

any such scales, for the purpose aforesaid, the person or persons so refusing shall forfeit and pay to the said president, managers and company, any sum not less than five nor more than ten dollars, to be recovered in the manner hereinbefore mentioned.

[Section IV.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any action or suit shall be brought or prosecuted by any person or persons, for anything done in pursuance of this or the said recited act, or former supplement thereto, in relation to the premises, every such suit or action shall be commenced within six months next after the fact committed, and not afterwards; and the defendant or defendants in such action or suit may plead the general issue, and give this and the said recited act, and former supplement and the special matter, in evidence, and that the same was done in pursuance and by the authority of this and the said recited act and the former supplement; and this act shall be and continue in force during the term of two years and no longer.

Passed April 4, 1798. Recorded L. B. No. 6, p. 277, etc. Time extended by Act of April 11, 1799, Chapter 2092.

---

## CHAPTER MMIX.

---

AN ACT LIMITING THE TERM, DURING WHICH JUDGMENT SHALL BE A LIEN ON REAL ESTATE, AND SUITS MAY BE BROUGHT AGAINST THE SURETIES OF PUBLIC OFFICES.

Whereas the provision heretofore made by law for preventing the risk and inconvenience to purchasers of real estate, by suffering judgments to remain a lien for an indefinite length of time, without any process to continue or revive the same, hath not been affectual. Therefore:

[Section I.] (Section I, P. L.) 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 no judgment now on record in any court within this commonwealth shall continue a lien on the real estate of the person, against whom the same has been entered, during a longer term than five years, from and after the passing of this act, unless the person who has obtained such judgment, or his legal representatives, or other persons interested, shall, within the said term of five years, sue out of the court, wherein the same has been entered, a writ of *scire facias*, to revive the same.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That no judgment hereafter entered in any court of record within this commonwealth, shall continue a lien on the real estate of the person against whom such judgment may be entered, during a longer term than five years, from the first return day of the term of which such judgment may be so entered, unless the person who may obtain such judgment, or his legal representatives, or other persons interested, shall, within the said term of five years, sue out a writ of *scire facias* to revive the same.

[Section III.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That all such writs of *scire facias* shall be served on the terre-tenants, or person occupying the real estates bound by the judgment, and also, where he or they can be found, on the defendant or defendants, his or their feoffee or feoffees, or on the heirs, executors, or administrators of such defendant or defendants, his or their feoffee or feoffees; and where the land or estate is not in the immediate occupation of any person, and the defendant or defendants, his or their feoffee or feoffees, or their heirs, executors or administrators cannot be found, proclamation shall be made in open court, at two succeeding terms, by the crier of the court in which such proceedings may be instituted, calling on all persons interested to show cause why such judgment should not be revived; and on proof of due service thereof, or on proclamation having been made, in the manner hereinbefore set forth, the court from which the said writ may have issued shall, unless sufficient cause to prevent the same is shown at or before the second term

subsequent to the issuing of such writ, direct and order the revival of any such judgment, during another period of five years, against the real estate of such defendant or defendants, and proceedings may in like manner be had again to revive any such judgment at the end of the period of five years, and so from period to period, as often as the same may be found necessary.

(Section IV, P. L.) And whereas it is reasonable that persons entering into bonds or recognizances, as sureties for any public officers, should be exonerated from their responsibility within a reasonable term after such officers respectively shall die, resign, or be removed from office. Therefore:

[Section IV.] Be it enacted by the authority aforesaid, That it shall not be lawful for any person or persons whomsoever to commence and maintain any suit or suits, on any bonds or recognizances, which shall hereafter be given and entered into by any person or persons, as sureties for any public officer, from and after the expiration of the term of seven years, to be computed from the time at which the cause of action shall have accrued; and if any such suit or suits shall be commenced, contrary to the intent and meaning of this act, the defendant or defendants respectively shall and may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff or plaintiffs be nonsuit, or if a verdict or judgment pass against him or them respectively, the defendant or defendants shall respectively recover double costs.

Passed April 4, 1798. Recorded L. B. No. 6, p. 279.

---

## CHAPTER MMX.

---

A SUPPLEMENT TO THE ACT, ENTITLED, "AN ACT FOR ESTABLISHING AND BUILDING A BRIDGE ACROSS CONESTOGA CREEK, IN THE COUNTY OF LANCASTER."<sup>1</sup>

Whereas by the act, to which this is a supplement, Abraham Witmer, of the county of Lancaster, was authorized to erect, and in pursuance of that authority did erect, a bridge over the

<sup>1</sup>Passed September 22, 1787, Chapter 1313.