

not be received at more than one place, nor oftener than once, on such part of the said road, for the said act of passing or traveling thereon.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners shall keep a just and true account of their receipts and disbursements of all the moneys which shall come into their hands by virtue of this act, and account annually with the same persons, and at the same time, who shall be appointed to settle their accounts as county commissioners. Provided always, That nothing herein contained shall prevent any foot passenger from traveling on the said road free of toll.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That this law shall be and continue in full force for and during the term of five years, and no longer.

Passed April 10, 1799. Recorded L. B. No. 6, p. 446, etc.

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## CHAPTER MMLXXXVIII.

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### AN ACT FOR THE BENEFIT OF ELIZABETH ALLEN AND ELIZABETH MARGARET TILGHMAN.

Whereas it hath been represented to the legislature, by the petition of Andrew Allen, as guardian for his daughter Elizabeth Allen, William Allen, Ann Penn Allen, William Tilghman, Henry Walter Levingston, and his wife and others, residuary devisees of William Allen formerly of the city of Philadelphia, deceased, that the said William Allen, deceased, devised the residue of his estate to four different branches of his family, to be held by them as tenants in common, in the several proportions mentioned in the last will and testament of the said William Allen, and the codicil thereto; that the residue of the said estate consists of a number of tracts of land, situate at a distance from each other, which are liable to considerable and unavoid-

able injury from the destruction of timber and other circumstances; that it would be much for the interest of all persons concerned, and it is their desire, that the residue of the said estate should be sold, but an advantageous sale thereof cannot be made, on account of the infancy of the said Elizabeth Allen, and of Elizabeth Margaret Tilghman, the only child of the said William Tilghman and his late wife Margaret Elizabeth, deceased, who was one of the daughters of James Allen, deceased; and the said petitioners prayed that an act might be passed, authorizing such person as to the legislature should seem proper, [to sell] and convey, on behalf of the said Elizabeth Allen, her undivided share of the estate devised to her as aforesaid by her grandfather William Allen, and authorizing the said William Tilghman to sell and convey, on behalf of his said child, all her interest in the said residuary estate of the said William Allen, deceased. Therefore:

[Section I.] (Section I, P. L.) 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 Edward Shippen be, and he is hereby, authorized, during the minority of the said Elizabeth Allen, to contract for the sale of, and to sell and convey, in fee simple, for such price, and in such manner, and on such terms and conditions, as he shall think most advantageous, either for cash or credit, all or any part of the estate devised to the said Elizabeth Allen by her grandfather William Allen, as aforesaid; and that all contracts and agreements, deeds or conveyances, of or concerning the said estate, made by the said Edward Shippen, during the minority of the said Elizabeth Allen, shall be as good and effectual in law, to all intents and purposes, as if the same had been made by the said Elizabeth Allen, after she attains the age of twenty-one years.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That upon any contracts or sales made by the said Edward Shippen, of or concerning the estate aforesaid, it shall be his duty to take bonds, with such real or personal security as he shall judge sufficient, in the name of the

said Elizabeth Allen, for such part of the purchase money, as shall not be paid in cash; and his receipts for such parts as are paid in cash shall be a good discharge to the purchaser or purchasers; and he shall pay over the said cash, and deliver the said bonds and securities, to the said Elizabeth Allen, her executors, administrators or assigns, or such persons as she or they shall appoint to receive the same.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That all the powers and authorities given to the said Edward Shippen, by this act, shall cease and determine on the said Elizabeth Allen's attaining the age of twenty-one years; provided that all contracts touching the said estate, made by the said Edward Shippen during her minority, by virtue of this act, shall be as obligatory on the said Elizabeth Allen, as if they had been made by herself after she attains the age of twenty-one years.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the said William Tilghman shall be, and he is hereby, authorized to sell and convey, in fee simple, for such price, in such manner, and on such terms, as he shall think most advantageous, all that part of the residuary estate of the said William Allen, deceased,, to which his said late wife was entitled, and whereof the said William Tilghman is now seized of an estate for term of his life, as tenant by the courtesy, with remainder to his said child, and the contracts, sales, conveyances and receipts for purchase money, to be made and given by the said William Tilghman, touching the premises, shall be valid and effectual against all persons claiming or to claim under his late wife.

