

No. 399.

A N A C T

To authorize John F. Brindle, Morris Morris and John W. Boyd, trustees, to convey certain real estate; and relative to orphans' courts, and for other purposes.

WHEREAS, William F. Emlen and J. Dickinson Sergeant, trustees of the first part, and Mary Parker Emlen and others, of the second part, did by indenture bearing date the seventeenth day of September, A. D., one thousand eight hundred and forty-seven, and recorded in the office for recording deeds, &c., for the city and county of Philadelphia, at Philadelphia, in deed book, A W M, number eighty-seven, page four hundred and eighty-one, &c., grant and convey to John F. Brindle, Morris Morris and John W. Boyd, and their heirs and assigns forever on ground rent, (which said ground rent was released and extinguished by deed endorsed on the above, dated the fourth day of October, A. D., one thousand eight hundred and forty-seven, and recorded with the same,) all that certain lot or piece of ground situate on the north side of Dauphin street, at the distance of fifty feet westward from the west side of Tulip street, in the district of Richmond, and county of Philadelphia, containing and extending in front or breadth on said Dauphin street, seventy-eight feet, and in length or depth extending thence northwardly, keeping the same width at right angles with said Dauphin street, one hundred and fifty-four feet six inches and one-eighth, to a certain street forty feet wide, called Gordon street, and bounded as therein described, together with the free and common use of the said Gordon street, and together with the appurtenances, "in trust to hold the same to be used and occupied for the purpose of erecting thereon a church, wherein service shall be conducted according to the rules, orders and discipline of the Methodist Episcopal church :"

And whereas, A church building has been erected thereon, in which such service is conducted :

And whereas, The said church has been incorporated and denominated the Summerfield Methodist Episcopal church, in the county of Philadelphia; and the constitution thereof properly sanctioned has been enrolled in the secretary's office of the commonwealth of Pennsylvania, at Harrisburg, in charter book, vol. No. seven, pages three hundred and ninety-six, three hundred and ninety-seven, three hundred ninety-eight, three hundred and ninety-nine and four hundred:

And whereas, The said trustees, John F. Brindle, Morris Morris and John W. Boyd are desirous of conveying the said lot of ground above described, and the buildings thereon erected, with the appurtenances, to the said church so incorporated, according to the intention and understanding at the time of the said conveyance to them of the said lot :

And whereas, Doubts exist as to the power and authority of the said trustees under said deed, to convey the said lot with its appurtenances to the said Summerfield Methodist Episcopal church, in the county of Philadelphia; 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*

J. F. Brindle, Morris Morris, and John W. Boyd, authorized to convey real estate to Summerfield Methodist Episcopal church of Philadelphia county.

the said John F. Brindle, Morris Morris and John W. Boyd, and the survivors and survivor of them, be and they are hereby authorized and empowered to grant, assign and convey to the Summerfield Methodist Episcopal church, in the county of Philadelphia, its successors and assigns, the lot or piece of ground above described, together with the buildings and improvements thereon erected, with the appurtenances, to have and to hold the same to the only proper use and behoof of the said Summerfield Methodist Episcopal church, in the county of Philadelphia, its successors and assigns, free, clear and discharged of and from all and every the said trust and trusts; and the said John F. Brindle, Morris Morris and John W. Boyd, and the survivors and survivor of them, are hereby authorized and empowered to make, execute and deliver sufficient deed or deeds, conveyances or assurances therefor, to the said Summerfield Methodist Episcopal church, in the county of Philadelphia, its successors and assigns.

Said church authorized to take and hold the same.

SECTION 2. That the said Summerfield Methodist Episcopal church, in the county of Philadelphia, its successors and assigns, are hereby authorized and empowered to take, hold and enjoy the said lot or piece of ground above described, with the appurtenances, freed, clear and discharged of and from all the said trust or trusts, or limitations whatsoever.

Preamble.

And whereas, The said Summerfield Methodist Episcopal church, in the county of Philadelphia, in consideration of the sum of twelve hundred dollars heretofore paid by James L. Houston to the said corporation, to enable it to erect and complete the church building, has heretofore conveyed or agreed to convey to the said James L. Houston, his heirs and assigns, a certain part or parts of the lot or piece of ground upon Dauphin street, above described, of which the said James L. Houston now has tenure or possession.

