

## LEGISLATURE OF PENNSYLVANIA.

## FILE OF THE HOUSE OF REPRESENTATIVES.

No.

1227

Session of  
1919.

INTRODUCED BY MR. SIMPSON, APRIL 2, 1919.

REFERRED TO COMMITTEE ON JUDICIARY GENERAL,  
APRIL 2, 1919.

## AN ACT

Providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims and confirming and validating titles to real estate under proceedings had pursuant to the provisions of the act of assembly approved the fourth day of June one thousand nine hundred and fifteen (Pamphlet Laws eight hundred and forty-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes or municipal claims" or the act of assembly approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand seventy-two) entitled "An act providing a method of establishing title to land acquired at a sale for unpaid taxes"

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 or

1 shall hereafter be sold by the sheriff on claims for un-  
2 paid taxes or municipal claims under any act or acts  
3 of assembly the purchaser (including a municipality in  
4 case it be the purchaser) at such sale or his or its  
5 successor in title may present his or its petition under  
6 oath to the court of common pleas of the county  
7 wherein the land is situate setting forth (a) The loca-  
8 tion of the lands by metes and bounds or if it be  
9 in a recorded plan of lots the plan number of the  
10 lot and the place of record of the plan (b) the  
11 names of the former owners reputed owners persons in  
12 possession or any other person having or claiming to  
13 have a right to interest in or claim against said land  
14 if any there be and (c) that upon diligent inquiry no  
15 person has been found who has or claims to have any  
16 right title or interest in or claim against said land  
17 unless it be those named in the petition Thereupon a  
18 rule shall be granted upon the persons named in the peti-  
19 tion and generally upon all other persons not named in  
20 the petition who have or claim to have any right title  
21 or interest in or claim against said land to appear with-  
22 in sixty days from service of the rule and show cause  
23 why the title of the petitioner to said land should not  
24 be adjudicated and decreed valid and indefeasible as  
25 against all rights or claims whatsoever The rule may be  
26 made returnable to such term or return day as may be  
27 fixed by the court and shall be entered of record in  
28 the appearance docket of said court and duly indexed  
29 therein and also in the ejectment index of said court

1 As to persons domiciled within the county the rule shall  
2 be served and returned as writs of summons are served  
3 and returned As to those persons who do not have  
4 their domicile within the county in which the rule is  
5 issued or those whose domicile is outside the State the  
6 rule may be served by mailing a true and attested  
7 copy of the petition and rule by registered letter to his  
8 or their last known address if any

9 In addition thereto the court shall direct that notice  
10 by one advertisement in a newspaper of general circula-  
11 tion in the county where the land is situate be given  
12 to all persons including those named in the petition to  
13 appear on or before the return day of the rule and  
14 show cause why the title of the petitioner should not  
15 be adjudicated and decreed valid and indefeasible as  
16 against all rights or claims whatsoever The advertisement  
17 shall be made at least sixty days before the return day  
18 the said rule

19 Section 2 In case no person or persons shall appear  
20 within the time hereinbefore stipulated or in case he  
21 shall appear and does not make answer to said rule  
22 within fifteen days after appearance the court shall make  
23 the rule absolute as to all persons who do not appear  
24 or answer as the case may be Thereafter all rights and  
25 claims of those against whom the rule is made absolute  
26 with respect to said land shall be totally barred and  
27 any deficiency or defects whatever in the procedure where-  
28 by the land was acquired at sheriff's sale as aforesaid  
29 from the filing of the claims up to and including the

1 actual sale and delivery of sheriff's deed shall not there-  
2 after be asserted and the title of the petitioner shall be  
3 adjudicated and decreed valid and indefeasible as against  
4 all such persons. If any person or persons shall appear  
5 and make answer to said petition the court shall there-  
6 upon order and decree that such person or persons shall  
7 begin proceedings to establish his or their title or in-  
8 terest in or claim against said land within ninety days  
9 thereafter and if such person or persons shall fail to  
10 comply with said order or decree the court shall there-  
11 upon make the rule absolute with the same force and  
12 effort as hereinbefore stated.

13 Section 3 The court may make such other or  
14 further orders or decrees in the premises as it may  
15 deem necessary or proper.

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

20 Section 5 The provisions of this act shall not affect  
21 the right of redemption as now provided by law.

22 Section 6 That wherever proceedings shall have been  
23 heretofore had in any court of common pleas of this  
24 Commonwealth for the establishing of title to lands pur-  
25 suant to the provisions of either the act of assembly  
26 approved the fourth day of June one thousand nine hun-  
27 dred and fifteen (Pamphlet Laws eight hundred and forty-  
28 two) entitled "An act providing a method of establishing  
29 title to land acquired at a sale for unpaid taxes or

1 municipal claims" or of the act of assembly approved the  
2 eighteenth day of July one thousand nine hundred and  
3 seventeen (Pamphlet Laws one thousand seventy-two) en-  
4 titled "An act providing a method of establishing title  
5 to land acquired at a sale for unpaid taxes" and notice  
6 has been given according to the terms of said acts of  
7 a rule to appear and show cause why the title of the  
8 petitioner should not be adjudicated and decreed valid and  
9 indefeasible and a decree has been entered making said  
10 rule absolute or decreeing that said title be valid and  
11 indefeasible said decree shall be valid and effectual to  
12 bar all right and claims of those against whom said  
13 rule is made absolute with respect to said lands and  
14 any deficiency or defects whatever in the procedure where-  
15 by the land was acquired at sheriff's sale as aforesaid  
16 from the filing of the claim up to and including the  
17 actual sale and delivery of the sheriff's deed shall not  
18 thereafter be asserted notwithstanding the fact that said  
19 sheriff's sale may have taken place after the passage of  
20 either of said acts of assembly

21 Section 7 All acts or parts of acts inconsistent with  
22 the provisions of this act are hereby repealed