

ments are hereby declared to be a lien upon the land surveyed; and the commissioner of the land office is authorized in his discretion, whenever the amount involved justifies it, to enforce said lien either by appropriate action in the name of the State in a court of competent jurisdiction or by a sale of the certificate of survey, which sale shall be conducted in the following manner: He shall first give notice in writing to the party in whose name said certificate was returned, or to the assignee thereof, that unless the amount of the fees, composition or purchase money and value of improvements due on said certificate is paid within the time specified in such notice, not less than two months from the date thereof, the said certificate will be offered for sale, and if the amount due the State, as aforesaid, is not paid within the time specified in said notice, the commissioner of the land office may sell said certificate at public auction for cash after reasonable notice of such sale inserted in some newspaper published in the county where the land lies, the commissioner reserving the right to reject any bid if he deems the price offered inadequate; and the purchaser of such certificate shall be entitled to a patent thereon upon the payment of the price bid and the fees for patent, in the same manner as an assignee of the certificate would be entitled to a patent under the rules of the land office, upon exhibition of the proof of assignment. This section to apply only to those cases in which more than one year has elapsed since the date of warrant, and nothing herein contained shall prevent any person from obtaining a proclamation warrant on such certificate as fully as if this section had not been enacted. If the amount involved does not justify in proceeding as above, the commissioner, after giving at least two months' notice in writing to the owner of the certificate of the amount due thereon for fees and composition money, and the same is not paid within two months after such notice, then such certificate may be vacated and annulled, and the vacant land included in such certificate may be taken up by any one in the same manner as other vacant land. If however, the said notice is returned unserved by reason of the owner of the certificate not being found by the sheriff of the county where the vacant land embraced in said certificate is situated or where the owner resides, or is dead, or for any other cause the said notice can not be served, the commissioner of the land office may then give at least four weeks' notice in some newspaper printed and published in the county where the land lies, that the examiner's fee and composition money is not paid as provided in the notice aforesaid; the land commissioner may, after the expiration of two months from the date of the last publication of said notice, the examining fee and composition money still remaining unpaid, vacate and annul such certificate, and the land included in such certificate may be taken up by any one in the same manner as other vacant land. And the costs of issuing any such notice, service or advertisement, shall be paid by the owner of such certificate, and if dead, be a preferred claim against the decedent's estate, if the said estate, is not finally administered; and such costs shall be collected by the sheriffs of the several counties and Baltimore city, as fees of the land office are collected.