

No. 305.

AN ACT

Validating ordinances and proceedings by councils in boroughs for the paving and curbing of public highways, and validating municipal liens therefor when they have not been filed in time.

Section 1. Be it enacted, &c., That whenever in any borough in this Commonwealth prior to the passage of this act a highway or part thereof has been improved by being paved, graded, or paved and curbed with brick or other paving and curbing material, in the pursuance of authority of an act of Assembly, and an ordinance passed and enacted in pursuance thereof, and the costs and expenses or part thereof of the improvement assessed on the abutting property owners, as provided by the ordinance and act of Assembly authorizing and directing such improvement, and a municipal claim or lien has been filed against the property therefor, but owing to some defect in the ordinance, assessment or for any other reason the ordinance or proceeding by the council authorizing and directing the improvement and making the assessment therefor, or the proceeding in the filing of any municipal claim or lien therefor, are for any reason defective or invalid, or where by reason of the fact that the interest of the person or corporation named in the lien as owner or reputed owner is an estate in the mineral only, whether as tenant or as owner thereof, it might or could be contended that the land described in the lien is not bound thereby, and especially in any case in which the borough solicitor has failed to file said lien in the prothonotary's office within the time provided by law, such ordinance and proceedings authorizing the improvement and making the assessment therefor and any municipal claim or lien filed therefor are hereby validated and made binding for the amount justly and equitably due and payable on account of such grading, paving, and curbing: Provided, That this act shall not apply to any proceeding, suit, or lien wherein a final order or judgment of any court of record has already been made or entered: And provided further, That this act shall not validate any lien against any property which has been conveyed to a bona fide purchaser thereof subsequent to the expiration of the period prescribed by law for the filing of such liens and prior to the time of the filing thereof, or give the lien thus filed priority over any bona fide lien or liens filed, entered, or recorded, or which shall have otherwise attached

Boroughs.

Ordinances and proceedings for improving highways.

Validation.

Proviso.

Proviso.

subsequently to the time prescribed by law for the filing of such municipal lien and prior to the time of the filing thereof.

APPROVED—The 12th day of May, A. D. 1925.

GIFFORD PINCHOT.

No. 306.

AN ACT

Validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Municipalities.

Proceedings and elections to increase indebtedness.

Validation.

Section 1. Be it enacted, &c., That all proceedings and elections heretofore had and held by any county, city, borough, township, school district, or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an act of Assembly, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same and to impose penalties for the illegal increase thereof," approved the twentieth day of April, one thousand eight hundred and seventy-four, and the acts amendatory thereof and supplementary thereto, where the majority of votes cast at such election was in favor of the increase of indebtedness, be and the same are hereby ratified, confirmed, and made valid, notwithstanding the authorities of such county, city, borough, township, school district, or other municipality or incorporated district either did not or by separate and independent action did not, prior to the ordinance or vote in pursuance of which notice of election was given to the electors, signify their desire for such increase of indebtedness, or did not, in the words of the act and amendments and supplements aforesaid authorizing such increase, signify their desire for such increase of indebtedness, notwithstanding the authorities of such county, city, borough, township, school district, or incorporated district signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by said act, amendments, and supplements, and said resolution was not advertised as is required by law for the advertisement of ordinances, and notwithstanding