

of this commonwealth, subject to the like appeal, security, trial and costs, as in other cases of appeal from any settlement made before him, and in like manner to proceed and recover such balance or balances, as on such settlement or settlements shall be found due from them or any of them.

Section XXXVII. (Section XXXVII, P. L.) And be it further enacted by the authority aforesaid, That such law or laws of this commonwealth, as are by this act supplied, be and the same are hereby repealed and made void.⁽¹⁾

Approved March 29, 1803. Recorded in L. B. No. 9, p. 152.

Note (*). See Chapter 2504; Act April 2, 1804; *infra* this volume, p. 844; also Chapter 2591; Act April 1st, 1805, *infra* this volume, p. 1020; also Chapter 3341; Act March 20th, 1811, 19 Statutes at Large, p.

CHAPTER MMCCCLXX.

AN ACT AUTHORIZING THE SECRETARY OF THE LAND OFFICE AND THE ATTORNEY GENERAL, TO RECOVER THE FEES DUE ON WARRANTS AND PATENTS REMAINING IN THE LAND OFFICE.

Whereas it appears that there are a number of warrants and patents completed, and remaining in the office of the secretary of the land office of Pennsylvania, on which the purchase-money has been paid in full to the commonwealth, and the said warrants and patents signed and sealed, and that there are yet considerable sums of money due thereon as office fees, and the owners or possessors thereof at this time generally unknown: 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 the secretary of the land office shall from time to time hereafter, make out a list of all the warrants and patents in his office, which shall have been completed and lying in his office for the term of six months, with the amount of office fees due and unpaid thereon, and advertise the same in one of the public newspapers printed in the city of Philadelphia, Lancaster, Northumberland and Pitts-

burgh, at least three weeks, calling on the owner or owners thereof respectively, and also the actual owner and owners, and possessor or possessors of said land, to come forward within three months after the same shall have been so as aforesaid advertised, and pay and discharge the office fees thereon due to the state; and if the said owner or owners as aforesaid, or possessor or possessors of the said land, shall refuse or neglect to pay and discharge the respective fees so as aforesaid due and unpaid, within the time limited and appointed as aforesaid, it shall be the duty of the said secretary of the land office, to forward a certified schedule of all and every of the said warrants and patents, with the respective fees due thereon, to the attorney general of the said commonwealth, who shall thereupon institute suits at law against the several owners, as aforesaid, or possessor or possessors of said land in the name of the commonwealth, for the recovery of the said office-fees; and if it shall appear that any or either of the said owner or owners as aforesaid, cannot be found within the said commonwealth, or that there is no person or persons in the possession of the said land, then it shall be the duty of the said attorney general, to proceed by leaving a summons nailed up in some public place on or near the premises ten days before the return day thereof; and if upon the return of the service of the summons as aforesaid, the owner or owners as aforesaid, or other persons actually possessing the land shall not appear and answer to the suit, judgment shall be rendered for the amount of the fees due thereon as of default; and he shall thereupon proceed to sell at public sale, all or any part or parts of the said land, or so much thereof as may be necessary to pay the said office fees thereon due, together with all the expenses of advertising and costs of prosecution.

Approved March 29, 1803. Recorded in L. B. No. 9, p. 175.