Trustees of said church authorized to convey parts of said real estate.

SECTION 3. That the present trustees of the said Summerfield Methodist Episcopal church, in the county of Philadelphia, and their successors, be and they are hereby authorized and empowered to grant and convey to the said James L. Houston, his heirs and assigns, free, clear and discharged of and from all uses, trusts and limitations whatsoever, whatever parts or portions of the said above described lot are now in his tenure or possession, or to which he has claim or title under agreement to convey or otherwise, to have and to hold the same to the only proper use and behoof of the said James L. Houston, his heirs and assigns forever, and to make, and execute, and deliver sufficient deed or deeds, conveyances or assurances therefor, to the said James L. Houston, his heirs and assigns.

Time extended for commencement of Northampton and Luzerne coal company.

Said company may issue bonds.

SECTION 4. That the time for the commencement of the construction of the railroad authorized to be constructed by the Northampton and Luzerne coal company, be and the same is hereby extended for the term of three years from the passage of this act; and said company may issue bonds and sell them at a greater discount than six per cent. per annum, which shall be valid and available in the hands of bona fide holders, and recoverable for the amount thereof, with six per cent. per annum on such amount.

Beach street, Philadelphia, vacated.

SECTION 5. That Beach street, as the same is now laid out in the city of Philadelphia, to the extent and distance of one hundred and six feet south of the south line of High street, be and the same is hereby vacated, and the title to the soil over which the same passes, be and the same is hereby vested in fee simple in the several owners of ground adjoining and fronting upon the said Beach street respectively; each owner to have and take one-half part thereof, so far as his respective lot adjoins and fronts upon said Beach street.

SECTION 6. That the act, entitled "An Act fixing the time of making assessments in Centre county," approved the tenth day of April, one thousand eight hundred and forty-nine, shall not be construed to prohibit the assessors elected in February last, from making the assessments for the present year; and hereafter the assessments of all taxes in the county of Centre shall be made in the month of April of each and every year, by the assessors last previously elected.

Time of making assessments in Centre county.

SECTION 7. That the canal commissioners be and the same are hereby directed to convey to the commissioners of Dauphin county, for the use of the said county, for and in consideration of a sum of money to be fixed upon by the said canal commissioners and said county commissioners, who shall have power to call in a third disinterested party as an umpire in case they cannot agree, the bridge built by this commonwealth over the Swatara creek in said county; the said canal commissioners to have power to enter upon the abutments and piers of said bridge at any time, for the purpose of re-building and repairing the aqueduct of the Pennsylvania canal crossing said creek; and the commissioners of said county are hereby authorized to draw their warrant upon the treasurer of said county, for the full sum that shall be agreed upon by the aforesaid parties, as a consideration for said bridge.

Canal commissioners authorized to convey to commissioners of Dauphin county, the bridge over the Swatara creek.

SECTION 8. That the commissioners of the county of Huntingdon be and they are hereby authorized and empowered to modify and extend their contract for the building of a bridge over the Juniata river at Drake's ferry, and to pay out of the county funds, to the contractors for building said bridge, such sum or sums of money as the said commissioners may agree to pay said contractors, by reason of any additional work necessary to be done to complete said bridge, on account of the injury to said bridge by high winds or water, while the same was in the course of erection.

Commissioners of Huntingdon county to modify and extend contract for building bridge at Drake's ferry.

SECTION 9. That all official business transacted by Amos Holland subsequent to his election as justice of the peace in and for the county of Allegheny, and prior to his commission, be and the same is hereby made valid, to all intents and purposes, as though he had been duly commissioned.

Acts of Amos Holland, justice of the peace in Allegheny county, made valid.

SECTION 10. The commission granted to William W. Pearson, as a justice of the peace for Delaware township, Mercer county, shall be as good and valid to authorize him to act in the township of Jefferson, in said county, as though the same had been issued prior to the organization of said last named township.

Commission of W. W. Pearson, justice of the peace in Mercer county, made valid.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST.

Speaker of the Senate.

APPROVED—The third day of May, one thousand eight hundred and fifty.

WM. F. JOHNSTON.