

enforcement of said lien shall be governed in all respects by the provisions of the act of May sixteenth, one thousand nine hundred twenty-three (Pamphlet Laws, two hundred seven).

Saving rights of intervening purchasers, mortgagees, etc.

Section 3. The lien of any such taxes shall not reattach against, and the county treasurer shall have no right to sell for such taxes, any real estate transferred to any purchaser during the time when the lien of any such taxes was lost; nor shall the lien of any such taxes or the right to sell the real estate for such taxes impair or affect the priority of any mortgage, lien, or other encumbrance, which gained priority during the time when the lien for such taxes was lost.

Where the taxes and fees and costs are paid on liened property, duty to satisfy the records.

Section 4. Where any taxes have heretofore been filed as liens in the office of the prothonotary by the county treasurer, and said taxes, together with fees and costs, are collected or received by the county treasurer, the county treasurer shall have the power, and his duty shall be, to mark satisfied the records of the prothonotary on which such liens have been entered.

When effective.

Section 5. This act shall become effective immediately upon final enactment.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 560

AN ACT

To authorize counties to file suggestions for revival of certain tax liens; to revive such liens where more than five years have elapsed since said liens were filed or revived; and providing for the revival and collection of such liens.

Where failure to file suggestion of nonpayment and an averment of default within five years after lien filed to revive lien, may do so within six months after enactment of this act.

Section 1. Be it enacted, &c., That whenever any county has heretofore filed, in the office of the prothonotary of the proper county, any tax lien or tax liens, and the said county has not, within the period of five years after the date on which any such tax lien was filed or last revived, filed a suggestion of nonpayment and an averment of default to revive the same, then, in any such case, any such county may, within six months after the final enactment of this act, file a suggestion of nonpayment and an averment of default on any such tax lien for the revival thereof; and such suggestion of nonpayment, and averment of default so entered, shall constitute a valid revival of such lien, and be a lien upon the real estate upon which it was a lien at the time the lien was first filed, and said lien may be revived or further revived and collected as other tax liens are revived and collected: Provided, however, That any

Proviso.

such lien shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such tax lien was not revived, nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which gained priority during the time such lien was not revived.

This act shall become effective immediately upon its final enactment. When effective.

APPROVED—The 2d day of July, A. D. 1937.

GEORGE H. EARLE

No. 561

AN ACT

To protect the obligors or guarantors of bonds and mortgages, and owners of property affected thereby, and others indirectly liable for the payment thereof, by prohibiting, for certain periods, the foreclosure sale of mortgaged property at less than its fair market value; and prescribing the method of fixing the fair market value of said property.

Section 1. Be it enacted, &c., That hereafter, before any execution shall issue against the mortgaged premises on the foreclosure of any mortgage, or on a judgment entered on any obligation secured by mortgage, the plaintiff or plaintiffs shall either—(1) file a statement in the court having jurisdiction over such execution, certifying, under oath, that he or they release and discharge the obligors and guarantors and any other parties liable, directly or indirectly, on the mortgage debt and the owners of the property affected thereby from all personal liability on the mortgage debt, interest, costs, taxes, and municipal claims; or (2) petition the court having jurisdiction to issue such execution to fix the fair market value of the property to be sold. Said petition shall be signed and sworn to by the plaintiff or plaintiffs.

Release.

Petition to fix fair market value.

Section 2. The petition shall set forth:

(a) The location, by address or description, of the mortgaged real estate to be sold, the name or names of the mortgagors and all other persons known to petitioner to be or who may be, directly or indirectly, liable to petitioner or any other person for the payment of said mortgage debt.

Contents of petition.

(b) A statement of the fair market value of said property, and

(c) Shall name as respondents and state the addresses of the obligors and guarantors and any other persons, directly or indirectly, liable to petitioner for the payment of said mortgage debt and the owners of the property affected thereby.