

of the same ; said tax to be assessed, levied, collected and disposed of in the manner prescribed by the first and second sections of the act above recited.

SECTION 5. That so much of the second section of the act, entitled "An Act relating to the borough of Uniontown, Fayette county, and for other purposes," passed April first, eighteen hundred and thirty-seven, as is hereby altered and amended, be and the same is hereby repealed. Certain part of act of 1837, relating to levying a water tax, repealed.

JAMES COOPER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 304.

AN ACT

Relative to certain parts of the estate of Jane Willing, deceased.

WHEREAS, Jane Willing, late of the city of Philadelphia, deceased, did, by her last will and testament, bearing date the twenty-seventh day of December, Anno Domini, eighteen hundred and twenty-two, direct that all the residue and remainder of her estate, real and personal, should be divided into four equal parts, one whereof she devised and bequeathed to her son Charles Willing, and the other three parts to her three daughters, in the manner therein mentioned, that is to say: that the part of her estate which should fall to her daughters respectively, whether in their own right or as survivors, should be settled by her executors, in trust, as to the income, interest and profits thereof, for the sole and separate use of her said daughters respectively, during their natural lives, free from the control of their respective husbands; and from and after the deaths of her said daughters respectively, then as to the capital or principal of the said respective shares to the use of her respective daughters, absolutely, in such portions as her said daughters respectively, by any instrument in writing under their respective hands, executed in the presence of two or more witnesses, should direct and appoint, and for want of such direction or appointment, then to and among the said respective children absolutely, in equal shares, and for want of such children, then to the use of her said respective daughters, their heirs, executors and administrators:

And whereas, The said testatrix died, leaving three daughters, to wit: Elizabeth, intermarried with John Sterling, Ann, intermarried with Mungo Murray, and Emma, intermarried with James Maitland, who became entitled to three undivided fourth parts of an undivided fifth part of the messuage and premises, hereinafter described:

And whereas, It is manifestly for the interest of those entitled to the said three fourth parts that the same should be sold, and the proceeds held upon the trusts of the said will; 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 trustee or trustees, for the time being, in whom is or are vested the share or shares, devised under the will of Jane Willing, late of the city of Philadelphia, deceased, in trust for her daughters respectively, as above recited, shall have power to grant and convey, in fee simple, for such consideration as he or they shall deem proper, all the estate, right, title and interest, vested in him or them under the said will, in trust, for the said daughters of the said Jane Willing respectively, or any or either of them, of, in, to and out of all that certain messuage or store house and lot or piece of ground, situate on the north-easterly side of Dock street, between front and Second streets, in the city of Philadelphia, marked in plan annexed to the sheriff's return to a certain writ of partition, issued out of the supreme court for the eastern district of Pennsylvania, wherein Thomas M. Willing and others, were plaintiffs, and John H. Brown, defendant, and returnable to the third Saturday in March, eighteen hundred and twenty-two, "T. M. Willing and others," and being the westernmost part of the lot of ground in the said writ described, containing in front on Dock street thirty-seven feet, and in width at the east end or rear thereof thirty feet or thereabouts, and extending in length or depth eastward to a line in the middle of the wall dividing this lot from the lot of ground in said return, allotted to John H. Brown, which line of division is parallel with, and at the distance of one hundred and twenty-five feet one inch westward from Front street aforesaid, bounded south-westerly by Dock street, on the east by the rear end of said lot allotted to John H. Brown, together with all their share or purpart of the sum charged for owelty of partition on the premises, adjoining those above described; and all and singular the rights, privileges and appurtenances to the premises belonging, and to make title to the same or any part thereof, without the purchaser or purchasers being bound to see to the application of the purchase money: *Provided always*, That the purchase money for the said share or shares shall be invested by the trustee or trustees, for the time being, under the authority of the orphans' court of the county of Philadelphia, in debt of the United States or of this state, or of the city or county of Philadelphia, or in real securities, in trust, both as to principal and interest, for the same persons, estates, uses and trusts, declared in the said will of Jane Willing, of and concerning the shares devised as aforesaid, in trust for her daughters respectively: *Provided further*, That before this act shall take effect, the said trustee or trustees shall give security, to be approved by the said orphans' court, for the faithful execution of the trust created by this act.

Trustees to have power to sell and convey.

Description of property.

lb.

Proviso.

Proviso.

JAMES COOPER,
Speaker of the House of Representatives.
WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.