

No. 218.

AN ACT

To perfect the title to certain real estate in Adams county, heretofore conveyed by Alexander Mack, to certain of his creditors.

Preamble.

WHEREAS, Alexander Mack and Susannah, his wife, did, on the fourteenth day of March, in the year of our Lord one thousand eight hundred and twenty-five, by two several deeds of conveyance of that date, sell and convey unto John Kerr, the Bank of Gettysburg, Jacob Fisher, William M'Millan, Samuel Loudon, Israel Irwin, Frederick M'Sherry, Ezra Blythe, Frederick Sholley, Jacob Heriter, Jacob Price, James M'Allister and William Loudon, their successors, heirs and assigns, two tracts of land in the county of Adams, one situate in Liberty township, containing two hundred and one acres, thirty-one perches and allowances, and the other in Hamiltonban township, containing one hundred and thirty-one acres, eighty perches and allowance:

Whereas, The said grantees did, by power of attorney of even date therewith, appoint Ezra Blythe and John B. M'Pherson, their attorneys, to rent, sell and convey said premises:

And whereas, The said John B. M'Pherson, in pursuance of said power of attorney, did heretofore contract with a certain Martin Newman, for the sale to him of said premises, but difficulties exist in the way of perfecting the title under said contract, by reason of the death of Ezra Blythe, his co-attorney, and of the said Martin Newman, the purchaser since the same and before deed was made and delivered, as well as by reason of the death of several of the grantees of Alexander Mack, leaving numerous heirs widely scattered, and some of them minors, without making any provision for the sale of their interest in said premises, they having died intestate:

And whereas, The said Martin Newman, in his lifetime, in pursuance of such contract, entered into possession of the said premises, and paid part of the purchase money to the said John B. M'Pherson, and it is desirable that said contract should be completed, and the title of the purchaser made valid and effectual; 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 B. M'Pherson be and he is hereby authorized and empowered, upon payment to him of the balance of purchase money remaining unpaid, as aforesaid, according to his said contract with the said Martin Newman, in his lifetime, to make, execute and deliver a deed or deeds of conveyance for the premises, in the preamble to this act mentioned, in the name of the aforesaid grantees of Alexander Mack, or their heirs, unto Jacob Cover, administrator of the said Martin Newman, deceased, his heirs and assigns, to be held in trust, first for the benefit of the creditors, and secondly, of the proper heirs at law of the said Martin Newman, deceased, to the same effect as, and to and for no other greater or less estate, than if the same had been delivered to the said Martin Newman, in his lifetime, and to be subject to the same proceedings in court or elsewhere, at the instance of either creditors or heirs, as if the said Martin Newman had died seized thereof; and that

To execute title.

thereupon, the title to said premises shall vest and remain in the said Jacob Cover, administrator as aforesaid, subject to the limitations and provisions aforesaid, as fully as if the deed or deeds for the same had been made, executed and delivered by the original grantees of Alexander Mack, in their proper persons : *Provided always*, That before the said *Proviso*. John B. M'Pherson shall make and deliver such deed or deeds of conveyance, he shall first give security, by bond or recognizance to the commonwealth, for the use of the persons in interest, in such manner and amount, as the judges of the orphans' court of Adams county shall approve, conditioned that he will faithfully account for, and pay over to such persons as shall be legally entitled to receive the same, the shares or purparts in the aforesaid purchase money of such of the grantees of Alexander Mack, hereinbefore named, as at the time of the execution and delivery of such deed or deeds of conveyance shall be deceased.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

APPROVED—The ninth day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.

No. 219.

AN ACT

Relating to the Lafayette cemetery society of Philadelphia.

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 if any person shall open any tomb or grave in the lands of the cemetery Penalty for vio- of the Lafayette cemetery society of Philadelphia, and clandestinely lating graves or remove, or attempt to remove, any body or remains therefrom, such tombs. person, upon conviction thereof, shall be sentenced to undergo an imprisonment, in the prison of the county of Philadelphia, at hard labor, for a term of not less than one, or more than five years, and pay a fine, not less than five hundred dollars, at the discretion of the court of quarter sessions for the county of Philadelphia; and any person who For injury to shall wilfully destroy, mutilate, deface, injure or remove any tomb, tomb, grave monument, grave stone or other structure placed in the cemetery afore- stones, &c. said, or any fence or railing, or other work for the protection or ornament of said cemetery, or of any tomb, monument, grave stone or other structure placed therein as aforesaid, or shall wilfully destroy, cut, break For destroying or or remove any tree, shrub or plant within the limits of said cemetery, removing shrub, or shall shoot or discharge any gun or other fire arms within said limits, &c. shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, before any justice of the peace or alderman of the county of