

extend to plumbers, and to persons furnishing curb-stones for the pavement of any building within the bounds of the city of Lancaster.

JAMES ROSS SNOWDEN,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

APPROVED—The sixth day of May, one thousand eight hundred and forty-four.

DAVID R. PORTER.

No. 370.

AN ACT

Authorizing the executors of Andrew Jack, to sell and convey real estate.

Preamble.

WHEREAS, Allen Jack, late of Wilkesbarre, in the county of Luzerne, died about the year one thousand eight hundred and thirteen, intestate, unmarried and without issue, seized of certain real estate situate in said borough of Wilkesbarre, as hereinafter more particularly described, leaving a father, John Jack, late of Meachey, in the county of Tyrone, Ireland, but no mother; and also leaving two brothers, William Jack and Andrew Jack, and a sister, Jane Jack, wife of William Simpson, of Omagh, county Tyrone, Ireland:

And whereas, The said William Jack, brother of the said Allen, afterwards, and in the lifetime of his father, died intestate, unmarried and without issue, and the said Andrew Jack, brother of said Allen, afterwards died leaving no widow, but leaving three sons, John Jack, Andrew Jack and William Jack, and two daughters, Elizabeth Jack and Jane Jack, all minors under the age of twenty-one years; and by his last will and testament, duly executed after other bequests and devices, (not including said property,) bequeathed and devised all the residue and remainder of his estate, equally amongst his said three sons, or to which ever of them should be living when of age, and appointed his brother-in-law, Andrew Welsh, of Magheracotton, in said Ireland, one of the executors thereof, to whom solely letters testamentary were duly granted:

And whereas, On the fifteenth day of June, Anno Domini, one thousand eight hundred and thirty, and during the lifetime of the said John Jack, the father, and the said Andrew, brother of said Allen, certain articles of agreement were entered into between the said William Simpson of the one part, and John N. Conyngham, of said Wilkesbarre, of the other part, whereby it was agreed that the said real estate should be conveyed, in fee, to the said John N. Conyngham, in consideration of the sum of two thousand five hundred dollars:

And whereas, The said John N. Conyngham has ever since been in possession of the said premises, under the said agreement, and is desirous that the same be perfected, which cannot be by reason of the minority of the said children of the said Andrew Jack, brother of said

Allen Jack, deceased; and it is greatly for the interest of said children that the same should be duly completed:

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 it shall and may be lawful for the said Andrew Welsh, executor, as aforesaid, of the last will and testament of the said Andrew Jack, deceased, father of the said minors, on payment to him, by the said John N. Conyngham, of such share or proportion of the said purchase money as may be due to the said minor children of said Andrew Jack, by deed duly executed and acknowledged according to the laws of this commonwealth, to convey unto the said John N. Conyngham, his heirs and assigns, forever, all the undivided right, title and interest of them, the said John, Andrew, William, Elizabeth and Jane Jack, minor children of said Andrew Jack, deceased, in and to all that certain tract or parcel of land situate in the township (now borough) of Wilkesbarre, county of Luzerne, and state of Pennsylvania, being part of that lot known and distinguished as lot number eighteen, in the second division of lands in said township, bounded and described as follows: Beginning at a corner, thence along the Main street, south fifty-five degrees twenty minutes west ten perches and four links to a corner; thence by lot number seventeen, north thirty-four degrees forty minutes west twenty-eight perches and eighteen links to a corner; thence by number five north fifty-five degrees twenty minutes east ten perches and four links to a corner; and thence by the other part of lot number eighteen, south thirty-four degrees forty minutes east twenty-eight perches and eight links to the beginning, containing one acre one hundred and thirty-one perches and five-tenths, being the same tract of land which the commonwealth of Pennsylvania, by patent dated February eighteen, one thousand eight hundred and twelve, and enrolled in the office in patent book H, number six, page six hundred and twenty-five, granted to the said Mathew Covell, in fee, and which the said Mathew Covell, and Orrele, his wife, by indenture dated March twelve, one thousand eight hundred and twelve, and recorded in the office for recording deeds of Luzerne county, Pennsylvania, in deed book number thirteen, page four hundred and sixty-six, together with all and singular the improvements thereon, being the same premises of which the said Allen Jack died seized, as hereinbefore mentioned; which said deed shall be as valid and effectual, to pass the interest of said minors in the said estate, as if the same had been duly executed and acknowledged by them, being of full age and unmarried: *Provided*, The orphans' court of Luzerne county shall be satisfied that the said conveyance for the said consideration money will not be prejudicial to the interests of the minor children interested therein; and the said executors, before receiving said consideration money, and executing said conveyance, shall give bond to the commonwealth, with such sureties, and in such penalty, as the said court shall approve, conditioned for the payment of the said moneys to the persons entitled thereto under the decree of said court.

Executor of Andrew Jack to execute deed to John N. Conyngham.

Proviso.

JAMES ROSS SNOWDEN,
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WILLIAM P. WILCOX,
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