

No. 149.

AN ACT

Authorizing the sale and conveyance of certain real estate.

WHEREAS, By a certain deed of indenture dated March thirteenth, Anno Domini one thousand eight hundred and thirty-five, recorded in the office for recording deeds, for the city and county of Philadelphia, Preamble. in deed book A M, number sixty-five, page six, &c., between John James, of East Bradford township, Chester county, and state of Pennsylvania, and Rachael P. James, his wife, of the one part, and David Townsend, of the borough of West Chester, and state aforesaid, of the other part, the following real estate, to wit: All that certain three storied brick messuage and lot or piece of ground situate on the west side of Delaware Fifth street, between Sassafra street and Cherry street, in the city of Philadelphia, containing in front or breadth on the said Fifth street, twenty feet, and in length or depth, eighty feet, bounded eastward by the said Fifth street, northward by a messuage and ground of Andrew D. Cash, westward by a certain ten feet wide alley, extending from Sassafra street to Cherry street, and southward by a messuage and ground now or late of James Stokes, together with the free use and privilege of the said ten feet wide alley, with the appurtenances, was sold and conveyed to the said David Townsend, "in trust nevertheless to and for the use of the said John James and Rachael P., his wife, for and during their joint lives, and the life of the survivor; and in the event of their leaving at their death, heirs of the body of the said Rachael, by said John begotten, then to them and their heirs forever, in fee simple; and in default of such joint heirs living at their death, then to the said John James, and his right heirs, forever, in fee simple," in trust nevertheless, as their portion truly recited and set forth, reference being thereto had, will more fully appear.

And whereas, The said John James and Rachael P., his wife, have but one child, now aged about ten years, a son, and it is considered highly desirable to sell the said real estate, and invest the proceeds in the purchase of a farm subject to the same trusts, limitations, and conditions set forth in the before recited deed; and doubts have arisen as to the capacity of the parties to the same, to make a good title.

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 sell real estate. Trustee of John James and wife, That to sell real estate. it shall and may be lawful for the said David Townsend, trustee as aforesaid, with the assent of the said John James and Rachael P., his wife, to be expressed by their joining in the deed, to sell and convey the said real estate at public or private sale, for the best price that can be obtained for the same, and to make a good and sufficient title to the purchaser; the proceeds of such sale to be received by the said David Townsend, trustee as aforesaid, and by him re-invested in the purchase of a farm or such other real estate as may be deemed most beneficial for the objects of the trust, subject to the same trusts, conditions and limitations, with those contained in the before recited deed, and without any liability on the part of the purchaser or purchasers, in respect to the application of the purchase money or any part thereof, after the payment

Proviso.

Bond.

Rose W. Goodrich to sell real estate.

of the same to the said trustee: *Provided*, That it shall be the duty of the said trustee before he executes the authority herein given, to give security in such form and amount, as the court of common pleas of Chester county may direct and approve, with condition for the faithful performance of his duties, and the appropriation of the proceeds of sales, as directed by the provisions of this act.

SECTION 2. That Rose W. Goodrich, late Rose W. Cross, to whom was devised by the last will and testament of Henry Cross, late of the borough of Harrisburg, deceased, the one-half part of lot number fifteen, in the general plan of said borough, is hereby authorized, joining with her husband, E. S. Goodrich, and with the consent of James W. Weir, one of the executors, which may be signified by his attesting the deed, shall have full power to sell at public or private sale, and make a title therefor, in fee simple, all of said half lot of ground, with the appurtenances; and the deed so made shall be good and valid for the purposes aforesaid, notwithstanding the assent of both the executors of said decedent may not be obtained.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

WILLIAM P. WILCOX,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 150.

A N A C T

To annul the marriage contract between Lavinia L. Thompson and Charles Thompson, her husband.

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 marriage contract entered into between the said Lavinia L. Thompson and Charles Thompson, her husband, be and the same is hereby declared null and void, and the parties discharged from all obligations and liabilities growing out of the same, as fully and absolutely as if they had never been joined in marriage.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

WILLIAM P. WILCOX,

Speaker of the Senate.

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

FRS. R. SHUNK.