

Security to Orphans' court, and approval of sale.

however; That the guardians aforesaid, previous to making sale in pursuance of this act, shall enter into a bond or recognizance, with sufficient security, to be approved of by the orphans' court of Cumberland county, for the proper application of the moneys arising from said sale: *And provided further*, That such sale shall not be valid until approved of by the orphan's court of the county aforesaid.

Preamble to 9th section.

WHEREAS, Peter Shott, of Millersburg, in the county of Dauphin, in the year one thousand eight hundred and eight, purchased a lot or piece of ground from a certain Jacob Wingart, in the said town of Millersburg, the deed conveying the title to which appears to be defective, contrary to the true intent and meaning of the parties :

Therefore,

Title in a certain lot in Millersburg, Dauphin co. vested in P. Shott.

SECT. 9. *And be it further enacted by the authority aforesaid*, That the title to a certain lot of ground situate in the town of Millersburg, Dauphin county, numbered one hundred and sixty-two in the plan of said town, with the appurtenances, be and the same is hereby vested in Peter Shott, of the said county, in fee simple, as fully and effectually as it could have been by any deed of conveyance which might or ought to have been executed, conveying the said lot of ground from Jacob Wingart to the said Peter Shott: *Provided*, That nothing herein contained shall be construed to affect or interfere with the rights of third persons: *And provided*, That the purchase money of said lot be fully paid.

Proviso. Not to affect rights of third persons 2d proviso. Purchase money.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, A. D. one thousand eight hundred and thirty.

GEO. WOLF.

No. 157.

AN ACT

For the levy and collection of taxes upon proceedings in courts, and in the offices of register and recorder, and for other purposes.

SECT. 1. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same*, That from and after the first day of July, one thousand eight hundred and thirty, the officers hereinafter men-

tioned within this commonwealth, are hereby authorised to demand and receive, in addition to the fees heretofore required by law, the following sums for and on account of the commonwealth, which shall be paid by the parties applying for the process or services mentioned, and which sum shall be taxed in the bill of costs, to abide the event of the suit, and be paid by the losing party: The prothonotary of the supreme court, exercising appellate jurisdiction, shall demand and receive on every writ of error issued or appeal entered by him, the sum of three dollars and fifty cents.

From 1st July, 1830. Additional fees to be required.

Proth'y of sup. court, \$5 50 on writs of error or appeal.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the prothonotaries of the several circuit courts shall demand and receive on every writ of certiorari or habeas corpus issued by them, for the removal of any cause from the court of common pleas to the circuit courts, the sum of one dollar.

Of circuit courts, certiorari or habeas corpus, for removal \$1.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the prothonotaries of the courts of common pleas and of the district courts, and the prothonotary of the supreme court having original jurisdiction, and the court of nisi prius of this commonwealth, shall demand and receive on every original writ issued out of said courts, (except the writ of habeas corpus,) and on the entry of every amicable action, the sum of fifty cents; on every writ of certiorari issued to remove the proceedings of a justice or justices of the peace or aldermen, the sum of fifty cents; on every entry of a judgment by confession or otherwise, where suit has not been previously commenced, the sum of fifty cents; and on every transcript of a judgment of a justice of the peace or alderman, the sum of twenty-five cents.

Prothonotaries to receive on certain writs and entries 50 cts each.

Transcript 25 cents.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the several recorders of deeds shall demand and receive for every deed, and for every mortgage or other instrument in writing offered to be recorded, fifty cents.

Recorders, for every deed, &c. 50 cents.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the several registers of wills shall demand and receive for the probate of a will and letters testamentary thereon, the sum of fifty cents, and for granting letters of administration, the sum of fifty cents.

Registers, for probates, letters of administration, &c. 50 cents.

