

as aforesaid, shall be used gratis in all cases of fire, and by all teamsters and travellers going and passing through said town.

SECT. V. *And be it further enacted by the authority aforesaid,* That if the said James Barton and George Biddis, their heirs or assigns, shall suffer the said water works, or any part thereof, to be out of repair for more than twelve hours at any one time, or shall fail to supply the inhabitants of the town of Milford aforesaid, with water by means of said water works, for a space of time exceeding six days, they shall forfeit and pay, for every such neglect, a sum not exceeding twenty dollars, to be recovered by action of debt, by any inhabitant of said town who shall sue for the same before any justice of the peace of the county of Pike, in the same manner as debts under one hundred dollars are now recoverable.

Penalty on proprietors for neglect.

SECT. VI. *And be it further enacted by the authority aforesaid,* That if the said James Barton and George Biddis, their heirs or assigns, shall, at any time hereafter, misuse or abuse the privileges hereby granted, the legislature may, at any time thereafter, resume all and singular the rights, privileges and franchises hereby granted to the same James Barton and George Biddis.

Misuser to work for-  
feiture.

JACOB HOLGATE, *Speaker*  
*of the House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the thirteenth day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

CHAPTER CXXVIII.

AN ACT to amend the act, entitled "An act directing the mode of selling unseated lands for taxes, and for other purposes."

SECT. I. *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 treasurers of the several counties in this commonwealth, shall be, and they are hereby respectively authorized and directed, to commence on the second Monday in June, in the year one thousand eight hundred and sixteen, and at the expiration of every two years thereafter, and adjourn from day to day if it shall be found necessary so to do, and make public sale of the whole or any part of such tracts of unseated lands, situate in the proper county, as will pay the arrearages of the taxes, any part of which shall then have remained due and unpaid for the space of one year before, together with all costs necessarily accruing by reason of such delinquency, and to make and execute a deed or deeds, in fee simple, in the manner directed by the act to which this is a further supplement; and it shall be the duty of the said county treasurer, to give at least sixty days notice of the time and place of such sales, the

County treasurers when to commence the sale of land for taxes—and make deeds for lands sold.

Sixty days notice of sales

to be given  
in certain  
newspapers.

Penalty of  
\$50 for ne-  
glect,  
but such ne-  
glect not to  
invalidate the  
sale.

How titles to  
be completed  
in case of the  
death of trea-  
surer, &c.

Mode of re-  
covering pur-  
chase money,  
&c.

In what man-  
ner and under  
what condi-  
tions owners  
of lands sold  
may redeem  
them.

township or townships in which the said tracts of land are respectively situated, the number of acres contained in each tract, and the names of the warrantees or owners thereof, and the sums due upon each tract for taxes, at least four times in one daily newspaper in the city of Philadelphia, and in one other newspaper in or nearest to the county where such lands lie, under the penalty of fifty dollars, in each and every case, to be recovered by the owner or owners of the land sold as aforesaid, as debts of like amount are by law recoverable, but the neglect of such treasurer to cause the said publications to be made, shall not, in any case, invalidate any sale made in pursuance of the provisions of this act.

SECT. II. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, when any treasurer, who shall have made sale of unseated lands as aforesaid, shall die or be removed from office, before any deed or deeds are executed by him to the purchaser or purchasers, then, and in every such case, it shall be the duty of the treasurer for the time being, to perfect such title and execute a deed or deeds to the purchaser or purchasers, and they are hereby empowered and required, upon the full discharge and payment of the money or price for which the said lands were sold, with such cost and charges as remain unpaid to the former treasurer, to make, execute and acknowledge any deed or deeds, and to perform and do all other matters and things that by the former treasurer might, could or ought to have been performed or done, which, when done, shall be held and adjudged as effectual in law as if the title had been completed by the former treasurer.

SECT. III. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the purchasers at treasurers' sales, as soon as any deed or deeds shall have been tendered, after the deeds are acknowledged in the court of common pleas of the proper county, by the treasurer who made the sale, or his successor, as the case may be, to pay to the treasurer the amount of the purchase money, or such part thereof as shall be necessary to pay off the taxes and costs, and also to pay, in addition, the sum of one dollar for the use of the prothonotary for entering the acknowledgment of the deed; and in case the amount is not forthwith paid, it is hereby declared to be the duty of the treasurer to bring an action of debt, in the name of the proper county, for the same, in such courts as debts of equal amount are by law recoverable, and when judgment is obtained there shall be no stay of execution, nor shall it be competent for the defendant in such suit, to give, in evidence, any irregularity in the assessments or proceedings of the commissioners or treasurer, touching any sale made in pursuance of this act.

