

turnable to the third Monday of April next, be and the same are hereby extended and made returnable to the said fourth Monday of May next; and so much of any law as is hereby altered, be and the same is hereby repealed.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 136.

AN ACT

Concerning certain real estate.

WHEREAS, Henry Hermans, of Luzerne county, died, leaving a will and testament which provides, among other things, for the appointment of three judicious men to value and appraise his real estate, and to make partition of the same into as many shares as it conveniently can be divided into, and that such of his devisees as are entitled to take, shall take the same at the appraisement, securing the amount over their respective shares by bond and mortgage, to be paid in five equal annual payments : Preamble.

And whereas, In pursuance of said will, partition has been made, and the respective devisees have made choice of the different portions, but as some of the devisees are minors, the intentions of said will in executing releases, and securing the overplus by bond and mortgage, cannot be carried out; 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 it shall be lawful for the guardian of each of the minor children of Henry Hermans, deceased, under the provisions of the said will, to execute and deliver a release or releases to the other heirs for the portions not taken by such ward, which said release or releases shall be as binding in law, as if such ward or wards had been of full age, and had executed the same according to existing laws. Guardians to execute releases.

SECTION 2. That it shall also be lawful for the said guardians to execute and deliver, under the provisions of the said will, a bond and mortgage for each or any of his said wards, securing the payment of any overplus above the amount of the respective share of such ward, and such bond and mortgage shall operate as a lien upon the portions taken by such ward, and shall be as binding in every respect, as if the same had been executed by a devisee of lawful age: *Provided,* That the said guardian shall not be made personally liable to pay such bond and Guardians to execute bond and mortgage. Proviso.

Proviso.

mortgage, but the same to be enforced only against the portions and property of such ward: *And provided further*, That all releases, and bonds and mortgages thus executed by such guardian, shall, be submitted to the orphans' court of Luzerne county, and the proceeding be approved of by said court.

Trustees of St. John's church in York county, authorized to sell real estate.

SECTION 3. That the trustees of Saint John's church, in Franklin township, York county, or their successors in office, be and they are hereby authorized and empowered to sell at public or private sale, so much of the real estate belonging to said church, and upon such terms as they may deem expedient, and to convey the same in fee simple to the purchasers, applying the proceeds thereof to the proper use of said congregation.

Dixon Fleming, father of Hugh Wasson Fleming, authorized to sell and convey certain real estate.

SECTION 4. That Dixon Fleming, of Centre township, Butler county, father of Hugh Wasson Fleming, a minor, is hereby authorized to make sale of one hundred acres of land, more or less, situate in the county of Armstrong, on the waters of Crooked creek, being the same devised with certain conditions to said minor, by Hugh Wasson, deceased; and the deed to be made to the purchaser shall be deemed good and valid to transfer all the interest of said decedent in said land at the time of his decease: *Provided*, That before the execution of a deed, the propriety of making a sale, and the terms of the sale, shall be carefully inquired into, and approved by the orphans' court of Butler county; and further, that said Dixon Fleming shall give bond to the commonwealth, in such sum and with at least two such sufficient sureties, as shall be approved by said court, conditioned that he will faithfully invest and apply the proceeds of sale as may be directed by said court, in giving a reasonable and equitable construction to the will of said decedent.

Proviso.

Security.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 137.

AN ACT

Relating to bridges in Luzerne and Wayne counties.

Commissioners not compelled to keep bridges in repair.

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 from and after the passage of this act, the commissioners of the counties of Luzerne and Wayne shall not be compelled to keep in repair any of the county bridges in said counties, except as hereinafter directed, and any law to the contrary heretofore existing is hereby repealed.