

much of the act to which this is a supplement, as is hereby altered or supplied, is hereby repealed.

JAMES COOPER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 354.

A SUPPLEMENT

To an act, entitled "An Act authorizing certain commissioners to view and lay out a state road from Logan's ferry to Kemerer's, near Greensburg," and relating to the Buckingham and Doylestown turnpike road company; and also to streets in Wellsboro', Tioga county.

Commissioners
appointed.

Duties.

Compensation.

Acts of commis-
sioners of Buck-
ingham and
Doylestown turn-
pike road com-
pany, confirmed.

Assessment of
damages by open-
ing streets in
Wellsboro', Tioga
county.

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 John Hamilton and David Shaw, of Westmoreland county, and John Byerly, of Allegheny county, are hereby appointed commissioners to review and lay out that part of the state road leading from Logan's ferry to Kemerer's, which lies between the North Washington and Pittsburg road, in Allegheny county, and the Saltsburg and Pittsburg road, in Westmoreland county; said commissioners to receive the same compensation, and be subject to the same provisions as is contained in the act to which this is a supplement.

SECTION 2. That all the acts and proceedings of the commissioners appointed by the act of assembly for incorporating the Buckingham and Doylestown turnpike road company, are hereby confirmed, and are to be deemed valid and effectual for all purposes, in so far as that they shall in nowise be impeached or questioned, for not having been done on the days mentioned or referred to in said act.

SECTION 3. That the second section of the act of eighteenth day of March, one thousand eight hundred and forty-six, entitled "A supplement to an act, entitled 'An Act concerning road views and road damages in Berks, Lancaster and Bucks counties,' passed the thirteenth day of March, A. D. one thousand eight hundred and forty-four," be and the same is hereby altered, so as to require the court of quarter sessions of Tioga county, to appoint persons residing within the county of Tioga, but out of the boundaries of said borough, to assess the damages therein mentioned; and the said assessment, when made, shall be subject to the approval of said court, and if approved, shall be paid by

a warrant drawn by the burgess of said borough upon the treasurer thereof.

JAMES COOPER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 355.

AN ACT

Relating to the estate of Henry Heermans.

WHEREAS, Henry Heermans, of Luzerne, died, leaving a will and testament, which provides among other things, for the appointment of three judicious men to value and appraise his real estate, and to make partition of the same into as many shares as it conveniently can be divided; and that such of his devisees as are entitled to take, shall take the same at the appraisement, securing the amount over their respective shares by bond and mortgage, to be paid in five equal annual payments: Preamble.

And whereas, In pursuance of said will partition has been made, and some of the devisees have made choice of some of the portions, but as some of the devisees are minors, the intentions of said will in executing releases and securing the overplus by bond and mortgage, cannot be carried out:

And whereas, Portions of said real estate will not be taken under the will by any of the devisees; 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 it shall be lawful for the guardians of each of the minor children of Henry Heermans, deceased, under the provisions of the said will, to execute and deliver a release or releases to the other heirs for the portions not taken by such ward or wards, which said release or releases shall be as binding and valid in law, as if such ward or wards had been of full age, and had executed the same according to existing laws. Guardians to execute releases.

SECTION 2. The orphans' court of the county of Luzerne shall have jurisdiction over all the proceedings under the partition made in pursuance of the said will, and the choices of real estate which have been heretofore made by any of the devisees, under the said will, shall be entered upon the records of the said court, and be deemed good and valid in law. Jurisdiction given to orphans' court.

SECTION 3. The orphans' court of the county of Luzerne is hereby authorized and vested with jurisdiction to grant a rule upon the heirs of said court. Further powers