SECT. IV. *And be it further enacted by the authority aforesaid,* That if the owner or owners of lands sold as aforesaid, shall make, or cause to be made, within two years after such sale, an offer or legal tender of the amount of the taxes for which the said lands were sold, and the costs, together with the additional sum of twenty-five per cent. on the same, to the county treasurer, who is hereby authorized and required to receive and receipt for the same, and to pay it over to the said purchaser upon demand, and if it shall be refused by the said treasurer, or in case the owner or owners of

lands so sold, shall have paid the taxes due on them, previously to the sale, then, and in either of these cases, said owner or owners shall be entitled to recover the same by due course of law, but in no other case and on no other plea, shall an action be sustained, and it is hereby declared that so much of the act to which this is a supplement, as requires notice of the taxes being due and sale thereon to be given in certain public newspapers, is repealed, and that no alledged irregularity in the assessment, or in the process or otherwise, shall be construed or taken to affect the title of the purchaser, but the same shall be declared to be good and legal: *Provided*, That where the owner or owners of land sold as afore-

*Provided*, That where the owner or owners of land sold as afore-  
said, shall, at the time of such sale, be an orphan or orphans, or  
insane, and residing within the United States, two years after such  
disability is removed, shall be allowed such person or persons, their  
heirs or legal representatives, to bring their suit or action for re-  
covery of the lands so sold, but where the recovery is affected in  
such cases, the value of the improvements made on the land so sold,  
after the sale thereof, shall be ascertained by the jury trying the  
action for recovery, and paid by the person or persons recovering  
the same, before he, she or they shall obtain possession of the  
lands so recovered.

**SECT. V.** *And be it further enacted by the authority aforesaid,*  
That if any tract of unseated land, hereafter to be sold for taxes  
due at this time, or which shall hereafter be imposed, shall not have  
been advertised, and the costs accrued, then, and in that case, it shall be the duty of the commissioners of the proper county,  
or any one of them, to bid off the same, and a deed shall there-  
upon be made by the treasurer to the commissioners for the time  
being, and to their successors in office, to and for the use of the  
proper county, and it shall be the duty of the commissioners to  
provide a book, wherein shall be entered the name of the person as  
whose estate the same shall have been sold, the quantity of land,  
and the amount of taxes it was sold for, and every such tract of  
land shall not thereafter, so long as the same shall remain the pro-  
perty of the county, be charged in the duplicate of the proper col-  
lector; but for five years next following such sale, if it shall so long  
remain unredeemed, the commissioners shall, in separate columns  
in the same book, charge every such tract of land with reasonable  
county and road tax, according to the quality of the said land, not  
exceeding in any case the sum of six dollars for every hundred acres.

**SECT. VI.** *And be it further enacted by the authority aforesaid,*  
That the right of redemption shall remain in the real owner of  
such land for five years after such sale, and on paying the treasurer  
of the county all the taxes and costs due thereon at the time of  
sale, and interest therefor for the same time, and also the taxes  
which shall have been assessed thereon from year to year after the  
sale, and interest of each assessment to be counted from the time  
it ought to have been paid, and on the production of the treasurer's  
receipt, the commissioners shall, by deed poll, endorsed on the back  
of the treasurer's deed to them, convey to the person who shall  
have been the owner of the land at the time of sale, or his legal re-  
presentative, all the right and title which the county may have ac-

Proviso.

When lands shall be purchased in for the use of the county.

Not to be taxed while belonging to the county.

But for five years after the sale the commissioners shall in a separate column charge, &c.

Such lands may be redeemed by the owners within five years, &c.

Mode of conveyance.

quired under such sale as aforesaid; the monies so received for road taxes shall be paid to the supervisors of the roads of the township within which such lands shall lie, on orders to be drawn by the commissioners on the treasurer, to be applied by them in making and repairing the roads and highways in their respective townships.

After expiration of five years commissioners to sell such lands.

