

No. 166.

AN ACT

Authorizing Thomas M. Bibighaus to sell certain real estate.

Preamble.

WHEREAS, Barbara Royer, late of the borough of Lebanon, in the county of Lebanon, deceased, in and by her last will and testament, duly proved and recorded in the office for the probate of wills at said Lebanon, makes the following devise : "I give and bequeath unto the children of my said daughter Eve, which she now hath or may hereafter have, that certain house and lot of ground situate in Jonestown, Swatara township, county aforesaid, which was late the property of Christian Shade, and purchased by me at sheriff's sale ; and I do hereby direct that they shall not come into possession thereof until the death of my said daughter Eve ; and that during the life-time of my said daughter Eve, she shall have the right of residing thereon without paying rent therefor ; and in case she does not choose to reside thereon and occupy the premises, she shall be allowed to rent them to whomsoever she pleases ;"

And whereas, It is for the interest, and is the desire of all parties concerned, that the said house and lot of ground should be sold, and the proceeds of such sale invested in some other real estate ; 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

Authority to sell.

Thomas M. Bibighaus, of the borough of Lebanon, be and he is hereby authorized, with the assent of said Eve, now intermarried with John Phreaner, to sell the said house and lot of ground of Barbara Royer, deceased, so devised to said Eve, as aforesaid, and to execute, acknowledge and deliver a good and sufficient deed or deeds therefor, to the purchaser or purchasers, in fee simple, altogether discharged from any obligation on the part of the said purchaser or purchasers to see the application of the purchase money : *Provided however*, That before the said Thomas M. Bibighaus shall execute any such deed or deeds, he shall give security in the court of common pleas of Lebanon county, to be approved by the said court, conditioned for the investment of the proceeds of the sale or sales of said house and lot of ground, in such other real estate as said court shall direct, in the same manner as is set forth in the said last will and testament of the said Barbara Royer, deceased.

Proviso.

Security.

Investment.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

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

FRS. R. SHUNK.