

No. 145.

AN ACT

To authorize the trustees of Margaretta Lamb to sell certain real estate.

Preamble.

WHEREAS, Samuel Carswell, late of the city of Philadelphia, merchant, deceased, by his last will and testament, duly proved the twelfth day of March, in the year of our Lord one thousand eight hundred and twenty-two, and remaining in the register's office at Philadelphia, did devise unto his daughter, Margaretta Carswell, certain messuages and lots of ground, with the appurtenances, situate in the city of Philadelphia, to hold to her for during her natural life, and from and after her decease, unto all her children then living, and the issue of such as shall then be deceased, in equal shares in fee:

And whereas, On the twenty-third day of April, in the year of our Lord one thousand eight hundred and twenty-two, the said Margaretta Carswell, in contemplation of Marriage with Lemuel Lamb, executed a deed of conveyance of all her estate, real and personal, in possession or expectancy, under the last will and testament of her father, the said Samuel Carswell, in trust for her sole and separate use during her natural life, and from and after her decease for such use as she by her last will shall appoint, and in default of such appointment, then to all her children then living, and the issue of such of them as may be dead, et cetera:

And whereas, Such is the location of said real estate, that the same may be greatly improved in value, and the income therefrom increased, by selling portions, and throwing open other portions thereof, for public or private use, as a street; therefore,

Trustees authorized to sell or exchange, &c.

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 trustees of the estate of the said Margaretta Lamb, under the marriage settlement aforesaid, and their successors, together with the guardian of the minor children of said Margaretta Lamb, be and they are hereby authorized and empowered, with her consent and concurrence, to sell or exchange the said real estate, or any part thereof, and throw open for public or private use, as a street, any portions thereof, and to make, execute and deliver good and sufficient deed or deeds, to the purchaser or purchasers thereof, in fee simple, and vest the right of way of such private street in the persons for whom the same may be opened, free and discharged of and from any and every trust, contingency, limitation or restriction created by the said will and the marriage settlement aforesaid: *Provided however,* That before the said trustees shall execute any deed or deeds under this act, they shall give bond to the commonwealth, in such penalty and with such security as the court of common pleas for the city and county of Philadelphia may direct and approve, conditioned for the investment of the said consideration money, upon the same trusts, and for the same uses, estates and persons, as are declared, mentioned and set forth in the said will: *And provided further,* That any real estate received in exchange by the said trustees, shall be conveyed to and held by them, upon the same trusts as the real estate conveyed by them in exchange was held, at and before the time of such

Proviso.

Proviso.

exchange, and shall be held by them under and subject to all the powers granted by this act.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.

No. 146.

AN ACT

Relative to the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company.

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 Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company, to make and construct a branch of their road, commencing at a point between Mount Joy and the tunnel, on said road, and extending by one or more tracks to or near the borough of Marietta, with the privilege of extending to, and connecting with the Columbia railroad, at or near Columbia. Power to construct a branch road.

SECTION 2. That in constructing and locating the said branch, and after the same shall have been completed, the said Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company, shall be subject to all the provisions and restrictions imposed upon the said company, under existing laws, as fully and effectually as if the same were herein re-enacted in full detail. Subject to existing laws.

SECTION 3. That if the said company shall not complete the branch authorized by this act, within five years from the date of its passage, then this act shall be null and void; and the legislature hereby reserves the right to alter, revoke or annul this act, whenever, in their opinion, it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators. Time of completion.

WILLIAM F. PACKER,
Speaker of the House of Representatives.

WM. WILLIAMSON,
Speaker of the Senate.

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

FRS. R. SHUNK.