

CHAPTER MLXIV.

AN ACT TO CONFIRM THE TITLE TO A HOUSE AND LOT OF LAND ON MULBERRY STREET, IN THE CITY OF PHILADELPHIA, LATE THE ESTATE OF JOHN NICHOLAS, FOR WHICH SOME OF THE ORIGINAL DEEDS ARE LOST, AND TO ENABLE THE TRUSTEES OF THAT ESTATE TO CONVEY THE SAME.

(Section I, P. L.) Whereas by the act of general assembly of the commonwealth, entitled "An act for vesting several houses and lots of land the residuary real estate of John Nicholas, deceased, in trustees to sell the same, &c.,"¹ among other lands and tenements a certain house and lot of land on the south side of Mulberry street above Second street bounded eastward by a house and lot of John Reynell, southward by ground belonging to the heirs of Samuel Mickle, and westward by a house and lot of the heirs of Edward Warner, with the appurtenances was vested in Samuel Hudson, Marmaduke Cooper and Benjamin Morgan, their heirs and assigns forever in trust to sell the same by public vendue to the highest and best bidder, and upon the receipt of the full price or consideration offered or bid at vendue, by deed under the hands and seals of the said Samuel Hudson, Marmaduke Cooper and Benjamin Morgan to grant and convey the premises and every part of the same with the appurtenances to the purchasers thereof, their heirs and assigns forever:

(Section II, P. L.) And whereas the said trustees having in compliance with the directions of the said act of general assembly given timely notice of the sale of the premises in several of the Philadelphia newspapers, did on the twelfth day of February last past, expose to public sale the said house and lot in Mulberry street when William McIlhenny of the city of Philadelphia, tailor, purchased the same for the price of seven hundred pounds lawful money of Pennsylvania:

¹ Passed December 3, 1782, Chapter 1001.

(Section III, P. L.) And whereas the said trustees have humbly represented to the legislature of this commonwealth, that some of the original deeds relative to the said lot of land are missing and cannot be produced in evidence of their title, and that James Steel of the said city of Philadelphia, gentleman, and Martha his wife by indenture bearing date the twenty-second day of January, one thousand seven hundred nineteen, twenty, had granted unto John Evans of the said city, felt-maker, a lot on Mulberry street, thirty-five feet wide and in length fifty-one feet (whereof the western most moiety being seventeen feet and a half by the aforesaid act of assmby was vested in the said trustees) he the said James Steel reserving to him and his heirs a yearly ground rent of three pounds ten shillings lawful silver money of America, the counter part of which indenture under the hand and seal of the said John Evans is recorded in the proper office, but the original under the hand and seal of the said James Steel is not recorded nor can the same be produced, that shortly after the said John Evans by indenture, under his hand and seal, granted and conveyed the said whole lot of land to Thomas Redman, of the said city, bricklayer, which indenture is also recorded in the proper office, and that the said Thomas Redman by indenture, under his hand and seal, granted and conveyed the easternmost moiety of the said whole lot to Samuel Nicholas, brother of the said John Nicholas, subject to the apportioned ground rent of one pound fifteen shillings, payable to the said James Steel and his heirs, and that it is highly probable that about the same time the said Thomas Redman granted the said westernmost moiety of the said whole lot to the said John Nicholas, subject to the like apportioned ground rent, but his deed for the same is lost and no record thereof to be found; and further that the said two brothers Samuel Nicholas and John Nicholas have built together each on his said moiety a house, and that they and their respective heirs or devises have from time to time paid each his moiety of the said ground rent to the heirs of the said James Steel, and been in the peaceable possession of the premises upwards of fifty years; and have prayed the relief of this house in the premises:

(Section IV, P. L.) Therefore and in order to enable the said trustees with respect to the said house and lot in Mulberry street to execute the trust by the said act of assembly upon them conferred of selling and conveying the same:

[Section I.] (Section V, P. L.) Be it enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met and by the authority of the same, That notwithstanding the want of the said Thomas Redman's original deed to the said John Nicholas and the record thereof, all the estate of the said Thomas Redman and his heirs in the said house and lot of land seventeen feet and six inches on the south side of Mulberry street and in length fifty-one feet, shall be and it is hereby fully and absolutely vested in the said Samuel Hudson, Marmaduke Cooper and Benjamin Morgan, their heirs and assigns in trust for the uses and purposes in the said recited act of general assembly declared and settled; subject nevertheless to the moiety of the said yearly ground rent of three pounds ten shillings to the heirs or devisees of the said James Steel forever.

Passed January 24, 1784. Recorded L. B. No. 2, p. 226, etc.

CHAPTER MLXV.

AN ACT TO VACATE AND ABOLISH PART OF TWO ROADS IN WARMINSTER TOWNSHIP, IN THE COUNTY OF BUCKS.

(Section I, P. L.) Whereas it hath been represented to this house by the petition of Joseph Hart, esquire, and Daniel Longstreth, yeoman, in behalf of themselves and others, inhabitants of the township of Warminster in the county of Bucks, that in November, one thousand seven hundred and thirty-one, a public road was laid out, beginning in the line dividing the counties of Philadelphia and Bucks in the end of a lane dividing Jacob Chamberlain's two plantations, extending thence the several courses and distances mentioned and expressed in a