

No. 295.

AN ACT

Supplementary to an act passed the sixteenth day of March, in the year of our Lord, one thousand eight hundred and nineteen, entitled "An Act authorizing the executors of Ignatius Leitner, deceased, to sell certain real estate, and for other purposes therein mentioned;" relative to the Leggett's Gap railroad; and authorizing the trustees under the will of Robert Blackwell, to sell certain real estate; relative to the estate of Joseph Parker Norris, deceased; to the interest of William Montgomery and Robert Ralston, in stock of the Philadelphia Bank; to the estates of John Riddell, late of Erie county, captain William Bell, late of Philadelphia, and John Cramer, late of Adams county, deceased; and to the trusteeship of the old Bank of the United States.

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

Certain powers conferred on Daniel Ahl, of Pittsburg.

the powers conferred on George Leitner and George Skelton, or the survivor of them, by the act to which this is a supplement, passed on the sixteenth day of March, in the year of our Lord, one thousand eight hundred and nineteen, and so much of the said powers as remained unexecuted at the death of George Skelton, be and are hereby conferred on Daniel Ahl, of the city of Pittsburg; and the said Daniel Ahl is hereby authorized and empowered to make sale of the lot of ground either entire or in parts, as he may deem most advantageous, situate on the north-east corner of Duke and Philadelphia streets, in the borough of York, purchased by George Leitner and George Skelton, in pursuance of said act to which this is a supplement, and to make a good deed or deeds, in fee simple, to the purchaser thereof, and from the moneys arising from such sale, first deducting the state tax to which this act is liable, if any, under the first section of the act of sixteenth April, one thousand eight hundred and forty-five, and the expenses of effecting said sale, the said Daniel Ahl is hereby authorized to retain in his own hands the shares of such of the children of Elizabeth Schaeffer's legatees, under the will of said Ignatius Leitner, deceased, as he, the said Daniel Ahl, may have purchased, and to distribute the remainder among the other children of said Elizabeth Schaeffer, or their assigns or representatives as directed in the will of said Ignatius Leitner, deceased: *Provided*, That before executing a deed to the purchaser or purchasers of said lot of ground, the said Daniel Ahl shall give a bond with security, the form of said bond and security to be approved by one of the judges of the orphans' court of the county of York, conditioned for the faithful appropriation of the proceeds of sale according to the provisions of this act; and said bond shall be filed in the office of the clerk of the orphans' court of the county of York.

Proviso.

Leggett's Gap railroad, relative to.

SECTION 2. That nothing contained in the thirty-seventh section of the act of April seventh, one thousand eight hundred and thirty-two, entitled "An Act to authorize the governor to incorporate a company to erect a toll-bridge over the river Juniata, at the town of Hollidaysburg, and to incorporate the Leggett's Gap railroad company," shall be construed to prevent the said Leggett's Gap railroad company from furnishing the exclusive motive power for the transportation of freight or passengers, charging individuals therefor such sum as shall not exceed the tolls

mentioned in said act, and subject to the control and power of the Legislature as provided in the same; and whenever the parties cannot agree upon the damages claimed, either for lands or materials taken by the said Leggett's Gap railroad company in the prosecution of their work, the said company may tender bond, and proceed in all respects as is provided and specified in the second section of the act, entitled "A supplement to the act incorporating the Pennsylvania coal company," approved the seventh day of March, one thousand eight hundred and forty-nine.

SECTION 3. That James S. Smith and Henry Hollingsworth, executors and trustees named in the last will and testament of Robert Blackwell, late of the city of Philadelphia, deceased, be and they are hereby authorized to sell by public or private sale, or let on ground rent, the whole or any part or parts of two certain lots of ground, as follows, to wit: one of them situate on the north side of Chestnut street, between Schuylkill Fifth and Sixth streets, in the city of Philadelphia, beginning at the distance of two hundred and fifty-three feet westward from the west side of the said Schuylkill Sixth street, and containing in front on the said Chestnut street twenty feet, and in depth northward one hundred and twenty feet to an eighteen feet wide alley which communicates westwardly with a twelve feet wide alley leading into Schuylkill Fifth street, and eastwardly with another twelve feet wide alley leading into the said Schuylkill Sixth street; and the other lot of ground, together with the messuage or tenement thereon erected, being situate on the north side of Pine street, number fifty-seven, between Delaware Second and Third streets, in the said city of Philadelphia, containing in breadth, east and west, about thirty feet, and in depth eighty feet, be the same more or less: *Provided*, That before the said executors and trustees shall execute any deed for the property so authorized to be sold, they shall give security in the orphans' court for the city and county of Philadelphia, in such manner and in such sum as the said court shall order and direct, for the faithful execution of the powers hereby committed to them, and for the proper and faithful application of the proceeds of the sale of the real estate hereby authorized to be sold; and that said court shall have approved of said sale.

Executors and trustees under the will of Robert Blackwell, deceased, authorized to sell certain real estate.

SECTION 4. That Charles Norris, Samuel Norris and Isaac Norris, executors of the last will and testament of Joseph Parker Norris, deceased, late of the city of Philadelphia, and trustees under the said will for Joseph Parker Norris, the younger, in the said will specified, be and they and the survivors and survivor of them are authorized and empowered to pay to him, out of the principal of his respective share of the estate called "Fair Hill," late of the said Joseph Parker Norris, deceased, the sum of three thousand dollars, without being liable for the application of the same.

Executors and trustees under will of Joseph Parker Norris, authorized to pay certain moneys.

