

No. 25.

AN ACT

Authorizing David Townsend, guardian, to sell certain real estate.

Preamble.

WHEREAS, John Edwards, late of the county of Delaware, deceased, by his last will and testament duly proved, amongst other things, did give, devise and bequeath as follows :—"All the rest and residue of my personal property, after payment of all my debts and legacies, I give and bequeath to my beloved wife Hannah B. Edwards ; I give, devise and bequeath the real estate on which I now reside, situate in Delaware county, to my beloved wife Hannah B. Edwards, until my son, William G. Edwards, attains the age of twenty-one years ; but should he not live to that age, then to her for and during the term of her natural life ; I also bequeath to my beloved wife Hannah B. Edwards, all my real estate in Honey Brook township, Chester county, for and during the term of her natural life ; and should my son die without issue, before his mother, then to her, her heirs and assigns forever. I direct that my wife Hannah B. Edwards, shall annually pay out of the real estate devised her, to the guardian of my son William G. Edwards, a sum of money sufficient for his maintenance and education, until he attain the age of twenty-one years, and that the same shall be a charge on the land bequeathed her :"

And whereas, All the estate, real and personal, of the said John Edwards, in Delaware county, and more than half his estate in Chester county before mentioned, has been sold under orders of the orphans' court of said counties respectively, for the payment of his debts, leaving an income insufficient for the maintenance of the said Hannah B. Edwards, and the maintenance and education of the said William G. Edwards, who is a minor, they having no other estate :

And whereas, It is for their interest that the said remaining real estate be sold ; 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 David Townsend, testamentary guardian of the said William G. Edwards, is hereby authorized to sell the remainder of the real estate, of the said John Edwards, deceased, in such manner as he may deem best ; and to execute, acknowledge and deliver a deed or deeds, in fee simple therefor, to the purchaser or purchasers, altogether discharged from the devises aforesaid, and from any obligation on the part of the purchaser or purchasers, to see to the application of the purchase money.

Authority to sell.

To give bond.

SECTION 2. That before selling the real estate aforesaid, the said David Townsend shall give bond, with security, to be approved by the orphans' court of Chester county, conditioned, that he will invest the proceeds of sale, after deducting the expenses thereof, in real estate security, to be approved also by said court, and appropriate the interest thereof, so far as the same may be necessary to the maintenance and education of the said minor, until he attain the age of twenty one years,

and the remainder of said interest, to the said Hannah B. Edwards, during her natural life.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The fourth day of February, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 26

A N A C T

To authorize James M'Mahan, guardian of James Brady, to transfer the interest of his ward in 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 James M'Mahan, guardian of James Brady, a minor son of Patrick Brady, deceased, is hereby authorized and empowered to sell and transfer to any person or persons, all the right, title and interest, which the said Patrick Brady had at the time of his decease, as well as all the interest which may be now vested in the said James Brady, ward as aforesaid, in and to a certain tract of land situate in Bradford county, in this commonwealth, and which was purchased by the said Patrick Brady, at sheriff's sale, as the property of Samuel H. M'Asfee: *Provided,* That before any such sale or transfer shall take place, the said James M'Mahan shall file his bond with sufficient sureties in the orphans' court of Lancaster county, in such sum as the said court may direct, conditioned that he shall make return to the said orphans' court of Lancaster county, of any sale that he may make of the aforesaid interest, and shall obey all orders of said court in relation to the investment or appropriation of the proceeds thereof. Authority to sell. Proviso. Give bond.

SECTION 2. It shall be the duty of the said orphans' court of Lancaster county, upon receiving the return of said sale, as mentioned in the first section of this act, to order and direct in what manner the proceeds thereof, shall be invested or appropriated: *Provided,* That all debts due from the said Patrick Brady, at the time of his decease, shall be first paid from said fund. Application of funds. Proviso.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The fourth day of February, one thousand eight hundred and forty-six.

FRS. R. SHUNK.