

No. 259.

AN ACT

Authorizing the trustees under the will of William Binder, deceased, to sell and convey certain real estate.

Executors and trustees authorized to sell real estate.

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 Maria Binder, Jacob Binder, William Binder and George Binder, executors and trustees named in the last will and testament of William Binder, late of the Northern Liberties, in the county of Philadelphia, deceased, and the survivors and survivor of them, and such person or persons as may lawfully succeed them in their trust, be and they are hereby authorized to sell and convey in parts, or in whole, all that certain lot or piece of ground, with the buildings and improvements thereon erected, situate on the westwardly side of Queen street, between Wood and Cherry streets, in the Kensington district of the Northern Liberties, in the county of Philadelphia, containing in breadth on said Queen street fifty feet, and in length or depth one hundred feet, bounded southward by ground formerly of John Hasselwanger, westward by ground formerly of John Chevalier and Eleanor, his wife, northward by ground granted or formerly intended to have been granted to Daniel Ernst, and eastward by Queen street aforesaid, (which lot or lots the said William Binder, by his last will and testament, dated the first day of September, one thousand eight hundred and forty-two,) duly proved at Philadelphia, the thirteenth day of October, one thousand eight hundred and forty-two, devised unto his executors, the said Maria, Jacob, William and George Binder, and the survivors and survivor of them, and the heirs and assigns of the survivor of them in trust, to pay the net rents and income thereof unto his son Daniel Binder, or appropriate the same for his benefit, and the benefit of his family, for and during all the term of his natural life, without being subject or liable for his debts, contracts or engagements; and from and immediately after his decease, then in trust for the only proper use and behoof of such person or persons, and for such estate and estates as such person or persons would be entitled to, if the said Daniel had died intestate, seized of the same in fee simple, reserving out of said lot or the parts so sold, a perpetual yearly ground rent or ground rents, either subject or not subject to extinguishment on the payment of a certain sum of money at a certain time, as they may see fit, and to convey to the purchaser and purchasers as good and valid an estate in the premises as the said William Binder was seized of and entitled to at the time of his death, both in law and equity, and discharged from the trusts of his will, but subject to the rents, covenants and stipulations in such ground rent deeds; and in case such rent and rents be made subject to extinguishment as aforesaid, the said trustees, and the survivors and survivor of them, and their successors in the said trusts, shall have power to receive the said payment according to such conveyance, and thereupon to release and extinguish the said rent and rents, and the said purchaser and purchasers shall not be bound to see to the application of the said money: *Provided, That such rent and rents shall be reserved and**

Proviso.

made payable to the said trustees, and the survivors and survivor of them, and the heirs and assigns of such survivor in trust, for the same uses as the land conveyed on ground rent was held before and at the time of the conveyance, under the said last will and testament: *And provided further*, That before any such ground rent shall be released and extinguished, the said trustees, or their successors, shall give approved security to the court of common pleas for the county of Philadelphia, conditioned to invest the moneys so paid in extinguishment of such rent, in trust, for the same uses as the said rent was reserved and held for under the conveyance. Proviso.

JAMES COOPER,
Speaker of the House of Representatives.
CH. GIBBONS,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 260.

A N A C T

To extend the time for commencing the Liggitt's Gap railroad.

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 time for commencing the railroad, authorized to be constructed by several sections of the act, entitled "An Act to authorize the governor to incorporate a company to erect a toll bridge over the river Juniata, at the town of Hollidaysburg, and to incorporate the Liggitt's Gap railroad company," approved the seventh day of April, Anno Domini eighteen hundred and thirty-two, and extended for five years by an act, entitled "An Act to authorize Charles Smith to erect a dam across Dunning's creek, in Bedford county, and for other purposes," passed twenty-fifth day of March, eighteen hundred and forty-two, be and the same is hereby further extended to five years, and the time of completing the same to ten years, from after the passage of this act. Time extended for making the railroad.

JAMES COOPER,
Speaker of the House of Representatives.
CH. GIBBONS,
Speaker of the Senate.

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

FRS. R. SHUNK.