

No. 239.

AN ACT

Authorizing Miner S. Blackman, trustee of Eleazer Blackman, junior, and Mary Nesbitt, to make and convey title to certain real estate in Luzerne county.

WHEREAS, Eleazer Blackman, senior, late of Luzerne county, deceased, died, leaving a will devising a portion of his real estate to Eleazer Blackman, junior, his son, and another portion to Edward Jones, in trust for the said Eleazer Blackman, junior: Preamble.

And whereas, The said trustee is since deceased, and Miner S. Blackman hath been appointed by the court of common pleas or orphans' court of Luzerne county, a trustee in his stead:

And whereas, The said Eleazer Blackman, junior, is represented to be non compos mentus, incompetent to sell and convey his estate, and that the same, for his interest and maintenance, has been contracted to Walter Mead, of New York, for a good consideration, but that no provision is made by them for vesting in him a legal title to the said estate; 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 said Miner S. Blackman, a trustee of the said Eleazer Blackman, junior, is hereby authorized and empowered to sell and convey, by good and sufficient deed, to Walter Mead and his heirs and assigns, all the estate of the said devisee, devised by or through the will of his father, and to receive such securities for the purchase money as may be deemed proper; such conveyance to be held and adjudged good and valid in the law to pass the legal title to the said purchaser: *Provided* however, That the said trustee first give bond, with good and sufficient surety, approved by and filed in the court of common pleas of Luzerne county, conditioned for the faithful and legal appropriation and use of the proceeds of said sale, over the settlement of whose accounts of said proceeds the said court are hereby vested with jurisdiction. Trustee empowered to sell and convey. Proviso.

SECTION 2. That Mary Nesbitt, guardian of Abraham Nesbitt, a minor son of James Nesbitt, deceased, late of Luzerne county, is hereby authorized and empowered to sell at private sale, the undivided half belonging to said minor, in the lands hereafter described, which sale or sales shall be reported to the orphans' court of said county, and shall be subject to their approbation or rejection; and the report shall be accompanied with bond and sufficient sureties, conditioned for a faithful appropriation and account of the proceeds of such sale, and for the payment over to the said minor of the one-third, to be retained by the said Mary during her life, as her dower in the same, with interest from her death, the said Mary being the widow of the said James Nesbitt, deceased; the said lands are situate in said county, the first being situate in the township of Providence, and being that part of a tract of land, conveyed to the said James Nesbitt by Thomas Meyers, sheriff of said county, by deed, dated sixteenth August, A. D. one thousand eight hundred and thirty-eight, of which the said James Nesbitt died seized, containing about three hundred and three acres, and which said deed is recorded in the office for recording of deeds, et

Mary Nesbitt, guardian of Abraham Nesbitt, authorized to sell.

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cetera, in said county, in deed book number forty-five, page five hundred and eighty-eight, the other piece being now in the township of Scott, formerly Greenfield, and being the same which Thomas Meyers, sheriff of said county, by deed, dated the eighth day of August, Anno Domini one thousand eight hundred and thirty-seven, conveyed to the said James Nesbitt, deceased, containing about two hundred and seventy-six acres, and which said deed is recorded in the office aforesaid, in deed book number forty-five, page five hundred and eighty-seven.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

WM. WILLIAMSON,

Speaker of the Senate.

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

FRS. R. SHUNK.

No. 240.

AN ACT

To authorize the administrators of John Farr, deceased, to convey certain real estate.

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* Mary J. Farr, administratrix, and Samuel N. Davies, administrator of John Farr, deceased, be and they are hereby authorized and directed to execute a deed of conveyance of the share of the said decedent, in the real estate belonging to the late firm of Farr, Powers and Weightman, to the surviving partners, Thomas H. Powers and William Weightman, in fee simple, for the price and upon the terms set forth in certain articles of agreement between the said partners, bearing date the thirteenth day of May, one thousand eight hundred and forty-six, and to receive from the said grantees a mortgage of the said share, in the said real estate, to the said administrators, in fee simple for the said purchase money, upon the terms, conditions and stipulations contained in the said articles of agreement, in trust for the use of the persons entitled to the same; and should it be considered desirable to include the amount of the apparatus in actual use in the amount of the said mortgage, on the said real estate, then it may be so done; and the said administrators in such case shall be authorized to execute a deed of conveyance, of such apparatus, to the said surviving partners: *Provided, That the said deeds and mortgage shall be executed under the direction and with the approbation of the orphans' court of the county of Philadelphia, which court is hereby authorized to enforce a performance of*