

CHAPTER MMDCCOXV.

AN ACT TO ENABLE EDWARD TILGHMAN, JUNIOR, IN BEHALF OF HIS WIFE, REBECCA TILGHMAN, AND THE GUARDIANS OF ANN WALN, REBECCA WHARTON AND SUSAN WHARTON, MINORS, TO MAKE PARTITION OF CERTAIN LANDS BELONGING TO THEM AND OTHERS, AS TENANTS IN COMMON.

Whereas by an Act of Assembly of this Commonwealth, passed on the twenty-first day of March, one thousand eight hundred and six, entitled "An act to enable John Philip De Gruchy and John Boyd, guardians of Jane Humphrys a minor, to make partition on her behalf of lands belonging to her and others, as tenants in common,"⁽¹⁾ the said Philip De Gruchy and John Boyd guardians duly appointed, of the said Jane Humphrys, were authorized to act for, and on her behalf, in making partition of certain lands situated in the county of Lycoming, and in one or more of the counties adjoining thereto, whereof Isaac Wharton, David Lewis, Jesse Waln, Robert Waln, William Waln, and Alexander Fullerton, Thomas Fitzsimons, John Miller, junior, and Robert Bird, and the said John Humphrys, then stood seized as tenants in common: And whereas it is represented to the legislature, that before the proper deeds were prepared for the purpose of completing the said partition, Jesse Waln, one of the said tenants in common, departed this life intestate, leaving issue, Sarah, married to Thomas Bulkeley, Jesse Waln, Rebecca, married to Edward Tilghman junior, Ann Waln, Rebecca Wharton and Susan Wharton, daughters of Mary, the former wife of Moore Wharton, and daughter of the said Jesse Waln, deceased, which Mary Wharton died in the lifetime of her said father, and which Rebecca Tilghman, Ann Waln, Rebecca Wharton, and Susan Wharton are minors, under the age of twenty-one years; by reason whereof the intentions of the legislature in passing the said act are frustrated; and the said partition although it hath, since the death of the said Jesse Waln, been

executed by those of the said tenants in common, who are of full age and by the guardians of the said Jane Humphrys, remain incomplete.

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 Tilghman, junior, the husband of the said Rebecca Tilghman, shall be, and hereby is authorized to act for and on her behalf, and the guardians who are or may be duly appointed by the orphans' court of the county of Philadelphia, for the said Ann Waln, Rebecca Wharton and Susan Wharton, shall be, and they are hereby authorized to act for and in their behalf, in making partition of the lands aforesaid, and in behalf of the said minors respectively, to make partition of the same with the other tenants in common above mentioned; and to receive releases and conveyances to the use of the said minors respectively in fee, of such parts and parcels of the said lands as may be allotted to them 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 in behalf of the said minors respectively, to make as full and complete partition of the said lands, as they or either of them could do if of full age; and the acts of the said Edward Tilghman, junior, in the premises, shall be as binding upon the said Rebecca Tilghman and her heirs, as if the same were done by her after attaining full age; and the acts of such guardians of the said Ann Waln, Rebecca Wharton and Susan Wharton, in the premises, shall be binding upon the said Ann Waln, Rebecca Wharton and Susan Wharton, as if the same were done by the said Ann Waln, Rebecca Wharton and Susan Wharton, after they had respectively attained full age.

Approved April 4, 1807. Recorded in L. B. No. 10, p. 515.

Note (*) Chapter 2695; Supra this volume, p. 226.