

No. 29.

AN ACT

To confirm the title to certain Real Estate in the district of Spring Garden and county of Philadelphia.

WHEREAS, The equitable title to a large tract of land in the district of Spring Garden and county of Philadelphia, was purchased at sheriff's sale, in the year one thousand seven hundred and ninety-eight, by Samuel Coates, under proceedings on a judgment obtained in the Supreme Court of this State, by the president, directors, and company of the Bank of North America, against a debtor of the said bank, and the legal estate therein was subsequently granted by John Penn to the said Samuel Coates, as appears by the deed of Jonathan Penrose, sheriff, dated May the seventeenth, Anno Domini one thousand seven hundred and ninety-eight, and entered among the records of the Supreme Court, in book B, page forty-one, and the deed of the said John Penn, by his attorney in fact to the said Coates, dated December the eighteenth, Anno Domini one thousand seven hundred and ninety-eight, recorded in deed book, number seventy-eight, page two hundred and forty-two, et cetera :

And whereas, It appears by a declaration of trust, dated December the twenty-sixth, Anno Domini one thousand seven hundred and ninety-eight, recorded in deed book number seventy-seven, page five hundred and forty-one, et cetera, executed by John Nixon, Josiah Hewes, and William T. Smith, the grantees of the said Coates, that the said purchase was made, and lands were held in trust for the said Bank of North America, the plaintiffs in the judgment above mentioned :

And whereas, The whole of the said tract has, more than forty years since, for valuable considerations paid to the said bank, been sold and conveyed by the said bank, and their trustees, to divers persons ; and a large number of buildings have been erected on various portions of the said tract, held under title so derived, and large sums of money have been paid to the State for taxes thereon, since the said bank has parted with all her interest therein ; but doubts have been expressed as to whether the title to the said tract be not defective, by reason of the statutes of mortmain and of a want of power on the part of the said bank, under its former charter, to hold real estate even when purchased under judgments obtained by the said bank, although such power is contained in its present charter :

Now, therefore, for the purpose of confirming the said title, and validating the said purchase,

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 title of all persons who may have purchased, or taken any portions of the tract of land described in the aforesaid deed, from Jonathan Penrose, sheriff, to Samuel Coates, by title derived from the president, directors, and company of the Bank of North America, or from their trustees, shall be as valid and indefeasible

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ble as if the said bank had been, by its charter and act of incorporation, fully empowered to take and hold the said tract of land.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-four. WM. BIGLER.

No. 30.

AN ACT

To consolidate and amend the Road Laws of the counties of Beaver, Butler and Lawrence.

Number of view-
ers.

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 number of road and bridge viewers, appointed by the courts of quarter sessions of the counties of Beaver, Butler and Lawrence, shall be three, one of whom shall be a surveyor, if deemed necessary; every view, review, and re-review shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report, in order to its confirmation by the court: the provisions of this section shall include viewers appointed to inspect bridges under the thirty-ninth section of the general road law of eighteen hundred and thirty-six.

Public notice to
be given.

SECTION 2. In all cases of the appointment of viewers, in the said counties, to view the site of a bridge, or to view and locate, vacate or change and supply any public or private road, or to review or re-review the same, the said viewers, reviewers, or re-reviewers, or one of them shall, before proceeding to view, give public notice by three or more advertisements put up, at least five days before the time of meeting, in the most public places in the vicinity of the place to be viewed, of the time and place they will meet for the purpose of making such view.

Viewers to pro-
cure releases.

SECTION 3. If the viewers aforesaid shall decide in favor of locating a site of a bridge, or of a public road, or to make any change in the location of any public road which they were appointed to review, re-review, or to change and supply, it shall be the duty of the said viewers to endeavor to procure from the persons, through whose lands such location or re-location may be made, releases from all claims of damages that might arise from opening the road, which releases shall be good, if in writing only, though not under seal: in every such case where the said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages, and make report thereof,