

ACTION IN ASSUMPSIT, PERMITTED AGAINST JOINT OWNER
Act of May 6, 1891, P.L. 41, No. 32
AN ACT

Cl. 58

Authorizing actions in assumpsit by and against joint owners, joint tenants and tenants in common, holding an interest in and operating any drilling, pumping or producing oil or gas well.

Section 1. Liability of joint owners for labor and materials
From and after the passage of this act, any person or persons performing labor of any kind whatever, or furnishing materials for, on or about any drilling, pumping or producing oil or gas well, shall have the right to bring suit in assumpsit against any joint owner, joint tenant or tenant in common holding an interest in and operating such drilling, pumping or producing oil or gas well, to recover from such joint owner, joint tenant or tenant in common, the pro rata share due and owing by such joint owner, joint tenant or tenant in common for any labor done, or materials furnished, in, upon or about such drilling, pumping or producing oil or gas well, and the interest of such joint owner, joint tenant or tenant in common shall be subject to levy and sale upon any execution issued to enforce collection of any claim under this act, after judgment obtained by due process of law. 1891, May 6, P.L. 41, Sec. 1.

Section 2. Joint owner paying pro rata share to be subrogated to claim

Any joint owner, joint tenant or tenant in common, paying the pro rata share of the necessary expenses of any drilling, producing or pumping oil or gas well for any other joint owner, joint tenant or tenant in common holding an interest in and operating such drilling, pumping or producing oil or gas well, shall have or possess all the rights of action, as provided in the first section of this act, to the same extent as is given hereby to the person or persons performing the said labor or furnishing such materials: Provided, That no joint owner, joint tenant or tenant in common shall be required by this act to pay any share of the expenses of operations commenced and carried on without his authority or consent. 1891, may 6, p.l. 41, sec. 2.