

CHAP. 311.

age, shall have any interest or estate, or benefit, jointly, or in common, or otherwise, concurrently in or out of any lands, tenements or hereditaments.

Provisions of 12th and 13th sections of 1810, ch. 193 Extended.

Sec. 8. *And be it enacted*, That the provisions of the twelfth and thirteenth sections of the act of December session, of the year eighteen hundred and eighteen, chapter one hundred and ninety-three, shall be deemed and taken to extend to minors residing out of this state, to, in, or by, whom any lands, tenements, hereditaments, or personal estate, shall accrue, vest, or be claimable, by descent, devise, bequest, deed, gift, purchase or otherwise.

Explanatory of 13th Sec. of 1810, ch. 184.

Sec. 9. *And be it enacted*, (there being doubts as to the true import of the provision) That the thirteenth section of the act, passed at December session, of the year eighteen hundred and sixteen, chapter one hundred and fifty-four, shall be deemed and taken, to mean that the chancellor, or the county courts shall, and may exercise all the powers in said act conferred, and provided in all cases where an infant or infants are, or shall be seized of a reversion, or a remainder so as to authorise a decree for the sale of such remainder or reversion, and so as to authorise a decree for the sale of the estate, and interest of the tenant of the particular estate, or of the holders of the prior remainders where the assent of such holders or tenants shall be given, and the estate or interest in remainder, or reversion aforesaid, of such infant or infants in which case the said chancellor or county courts shall adjudge such part of the proceeds of the sale to be paid, or the annual interest of the proceeds to be secured and paid to such tenant or holders as shall be judged equitable by the chancellor or county courts, and in manner and for periods as shall be determined most proper.

Preamble relative to Sec. 2, of 1797, ch. 114.

AND WHEREAS, by the act of November session, of the year seventeen hundred and ninety-seven, chapter one hundred and fourteen, section second, provision is made for the appearance in the cases therein mentioned, of the person or persons who would have been the sole heir, or only heirs in the case, the act to direct descents had not been made, and no provision exists for the event of such sole heir, or only heirs, or any of them, residing out of this state:—Therefore,

Authority to order notice by publication.

Sec. 10. *Be it enacted*, That in case of such non-residence, the chancellor or county court may, as to the said non resident, defendant or defendants, order notice to be given by publication in manner and under the same limitations as in said section is prescribed as to the other heirs in that section mentioned, and to have the like effect and operation.