

No. 152.

A N A C T

Relating to the estate of Elizabeth B. Hazlehurst.

WHEREAS, Elizabeth B. Hazlehurst, late of the city of Philadelphia, deceased, by her last will and testament, bearing date the eighteenth day of July, Anno Domini, one thousand eight hundred and forty, duly proved and registered in the office of the register of wills for the city and county of Philadelphia, did will and direct that her estate, real and personal, as it should exist at the determination of her husband's estate, except as therein excepted, should be divided by such five impartial and competent persons as the judges of any court of civil jurisdiction in and for the city and county of Philadelphia, or the judges of the supreme court of Pennsylvania, should name and appoint for the purpose, into as many equal shares as the number of her children, either living at her decease, or who died before her, leaving issue then surviving, her son Abraham and his issue, excepted; and the shares which should thereupon appertain to her said children and issue of any of her deceased children, she thereby directed, limited, appointed and gave for the estates and upon the limitations therein respectively mentioned; and did further will and direct that whatever sum or value had been or should thereafter in her lifetime be advanced to any of her said children, and should be found charged to them in her husband's books, and in her books, if she survived him, should be debited to them respectively, or to their respective issue as the case might be, in the said division, but without interest; and that the equal shares into which she directed her estate to be divided, should be made equal by bringing all the said advances into the division, and allotting the advances to each child respectively as the same might stand charged, as a part of his or her share or of the share of his or her respective issue: Preamble.

And whereas, The judges of the supreme court of Pennsylvania did, on the twenty-third day of January, Anno Domini, one thousand eight hundred and fifty, name and appoint Samuel W. Thackara, Abraham R. Perkins, Matthew Brooke Buckley, Beaton Smith and Benjamin M. Hinchman, to make the division of the real and personal estate of the said Elizabeth B. Hazlehurst, under the direction contained in her last will above recited:

And whereas, A part of the real estate of the said Elizabeth B. Hazlehurst, which passed under the said will, consists of a mansion house and piece or parcel of land called Clover Hill, situate in the county of Burlington, and state of New Jersey, which is not susceptible of division, but the greater portion of the said real estate lies in the state of Pennsylvania:

And whereas, It is desirable that the person so appointed by the judges of the supreme court as aforesaid, shall have power to divide the real estate of the said Elizabeth B. Hazlehurst, situated in the state of Pennsylvania, apart from and without dividing or taking into the division her said real estate situate in the state of New Jersey; and shall also be empowered in making such division, to award owelty of partition if and whenever it may in their judgment be necessary in order to equalize partition; now therefore,

Real estate of
Elizabeth B. Ha-
zlehurst author-
ized to be di-
vided, &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 said Samuel W. Thackara, Abraham R. Perkins, Matthew Brooke Buckley, Beaton Smith and Benjamin M. Hinchman, and in case of the refusal or inability from any cause of any of them to act in the premises, the person or persons that may be appointed by the judges of the supreme court of Pennsylvania, in the place of such of the said above-named five persons as may refuse, or be unable to act in the premises, be and they are hereby authorized and empowered to divide the real estate of the said Elizabeth B. Hazlehurst, situate in the state of Pennsylvania, and the personal estate disposed of by her said will as above recited, taking into account the advancements made to her children in the manner directed by the said will, without dividing or taking into the division her real estate, situate in the state of New Jersey; and such partial division so made by them, shall be as firm and valid to all intents and purposes, as if it was of the whole estate disposed of by the said will, wherever the same may be situated; and the said persons so appointed as aforesaid, are hereby further authorized and empowered to award owelty of partition, if and whenever it may be necessary in their judgment to equalize partition, in the same manner as owelty of partition is authorized under proceedings in partition in courts of law or equity, under any acts of assembly of this commonwealth; and such owelty of partition shall be as valid and effectual as though express power to award it were contained in the said will.

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.

No. 153.

AN ACT

Laying a tax on dogs in certain townships in the county of Chester; relative to elections in West Philadelphia; and to assessors in Millerstown, Perry county.

Assessors of the
townships of
East Whiteland,
Tredyffrin and
Charlestown,
Chester county,
to take an accu-
rate account of
all dogs, &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 assessors of the townships of East Whiteland, Tredyffrin and Charlestown, in the county of Chester, shall annually, when taking the names of the taxable inhabitants of their respective townships, take an accurate account of all dogs upwards of one month of age, distin-