

No. 315

AN ACT

Validating certain proceedings of borough councils pursuant to the provisions of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, five hundred nineteen), entitled "An act concerning boroughs; and revising, amending and consolidating the law relating to boroughs," and the several supplements and amendments thereto.

Boroughs.

Ordinances not properly recorded.

Validation.

When effective.

Section 1. Be it enacted, &c., That whenever any ordinance, or resolution in the nature of an ordinance, heretofore passed by the council of any borough more than five years prior to the passage of this act, which shall have been approved by the burgess and advertised as required by law, but which shall not have been recorded by the borough secretary or clerk in a book provided for that purpose, and, as the result of said ordinance or resolution, any contract or obligation shall have been entered into or assumed by the borough and the contractor therein designated, the same shall be and is hereby validated, and shall be recorded and effective under the provisions of this section.

Section 2. This act shall become effective immediately upon its final passage.

APPROVED—The 3d day of June, A. D. 1933.

GLIFFORD PINCHOT

No. 316

AN ACT

To ratify, confirm, and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

Municipalities.

Bonds resting on assessments of property.

Validation.

Proviso.

Section 1. Be it enacted, &c., That whenever heretofore any municipal corporation has in good faith issued bonds or other obligations for the payment of the cost of a public improvement, on the assumption that such bonds were not debts of the municipality within the meaning and intent of article nine, section eight, of the Constitution, for the reason that such bonds or obligations were secured or to be secured by assessments against property benefited by such improvement, and were to rest alone for their security and payment upon such assessments, such bonds and obligations are hereby ratified, confirmed, and made valid and binding obligations and debts of the municipality, notwithstanding the fact that the corporate authorities of the municipality failed, either in whole or in part, to comply with the laws of the Commonwealth providing the method of incurring and increasing its indebtedness: Provided, how-

ever, That this act shall not be construed to validate any such issue of bonds or obligations as valid debts of the municipality, where the amount of any such issue, when added to the existing debt of the municipality, exceeds the limits of indebtedness permitted by the Constitution.

APPROVED—The 3d day of June, A. D. 1933.

GIFFORD PINCHOT

No. 317

AN ACT

Validating sheriff's sales of real estate on judgments of foreclosure in seire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the præcipe.

Section 1. Be it enacted, &c., That whenever a writ of seire facias sur mortgage has heretofore been issued against the real owner or owners of real estate without the original mortgagor or mortgagors having been joined as defendant or defendants, and a judgment of foreclosure secured in such case and the property sold by the sheriff, then, and in that event, the title acquired by the purchaser at such sale shall be a full and complete title even though the release of the holder of the mortgage to the original mortgagor or mortgagors, releasing him, her or them, and their heirs, executors and administrators, from all personal liability for the debt secured by the mortgage being foreclosed, was not filed before the issuance of the writ as required by law: Provided, That the original mortgagor or mortgagors, him, her or them, or their heirs, executors and administrators, be released by the mortgagee, his heirs, executors and administrators, from all personal liability for the debt secured by the mortgage by release filed in the proper office.

Sheriff's sales of real estate when release of original mortgagor was not filed.

Title validated.

Proviso.

Section 2. This act shall become effective immediately upon final enactment.

When effective.

APPROVED—The 3d day of June, A. D. 1933.

GIFFORD PINCHOT

No. 318

AN ACT

To validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisition where the sales were made under judgments upon the bonds, not containing waivers of inquisition, accompanying such mortgages.

Section 1. Be it enacted, &c., That whenever prior to the act, approved the sixth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred and fifty-seven), entitled "An act

Sheriff's sales of real estate without inquisition on bonds not containing waiver.