

as hereinbefore provided shall be paid into the Municipal Employes' Retirement Fund, and shall be credited to the municipal account of said fund for the benefit of the police of said city, borough, town or township who are members of said Municipal Employes' Retirement System. In any city, borough, town or township in which there is no police pension fund, or in which city, borough, town or township the police have not elected to join any such Municipal Employes' Retirement System, the amount received by the treasurer of the city, borough, town or township from said tax shall be forthwith paid into the State Employes' Retirement Fund, and shall be credited to the accumulated deductions of members of the Pennsylvania State Police in proportion to the respective amounts contributed by such members during the period said tax was collected. Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several cities, townships, towns and boroughs in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same.

Inconsistent acts repealed.

Section 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED—The 12th day of May, A. D. 1943.

EDWARD MARTIN

No. 121

AN ACT

To authorize 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 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.

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

Tax claim;
municipal claim
—failure to file
or perfect.

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 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 one year after the effective date of this act file such tax or municipal claim, or issue or reissue 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 or 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 reviewed shall be a valid claim or judgment and be a lien upon the real estate upon which it was assessed or upon which it was a lien at the time the claim was filed or the 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: Provided, however, That the lien of any such claim or judg-

Remedy within one year of effective date of act.

ment shall not attach or 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 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.

Act effective immediately.

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

APPROVED—The 18th day of May, A. D. 1943.

EDWARD MARTIN

No. 122

AN ACT

To reenact and further amend the title of and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (Pamphlet Laws, fifty-three), entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance, and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," including institutions of wards, boroughs, townships and other political subdivisions under the terms thereof; and providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions.

Mental institutions.

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

Section 1. The title and all of the sections of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (Pamphlet Laws,