

present year one thousand eight hundred and forty-nine; and also at any time on or before the said first day of such Term, to except, answer or plead to any such Petition, or to controvert the allegations thereof, as fully and effectually as he might do or have done on the day appointed in such order or judgment for the making and filing of such claims or demands in intervention.

10 III. And be it enacted, that whenever any portion of any such lands, tenements and hereditaments, for the Partition of which provision is made by the said Act, or any share, right or interest therein shall be claimed by any of the co-tenants of such lands, tenements or hereditaments, or by any other person interested in the lands, tenements and hereditaments to be divided or partitioned under the said Act, as hereby amended, by descent or inheritance, from or through any other person whomsoever, the party so claiming, shall not be required to prove such descent or inheritance, but the fact of his being the lawful representative of the person through whom he shall have so claimed, by descent or inheritance, shall be considered as true for all the purposes of such Partition, unless such fact be denied and controverted by some other party to the said Partition, claiming, or assuming to claim an interest in such lands, tenements, or hereditaments, by descent or inheritance, through the same identical person.

When any portion of lands is claimed by a co-tenant, by descent or inheritance, &c., it shall not be necessary to prove such descent or inheritance unless denied by another party who claims an interest in the lands

35 IV. And be it enacted, that whenever any party shall claim an interest in such Partition, under and by virtue of any Deed of Sale or Conveyance, or under and by virtue of any other Title or Document whatsoever, purporting to have been executed through the medium of an Agent or Attorney, the party so claiming shall not be required to prove the authority of such Agent or Attorney in that behalf, but such authority shall, for all the purposes of such Partition, be

Party claiming interest in any Partition, by Deed executed through an Agent, not required to prove authority of Agent unless denied by an other party interested in such Partition