

No. 130.

AN ACT

Authorizing Samuel Gailey to sell certain real estate.

WHEREAS, James Gailey, late of the county of Indiana, in and by his last will and testament, duly proved on the twenty-eighth day of September, Anno Domini, one thousand eight hundred and thirty-five, and remaining on record in the office of the register of wills, et cetera, in and for the county of Indiana, did will and devise inter alia as follows: "I will to my son Samuel Gailey, fifty-three acres (of land) as divided off to him during his natural life, then to descend to his children, their heirs and assigns:"

And whereas, The means of the said Samuel Gailey, have become inadequate to support his family on so small a tract of land, and keep said land in good order, and it is alleged that it would be much to the advantage of said children, to sell said tract of land and vest the proceeds in a larger tract of land, so that it may be improved by said children and heirs:

And whereas, The said Samuel Gailey and children, (two of whom are of age,) are desirous that the said property should be sold, and the proceeds vested as aforesaid, and to descend as directed in and by said will; 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 Samuel Gailey aforesaid, be and he is hereby authorized and empowered to grant, bargain, sell and dispose of the said tract of land to the best advantage, at public or private sale, and to make, execute and deliver good and sufficient deed or deeds to the purchaser or purchasers thereof, in fee simple, freed from any and every estate, trust, contingency, limitation or restriction created under, or by the will aforesaid; which said deed or deeds shall vest in the purchaser or purchasers, a title as valid as was in the said James Gailey in his life time: *Provided,* That the said Samuel Gailey before he shall execute said deed or deeds, or receive any of the proceeds of such sale, shall give sufficient surety for the faithful application or investment of all the money or proceeds arising from such sale, after paying all expenses of sale, to be approved of by the orphans' court of Indiana county.

Samuel Gailey
authorized to dis-
pose of certain
real estate.

Proviso.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The eleventh day of March, one thousand eight hundred and fifty.

WM. F. JOHNSTON.