

[No. 116.]

AN ACT

For better securing the payment of ground rents.

SECTION 1. *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 in all actions of covenant hereafter brought in any court of record, upon any covenant for the payment of rent on any ground rent deed, if the sheriff or other officer, to whom any writ of summons is directed, shall make return of the same with "nihil" endorsed thereon, it shall and may be lawful for the plaintiff or plaintiffs to sue out an alias writ of summons, returnable in like manner as other writs of summons; and thereupon, if the said sheriff or other officer shall make return of the said alias writ with "nihil" endorsed thereon, the said return of two "nihil" shall be in all respects equivalent to actual service of the same, as is now the practice in cases of scire facias on judgments and mortgages: *Provided however,* That it shall be the duty of the said sheriff or other officer to give notice of the said alias writ, by serving a copy thereof on the tenant in possession of the premises, if any, or if there be no such tenant, by posting a copy of the same on some conspicuous part of the premises, at least ten days previous to the return day thereof, and also by publication in one or more newspapers, in such manner and for such time as the court by rule or otherwise shall direct: *And provided also,* That the plaintiff or plaintiffs shall have filed within two weeks after the return day of the first writ of summons, in the office of the prothonotary of the said court, a copy of the deed on which the suit is brought.

WM. HOPKINS,

Speaker of the House of Representatives.

W. T. ROGERS,

Speaker of the Senate.

APPROVED—The eighth day of April, one thousand eight hundred and forty.

DAVID R. PORTER.