

CHAPTER CCXCIX.

A SUPPLEMENT TO THE ACT FOR TAKING LANDS IN EXECUTION
FOR THE PAYMENT OF DEBTS.

Whereas sundry lands, tenements and hereditaments have been taken in execution and sold, pursuant to the direction of the abovesaid act, by some sheriffs in this province who have been removed by death or otherwise before any title made or deeds executed to the purchaser for the said lands or hereditaments so sold, by reason whereof great inconveniencies have arisen both to the purchaser and debtor:

For remedy whereof and to prevent such inconveniencies for the future:

[Section I.] Be it enacted by the Honorable Patrick Gordon, Esquire, Lieutenant-Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That where the sheriff or other proper officer hath heretofore taken in execution, and either with or without any writ of *venditioni exponas* sold any land or hereditaments, and hath happened to die or be removed before a title made or deeds executed for the same, according to the directions of the said act; or whensoever it shall happen hereafter that any sheriff or other proper officer shall, pursuant to the said act, take in execution and sell any lands or hereditaments and shall happen to die or be removed from his said office before the deeds shall be executed or title made for the same to the purchaser, then and so often and upon all such accidents the plaintiff or person in whose behalf execution was levied may apply to the court of common pleas for the county where judgment was obtained and set forth to them his case, with the reasons why his title was not duly perfected by the preceding or former sheriff; and the said court may thereupon, as they shall see cause and as justice and equity shall require, order and direct

the sheriff for the time being to complete any such title and execute such deeds as aforesaid; and upon such order obtained as aforesaid and entered on the records of the court, it shall and may be lawful to and for the present and all succeeding sheriffs and they are hereby empowered and required (upon the full discharge and payment of the money or price of such lands or hereditaments with such charges as remain unpaid to the former sheriff) to make, execute and deliver any deed or deeds duly executed and acknowledged in court, and to perform and do all other matters and things which by the former sheriff might, could or ought to have been done in and about the premises, according to the direction of the said-recited act, which shall be deemed and adjudged as effectual in law as if the same had been done and finished by the said preceding sheriff, any law, usage or custom to the contrary in anywise notwithstanding.

Provided nevertheless, That this act or anything therein contained shall not extend to disannul, alter or make void the said-recited act or any part thereof, save only what is herein and hereby expressly altered and supplied.

Passed August 27, 1727. Repealed by the Act of Assembly passed March 23, 1764, Chapter 510.