

organize at eight o'clock post meridian on the first Monday of January of each even-numbered year, by electing a president, treasurer, and secretary, which shall constitute the organization of council. *If the first Monday is a legal holiday, the meeting and organization shall take place the first day following at the hour herein prescribed.* The council may at the organization meeting elect such other officers as may be provided for by law or ordinance, or as may be deemed necessary for the conduct of affairs of the borough. The president shall preside over the meetings of council and, when absent, his place shall be filled by a president pro tempore. A majority of the entire membership of council shall constitute a quorum. The councilmen may receive compensation to be fixed by ordinance at any time and from time to time as follows: In boroughs whose population is seven hundred fifty (750) or less, a maximum of five dollars (\$5) a month; in boroughs whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500), a maximum of ten dollars (\$10) a month; in boroughs whose population is more than fifteen hundred (1500) and not more than twenty-five hundred (2500), a maximum of fifteen dollars (\$15) a month; in boroughs whose population is more than twenty-five hundred (2500) and not more than five thousand (5000), a maximum of twenty dollars (\$20) a month; in boroughs whose population is more than five thousand (5000) and not more than ten thousand (10,000), a maximum of fifty dollars (\$50) a month; and in boroughs whose population is more than ten thousand (10,000), a maximum of one hundred dollars (\$100) a month.

The population shall be determined by the latest United States decennial census or by two and one-half (2½) times the number of registered voters in the borough. No compensation shall be paid in any month to a councilman who has failed to attend at least one regular meeting of council during the month. A school director shall not be eligible to the office of member of council.

APPROVED—The 26th day of March, A. D. 1957.

GEORGE M. LEADER

No. 18

AN ACT

Authorizing counties, cities, boroughs, incorporated towns, townships, school districts, poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law; and to amend such claims when the property

affected is not sufficiently described; and to file suggestions of nonpayment and averments of default, or to sue out writs of scire facias on certain tax or municipal claims; and to revive judgments where the lien of such claims or the judgments thereon have been lost; and providing for the reinstatement of the liens of such claims and judgments.

Tax and municipal claims.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Filing of such claims in office of prothonotary even though not filed within the time specified by law, etc., authorized.

Section 1. Whenever any county, city, borough, incorporated town, township, school district, poor district or county institution district has heretofore failed to file in the office of the prothonotary of the county, any tax claim or municipal claim assessed against any property within the time limit required by law for such filing, whereby the lien of such tax or municipal claim is lost; or has heretofore filed any tax claim or municipal claim assessed against any property and in such claim has described the property against which the claim was assessed only by the name of the owner and the distance from a given point; or has heretofore filed in the office of the prothonotary of the proper county any tax or municipal claim and the county, city, borough, incorporated town, township, school district, poor district or county institution district has not, within the period of five years after the date on which any such claim was filed, sued out a writ of scire facias to reduce the same to judgment or has not done so in time, or, in the case of a tax or municipal claim, has not, within said period of five years, filed a suggestion of nonpayment and an averment of default; or whenever any writ of scire facias has been issued to reduce any such claim to judgment and by reason of defense or any other court proceedings or by reason of failure to file a praecipe on time judgment has not been entered within the period of five years after the date on which such writ was issued; or whenever any such tax or municipal claim has been reduced to judgment and the county, city, borough, incorporated town, township, school district, poor district or county institution district has not, within the period of five years after the date on which such judgment was entered or within five years after the date on which such judgment was last revived, filed a suggestion of nonpayment and an averment of default or sued out a writ of scire facias to revive the same; then, in any such case any such county, city, borough, incorporated town, township, school district, poor district or county institution district may, within six months after the effective date of this act, file such tax or municipal claim, or amend such claim so as to properly describe the property against which the claim is assessed, or issue its praecipe for a writ of scire facias on any

such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax or municipal claims, or, in case a writ of scire facias has been issued but the same has not been reduced to judgment within five years from the date of issuance, issue its praecipe for an alias writ of scire facias on any such tax or municipal claim and proceed to judgment in the manner provided by law to obtain judgments upon tax on municipal claims, or, in the case of a tax or municipal claim where no judgment has been entered, file a suggestion of nonpayment and an averment of default, or, in case judgment has been entered on a tax or municipal claim, either file a suggestion of nonpayment and an averment of default or issue its praecipe for a writ of scire facias on any such judgment and proceed to judgment in the manner provided by law to obtain judgments of revival; and such claim or judgment so entered or revived shall be a valid claim or judgment and be a lien upon the real estate upon which it was a lien at the time the claim was filed or the judgment was entered and said claim or judgment was entered, and said claim or judgment may be revived or further revived and collected as other claims or judgments upon tax or municipal claims are revived and collected: **Providso.** That the lien of any such claim or judgment shall not reattach against any real estate transferred to any purchaser before such claim is filed or during the time when the lien of any such tax or municipal claim or judgment was lost, nor shall the lien of any such claim or judgment impair or affect the priority of the lien of any mortgage or other lien which gained priority because of the failure of the county, city, borough, incorporated town, township, school district, poor district or county institution district to file such claim, or to properly describe the property against which the claim was assessed, or to sue out the writ of scire facias or file a suggestion of nonpayment and an averment of default within the five year period, or was entered of record during the time the lien of such tax or municipal claim or judgment was lost; nor shall any such lien so revived impair or affect the priority of the lien of any mortgage or other lien which was entered prior to the tax or municipal claim or which gained priority during the time such lien was not revived or was not effective.

Section 2. This act shall take effect immediately.

Act effective
immediately.

APPROVED—The 4th day of April, A. D. 1957.

GEORGE M. LEADER