

LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No.

962

Session of
1919.

INTRODUCED BY MR. DITTRICH, MARCH 17, 1919.

REFERRED TO COMMITTEE ON JUDICIARY GENERAL,
MARCH 18, 1919.

AN ACT

Providing a method of establishing title to land acquired
at a sale for unpaid taxes or municipal claims

1 Section 1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the Commonwealth of Pennsylvania in General Assembly*
3 *met and it is hereby enacted by the authority of the same That*
4 in all cases where land has been heretofore sold by the
5 sheriff on claims for unpaid taxes or municipal liens
6 under any act or acts of Assembly the purchaser (in-
7 cluding a municipality in case it be the purchaser) at
8 such sale or his or its successor in title may present
9 his or its petition under oath to the court of common
10 pleas of the county wherein the land is situate setting
11 forth (a) The location of the lands by metes and bounds
12 or if it be in a recorded plan of lots the plan num-
13 ber of the lot, and the place of record of the plan
14 (b) the names of the former owners reputed owners per-
15 sons in possession or any other person having or claim-
16 ing to have a right to interest in or claim against

1 said land if any there be and (c) that upon diligent
2 inquiry no person has been found who has or claims to
3 have any right title or interest in or claim against
4 said land unless it be those named in the petition
5 Thereupon a rule shall be granted upon the persons
6 named in the petition and generally upon all other per-
7 sons not named in the petition who have or claim to
8 have any right title or interest in or claim against the
9 said land to appear within sixty days from service of
10 the rule and show cause why the title of the petitioner
11 to said land should not be adjudicated and decreed valid
12 and indefeasible as against all rights or claims whatso-
13 ever The rule may be made returnable to such term or
14 return day as may be, fixed by the court and shall be
15 entered of record in the appearance docket of said court
16 and duly indexed therein and also in the ejectment index
17 of said court As to persons domiciled within the county
18 the rule shall be served and returned as writs of sum-
19 mons are served and returned As to those persons who
20 do not have their domicile within the county in which
21 the rule is issued or those whose domicile is outside
22 the State the rule may be served by mailing a true
23 and attested copy of the petition and rule by registered
24 letter to his or their last known address if any
25 In addition thereto the court shall direct that notice
26 by one advertisement in a newspaper of general circula-
27 tion in the county where the land is situate be given
28 to all persons including those named in the petition to
29 appear on or before the return day of the rule and

1 show cause why the title of the petitioner should not
2 be adjudicated and decreed valid and indefeasible as
3 against all rights or claims whatsoever The advertisement
4 shall be made at least sixty days before the return
5 day of the said rule

6 Section. 2 In case no person or persons shall appear
7 within the time hereinbefore stipulated or in case he
8 shall appear and does not make answer to said rule
9 within fifteen days after appearance the court shall make
10 the rule absolute as to all persons who do not appear
11 or answer as the case may be Thereafter all rights
12 and claims of those against whom the rule is made
13 absolute with respect to said land shall be totally
14 barred and any deficiency or defects whatever in the pro-
15 cedure whereby the land was acquired at sheriff's sale as
16 aforesaid from the filing of the claim up to and in-
17 cluding the actual sale and delivery of sheriff's deed
18 shall not thereafter be asserted and the title of the
19 petitioner shall be adjudicated and decreed valid and in-
20 defeasible as against all such persons If any person or
21 persons shall appear and make answer to said petition
22 the court shall thereupon order and decree that such
23 person or persons shall begin proceedings to establish his
24 or their title or interest in or claim against said land
25 within ninety days thereafter and if such person or per-
26 sons shall fail to comply with said order or decree the
27 court shall thereupon make the rule absolute with the
28 same force and effect as hereinbefore stated

1 Section 3 The court may make such other or further
2 orders or decrees in the premises as it may deem neces-
3 sary or proper

4 Section 4 The remedy herein provided is not intended
5 as an exclusive method of establishing title to land ac-
6 quired at a sheriff's sale on a tax claim or municipal
7 claim

8 Section 5 The provisions of this act shall not affect
9 the right of redemption as now provided by law

10 Section 6 All acts or parts of acts inconsistent with
11 the provisions of this act are hereby repealed