

auditor to whom the same shall be referred, shall be suggested to the proper court by the claimants upon said proceeds, or by a majority of them or their counsel; and if no valid objection be made, the person so suggested shall be appointed by the court; but if valid objections be made to such appointment, the said claimants or their counsel shall suggest another person as auditor, and so on, until one shall be nominated by said claimants or their counsel, and be approved by the court; and the person so appointed shall be sworn or affirmed to perform his duty with fidelity, and shall have power to administer oaths and affirmations to parties and witnesses in all cases referred to him.

Notice of distribution.

SECTION 3. That it shall be lawful for the said courts to direct such public notice, as they may deem proper, by advertisements in two public newspapers, requiring all persons interested in the fund to be distributed, to meet at such time and place as shall be specified in such order, to choose an auditor as aforesaid, and make their claims before him, or be debarred thereafter from coming in upon the said fund or proceeds of sale.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 50.

AN ACT

Authorizing Andrew M. Jones and Henry Bonsall, trustees, to sell certain real estate.

Preamble.

WHEREAS, Harvey Beck, late of the city of Philadelphia, deceased, in and by his last will and testament, duly proved, and recorded in the office for the probate of wills at said Philadelphia, after bequeathing certain personal property to his wife Elizabeth, devises as follows, viz: "I also give her, for and during all the term of her natural life, all my estate and property situate at the north-west corner of Juniper and Walnut streets, in the city of Philadelphia, and in which we live at present, which provision made for my wife, is in lieu and satisfaction of her dower of and in my estate; and from and immediately after the decease of my said wife, I give and devise the said estate at the north-west corner of Juniper and Walnut streets, together with the respective appurtenances, to my nephews and niece, viz: Paul Beck Goddard, John Lemuel Goddard, Kingston Goddard, William B. Goddard, and Jeanette Goddard, their heirs and assigns forever, in equal shares or parts: also, from and immediately after my decease, I give and devise to my nephews and niece above named, all my estate, numbers seven and nine, South Water street, together with the respective appurtenances, to hold

to them, my aforesaid named nephews and niece, their heirs and assigns, in equal shares and parts forever, reserving for my wife, as a part of my personal estate, the rent arising from the said estate, the periodical or quarterly payments of which shall become due and payable within six months ensuing the day of my decease."

And whereas, In and by a certain codicil to the last will and testament, duly proved and recorded as aforesaid, the said testator further devises as follows, viz: "I hereby revoke that portion or part of my will with regard to any portion or portions of property left to John L. Goddard or William B. Goddard, and leave that portion devised to J. L. Goddard to be equally divided between Paul B. Goddard, Kingston and Jeanette, and that portion which was devised to William B. Goddard I leave in trust to A. M. Jones and Henry Bonsall, for the sole use and benefit of Mrs. John Bonsall, my mother-in-law."

And whereas, It is for the interest and is the desire of all parties concerned, that the said premises or a part thereof should be sold, and there is no power of sale given to the said Mrs. John Bonsall, or to her said trustees, of that portion so devised to her as aforesaid:

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 Andrew M. Jones and Henry Bonsall, trustees as aforesaid, of Trustees of Mrs. the said Mrs. John Bonsall, and the survivor of them, he and they are John Bonsall, to hereby authorized, with the assent of the said Mrs. John Bonsall, to sell real estate. sell, in such manner as they or he may deem best, all or any part of the said estate of the said Harvey Beck, deceased, so devised to them in trust for Mrs. John Bonsall as aforesaid, and to execute, acknowledge and deliver a good and sufficient deed or deeds therefor, to the purchaser Deed. or purchasers, in fee simple, altogether discharged from the said trust, and from any obligation on the part of the said purchaser or purchasers, to see to the application of the purchase money: *Provided, however*, Proviso. That before the said Andrew M. Jones and Henry Bonsall, or the survivor, shall execute any such deeds, they or he shall give security in Security. the court of common pleas of the county of Philadelphia, to be approved by the said court, conditioned for the investment of the proceeds of the said sale or sales, in such manner as said court shall direct, on the same trust as is set forth in the said codicil to the said last will and testament.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

WILLIAM P. WILCOX,
Speaker of the Senate.

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

FRS. R. SHUNK.