[Section V.] Provided always, and it is hereby enacted, That the heirs, executors or administrators of the said William Tilghman shall pay to his said child, or, in case of her death before she arrives at the age of twenty-one years, to such person or persons as would have been entitled to the said estate, if it had remained unsold, the full amount of the sum for which the said William Tilghman shall sell the same.

(Section V, P. L.) And whereas the said William Tilghman is seized for life, as tenant by the courtesy, with remainder in fee simple to his said child, of part of the town of Northampton, in the county of Northampton, and of lands adjoining the said town, and it will be a benefit, both to the public and to the said William Tilghman and his said child, that the lots already laid out in the said town, or which may be laid out on land adjoining thereto, should be conveyed to such persons as may be willing to purchase the same in fee simple, reserving an annual ground rent charged thereon, as has been usual. And whereas it appears by the petition of the said William Tilghman, that James Allen aforesaid, deceased, during his life, and after his death his widow and his children, made divers contracts for the sale of lots in the said town, some of which have been complied with by the purchasers, and others may be hereafter complied with, but there is no person now authorized to complete the titles of the purchasers of such of the said lots, as lie within that part of the said town which belonged to the late wife of the said William Tilghman.

[Section VI.] Be it therefore enacted by the authority aforesaid, That the said William Tilghman shall be, and is hereby, authorized, during the minority of his child, to sell and convey, in fee simple, to such persons as he shall think proper, any lots lying within the aforesaid part of the said town of Northampton, or to be laid out on lands of which he is seized as aforesaid, adjoining the said town, provided that there be reserved a perpetual annual ground rent of at least two dollars, issuing out of and charged on each lot, to be paid to the said William Tilghman for his life, with remainder in fee simple to the heirs of his said late wife; and that the said William Tilghman shall be authorized, and is hereby authorized, during the minority of his said child, to convey, in fee simple, according to the terms of the several contracts made as aforesaid by the said James Allen or his widow or children, such lots within the aforesaid part of the said town, as have been contracted for as aforesaid, to those purchasers who have already complied with, or shall hereafter comply with their contracts; and that all conveyances to be made

by the said William Tilghman, as aforesaid, shall be as valid and effectual, as if his said child was of full age and a party to the said conveyances, but shall have no greater validity or effect whatsoever.

Passed April 11, 1799. Recorded L. B. No. 7, p. 28, etc.

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## CHAPTER MMLXXIX.

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AN ACT MAKING PROVISION FOR THE OPENING AND IMPROVING OF A ROAD OVER THE PENN'S VALLEY MOUNTAINS, IN THE COUNTY OF MIFFLIN, AND FOR OPENING AND IMPROVING THE STATE ROAD FROM TURTLE CREEK TO PITTSBURG.

Whereas the opening a road over the Penn's Valley Mountains, in Mifflin county, would be of public utility, in facilitating an intercourse between the interior parts of the state and the frontier settlements. And as the opening said road is of too difficult and expensive a nature to be accomplished by the townships through which it passes. Therefore:

[Section I.] (Section I, P. L.) 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 governor be, and he is hereby, authorized and empowered to draw his warrant, in favor of the commissioners of Mifflin county, on the treasurer of Cumberland county, for the sum of eight hundred dollars, to be paid out of the arrearages of state taxes due from Mifflin county to the county of Cumberland; and for the aforesaid sum he shall be entitled to a credit in the settling his accounts with the comptroller general of this commonwealth, on producing the warrant and a receipt for the payment of the same.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That the said commissioners are hereby authorized and empowered to expend and lay out the aforesaid sum of money, in such manner as they, or any two of