

Northern Liberties authorized to build a market house. and built in Franklin street, between Apple and Fifth streets, in the said district, a market house or market houses, which shall be built in the centre of the said street, not exceeding in width the market house now erected on said Franklin street in the district of Kensington.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 439.

AN ACT

Relative to the Columbia Lyceum and Mechanics' Institute; to the act relating to inspections; to the claims of David King, of Venango county; and of the heirs of John Bennet, of Lycoming county, deceased; to authorize James T. Crabb to sell certain gun-powder in the county of Philadelphia; relative to the estate of Francis Harley, senior, deceased; and a supplement to an act relating to registers and registers' courts, passed March fifteenth, one thousand eight hundred and thirty-two.

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 corporate powers and privileges of the Columbia Lyceum and Mechanics' Institute, in the borough of Columbia, Lancaster county, are hereby revived and confirmed, and shall hereafter be and remain in as full force and virtue as if the organization of the said lyceum and institute had been continuously maintained since its incorporation by the courts of Lancaster county; and the failure of the members of the said lyceum and institute to elect officers according to the provisions of their constitution and by-laws, shall not in any way affect the validity of their charter; and it shall be lawful for any of the members of said lyceum and institute at any time hereafter, by a public notice published for three successive weeks in one or more newspapers printed in Lancaster county, to call a meeting of the members of said lyceum and institute for the purpose of electing officers for the same; and the individuals elected at such meeting so called, shall, to all intents and purposes, be the lawful officers of said lyceum and institute, and shall hold their offices respectively until the period of the next annual election under the laws of the said lyceum and institute, or until other officers shall be duly elected.

Columbia Lyceum and Mechanics' institute, corporate powers of, revived.

Personal property exempt from levy and sale, &c.

SECTION 2. The personal property of the said Columbia Lyceum and Mechanics' Institute shall in all cases be exempt from levy and sale on execution or by distress for rent.

SECTION 3. That nothing contained in the one hundred and ninety-first section of the act, entitled "An Act relating to inspections," passed the fifteenth day of April, eighteen hundred and thirty-five, shall extend to the inspector of flour in the borough of Erie, in the county of Erie.

Flour inspector of the borough of Erie, relative to.

SECTION 4. That the auditor general be and is hereby authorized and directed to examine the claim of David King, of Venango county, for attending two locks on the French Creek division of the Pennsylvania canal, and if found to be correct and not paid, to draw his warrant in favor of the said David King or his agent, for the amount found due him: *Provided*, That the fact of the performance of the service shall be established to the satisfaction of the auditor general, by the oath or affirmation of competent witnesses.

Auditor general authorized to examine the claim of David King.

SECTION 5. That the auditor general be and he is hereby authorized and required to examine the claim of the heirs and legal representatives of John Bennet, late of Lycoming county, deceased, for constructing a farm bridge across the canal, during the life of the said John Bennet, and report the facts in detail to the next legislature; and also, to report whether the said Bennet has received any compensation for said bridge either as damages to his real estate or otherwise.

Auditor general authorized to examine the claim of the legal representatives of John Bennet.

SECTION 6. That James T. Crabb, late superintendent of the state powder magazine in Philadelphia county, be and he is hereby authorized to sell at public sale, sixty-three kegs of gun-powder, seized by him by virtue of law, and now stored in said magazine, in Philadelphia county, and appropriate the proceeds according to existing laws.

James T. Crabb authorized to sell powder.

WHEREAS, Francis Harley, senior, late of the city of Philadelphia, deceased, by his last will and testament, bearing date the twenty-second day of May, 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, after giving and bequeathing a few legacies or annuities of small amounts to persons therein named, and appointing Charles S. Lewis and John M. Ford executors, he did give, devise and bequeath, direct and dispose of the residue of his estate as follows, to wit: all the rest, residue and remainder of my estate, real and personal, I give, devise and bequeath unto the said Charles S. Lewis and John M. Ford, their heirs, executors, administrators and assigns, in trust to hold and dispose of the same to and for the following uses, trusts, interests and purposes following, that is to say, one equal undivided fourth part thereof to and for the sole and separate use of each of my four daughters, Mary Jane Lodge, Julianna Harley, Elizabeth Lewis and Anna Matilda Harley, for and during the term of their respective natural lives, and during such time to pay over and apply the net income, interest and proceeds thereof to their several and respective uses, free and clear of any debts which the husbands of any of them may contract or owe; and upon the death of any of my daughters without leaving a child or children, grand-child or grand-children her surviving, then in trust as to the one-fourth designed for such daughter, to and for the sole and separate use as aforesaid of the survivors or survivor of said daughters; and after the decease of any of my said daughters, leaving a child or children, grand-child or grand-children her surviving, then in trust as to the one-fourth so designed for such daughter, to and for such daughter, to and for such of her children or grand-children as she may by any writing in the nature of a last will and testament, executed in the presence of two or more credible witnesses, may direct, limit and appoint; and in the absence of any such writing or last will, in trust for her heirs at law; and I do authorize and empower the said trustees to sell and dispose of any part of the whole of my said real estate, if they should deem it advantageous to my devisees so to do, and to make and execute

Preamble.