SECT. 6. *And be it further enacted by the authority aforesaid,* That in lieu of the fees now receivable by the Secretary of the Commonwealth, for the use of the commonwealth, there shall be demanded by and paid to the recorders of deeds within the city of Philadelphia and of the respective counties, upon the several commissions hereafter named, at or before the delivery thereof, to the several officers commissioned, viz: on the commission of inspector of salt provisions, health officers, lazaretto phy-

Recorders of the several counties to receive ten dollars for certain commissions for

which fees have heretofore been received at Secretary's office.

sician and port physician, measurers of corn and salt, superintendent of the powder magazine, regulator of weights and measures, the inspector of flour, inspector of ground black oak bark, butter and lard, guagers of domestic distilled spirits, the sum of ten dollars; on the commission of a prothonotary, clerk of oyer and terminer, of quarter sessions, of orphans' court, mayor's courts, register of wills, recorder of deeds, notary public, interpreter of foreign languages, sheriff of a county, each ten dollars.

Prothonotaries, registers and recorders to account to Auditor Gen. under oath. Commission 3 per cent.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the prothonotaries of the several courts, and the registers and recorders above mentioned, shall each and all on or before the first day of October, in every year, account for on oath or affirmation, to the Auditor General, and pay into the treasury the several amounts of taxes by them respectively received, previous to the first day of September in each year, in pursuance of this act, deducting therefrom three per centum for receiving and paying over said amount.

To annex return at length under oath.

SECT. 8. *And be it further enacted by the authority aforesaid,* That the several prothonotaries, registers and recorders aforesaid, shall annex to the said account a return upon oath or affirmation, of the writs of error, appeals, writs of certiorari and habeas corpus, for the removal of causes, original writs, certioraris, judgments in cases where suits have not been previously commenced, deeds, mortgages, and other instruments of writing, letters testamentary and letters of administration, which shall be transmitted to the Auditor General with the account aforesaid.

Roads and sureties of officers aforesaid, under provisions of act of 28th March, 1803.

SECT. 9. *And be it further enacted by the authority aforesaid,* That each and all of the aforesaid officers shall, on or before the first day of August, one thousand eight hundred and thirty, become bound in an obligation, with at least two sufficient sureties, in one-third of the amount fixed by law for sheriff's bonds, in the respective counties, by the act of the twenty-eighth day of March, one thousand eight hundred and three, entitled "An act directing sheriffs and coroners to give sufficient sureties for the faithful execution of their official duties, and for other purposes," and to be recorded and admitted in evidence, according to the provisions of said law, the condition of which obligation shall be, that the said officer so bound shall well and truly pay over all the taxes demanded and received under this act, to the State Treasurer, and in all other particulars shall conform to the provisions of this act, and the effect, rights and remedies of said bond shall be governed by the provisions of the said act of the twenty-eighth of March, one thousand eight hundred and three.

SECT. 10. *And be it further enacted by the authority aforesaid,* That if the said prothonotaries, registers and recorders shall neglect or refuse to settle and pay over the full amount to the State Treasurer at the times hereinbefore directed, the Auditor General shall direct the proper attorney for the commonwealth in the respective county, to sue for and recover the same, without any stay of execution, and without allowing to such prothonotary, register or recorder any compensation or commissions.

Duty of Auditor General when officers do not settle and pay over.

FRED'K SMITH, *Speaker*
of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—the sixth day of April, A. D. one thousand eight hundred and thirty.

GEO. WOLF.

No. 158.

A FURTHER SUPPLEMENT

To the act entitled "An act for the regulation of the militia of this commonwealth."

SECT. 1. *Be it enacted by the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same,* That the battalion parades and trainings within the first brigade of the ninth division, shall commence on the third Monday of May in every year, and shall continue in such order as the brigade inspector shall direct, on every day of the week, (except Sunday) until all the battalions of the brigade shall have paraded, any thing in any former law to the contrary notwithstanding.

Battalion parades in 1st brigade, 9th division, to commence 3d Monday in May.

SECT. 2. *And be it further enacted by the authority aforesaid,* That the fifth company attached to the second battalion, fifty-fourth regiment, first brigade, ninth division, Pennsylvania militia, is hereby exempt from mustering with said battalion on days of battalion training, unless otherwise ordered by the brigadier general of said brigade, but they shall muster on said day within the bounds of the company.

5th company 54th reg. 1st brig. 9th div. exempted from parading with batt. unless specially ordered.

SECT. 3. *And be it further enacted by the authority aforesaid,* That so much of the thirty-seventh section of the act to