

CHAPTER CLXXI.

An ACT to enable John Philip De Gruoby and John Boyd, guardians of Jane Humphreys, a minor, to make partition on her behalf of lands, belonging to her and others, as tenants in common.

WHEREAS it has been represented to the Legislature, that Isaac Wharton, David Lewis, Jesse Waln, Robert Waln, William Waln and Alexander Fullerton, of the city of Philadelphia, Thomas Fitzimmons, John Miller, junior, and Robert Bird, assignees of John Vaughan, of the same place, and Jane Humphreys, a minor daughter of John Humphreys, late of Northumberland, in the State of Pennsylvania, deceased, are seized as tenants in common, in their demesne as of fee of and in a certain large body or tract of land, composed of one hundred and ninety-seven lots, containing in the whole one hundred and ninety-five thousand and sixty three acres, situate in the county of Lycoming, and in one or more of the counties adjacent thereto, and lately part thereof in districts, number two, three and four, surveyed in pursuance of warrants issued by this commonwealth, and duly patented, of which said tract the owners are desirous to make partition in order that they may be enabled to make sales of part thereof, to actual settlers, and may safely proceed with improvements already begun, that such partition would be highly beneficial to the said Jane Humphreys, as well as to the other owners; but owing to her minority, a partition by agreement cannot be made without the aid of the Legislature, and that partition by legal process according to the laws now in force, will be dilatory and expensive, and will not be
bind-

binding and effective, until after the said Jane, now but six years of age, shall attain to the full age of twenty one years : And whereas such of the parties above named, as are of full age, and John Philip De Gruchy and John Boyd, guardians of the said Jane, have joined in a petition to the Legislature, representing the facts above set forth, and praying that the said John Philip De Gruchy and John Boyd, as guardians of the said Jane Humphreys, may be authorized to act for her in making partition of the said lands: And whereas to promote the settlement and improvement of vacant lands, to guard the rights and promote the interest of orphans, and to prevent uncertainties and controversies, relative to the titles of real estates, are at all times objects deserving Legislative attention and aid.

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 said John Philip De Gruchy and John Boyd, guardians of the said Jane Humphreys, be, and they are hereby authorized to act for and on her behalf in making partition of the lands aforesaid, and in her behalf, to make partition of the same, with the other tenants in common above mentioned, and to receive releases and conveyances to her use in fee, of such parts or parcels of the said lands, as may be allotted to her in severalty, and to execute to the other tenants in common, such releases or conveyances, as may be necessary to confirm and perfect their titles to the parts or parcels, which may be allotted to them, respectively, in severalty, and generally for and on behalf of the said Jane Humphreys, to make as full and complete partition of the said lands,

The guardians of Jane Humphreys empowered to act in her behalf in making partition of certain lands, held by her and others, as tenants in common.

lands as she herself could do were she of full age, and the acts of the said John Philip De Gruchy and John Boyd in the premises, shall be as binding upon the said Jane Humphreys, and her heirs, as if they were done by her after attaining to full age.

CHARLES PORTER, *Speaker*
of the House of Representatives.

JAMES BRADY, *Speaker*
of the Senate.

APPROVED—the twenty-first day of March, in the year of our Lord one thousand eight hundred and six.

THOMAS M'KEAN.

CHAPTER CLXXII.

An ACT for the better regulating and enforcing the proceedings, in Cases of Damages, under Twenty Dollars, before a Justice of the Peace or Alderman.

Section 1. **B**E 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 when any justice of the peace or alderman shall have issued his precept, in case of damage, under twenty dollars, if either of the parties shall fail to appear before such justice or alderman on the day to which the said precept is returnable, the justice or alderman

Proceedings, when either of the parties, in cases of damage under twenty dollars, fail to appear before the justice or Alder-