, on the security of mortgages, tenements or hereditaments, in the city or county of Philadelphia, such as the said Elizabeth L. Cochran, by writing, under her separate hand may direct and appoint; the said investments to be taken in the names of such trustees or trustee, for the time being, and held in trust for the uses, intents and purposes, in the said indenture expressed and declared.

Administrator of William Warner, to sell real estate.

SECTION 6. That Isaac W. Roberts, administrator, with the will annexed of William Warner, late of the county of Philadelphia, deceased, and any other administrator or administrators, with the will annexed of the said William Warner, for the time being, be and he and they are hereby authorized and empowered to sell the real estate of the said

William Warner, in his said will mentioned and described, and to make distribution of the proceeds of the sale thereof, as fully as the executors named in the said will could do if they were living; and may and shall exercise and perform all the powers and duties vested in and confided to the executors in the said will named, as fully and effectually, to all intents and purposes, as the said executors might or could do if they were living: *Provided however*, That the said administrator or administrators do give security in the orphans' court, for the city and county of Philadelphia, to be approved by the said court, for the faithful performance of his or their trust.

WHEREAS, William Lehman, of the city of Philadelphia, deceased, Preamble. by his last will and testament, dated Philadelphia, July twenty-six, one thousand eight hundred and twenty-seven, did, among other things, devise as follows, to wit: "It is my will and desire that after such gifts or bequests as I may now or hereafter make, are paid, that first all the rest, residue, reversion and remainder of my estate, real and personal, whatsoever and wheresoever, is and shall be devised and bequeathed to my cousin, W. Eckard Lehman, now of the city of Philadelphia, and to his heirs, executors, administrators and assigns, in trust, nevertheless, to and for the following uses, intents and purposes, that is to say: In trust to pay one-fifth part of the rents, income and interest thereof, to each of my four sisters now living, Margaret, Elizabeth, Mary and Ann, for and during all the time of their natural lives, and the remaining fifth part of my residuary estate, real and personal, to the children of my deceased sister Susan, in equal parts and shares in fee. Wm. Lehman.

"All which as above given or bequeathed, is for the sole and separate use of the said female relations, without control or interference of those who now are, or may hereafter become, their husbands, or liability for the debts or engagements of such husbands:"

And whereas, The said William Eckard Lehman has resigned the trusts confided to him by the said William Lehman, deceased, as aforesaid, and Robert T. Potts, Lewis Cooper and William Lehman Schaffer have been appointed trustees to supply his place:

And whereas, Some of the devisees in said will are femes covert, and cannot, by the laws of Pennsylvania, and under the provisions of said will, sell and convey, or release or grant, any portion of the real estate devised as aforesaid, and it is considered to be for the benefit of the parties interested in said estate, that a portion of said real estate should be sold; therefore,

SECTION 7. That Robert T. Potts, Lewis Cooper and William Lehman Schaffer, or the survivor or survivors of them, be and they are hereby authorized and empowered to sell and convey, or lease on ground rent, and by a good and sufficient deed, duly acknowledged by them, to convey the same to the purchaser or purchasers thereof, all that certain lot or piece of ground, with the appurtenances thereon, situate on the south side of Mulberry street, at the distance of one hundred feet eastward from the east side of Broad street, containing in breadth on Mulberry street, fifty feet, and in depth, southward, one hundred and thirty-seven feet, in the city of Philadelphia. Trustees of Wm. Lehman, to sell real estate.

WHEREAS, By the will of Charles Wharton, late of the city of Philadelphia, certain real estate consisting in part of ground rents, and of land directed to be let on ground rent, was vested in trustees, in trust to pay over to William Craig, son-in-law of the said Charles Wharton, one-half of the rents and profits of said real estate, during his lifetime; and the other half of said rents and profits, to pay in equal shares to Preamble. Charles Wharton

the children of the said William Craig, or the guardians of such as are minors during the life of the said William Craig, their father, and at his decease, then to convey the whole of said property to the said children of the said William Craig, as tenants in common, in equal shares: *And whereas*, Wharton Craig, one of the children of the said William Craig, by deed, dated sixteenth December, eighteen hundred and forty, conveyed all his interest in the said lands and ground rents, to a trustee in trust for the uses therein mentioned: *And whereas*, The ground rents above mentioned are not redeemable until the expiration of some years, and it is represented that it would be greatly to the advantage of the said Wharton Craig, and not prejudicial to the interest of any person, that power be given to the parties above named, interested in and entitled to the said ground rents, to sell, extinguish and release a portion of the same; therefore,

Trustee of Wharton Craig, M. J. Craig, William Craig, N. W. Craig and Josephine Craig, to release ground rents.

