

DEC. SESS.  
1814.

2. AND BE IT ENACTED, That where any lands, tenements or hereditaments, as aforesaid, shall lie in different counties of different judicial districts, and the said lands (although in different counties) shall lie adjoining, then and in such case application may be made to the court of the county where the greatest portion of said lands and tenements may lie for the sale or division thereof.

Lands, &c. in different counties of different judicial districts—

3. AND BE IT ENACTED, That where lands, tenements or hereditaments, as aforesaid, shall lie in different judicial districts and not adjoining, but lie in different or detached parcels, then and in such case application may be made in the several districts to the respective county courts where the greatest portion of such lands and tenements may lie for the sale or division thereof as aforesaid.

Lands &c. lying in different judicial districts and not adjoining.

4. AND BE IT ENACTED, That the same proceedings shall be had on all such applications respectively as if the lands and tenements laid in one county, as directed by the act to which this is a further additional supplement, and the several supplements thereto.

Proceedings.

5. AND BE IT ENACTED, That where any person shall have devised or may hereafter devise any lands, tenements or hereditaments to two or more persons, by virtue of which devise such persons shall be entitled to hold the said estate as joint tenants, or tenants in common according to the effect of such devise, it shall and may be lawful for any one or more of such devisees (being of lawful age) to make application to the county court of the county where such lands and tenements may lie, (or if lying in different counties, then to the court of the county where the greatest portion of such lands and estate may lie) for a commission to divide the same, and upon such application the court shall appoint five judicious and disinterested persons to divide and make partition among all the parties entitled to the same.

Devises.

6. AND BE IT ENACTED, That the said commissioners, or a majority of them, when so appointed, shall take the same oath (or affirmation as the case may be) as in such cases is required by the act to which this is a further additional supplement, and shall proceed to divide the said lands, tenements or hereditaments among the several devisees agreeably to the will of the deceased, in the same manner and with the same effect as if a writ of partition had been obtained for the same.

Commissioners after qualifying to make partition.

7. AND BE IT ENACTED, That in cases where a commission may have been issued and not executed, or that may hereafter issue from any county court or the court of chancery, to make partition of an intestate's estate, and any of the parties interested reside out of this state, the commissioners before they proceed in the execution of said commission, shall cause notice thereof to be given by advertisement set up at the door of the court.

Parties residing out of the state—notice to be given.