

Writ of scire
facias to reduce
claim to judg-
ment after
five years.

Validity of
judgment and
lien.

Revival and
collection.

When lien shall
not reattach, etc.

When effective.

judgment, then, in any such case, any such city may, within three months after the passage and approval of this act, issue its præcipe for a writ of scire facias on any such municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon municipal claims; and such judgment shall be a valid judgment and be a lien upon the real estate upon which it was a lien at the time it was filed, and said judgment may be revived and collected as other judgments upon municipal claims are revived and collected: Provided, however, That the lien of any such judgment shall not reattach against any real estate transferred to any purchaser during the time when the lien of any such municipal claim was lost, nor shall the lien of any such judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the city to sue out the writ of scire facias within the five year period or was entered of record during the time the lien of such municipal claim was lost.

This act shall be in effect immediately upon final enactment.

APPROVED—The 22d day of May, A. D. 1933.

GIFFORD PINCHOT

No. 174

AN ACT

Authorizing county treasurers to make, execute, acknowledge, and deliver deeds of seated lands sold for delinquent taxes under the provisions of an act of Assembly of the Commonwealth of Pennsylvania, approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district, and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances," prior to its repeal, notwithstanding that said deeds were not made, issued, acknowledged, or delivered, and surplus bond not given, prior to said repeal; and authorizing the making, execution, acknowledgment, and delivery of said deeds by the county treasurers in office; and confirming the title to lauds so sold where the deeds have been made, executed, and delivered, and the surplus bonds filed, since the repeal of said act, and whether the said deeds were made, executed, or delivered by the county treasurer who made said sale during the term of his office or after its expiration, or by his successor in office.

Preamble.

WHEREAS, Under the provisions of the act, approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four), entitled "An act authorizing and empowering the county treasurers of the several counties of

this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district, and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances," the procedure was prescribed for the taking of the bond of the purchaser at said tax sale, after confirmation of said sale by the court, where the bid exceeded the taxes and costs, and declaring it the duty of the county treasurer to make the purchaser a deed in fee simple for the lands so sold, to be duly acknowledged in the court of common pleas; and

WHEREAS, By the provisions of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred eighty), the said act approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four) was repealed, and prior to the repeal thereof, the county treasurers of divers counties in the Commonwealth of Pennsylvania had sold seated lands for payment of delinquent taxes under the terms of said act and the purchaser had paid the amount of taxes and costs, but said sales, owing to exceptions or other reasons not attributable to any fault on the part of the purchaser, had not been fully consummated by the execution, acknowledgment, and delivery of deeds to the purchasers thereof, and, in certain instances, the purchaser had not executed and delivered to the county treasurer the prescribed bond for surplus moneys bid above said taxes and costs, and the term of office of some of said county treasurers has expired; therefore

Section 1. Be it enacted, &c., That in any and all cases where the county treasurer of any county of this Commonwealth, under the provisions of said act of Assembly, approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four), entitled "An act authorizing and empowering the county treasurers of the several counties of this Commonwealth to sell at public sale all seated lands upon which taxes assessed on such seated lands by authority of any county, borough, town, township, school district, and poor district are delinquent and remain unpaid, and fixing penalties for such delinquency; authorizing county commissioners to purchase such lands under certain circumstances," did, prior to the repeal thereof, expose to public sale and sold any seated lands in this Commonwealth for said delinquent taxes, and the purchaser or purchasers paid to the county treasurer the amount of said delinquent taxes and costs for which the same was sold, but the county treasurer failed for any reason to make, execute, acknowledge, and deliver to the said purchaser or purchasers a deed

Sales of seated
lands for taxes
under act of
May 9, 1929
(P. L. 1684).

Failure of
treasurer to give
deed prior to
repeal of act.

for said lands prior to the repeal of said act approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four), then, and in such case, the county treasurer in office may, within a period of six months after the approval of this act, the said purchaser or purchasers having first executed and delivered a proper bond for said surplus moneys as prescribed by the terms of said act, make, execute, acknowledge, and deliver a good and sufficient deed for said lands, so sold for delinquent taxes as aforesaid, to the said purchaser or purchasers as fully and to all intents and purposes as though said surplus bond had been given and said deed or deeds made, executed, acknowledged, and delivered prior to the repeal of said act.

Surplus bond executed.

Treasurer in office authorized to deliver deed.

Deeds made after repeal by treasurer or his successor.

Section 2. In all cases in which the county treasurer of any county within this Commonwealth may have sold seated lands for payment of delinquent taxes under the provisions of the said act approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four), and the purchaser or purchasers paid the amount of his, her, or their bid or the amount of taxes and costs to the said treasurer, but said county treasurer failed for any reason to make or execute or acknowledge or deliver a deed to the purchaser or purchasers for said lands prior to the repeal of said act approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four), but a deed for said seated lands has since been made, executed, acknowledged, and delivered to the purchaser or purchasers by the county treasurer who held the same, whether his term of office had expired or he remained in office at the time of said making, executing, acknowledging, and delivery thereof, or the said deed was made, executed, acknowledged, and delivered by his successor in office, the purchaser or purchasers, where the bid had exceeded the amount of taxes and costs, having made and executed a bond to the treasurer for the surplus money prior to the delivery of said deed, then the same shall be fully confirmed and approved, and the title of the purchaser or purchasers of said lands as valid to all intents and purposes as though the said deeds had been fully and regularly made, executed, acknowledged, and delivered by the then county treasurer and the surplus bond executed and delivered prior to the repeal of said act approved the ninth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred eighty-four).

Surplus bond executed.

Deeds confirmed and titles validated.

APPROVED—The 22d day of May, A. D. 1933.

GIFFORD PINCHOT