good and sufficient deeds of conveyance, in fee simple, to the purchaser or purchasers, their heirs and assigns, without any responsibility on the part of the purchaser or purchasers for the application of the purchase money, or any part thereof; and I desire and direct that the proceeds of such sales be invested in other real estate, without any unreasonable loss of time for like purposes, and with like trusts as aforesaid: it is my will that the aforesaid residue of my personal estate be sold and disposed of by my said trustees, and that the proceeds be invested in real property for the purposes and on the trusts aforesaid:

And whereas, The said Charles S. Lewis and John M. Ford, executors and trustees aforesaid, have lately acquired, by purchase and a deed of conveyance made and executed to them by Richard G. Stotesbury, administrator, &c., of George Harley, deceased, dated the eleventh day of July, Anno Domini, one thousand eight hundred and forty-nine, recorded in the office for recording deeds, &c., for the city and county of Philadelphia, in deed book G W C, No. 19, page 145, &c., the following described real estate, viz: all that certain messuage or tenement and lot or piece of ground, with the appurtenances, situate on the east side of Delaware Front street, and on the west side of Water street, formerly called King street, between Chesnut and Walnut streets, in the city of Philadelphia, containing in breadth on the said Front street, twenty-two feet, eleven inches, or thereabouts, and on the said King or Water street, twenty three feet and a half, or thereabouts, and in length or depth extending from the said Front street to said King or Water street; bounded northward with a *message* now or late of George Fitzwater, at the middle of the party wall dividing that from the *message* aforesaid; southward with a *message* now or late of John White and Abraham Taylor, at the middle of the party wall; eastward with the said King or Water street; and westward with Front street aforesaid; to have and to hold the same, &c., in trust, for the same uses and purposes, and with the same powers and authorities, as are limited, expressed and declared by and in the will of the said *Francis Harley*, hereinabove fully recited:

And whereas, The said Charles S. Lewis and John M. Ford, the executors and trustees above named, deeming it *advantages* to the devisees under the will aforesaid, to sell and dispose of the said above described *message* or tenement and lot or piece of ground, with the appurtenances, and having contracted for the sale of the same, and doubts having arisen whether, under the will aforesaid, they have sufficient power vested in them to make a conveyance to the purchaser thereof, in fee simple, the said premises having been acquired and conveyed to them, as above recited, since the death of the testator, Francis Harley; now, therefore,

Executors and trustees under the will of Francis Harley, authorized to execute good and sufficient deeds, &c.

SECTION 7. *Be it further enacted,* That Charles S. Lewis and John M. Ford, executors and trustees under the will of Francis Harley, deceased, be and they are hereby authorized and empowered to make and execute a good and sufficient deed of conveyance, in fee simple, for all that certain *message* or tenement and lot or piece of ground, with the appurtenances, situate on the east side of Delaware Front street and west side of Water street, formerly called King street, between Chesnut and Walnut streets, in the city of Philadelphia, containing in breadth on the said Front street twenty-two feet eleven inches, or thereabouts, and on the said King or Water street twenty-three feet and an half, or thereabouts, and in length or depth extending from the said Front street to the said King or Water street, unto the purchaser or purchasers thereof, his, her or their heirs and assigns, as fully, amply and largely to all intents and purposes, as if the same had not been

acquired by them as above recited after the death of the testator, Francis Harley, and as if the same had belonged to the said testator at the time of his decease, and had thereby become a part of his residuary estate, without any responsibility on the part of the purchaser or purchasers for the application of the purchase money or any part thereof; and such deed and conveyance shall be as valid and effectual as though express power had been given to said trustees under the will aforesaid.

SECTION 8. That so much of the sixth section of the act relating to registers and registers' courts, passed the fifteenth day of March, one thousand eight hundred and thirty-two, as provides that no letters testamentary, or of administration or otherwise, purporting to authorize any person to intermeddle with the estate of a decedent which may be granted out of this commonwealth, shall confer upon such person any of the powers and authorities possessed by an executor or administrator, under letters granted within this state, is hereby declared not to apply to any loan or loans of any incorporated company within this commonwealth; but such loan or loans shall pass and be transferable, and the interest thereon accrued and to accrue, be recoverable in like manner in all respects, and under the same and no other regulations, powers and authorities as were used and practiced before the said recited acts were passed.

Registers and
registers' courts,
relative to.

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

V. BEST,
Speaker of the Senate.

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

WM. F. JOHNSTON.

No. 440.

A SUPPLEMENT

To an act to incorporate the Presbyterian congregation of the town of Pittsburg, and the vicinity thereof, in the county of Westmoreland, passed the twenty-ninth day of September, one thousand seven hundred and eighty-seven.

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 corporate name and title of Presbyterian the trustees of the Presbyterian congregation of Pittsburg, and the vicinity thereof, in the county of Westmoreland, shall be and the same is hereby changed to the trustees of the First Presbyterian church of Pittsburg. congregation of Pittsburg and vicinity, name changed.

SECTION 2. That the rent now in arrear and unpaid on any pew or pews of the said church, or which shall hereafter be in arrear and unpaid for and during the period of one year, shall be a lien upon such Rent in arrears for pews, to be a lien.