SECTION 8. That the trustee of the said Wharton Craig, Mary J. Craig and William Craig, in his own right, and as guardian of the said Nancy W. Craig and Josephine W. Craig, be and they are hereby authorized and empowered to sell, assign and release, so many and such of the ground rents above mentioned, as may be necessary to raise the sum of eleven thousand dollars; and on the payment of the consideration money, for such release and conveyance, to execute and deliver good, valid and effectual conveyances and releases of such ground rents; and the purchaser or releasee of such ground rents, shall not be bound to look to the application of the purchase money for said ground rents: *Provided*, That none of said ground rents shall be sold or released for less than the principal sum thereof: *And provided further*, That before the execution and delivery of any such release or conveyance, the said William Craig shall give security, to be approved by the orphans' court of the city and county of Philadelphia, in such amount as the said court may direct, conditioned for the safe investment of the proceeds of the sale or release of said ground rents, in other property, to be held upon the same trusts, and for the same uses, as those upon which the said ground rents are now holden.

John Van Buskirk.
Preamble.

WHEREAS, John Van Buskirk, late of Union county, deceased, by his will, dated the fifteenth day of June, one thousand eight hundred and thirty-six, among other matters, devised to his wife Rachael the income or proceeds of a certain tract or piece of land situate in West Buffalo township, in said county, about one mile from the borough of Mifflinburg, whereon is erected a large grist mill and other improvements, during her life or widowhood.

And whereas, It has been represented that it would be to the advantage of the said widow, as well as of all the heirs of the said deceased, interested in the said property, to separate her interest in the same from that of the heirs, by her releasing her right or interest in the same, and leaving it to the disposition and control of the heirs; therefore,

Guardian of children of John Van Buskirk, to pay certain money.

SECTION 9. That John Haas, guardian of Hanah Van Buskirk, Richard Van Buskirk and Franklin Van Buskirk, minor children of John Van Buskirk, late of Union county, deceased, be and he is hereby authorized and empowered to pay unto Rachael Van Buskirk, widow and relict of said deceased, for and on behalf of each of his aforesaid wards, any sum not exceeding the sum of three hundred dollars, in consideration of her, the said Rachael Van Buskirk releasing all her right, title, interest, property and claim which she has under the will of her said husband, the said John Van Buskirk, deceased, in and to a certain piece or tract of land situate in West Buffalo township, in said county,

about one mile from the borough of Mifflinburg, or to the income or proceeds thereof.

SECTION 10. That the said John Haas, in the settlement of his ac- To have credit for counts as guardian aforesaid, shall have a credit for all such sum or sums said moneys. of money as he shall have paid under the provisions of the ninth section of this act, and the payment thereof shall be binding upon them respectively, in every respect, the same as if they were of full age, and made the payments themselves.

SECTION 11. That upon the petition of Thomas Metzel, of the Trustee of Lydia borough of York, in the county of York, trustee of Lydia Metzel, wife Metzel, to sell of John Metzel, under a deed of trust, executed by William Spangler, real estate. and Sarah, his wife, dated the thirtieth day of March, one thousand eight hundred and thirty, the court of common pleas of said county, if they shall be of opinion that the same would be advantageous to the interest of the said Lydia Metzel, and the other persons who may have an interest in the said trust, may grant an order for the sale of all or any part of a certain lot or piece of ground situate in the borough of York aforesaid: Beginning at a post, on a line dividing the said lot from a lot of the said William Spangler; thence along said line north one hundred and seventy-six feet, six inches to a ten feet wide alley; thence along said alley east twenty-four feet to a lot of John Wagner; thence south by said lot of John Wagner, one hundred and seventy-six feet six inches to a post; thence west along the York and Susquehanna turnpike road fifty-three feet to the place of beginning, conveyed to the said Thomas Metzel, in trust for the use of the said Lydia Metzel, for life, and the heirs of her body, on such terms as the said court may prescribe, and upon the approval of such sale by the said court, the said trustee shall execute a deed for the premises sold to the purchaser thereof, in fee, free and discharged from the trusts in said deed; and out of the proceeds of such sale the said trustee shall pay and discharge all the mechanics' liens now legally entered against the buildings erected on said lot, conveyed in trust as aforesaid, in the common pleas of said county, which are now a legal incumbrance on said trust estate, and for which the same would be liable to be taken in execution; and after the said liens are fully paid and satisfied the said Thomas Metzel is authorized and required to invest the balance that may remain in his hands in such real estate in the borough of York, or its vicinity, as may be most advantageous for the parties interested in the same, under the direction of said court, and shall hold the said estate when purchased, subject to such uses and trusts as the estate directed by this act to be sold, was held by the said Thomas Metzel at, and immediately before the passage of this act, and for no other use, purpose or interest whatever: *Provided*, That no such sale or investment shall be made or carried into effect until the same shall be approved by said court; and before such sale shall be made the said trustee shall give bonds to the commonwealth, to the use of the persons interested, with such sureties, and in such penalty as said court shall approve, conditioned for the faithful appropriation of the proceeds of such sale as aforesaid.

