

LEGISLATURE OF PENNSYLVANIA.

FILE OF THE HOUSE OF REPRESENTATIVES.

No. 1172 Session of
1919.

INTRODUCED BY MR. SOWERS, APRIL 1, 1919.

REFERRED TO COMMITTEE ON JUDICIARY LOCAL,
APRIL 1, 1919.

AN ACT

Relating to proceedings for the sale of real estate on mortgages providing for assignment of mortgages and stay of proceedings for the benefit of tenants in certain cases

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 whenever execution or process upon a mortgage is issued
5 out of any court of common pleas for the sale of any
6 real estate of the defendant named therein where such
7 real estate is occupied by a tenant it shall be lawful
8 at any time not less than five days before the date
9 fixed for the sale for such tenant to present a petition
10 to the said court representing the facts and expressing
11 a desire to have the said mortgage assigned to a party
12 named in such petition

13 Section 2 The court shall thereupon issue an order
14 staying the proceedings and shall grant a rule upon the

1 mortgagee requiring him to show cause why the prayer
2 of the petition should not be granted Upon the hearing
3 of the rule if the full amount due on the mortgage
4 with interest charges and costs be produced and paid into
5 court the court shall thereupon if no injury is occasioned
6 to the mortgagee direct the assignment of the mortgage
7 according to the prayer of the petitioner

8 As soon as such assignment is executed and filed in
9 the office of the recorder of deeds of the proper county
10 the sum or sums paid into court as aforesaid on account
11 of such mortgagee and all pending proceedings on the
12 mortgage shall be terminated

13 Section 3 if the amount due on the mortgage with
14 interest and costs is not produced and paid into court
15 at the hearing of the rule the rule shall be discharged
16 at the cost of the petitioner

17 Section 4 All acts and parts of acts inconsistent with
18 this act are hereby repealed