

township, as they may deem proper, in the mode directed by the fifty-sixth section of an act of second July, Anno Domini one thousand eight hundred and thirty-nine, entitled "An Act relating to the elections of this commonwealth."

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 46.

AN ACT

To enable the executors of Wm. E. Rogers, deceased, to sell certain real estate.

WHEREAS, It has been represented to the senate and house of representatives of the commonwealth of Pennsylvania, that William E. Rogers, late of the city of Philadelphia, lately departed this life seised in fee of and in a plantation or country seat known as "Mount Airy," situate in Creesham, Germantown township, Philadelphia county, containing thirty-two acres and seventy perches, more or less, leaving a widow, Harriette P. Rogers, and issue, four children, all of whom are in their minority. That said Harriette P. Rogers, the widow, and Evans Rogers and John Haseltine, are the acting executors and trustees named in the last will and testament of said deceased. That by said will said testator desired all his property to be placed in a safe productive form, as soon as it could be done, for the interest of his estate; but that no power is contained in said will to sell or dispose of said premises, and that it will be beneficial to the estate of said decedent that the said premises 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* Harriette P. Rogers, widow and executrix, and Evans Rogers and John Haseltine, acting executors and trustees named in the last will and testament of the said William E. Rogers, deceased, and the survivors and survivor of them, be and they are hereby authorized and empowered to sell and dispose of at public or private sale, all or any part or portion of said plantation called "Mount Airy," and to execute, acknowledge, and deliver to the purchaser or purchasers thereof, a good and sufficient deed or deeds therefor, in fee simple; and to give full receipts and acquittances for the purchase money thereof, which receipt and acquittance shall fully and entirely acquit and discharge such purchaser or purchasers from such purchase money, and from all obligation to see to the application thereof by such executors: *Provided, That before any and every sale and disposition to be made from time to time, by virtue*

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Security.

of this act, the said executrix and executors, and trustees, shall give bond in double the amount of the purchase money, or in double the value of the property disposed of, with surety, to be approved by the orphans' court of the county of Philadelphia, conditioned for the faithful application of the same to the uses and purposes of said will.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 47.

AN ACT

Incorporating the Charles Evans cemetery, in Berks county.

Preamble.

WHEREAS, The establishment of cemeteries in the vicinities of large cities and populous places, is deemed to be expedient and useful to the inhabitants, and the citizens of Reading are desirous of promoting such an establishment at a convenient distance from their borough: *And whereas*, Charles Evans, Esq., of the said borough, has agreed to convey to the Hon. John Banks, John S. Hiester, Doctor Isaac Hiester, James L. Dunn, Esq., Samuel Bell, Doctor Hiester H. Muhlenberg, William Strong, Esq., Matthias S. Richards, Esq., William Darling, Esq., Doctor Diller Luther, William Eckert, Benneville Keim and Peter Filbert, Esq., a lot of ground containing about twenty acres, lying on the Centre turnpike road, about one mile from the borough of Reading, in trust nevertheless, for the purpose of a rural burying place, to be called the Charles Evans cemetery :

And whereas, William Strong, Esq., William Darling, Esq., Doctor John P. Heister, Thomas M. O'Brien, David McKnight, J. Pringle Jones, Esq., I. Lawrence Getz, and many others, have signified their wishes to take lots in the said cemetery, for the purpose of interment; 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 the said John Banks, John S. Hiester, Doctor Isaac Hiester, James L. Dunn, Samuel Bell, Dr. Hiester H. Muhlenberg, William Strong, Matthias S. Richards, William Darling, Doctor Diller Luther, William Eckert, Benneville Keim and Peter Filbert, together with such other persons as may hereafter become purchasers of lots in the said cemetery, be and they are hereby made a body politic and corporate in law, under the name, style, and title of "the Charles Evans cemetery com-

Incorporated.
Name.