

and which by his will and testament, dated the twentieth day of November, one thousand eight hundred and twenty-three, duly proven and remaining in the register's office of said county, devised to the said Robert Taylor and his children, as therein contained, who shall be duly sworn or affirmed, before entering on the duties of their appointment, and make a report of such valuation to said court, including the moneys paid by said John Taylor for patenting said tract of land, with interest, on said patenting moneys from the time of the payment thereof, on proof of such payment; and in making out their report, the said appraisers shall take into consideration, and estimate the benefit which the said John Taylor may have derived from said buildings, over and above what he would have derived from said tract of land, without such buildings, from the time of their erection, which they shall deduct from the value of such buildings, at the time of the valuation thereof, and report the balance, if any, to the court, which report may be approved, altered or set aside by said court, and if set aside, other persons shall in like manner be appointed to value such buildings, and make report in manner aforesaid; and if approved, the amount or balance shall be entered on the records of said court, and thereafter be a lien on said premises, and may be recovered and collected in the same manner as judgments are recovered; and said appraisers shall be paid by the petitioner, one dollar per day, for their services: *Provided*, That before such petition shall be presented to said court, at least ten days' previous notice of such application shall be given to the persons interested in said tract of land, or to their legal representatives; and like notice shall also be given to them of the meeting of such appraisers, to make the valuation aforesaid; and also, notice of filing the report of said appraisers within ten days thereafter.

FINDLEY PATTERSON,

Speaker of the House of Representatives.

DANIEL L. SHERWOOD,

Speaker of the Senate.

APPROVED—The twenty-first day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 354.

AN ACT

In relation to partitions.

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*

Jurisdiction in partition, extended to all courts.

nothing contained in the act, entitled "An Act relating to orphan courts," passed on the twenty-ninth day of March, eighteen hundred

and thirty-two, shall be construed to give to the orphans' courts of this commonwealth, exclusive jurisdiction in the partition and valuation of the real estate of intestates, or to prevent any of the parties interested in such real estates, from proceeding, by action of partition, in the other courts of this commonwealth, which have jurisdiction of the action of partition.

SECTION 2. That all proceedings in actions of partitions, of the real estates of intestates, heretofore instituted in the courts of this commonwealth, which have jurisdiction of the action of partition, be and the same are hereby ratified and confirmed, to all intents and purposes, as if the courts in which such proceedings have been respectively instituted, had had jurisdiction thereof at the time they were instituted.

FINDLEY PATTERSON,
Speaker of the House of Representatives.

DANIEL L. SHERWOOD,
Speaker of the Senate.

APPROVED—The twenty-first day of April, one thousand eight hundred and forty-six.

FRS. R. SHUNK.

No. 355.

AN ACT

For the relief of certain soldiers and widows of soldiers of the Revolutionary and Indian wars.

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 state treasurer be and he is hereby authorized and directed to pay to Jane Nixon and Robert Gilchrist, of Westmoreland county; Martin Acker, of Berks county; Rebecca Bathurst, of Centre county; Eleanor Kilgore, of Westmoreland county; Rebecca Robinson, of Beaver county; Catharine Grove, of Allegheny county; Elizabeth Smick and Christina Homon, of Berks county; James Forrance, of Beaver county; Mary Rager, of Cambria county; Catharine Labar, of Monroe county; and John Good, of Holmes county, Ohio; James Gordon, of Butler county, soldiers and widows of soldiers of the Revolutionary and Indian wars, or their respective orders, an annuity of forty dollars per annum, each, during life, payable half yearly, to commence on the first day of January, one thousand eight hundred and forty-six.

SECTION 2. That an error in the first section of the act granting pensions, passed the twelfth day of April, one thousand eight hundred and forty-five, is hereby corrected, so that the name "William Scott," in said section, shall read "William Conway;" and the state treasurer is directed to pay to said William Conway, or his order, the annuity of