SECT. VII. *And be it further enacted by the authority aforesaid,* That if the owner of any such land shall not redeem the same within the period aforesaid, it shall thereafter be lawful for the commissioners to sell any such land, by public sale, and make a deed therefor to the purchaser, which shall be available in law, as well against the county as against the person or persons as whose estate the same had been sold, but no tract shall be sold for a sum less than the amount of taxes, costs and interest which shall be due at the time of such sale by the commissioners, and such land shall thereafter be charged by the township assessors in the name of such last purchaser or redeemer, as other lands of equal value may be charged, and shall again be liable to be assessed and sold for taxes, agreeably to this act and the act to which this is a supplement.

Tax may be paid in advance.

SECT. VIII. *And be it further enacted by the authority aforesaid,* That any board of commissioners may direct the treasurer of the proper county to receive in advance, for any term not exceeding six years, a sum which in their estimation shall be equal to the taxes that ought to be imposed on any such land or lands, during the period for which they shall so compound with the owner as aforesaid.

Form of the deed.

SECT. IX. *And be it further enacted by the authority aforesaid,* That the form of the deed required by this act to be executed by the treasurer to the commissioners, may be in the following words, viz. "Whereas, a tract of unseated land containing \_\_\_\_\_ acres, situate \_\_\_\_\_ township, in the county of \_\_\_\_\_ surveyed to \_\_\_\_\_ hath been rated and assessed with divers taxes, to wit, county taxes \_\_\_\_\_ dollars, and road taxes \_\_\_\_\_ dollars, which remain unpaid, and the treasurer having offered the same for sale, agreeably to law, and no person bidding therefor a sum equal to the amount of taxes due, and the costs of advertising and sale, it therefore became the duty of the commissioners to buy the same, which they have accordingly done on the \_\_\_\_\_ day of \_\_\_\_\_ last past, for the sum of \_\_\_\_\_ dollars. Now, this indenture witnesseth, that I, \_\_\_\_\_ treasurer of said county, do, for and in consideration of the said sum, grant, bargain and sell the said tract of land to \_\_\_\_\_ commissioners of said county, to hold to them and their successors in office for ever, subject to the redemption allowed by law. In witness whereof, I have hereunto set my hand and seal, the \_\_\_\_\_ day of \_\_\_\_\_

Sealed and delivered in }  
the presence of } (Seal.)  
Acknowledged by the grantor before \_\_\_\_\_ one  
of the justices of the peace of the county of \_\_\_\_\_  
Witness the hand and seal of said justice, the \_\_\_\_\_ day of \_\_\_\_\_

(Seal.)"

All which sales to the commissioners, shall be entered by their clerk in their book of minutes, as well as any redemption which may happen, and sales by them after the right to redeem is passed over.

SECT. X. *And be it further enacted by the authority aforesaid,* Commissioners to have this act published. That it shall be the duty of the commissioners of each county wherein a newspaper shall be printed, to cause this act to be published at least three times, in at least one newspaper published in said county, and the commissioners of the city and county of Philadelphia, shall also cause the same to be published at least three times in two of the newspapers in the city of Philadelphia.

SECT. XI. *And be it further enacted by the authority aforesaid,* Repeal of part of former acts. That such parts of the act to which this is a supplement, and so much of any other act of assembly, as are altered or supplied by this act, be, and the same are hereby repealed.

JACOB HOLGATE, *Speaker*  
*of the House of Representatives.*

JOHN TOD, *Speaker of the Senate.*

APPROVED—the thirteenth day of March, one thousand eight hundred and fifteen.

SIMON SNYDER.

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CHAPTER CXXIX.

An ACT declaring Tioga river, in the county of Tioga, a public highway.

SECT. I. *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 Tioga river, from the line of the state of New York, to Peter's Camp, in the county of Tioga, shall be, and the same is hereby declared a public highway, for the passage of rafts, boats and other water carriage, and it shall and may be lawful for the inhabitants desirous of using the navigation of said river, to remove all natural and artificial obstructions which may be in the same, excepting bridges, dams for mills and other water works, and also to erect ~~ch slopes~~ at the mill dams now built on said river, as may be necessary for the passage of rafts, boats and other water carriage: *Provided* such slopes be so constructed, as not to injure the work of said dams, or alter the head or fall of said stream: *And provided also,* That any person or persons owning or possessing lands on said river, shall have liberty to construct any dam or dams across the same, agreeably and subject to all the restrictions and provisions of an act of the general assembly of this commonwealth, passed the twenty-third day of March, one thousand eight hundred and three, entitled "An act to authorize any person or persons owning lands adjoining navigable streams of water, declared public