

and making the assessment, or filing the lien therefor, or the proceedings in 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 owners is an estate in the minerals 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 the case the lien has not been filed within the time prescribed by law, such ordinance and all 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, curbing and draining: Providing, That this act shall not apply to any proceeding, suit or lien whereon 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 then existing against the property.

Proceedings and  
municipal claims  
validated.

Proviso.

Proviso.

APPROVED—The 30th day of March, A. D. 1927.

JOHN S. FISHER

No. 58

### AN ACT

Validating proceedings by borough councils for the grading, paving and curbing of streets and thoroughfares and validating municipal liens therefor.

Section 1. Be it enacted, &c., That whenever, in any borough in this Commonwealth, prior to the passage of this act, a public street or thoroughfare, or part thereof, either cartway or footwalk, has been graded, paved, curbed, or macadamized, with brick, stone, or other suitable material, or has been otherwise improved, in the pursuance of authority of an ordinance, passed and enacted relative thereto, and the costs and expenses, or part thereof, the improvement, assessed on the abutting property owners, as provided by the ordinance, and a municipal claim or lien has been filed against the property therefor; but owing to some defect in the petition, action of council, notice of publication, or other proceeding,

Boroughs.

Proceedings for  
improving streets.

Municipal liens.

Validation.

Not to apply  
where judgment  
has been entered.Nor as against  
property in hands  
of bona fide pur-  
chaser.

necessary under existing laws and ordinance to give jurisdiction to such council, or because of noncompliance with existing law as to publication of copies of ordinance, posting of hand-bills, advertising before the purchase of material and supplies, or letting of contracts, or because the ordinance itself or the official record book containing the same has been lost, mislaid, or destroyed, or has not been transcribed in the official record book, or for any other reason, the ordinance or proceedings authorizing and directing the improvement and making the assessment therefor, or the proceeding in the filing of any municipal claim or lien therefor, are defective or invalid, and the cost of such improvement, or a portion thereof, cannot be legally assessed upon the property abutting upon the street, or part thereof, improved; now, by this act, such ordinance and proceedings, authorizing the improvements and making the assessment therefor, the said improvements, 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 improvement.

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; or 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, 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 30th day of March, A. D. 1927.

JOHN S. FISHER

No. 59

AN ACT

To amend clause five of section four hundred and twenty-one of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred forty), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto," as amended; regulating second class township appropriations for the purchase and maintenance of fire apparatus, and for fire houses.

Townships of the  
second class.

Section 1. Be it enacted, &c., That clause five of section four hundred and twenty-one of an act, ap-