

for the faithful execution of this trust, agreeably to this act and the last will and testament of Elizabeth Crean, deceased.

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. 308.

AN ACT

To enable the trustee of Elizabeth Davis to mortgage certain real estate, in the county of Philadelphia.

WHEREAS, By indenture, dated the first day of July, Anno Domini one thousand eight hundred and forty-four, recorded at Philadelphia, in deed book AWM, number thirteen, page two hundred and ninety-four, et cetera, Samuel S. Pancoast and wife, conveyed to Edward B. Garrigues, in fee, a lot of ground on the north side of Melon street, at the distance of seventy-nine feet eleven inches westward from the west side of Tenth street, in the district of Spring Garden, in trust for the sole and separate use of Elizabeth Davis, the wife of William A. Davis, during her life, et cetera; and upon the further trust, that the said Edward B. Garrigues, his heirs, executors and administrators, at the request of the said Elizabeth Davis, in writing, executed by her in the presence of two or more creditable witnesses, at any time hereafter, shall and will sell and dispose of the said premises, or any part thereof, and grant and convey the same, or any part thereof, unto the purchaser or purchasers thereof, his, her or their heirs and assigns forever, in fee simple, free and discharged of and from all manner of trust or limitation whatever, and pay and apply the money arising from such sale, to and for such uses and purposes as she, the said Elizabeth Davis, in writing, shall or may, from time, direct, limit or appoint; and for want of such sale, conveyance and disposition, then from and after the decease of the said Elizabeth Davis, to grant and convey the said premises, or such part thereof as shall remain unsold and undisposed of, to such person or persons as at the decease of the said Elizabeth Davis shall and may be her heirs and legal representatives, and in such parts and shares and proportions as such person and persons shall be entitled to, according to the laws of the state of Pennsylvania regulating the descent of real estate in case of intestacy:

Preamble.

And whereas, The said lot of ground has been improved by the erection of a three story brick messuage thereon, and it is desirable that a sufficient sum of money should be raised to pay for the same, but doubts are entertained whether, under the last recited clause in the said indenture, sufficient power exists to mortgage the premises, and the ex-

ercise of such power would greatly advance the interests of said Elizabeth Davis; wherefore,

Trustees authorized to give a mortgage.

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 it shall be lawful for the said Edward B. Garrigues, and his successor in the said trust, with the consent of the said Elizabeth Davis, to be testified by her joining in the execution of the mortgage, from time to time, to mortgage the said lot of ground, with the buildings thereon, to any person or corporation, in fee simple, to secure the re-payment of any sum or sums of money that may be borrowed by the said William A. Davis, for the purpose of improving the said lot; and any and every such mortgagee, his heirs, executors, administrators, successors and assigns shall take and hold the premises, in mortgage, with the same title, rights, powers and incidents, as if the said Elizabeth Davis were, at the time of the execution of such mortgage, a feme sole and seized in fee of the premises, and without any liability in respect to the purpose of such loan, or the application or appropriation of the mortgage money: *Provided, That before this act shall take effect, the said Edward B. Garrigues, and his successor, shall give security, to be approved by the orphans' court of the city of Philadelphia, for the faithful execution of his trust, as created by this act.*

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.

No. 309.

A N A C T

For the support of the Coudersport academy.

Annual appropriation out of county funds.

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 commissioners of Potter county are hereby authorized and required to pay to the trustees of the Coudersport academy, for the use of said academy, the sum of two hundred dollars annually, for the term of five years, commencing with the first of January, Anno Domini one thousand eight hundred and forty-seven, said payments to be made quarterly: *Provided, That said payments shall not be made for any quarter of the year, unless the trustees of said academy shall first furnish to the said county commissioners a statement, under the oath or affirmation*

Proviso.