

Allegheny county, in that part now struck off and included within the lines of the several counties now formed, shall be and remain for the use of the county in which such sum is or shall be assessed.

[Section XVII.] (Section XVII, P. L.) And be it further enacted by the authority aforesaid, That the governor is hereby empowered to direct the surveyor general to cause to be laid off by actual survey, out of the reserved tract adjoining the town of Beaver, the quantity of five hundred acres of land, for the use of such school or academy, as may hereafter be established by law in the town of Beaver, which survey shall be returned to the office of the surveyor general, and a patent shall thereupon issue to the trustees of the county of Beaver and their successors, for the said quantity of five hundred acres, so surveyed and laid off for the use and trust aforesaid.

Passed March 12, 1800. Recorded L. B. No. 7, p. 137, etc.

---

## CHAPTER MMCXXXI.

---

AN ACT DECLARING THE POWER AND AUTHORITY GIVEN BY ANY LAST WILL AND TESTAMENT TO EXECUTORS TO SELL AND CONVEY REAL ESTATES, TO BE AND REMAIN IN THE SURVIVORS OR SURVIVOR OF THEM, UNLESS OTHERWISE EXPRESSED IN THE WILL OF THE TESTATOR, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Whereas doubts have arisen in the construction of those existing laws of this commonwealth, which relate to the power which executors and administrators, with the will annexed, have to sell and convey the estates of their testators. And whereas the importance of the subject requires that those laws should be so explained and amended, that persons appointed to execute the last wills and testaments of decedents may know the extent of their powers, and be enabled fully to execute their respective trusts. 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 in all cases wherein testators have devised, or may hereafter devise, their real estates, or any part thereof, to their executors, to be sold, or have authorized and directed, or may hereafter authorize and direct such executors to sell and convey such real estates, or have directed, or may hereafter direct, such real estates to be sold, without naming or declaring who shall sell the same, if one or more of such executors is or are since dead, or shall hereafter die, it shall and may be lawful for the surviving executor or executors, to bring actions for the recovery of possession thereof, and against trespasses thereon, to sell and convey such real estates, or manage the same, for the benefit of the persons interested therein, as fully and completely as he, she or they, together with his, her or their co-executor or co-executors, would be empowered to do, if he, she or they were still living.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That in all those cases wherein such devises have been or shall be made, or such authority and direction given, if one or more of such executors hath or have refused, or shall hereafter refuse or hath or have renounced or shall renounce, it shall and may be lawful for the acting executor or executors, to sell and convey such real estates, and otherwise act respecting the same, as fully and completely as he, she or they, together with such refusing or renouncing executor or executors, would be empowered to do, if he, she or they had not refused or renounced.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if, where such devises as aforesaid have been or shall be made, or authorities and directions given, such executor or executors are deceased, or shall hereafter die, or have refused, or shall hereafter refuse, or have renounced, or shall renounce, and letters of administration, with the will annexed, have been or shall be granted, it shall and may be lawful for such administrator or administrators, with the will annexed, to sell and convey such real estates, and otherwise act re-

specting the same, as fully and completely as if such deceased, refusing or renouncing executor or executors, might or could have done, were he, she or they still living, or had he, she or they accepted the execution of the last wills and testaments of such testators, or had not renounced.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if, where such devises as aforesaid have been made, or shall be made, or authorities and directions given, such executor or executors shall have been, or hereafter may be dismissed, or otherwise discharged, the executor or executors remaining, shall have like power to sell and to execute the said trust and authorities, as fully and amply as if all of the executors named had joined therein; or if all the executors have been or hereafter shall be dismissed, or the letters testamentary have been or shall be in any case vacated, and new letters awarded, it shall and may be lawful for the administrators, with the will annexed, or the administrator *de bonis non*, or other person or persons to whom letters of administration shall legally issue, to sell and to execute the said powers and authorities mentioned and contained in any last will and testament, as fully and amply as if all the executors named had joined therein.

[Section V.] (Section V, P. L.) Provided always, and be it further enacted by the authority aforesaid, That nothing in this act shall be deemed or taken to prevent any testator, from directing by his or her last will and testament, otherwise than is herein declared and enacted.

Passed March 12, 1800. Recorded L. B. No. 7, p. 160, etc.

---

## CHAPTER MMCCXXXII.

AN ACT TO EXTEND THE TIME LIMITED BY THE ACT, ENTITLED, "AN ACT FOR THE LIMITATION OF ACTIONS TO BE BROUGHT FOR THE INHERITANCE OR POSSESSION OF REAL PROPERTY, OR UPON PENAL ACTS OF ASSEMBLY."

[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