SECTION 5. That the court of common pleas for the city and county of Philadelphia be and they are hereby authorized to entertain the application of Joseph Montgomery, of the city of Philadelphia, relative to certain shares of stock of the Philadelphia Bank, standing in the names of William Montgomery and Robert Ralston, in trust, and to make such order and decree as to the sale, transfer or other disposition of said stock as said court in their discretion may see fit, and the necessities of the case may require.

Court of common pleas of Philadelphia county, authorized to entertain the application of Joseph Montgomery.

SECTION 6. That the sales made by Joseph M. Sterrett, John A. Tracy and Elizabeth Riddell, executors of the last will and testament of John Riddell, late of the county of Erie, deceased, of out lots number (375) three hundred and seventy-five, and (408) four hundred and eight, and of square number (43) forty-three, situate in the town of valid.

Certain sales made by the executors of John Riddell, deceased, made

Erie, be and the same is hereby confirmed and made valid, and that the titles of the several purchasers under them be of the same effect in law, as if the said John Riddell had died seized of the said property, hereby ratifying all the acts of the said executors in the premises.

Thomas S. Bell
authorized to sell
real estate.

SECTION 7. That Thomas S. Bell, of the county of Chester, in the commonwealth of Pennsylvania, shall have power and authority to sell either for cash or on credit, at public or private sale, and convey to the purchaser or purchasers in fee simple, and clear of all incumbrances except ground rent now charged thereon, all the right, title, interest and estate which was of captain William Bell, late of the city of Philadelphia, deceased, and now vested by descent in his two minor children, Norris R. Bell and Mary W. Bell, of said city, of and in a certain lot of ground situate on the east side of South Fifth street, and below Lombard street in the said city, and the three storied brick house thereon erected, numbered two hundred and twenty-five, whether held in possession or expectancy in severalty or in common with others, and to make executory contracts for the sale and disposal thereof upon such terms as shall be agreed on with the purchasers; and also to make and execute all or any such deeds and assurances for completing such sale, and carrying into effect such contracts as the said minors themselves or either of them, if of full age, might make or execute; and also to give receipts for the purchase money, which shall fully acquit and discharge the persons paying the same: *Provided*, The said Thomas S. Bell shall first give security to the satisfaction of the orphans' court of the said city, conditioned for the due application of the proceeds of sale, and the said Thomas S. Bell shall settle in the orphans' an account of the appropriation of the proceeds of such sale: *Provided*, That before any such sale shall be made, the said court shall be satisfied of the propriety of said sale, and approve of the same.

Executor of John
Cramer author-
ized to execute a
deed.

SECTION 8. That Conrad Cramer, executor of the last will and testament of John Cramer, late of Huntingdon township, Adams county, deceased, be and he is hereby authorized to execute and deliver unto John Kettlewell, a deed in fee simple, conveying all the estate, right, title and interest of John Cramer, deceased, to and immediately before his decease, of, in and to a certain dwelling house and lot of ground belonging to it, the same mentioned in said testator's last will and testament, on the said John Kettlewell paying the purchase moneys, and otherwise complying with all and singular the terms of the contract by which said executor contracted for the sale of the same to said Kettlewell, in like manner, and as fully, to all intents and purposes, as if express authority had been given in said will to said executor to sell and convey the same: *Provided always*, That nothing in this act contained shall be so construed as to divest or impair the lien of any mortgage, judgment, or other lien creditor of said deceased, in and upon said premises, until the same are paid or otherwise satisfied or discharged, without the assent of such lien creditor: *And provided further*, That before delivering such deed, the said executor shall file a bond in the orphans' court of Adams county, with at least two sufficient securities, to be approved of by the said court, or any judge thereof, in double the amount of the estimated value of said property, conditioned for the faithful appropriation of the proceeds, according to law, and agreeably to the directions of the testament and last will of said deceased.

Bank of the
United States,
relative to trust-
tees of.

SECTION 9. That in the event of the death, resignation, removal or discharge of the surviving trustee of the trustees appointed by the president, directors and company of the Bank of the United States, by four several deeds, dated March second, one thousand eight hundred and

eleven, to close the affairs of the said bank, it shall and may be lawful for the court of common pleas of the county of Philadelphia, if they think proper, to appoint the mayor, aldermen and citizens of Philadelphia, with their consent, trustees in the place and stead of such trustee so deceased, resigned, removed or discharged, who shall be subject in the settlement of the amounts of such trust to the laws of this commonwealth in such case made and provided, and shall be subject to all orders or decrees made by the proper tribunal under said laws.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The sixth day of April, one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 296.

AN ACT

Regulating election districts; and relating to the election of supervisors and borough officers.

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 from and after the passage of this act, the general elections for the township of Lower Heidelberg, county of Berks, shall be held at the house now occupied by Daniel Lerch, in said township. Lower Heidelberg township, Berks county, place of holding elections in.

SECTION 2. That from and after the passage of this act, the general elections hereafter held in the township of Exeter, county of Berks, shall be held at the house now occupied by Francis Ritter, in said township. Exeter township, Berks county.

SECTION 3. Hereafter the electors of the township of Salem, in the county of Wayne, shall annually elect two supervisors to serve for one year, and two overseers of the poor to serve for one year, which office shall be separate from that of supervisor. Supervisor in Salem township, Wayne county.

SECTION 4. That the qualified voters of the township of Leidy, county of Clinton, shall hereafter hold their general and township elections at the house of Isaac Summerson, in said township. Leidy township, Clinton county.

SECTION 5. That the first section of the act, entitled "An Act erecting parts of Saville and Juniata townships, in the county of Perry, into a separate election district; and to fix the place of holding elections in Stuartson township, Potter county, and in Pine township, Crawford county," approved the twelfth day of March, one thousand eight hundred and forty-nine, be and the same is hereby repealed. Perry election district, repeal of.