

Philadelphia, be punished by a fine, at the discretion of the justice or alderman, according to the aggravation of the offence, of not less than five, nor more than fifty dollars; or shall, on conviction thereof in the court of quarter sessions of said county, be punished by a fine as aforesaid, and by imprisonment, according to the aggravation of the offence, at the discretion of the court, for a term of not less than six months, or more than three years.

Exemptions. SECTION 2. That every lot in the said cemetery of the Lafayette cemetery society of Philadelphia, shall be held by the proprietor, for the purpose of sepulture alone, transferable with the consent of the president and managers thereof, and shall not be subject to attachment or execution; and the said cemetery shall, hereafter, be forever exempted from taxation: *Provided*, That nothing herein contained, shall be construed to exempt the said cemetery from payment of state taxes: *And provided further*. That the said exemption from attachment or execution, shall not extend to more than four lots held or owned by any one person in said cemetery.

Proviso.

Proviso.

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. 220.

AN ACT

For the settlement of the estate of Samuel Cochran, deceased.

Part of former act repealed. 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 third section of an act, entitled "An Act to amend an act to authorize the administrators of Henry Mineum, late of Crawford county, deceased, to sell and convey certain real estate, and for other purposes," passed the ninth day of April, Anno Domini one thousand eight hundred and forty, and the preamble to said section, be and the same are hereby repealed, except so much thereof as repeals another act of assembly mentioned therein.

Orphans' court to appoint a trustee. SECTION 2. That the orphans' court of Chester county is hereby required, upon the application of any person interested, to appoint, in the place and stead of Joseph B. Linton, such person, trustee of the estate of Samuel Cochran, late of the township of West Fallowfield, in the said county of Chester, deceased, as shall be selected and agreed upon by Hannah Cochran, widow of the said Samuel Cochran, deceased, Henry F. Slaymaker, intermarried with Rebecca, a daughter of said

deceased, Susan Cochran, widow of Stephen H. Cochran, deceased, the guardians, for the time being, of the minor children of John B. Cochran, and the said Stephen H. Cochran, and the administrators, for the time being, of the estates of the said Samuel Cochran, Stephen H. Cochran, John B. Cochran and James Kelton, deceased, or by a majority of them, or of the survivors of them, if such application and selection be made within three months from the passage of this act; and in case no such selection and application be made in said time, then the said court shall, upon proper application, appoint some suitable person trustee of said estate: *Provided*, That it shall not be lawful to *Proviso.* appoint the said Joshua B. Linton such trustee.

SECTION 3. That said trustee is hereby authorized to sell, at public or private sale, all the real estate of Samuel Cochran, wherever situate in the state of Pennsylvania, and fully and effectually convey the same, in whole or in parts, to the purchaser or purchasers thereof, in fee simple: *Provided however*, That before perfecting such sales, the said trustee shall enter into bond to the commonwealth, with sufficient security, to be approved by said court, conditioned for the faithful execution of his trust: *And provided also*, That such sales shall not be valid until confirmed by said court. *Power given to trustee to sell.* *Proviso.*

SECTION 4. That the said trustee is hereby empowered to fulfil any contract of sale, for any part of said lands, made by the said Samuel Cochran, in his lifetime, or by James Kelton, his surviving administrator, legally made; and also to collect all debts due, or which may become due, for the said lands sold, either by the said Samuel Cochran, James Kelton or Joshua B. Linton, and to give sufficient acquittances and discharges for the same; and the said trustee is hereby required to pay, from time to time, under the direction of said court, to the persons entitled; and shall be subject to all the laws in relation to the settlement of his accounts, and to removal from his trusts, to which executors and administrators are now subject. *To fulfil contract, &c.*

SECTION 5. That the said Joshua B. Linton may be required, upon the application of any person interested, by said court, to settle in said court an account or accounts of the trust committed to him by the section of the act hereby repealed, and is hereby made liable to all the laws in relation to the settlement of his accounts, and paying the balance found against him, to which administrators are now subject. *Former trustee to settle his account.*

SECTION 6. That the said trustee shall be deemed to have the same title to the aforesaid real estate, as the said Samuel Cochran had in his lifetime, subject to the provisions of this act; and may recover from the said Joshua B. Linton any of the said real estate of which he may have obtained possession, by purchase, at treasurer's sale, for taxes or otherwise, subject to all legal and equitable rights of the said Joshua B. Linton, in and to the same. *Relating to title:*

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.