SECTION 12. That the persons incorporated for religious purposes by Puff's church. the name, style and title of "Puff's church," in Upper Dublin township, Montgomery county, may, by a certificate thereof, signed by two-thirds of the members of said church or corporation, admit any reputable person to be a member thereof, of which admission a minute shall Membership. be made on the books of the corporation, and thereafter such person so admitted, shall enjoy the same rights and privileges as if he had been

By-laws.

originally incorporated; and all ordinances, by-laws, rules and regulations for the management and government of said corporation, all appointments to office and authority and power given, reduced to writing, and signed by two-thirds of the members of said church or corporation, shall have the same virtue, force, effect and obligation, until the same shall be in like manner repealed, revoked and annulled, as if such ordinance, by-laws, rules and regulations had been adopted, or such appointments had been made or authority given at any general or special meeting of all the members, duly assembled in pursuance of the charter, or of any by-law, agreeably to the usage and practice of such corporations;

Officers.

and the trustees, vestrymen, or other officers who may be elected or appointed as aforesaid, shall, in pursuance of any ordinance, resolution or authority adopted or given as aforesaid, have authority to receive any legacy or contribution which has been or may be bequeathed, or made for the erection of a church at the grave yard of Puff's church, in the township aforesaid, to be expended in the erection of such building, and shall have the care, management and control of said grave yard; and shall also have authority to exchange any part of said grave yard, which may be deemed expedient, but so as not to interfere with the interments made therein, for other land adjacent thereto, for the erection of a church thereon, or may purchase and hold such other land for the purpose aforesaid, for the use of said corporation, and shall execute and deliver, and receive all deeds of conveyance which may be deemed necessary in the premises, for conveying or holding any lands in fee, for the purposes above mentioned: *Provided*, That nothing herein contained shall

Pastor.

authorize the said church or corporation to elect or choose as pastor of said church any other person than a minister of the Lutheran church, in full connection with a regular and respectable Lutheran synod.

Executors of
Benjamin R. Mor-
gan, to perfect
sale of lands.

SECTION 13. That the executors of the last will and testament of Benjamin R. Morgan, deceased, be and they hereby are authorized and empowered to execute and complete all contracts made by the said Benjamin R. Morgan, for the sale of lands situate in the state of Pennsylvania, as fully and effectually, to all intents and purposes, as he himself could do, if he were living.

Deed of Catha-
rine Campbell
made valid.

SECTION 14. That the deed heretofore executed and delivered by Catharine Campbell, of Strasburg, Lancaster county, by which she granted, bargained and sold, to James H. Case, John Shure and Samuel Shuler, and to their heirs and assigns, a certain lot of ground in the borough of Liverpool, Perry county, numbered in the plan of said borough, seventy-seven, be and the same is hereby confirmed, and the title to said lot is vested in the said grantees, in fee simple, as fully and absolutely, as if the original deed of conveyance to the grantor, were in existence; the said lot to be held and possessed by the said grantees, under the title aforesaid, free and discharged from all claim or title of the said Catharine Campbell, or any other person claiming title from her or her late husband.

Administrator of
C. Richert, to
sell real estate.

SECTION 15. That upon the petition of the administrator, with the will annexed, of Christopher Rickert, late of Lebanon county, deceased, the orphans' court of said county shall be and the same hereby is authorized to grant an order for the sale of all the real estate of said deceased, situate in the said county: *Provided*, That before an order of sale shall be granted, the administrator shall enter into bond with such sureties, and in such sum, as shall be directed by the court, conditioned for the faithful application of the proceeds of sale, to the payment of the debts of the said deceased, and the distribution of the balance

Proviso.

of the proceeds, to and among the heirs and legal representatives of said deceased, according to the intestate laws of this commonwealth.

SECTION 16. That Eliza Trimble, administratrix of James Trimble, Administratrix of
of Huntingdon county, deceased, be and she is hereby authorized to James Trimble,
sell such parts or portions of the real estate of the late James Trimble, to sell real estate.
deceased, as may be necessary for the payment of the debts which he
died owing, and execute to the purchaser or purchasers thereof, deeds of
conveyance for such estate as was held in the lands sold by the intestate
in his lifetime: *Provided*, That the said Eliza Trimble, before making Proviso.
sale of any part or portion of the real estate of said intestate, shall enter
into recognizance in the orphans' court of the county of Huntingdon,
with such security as the said court shall require, conditioned for the
faithful application of the proceeds of the sale of said lands; and all sales
so made, shall, before they shall be carried into effect, be approved by
the orphans' court having jurisdiction of the accounts of the executrix.

