

any ordinance, resolution, or ballots contained one or more lawful purposes to which the increase of indebtedness was to be applied, and notwithstanding the ballots were not certified or signed by the county commissioners or did not contain a brief statement of the purpose of the proposed increase of indebtedness or were not printed on the official ballot after the list of candidates, but were printed on separate ballots, and notwithstanding full, complete, and proper return of the votes was not made to the proper court or counted by the court or a record showing the results made and certified by the clerk of said court to the proper authorities of such district or municipality, and notwithstanding any defect or informality in the manner of holding, mode of conducting, or giving notice of such election or in the form of the ballot, and notwithstanding any mistake in stating in any ordinance, resolution, advertisement, or ballot the amount of percentage of the existing debt or the percentage of the proposed increase or patent error of orthography or of numerical statement on any or all of the ballots, and notwithstanding any discrepancy between the amount of the proposed increase of indebtedness as contained in the published and posted advertisements and in the printed ballot. All of the bonds, securities, and obligations issued or to be issued in pursuance of every such election are hereby made valid, binding obligations of every such county, city, borough, township, school district, or other municipality or incorporated district: Provided, That all the other requirements of law concerning such procedure, election, and issue of bonds have been complied with: And provided further, That the provisions of this act shall not apply in any instance where the validity of such election or of any issue of bonds or other security based thereon has been made the subject of litigation in any court of the Commonwealth prior to the approval of this act.

Securities validated.

Proviso.

Proviso.

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

GIFFORD PINCHOT.

No. 307.

### AN ACT

To validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens in the several boroughs of this Commonwealth; providing for the filing of claims and liens therefor, and the proceedings for the collection of such assessments and claims.

Section 1. Be it enacted, &c., That whenever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused

Boroughs.

Proceedings for  
municipal improve-  
ments.

Validation.

Assessment of  
cost.

Assessments vali-  
dated.

Lien.

to be graded, paved, curbed, or macadamized with brick, stone, or other suitable material, or otherwise improved any public street or thoroughfare or part thereof, either cartway or footwalk, or has caused sewers to be constructed therein or both pursuant to such ordinance or has caused ornamental lights to be erected pursuant to such ordinance or has by ordinance provided for the assessment against property owners of benefits for such improvement or of certain water or lighting rates or both, but owing to some defect in the petition, action of council, notice of publication, or other proceeding necessary under existing laws and ordinance to give jurisdiction to such council or because of non-compliance with existing laws as to publication of copies of ordinance and posting of handbills prior to or after the final passage of such ordinance 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 because of irregularity or error in the appointment of viewers to assess benefits against owners of property abutting along the line of the improvement or because of any irregularity or error in the method or procedure for the ascertainment of the amount of benefits to such property or in arriving at or determining the benefits assessed against such property or the time for filing said lien or making said claim has expired or claim has not been filed after notice to do so or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved, or owing to some defect in the statement of claim filed to secure the lien or the failure of the borough solicitor to file the lien in the court of common pleas or to sign the same for the cost of such improvement, payment thereof cannot be enforced as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made and statement of claim filed now by this act, such improvements are made valid and binding and the council of such incorporated borough may cause the property abounding or abutting on the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or attempted to be made or is now being made, and all such benefits or assessments made or determined are hereby ratified, confirmed, and validated. Such assessment or other assessment heretofore regularly made shall be a lien upon the property assessed. The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid

and satisfied: Provided, That a writ of scire facias is issued to revive the same during every period of five years after the lien is filed, as hereinafter provided.

Providso.

Section 2. The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after confirmation absolute of the report of the viewers, assessing benefits for such improvement, or within six months after the approval of this act where the improvement is now completed, and the same shall be entered upon record as other municipal claims. Such liens shall state the name of the party claimant, which shall be the corporate name of the borough making the improvement, name of the owner or reputed owner of the property assessed, a reasonable description of the property assessed, the amount or sum claimed to be due, which shall include interest on the assessment from the completion of the improvement, for what improvement the claim is made, the date of its completion, the date of the assessment for which the lien is filed. Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due, together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting.

Time for filing lien.

Contents of lien.

Prima facie evidence of facts therein.

Section 3. The claim when so filed shall be proceeded upon for collection by writ of scire facias: 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.

Procedure.

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

GIFFORD PINCHOT.

No. 308.

AN ACT

Validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other incorporated districts or municipalities had and held for the purpose of increasing the indebtedness of such municipalities or the refunding of the existing indebtedness to provide for the redemption of same, and validating bonds issued, or authorized to be issued, in pursuance to such proceedings and elections.

Section 1. Be it enacted, &c., That all proceedings and hearings heretofore had and held by any county, city, borough, township, school district, or other munic-

Municipalities.