

sum of five thousand dollars, for the purpose of furnishing and fitting up for them, "as a residence, a suitable dwelling house: *Provided however*, That if either of the three sons of the said George Pepper, deceased, cestui que trusts hereinbefore mentioned, shall receive and take the said sum of five thousand dollars, or any part thereof, for the purpose of fitting up and furnishing his residence as aforesaid, then, in such event, he shall not be entitled to receive, out of his share of the estate, the whole sum of twenty thousand dollars, as provided and directed in the said will of George Pepper, deceased, to be paid to him, for the purpose of enabling such son to go into business; but the sum so to be paid to him for such purpose, shall be the difference between the said sum of twenty thousand dollars, and the amount so received and taken by him for the fitting up and furnishing his said residence.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

APPROVED—The seventh day of February, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 26.

AN ACT

Relative to the estate of Thomas B. Coleman, deceased.

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 orphans' court of Lebanon county shall have full power and jurisdiction, on the application of any of the heirs of Thomas B. Coleman, late of said county, deceased, to appoint seven, or more, disinterested persons residing in the counties of Lebanon, Lancaster and York, chosen on behalf, and with the consent of the parties; or if the parties cannot so agree, to issue their writ to the sheriff of Lebanon county, directing him to summon an inquest from the counties aforesaid, to make partition or valuation of the real estate of the said Thomas B. Coleman, situate in the counties of Lebanon, Lancaster, York, Adams, Dauphin and Berks; the said estate, consisting of the lands, tenements and hereditaments, known as the Cornwall furnace estate, and situate in the counties of Lebanon, Lancaster and Berks; the lands, tenements and hereditaments, known as the Colebrook furnace estate, and situate in the counties of Lebanon, Lancaster and Dauphin; the lands, tenements and hereditaments known as the Speedwell and Hopewell forges estates, and situate in the counties of Lancaster and Lebanon; the lands, tenements and hereditaments known as the Spring Forge estate, and situate in the counties of York and Adams; the lands, tenements

Orphans' court
to decree an in-
quest.

Description of
property.

Proceedings to be effectual.

Proviso.

Jurisdiction extended to estates held as tenant in common.

Jurisdiction extended to estates held in the name of John Reynolds.

Proviso.

Proceedings regulated.

and hereditaments known as the Castle Finn forge estate, situate in the county of York, and other lands and tenements situate in the aforesaid counties; and the said seven, or more, men appointed by consent as aforesaid, or the said inquest, and upon their return the said court may, and shall further proceed therein, in all respects, as if all the said lands were in Lebanon county; and any recognizance taken in pursuance of such proceedings, shall be effectual to all intents and purposes, as if the said lands bound by it, were wholly within Lebanon county: *Provided*, That an exemplification of the proceedings which may be had shall, within sixty days after the final decree therein, be delivered to the clerk of the orphans' court of each county in which any part of the said estate is situate, which shall be entered on the records of the said court, at the joint expense of all parties concerned.

SECTION 2. The jurisdiction of the said orphans' court, in the partition or valuation of the aforesaid real estate, shall extend to any undivided interest, in fee simple, in any lands of which the said Thomas B. Coleman, died seized, as tenant in common with any other person or persons, as fully as if the said Thomas B. Coleman was solely seized thereof at the time of his death; and the said seven, or more, men chosen by consent as aforesaid, or the said inquest, shall return such undivided interest, either by itself, or in connection with some other portion of said real estate, valued as one of the purparts or shares into which they may divide the whole of the said real estate, or shall apportion such undivided interest in undivided parts or parcels, and return each undivided part or parcel thereof, in connection with some other portion of the said estate, valued as one of the purparts, or shares, into which they may divide the whole of the aforesaid real estate; and upon the return thereof, the proceedings shall be the same as is herein provided, and as in other cases of partition in the orphans' court.

SECTION 3. The said seven, or more, men appointed as aforesaid, or the said inquest, and the said orphans' court of Lebanon county, shall have jurisdiction as aforesaid, and shall proceed in the same manner, in respect to the partition or valuation of certain lands and tenements, situate in the counties of Lebanon, Lancaster, Dauphin and York, purchased by, and conveyed to John Reynolds since the death of the aforesaid Thomas B. Coleman, deceased, and now used with the several furnaces and forges aforesaid; and any recognizance taken in pursuance of such proceedings, shall as effectually bind the same, as if they were wholly situate in the county of Lebanon, had been held by the said Thomas B. Coleman, in his life time, and had, at his death, descended to, and vested in his heirs, by virtue of the intestate laws: *Provided*, That an exemplification of the proceedings which may be had shall, within sixty days after the final decree therein, be delivered to the clerk of the orphans' court of each county in which the said lands and tenements, or any parts thereof are situate, which shall be entered on the records of the said court, at the joint expense of all the parties concerned.

SECTION 4. Upon the appraisement of the aforesaid estate, of the aforesaid Thomas B. Coleman, and the aforesaid lands and tenements purchased by the said John Reynolds, and held by him in trust, as aforesaid, or upon the division thereof into purparts and their valuation, should all or any of the heirs or parties interested neglect, after due notice, or refuse to take the said estate, or any of the purparts at the appraisement, the said orphans' court shall, on the application of any one of the heirs, grant a rule upon the other heirs or parties interested, to shew cause why the same should not be sold; which rule shall be returnable at the next regular session of the court, or at such subsequent

period as the court, having respect to the circumstances of the case, may direct; and notice of such rule, and all proceedings under this act, shall be given in the manner provided in the act of twenty-ninth March, one thousand eight hundred and thirty-two, for notices to heirs; and on the return of such rule, the said court may appoint some suitable person trustee, to sell at public or private sale, and convey and assure such estate or purparts, or any part or parts thereof: *Provided*, That the rule to shew cause herein last directed, may be dispensed with by the court, on the application of all the parties interested; and that the said trustee shall give bond, with sufficient surety, to be approved of by the orphans' court of Lebanon county, conditioned for the faithful application of the proceeds of such sale or sales, according to law. Proviso.

WILLIAM F. PACKER,
Speaker of the House of Representatives.
WM. WILLIAMSON,
Speaker of the Senate.

APPROVED—The seventh day of February, one thousand eight hundred and forty-eight.

FRS. R. SHUNK.

No. 27.

A N A C T

To alter the times for holding the criminal court in the city and county of Philadelphia, and for regulating the proceedings of said court, and for other purposes.

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 court of oyer and terminer, general jail delivery, court of quarter sessions of the peace, and court for the trial of all criminal causes, in the city and county of Philadelphia, now given, by the act of the third of February, one thousand eight hundred and forty-three, to the judges of the court of common pleas in and for said city and county, shall hereafter be held on the first Mondays of April, June, August, October, December and February, in each and every year, instead of the days now fixed by law for the holding of the same. Time of holding courts.

SECTION 2. That all the returns of cases made by aldermen, justices of the peace, and other magistrates of prosecutions cognizable before said courts, shall be made on or before the first Monday of April next; and hereafter on the days and times fixed by the first section of this act, for the holding of said court; and all recognizances made returnable to the next March term of said court, shall be as effectual, binding and valid, as if returned on the first Monday of March next. Returns of magistrates.

SECTION 3. That said court shall have power and authority to issue two or more venirens, for the drawing, summoning and returning of jurors to serve as petit jurors at any term of said court, to be drawn, To issue venirens.