WHEREAS, John Silverthorn, of Mifflin county, in the commonwealth John Silverthorn.
of Pennsylvania, was seized in right of his wife, formerly Sarah Oke- Preamble.
son, of one undivided third part of one-half part of a tract of land
situated in Milford township, Mifflin county, now Juniata, adjoining
lands formerly of William Beale, Charles Talford, Ralph Sterret, on
the Tuscarora creek, surveyed in the name of James Kennedy, on a
warrant dated on the fourth day of June, Anno Domini one thousand
seven hundred and sixty-two, and containing two hundred acres, more
or less, and being so seized, did, on the thirty-first day of July, Anno
Domini one thousand eight hundred and one, enter into an agreement
under seal, with Nicholas Okeson, for full and valuable consideration,
to acquit the said Nicholas Okeson, of all demands against the said tract
of land; and the said Sarah, wife of the said John Silverthorn, did after-
wards become party to the said agreement, by signing her name thereto,
with design to pass her' interest, in fee simple, to the said Nicholas
Okeson, in pursuance of which said agreement, Nicholas Okeson took
possession, and he and those claiming under him, have held possession
ever since the date of said agreement, and have made extensive and
valuable improvements thereon; the said Sarah died some thirty-four
or five years ago, leaving her husband surviving her, who also died
some five or six years since; therefore,

SECTION 17. That the said agreement of John Silverthorn, and Sarah, Agreement of
his wife, with the said Nicholas Okeson, shall be taken and held to John Silverthorn
pass their respective interests in the said land, with the appurtenances, and Nicholas
in fee simple, to the said Nicholas Okeson, as effectually as if a deed Okeson made
had been duly made and executed by them, in accordance with the valid.
design of said agreement, and had been duly acknowledged agreeably to
the act of assembly then in force.

SECTION 18. That the executors of the last will and testament of Executors of
George Fitsimons, junior, late of West Pikerun township, Washington George Fitsimons
county, deceased, are hereby authorized and empowered to sell at pub- to sell real estate.
lic sale, all the real estate of which the said George Fitsimons was
seized, at the time of his death; and if such sale be approved by the
orphans' court of said county, to execute to the purchaser or purchasers,
on the payment of the purchase money, a good and sufficient title:
Provided, The said executors, before they execute said title, shall give
security, to be approved of by said orphans' court, for the safe invest-
ment of the proceeds arising from said sale in other real estate, so as to
carry out more effectually the intention of the testator: *Provided also*, Proviso.

That if the said court shall be of opinion that the said sale will not be contrary to the spirit and intention of said will, and that it will be advantageous to the persons interested in the estate of said testator, and said purchase and investment shall be made under the direction of said court.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM BIGLER,
Speaker of the Senate.

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

DAVID R. PORTER.

No. 297.

AN ACT

To incorporate "The French Society of Mutual Assistance."

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 Michael Bouvier, A. Baton, Lewis Brechemin, A. Bournonville, M. D., Jean Bressillion, Xavier Bazin, Lewis Beer, Charles Bourquin, Jules Bajiot, Frederick Bossardet, F. G. Binder, Armand Cauet, Henry Ducommun, senior, Henry Ducommun, junior, P. S. Duval, P. Demors, Lewis David, Jean David, Canelle Danguy, Gerome Donadi, Joseph Englebert, August Esmiole, Cheophas Fontaine, Alexander Fillot, Zephirin Gigon, Louis Fontaine, Ami Gessel, Thomas W. Gilbert, Joseph Getz, J. M. Johnson, A. F. Lechevalier, Joseph Lamberti, Charles Laurent, Pierre Lepage, Amand Lafore, Phillippe Monnier, Jean Monnier, Xavier Montre, A. P. Marconnier, Edouard Parront, Charles Perrett, Wincelous Pelletier, Christian Petry, Antoine Querville, Eugene Roussel, Benoit Rollin, W. Roy, Francois Tanerd, Benjamin Toffath, Nicholas Nancrede, M. D., Prosper Vallee and Charles Widener, all of the city and county of Philadelphia, and such other persons as may associate with them, under the authority of this act, and their successors, are hereby made a corporation, by the name of "the French society of mutual assistance," who shall be entitled to all the rights and

Corporators.

Name.

Rights, privileges,
&c.

Proviso.

privileges conferred on corporations for literary, charitable, or religious purposes, by the act of assembly of this commonwealth, passed the sixth day of April, one thousand seven hundred and ninety-one, entitled "An Act to confer on certain associations of the citizens of this commonwealth the powers and immunities of corporations or bodies politic in law," and the several supplements thereto: *Provided nevertheless,* That the said persons shall, previously to the first Monday of July, one