

although the lots may not have been taxed or sold in the name of the real owner thereof.

JOHN WEBER, *Speaker*  
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-first day of February, one thousand eight hundred and ten.

SIMON SNYDER.

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CHAPTER XXXIII.

*An ACT relating to the patenting of lands.*

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 all the provisions of the first section of the act, entitled “An act to encourage the patenting lands, and for other purposes;” passed the fourth day of April, one thousand eight hundred and five, shall be, and the same hereby are re-enacted and continued until the first day of November, in the year one thousand eight hundred and eleven, and no longer.

The act of April 1805 revived and extended until November, 1811.

SECT. II. *And be it further enacted by the authority aforesaid,* That so much of the act, entitled “An act directing the mode of settling accounts in the land-office, and to prevent frauds in obtaining warrants for land;” passed the thirteenth day of April, one thousand eight hundred and seven, as directs the receiver-general of the land-office, on the settlement of any account for monies due on lands within the purchases made of the Indians, in and prior to the year one thousand seven hundred and sixty-eight, to ascertain the amount of principal and interest due at the time of passing said act, and upon the aggregate amount so found due, to charge interest until the amount of the account is discharged, be, and the same is hereby suspended until the aforesaid first day of November, in the year one thousand eight hundred and eleven, and no longer, until which time patents may be granted upon paying, or securing by mortgage, the purchase money due, with interest on the principal sum, only to the time of such payment or execution of such mortgage.

The act directing the mode of settling accounts in the land office, &c. suspended until November 1811.

Who mortgages may be executed by.

SECT. III. *And be it further enacted by the authority aforesaid,* That any mortgage or mortgages under the said act, may be executed by any duly constituted trustee or trustees holding lands, or by the guardian or guardians of minors duly appointed, or by executors to whom the sale or disposal of the land to be mortgaged, is given by the last will and testament of their testator, and patents may be received by them respectively, for the use

And who the same may be

and benefit of those entitled, and any mortgage in pursuance of acknowledged said act, may be acknowledged before the secretary of the land-<sup>ged before.</sup> office, or magistrate authorized to receive the acknowledgment of deeds.

SECT. IV. *And be it further enacted by the authority aforesaid,* That any such mortgage may be executed and acknowledged by attorney duly constituted by letter of attorney, and such letter of attorney, the same being duly acknowledged before any of the judges of the supreme court, or before any president or associate judge of any court of common pleas in this state, or before any justice of the peace of the county in which the land may lie, shall be filed in the office of the secretary of the land-office, a copy whereof, and also a copy of any such mortgage being duly certified under the seal of said office shall, in all cases, be as legal and sufficient evidence as the originals themselves might or could be. <sup>Mortgages may be executed by attorney.</sup> <sup>Before whom.</sup> <sup>Copies of said mortgages to be evidence.</sup>

SECT. V. *And be it further enacted by the authority aforesaid,* That any person or persons who have executed, or hereafter shall execute any such mortgage, his or their heirs, executors, administrators or assigns, may at any time before the days of payment be permitted to pay the whole amount of principal and interest to that time, in full discharge of any such mortgage: *Provided nevertheless,* That said mortgagor or mortgagors, his or their heirs, executors, administrators or assigns, may at any time before the day or days of payment, be permitted to pay a lesser number than the whole of the instalments to become due, and a deduction of so much interest as would have accrued upon said instalments, if not discharged previously to the time or times when they were respectively made payable, and he or they may have an acquittance indorsed on the mortgage for such instalment or instalments so as aforesaid paid. <sup>Mortgagors may at any time pay the principal and interest, &c.</sup> <sup>Or any part thereof.</sup>

SECT. VI. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the prothonotaries of the city of Philadelphia, and in each and every county of this commonwealth, to read, or cause to be read, in open court, this act, and the act to which this has reference, on the third day of each and every term for the space of one year, in order that the citizens may have full information of the provisions in these acts contained. <sup>Duties enjoined on the several prothonotaries.</sup>

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