

or filing the lien therefor, or the proceedings in filing of any municipal claim or lien therefor, are for any reason defective or invalid, or where by reason of the fact that the interest of the person or corporation named in the lien as owner or reputed owner is an estate in the minerals only, whether as tenant or as owner thereof, it might or could be contended that the land described in the lien is not bound thereby, and especially in the case the lien has not been filed within the time prescribed by law; such ordinance and all proceedings authorizing the improvement and making the assessment therefor, and any municipal claim or lien filed therefor, are hereby validated and made binding for the amount justly and equitably due and payable on account of such grading, paving, curbing, and draining: Provided, That this act shall not apply to any proceeding, suit, or lien whereon a final order or judgment of any court of record has already been made or entered: *And provided further, That this act shall not validate any lien against any property which has been conveyed to a bona fide purchaser thereof subsequent to the expiration of the period prescribed by law for the filing of such liens and prior to the time of the filing thereof, or give the lien thus filed priority over any bona fide lien or liens then existing against the property.*

Validation.

Proviso.

APPROVED—The 21st day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 41.

AN ACT

Validating certain proceedings and elections of counties, cities, boroughs, townships, school districts, and other municipalities or incorporated districts had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections.

Section 1. Be it enacted, &c., That all proceedings and elections heretofore had and held by any county, city, borough, township, school district, or other municipality or incorporated district within this Commonwealth to increase its indebtedness under the method or procedure specified by the provisions of an act of Assembly, entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to im-

Municipalities.

Election to increase indebtedness.

pose penalties for the illegal increase thereof," approved the twentieth day of April, one thousand eight hundred and seventy-four, and the acts amendatory thereof and supplementary thereto, where the majority of votes cast at such election was in favor of the increase of indebtedness, be and the same are hereby ratified, confirmed, and made valid, notwithstanding the authorities of such county, city, borough, township, school district, or other municipality or incorporated district either did not, or by separate and independent action did not, prior to the ordinance or vote in pursuance of which notice of election was given to the electors, signify their desire for such increase of indebtedness, or did not, in the words of the act and amendments and supplements aforesaid authorizing such increase, signify their desire for such increase of indebtedness; notwithstanding the authorities of such county, city, borough, township, school district or other municipality or incorporated district signified their desire for such increase of indebtedness by a resolution instead of by an ordinance as required by said act, amendments, and supplements, and said resolution or ordinance was not advertised as is required by law for the advertisement of ordinances; and notwithstanding the ballots used at said election were not furnished or certified by the county commissioners or did not bear their facsimile signatures, 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 at a general election, or were printed on a party ballot at a primary election; 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 form of the ballot; and notwithstanding any mistake in stating the amount or percentage of the existing debt, or the percentage of the proposed increase, or the amount of the last preceding assessed valuation, 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,

Validation.

Failure to signify desire.

Ballots.

Return of votes.

Defect in manner of holding.

Mistake in percentage of increase, &c.

Validation of bonds.

Provide.

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 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.

Proviso.

APPROVED—The 21st day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 42.

AN ACT

To amend section two of an act, approved the seventeenth day of April, one thousand eight hundred and sixty-six (Pamphlet Laws, one hundred and ten), entitled "An act relating to poorhouses and lands."

Section 1. Be it enacted, &c., That section two of an act, approved the seventeenth day of April, one thousand eight hundred and sixty-six (Pamphlet Laws, one hundred and ten), entitled "An act relating to poorhouses and lands," is hereby amended to read as follows:

Section 2. Where the land connected with any poorhouse, within the State, shall be deemed insufficient for the comfortable and profitable maintenance and occupation of the poor, or where the land connected therewith shall be found to be useless, unnecessary, or unprofitable, it shall be lawful, in the first-named instance, for the county commissioners, on the recommendation of the directors of the poor, a grand jury, and the court of quarter sessions, of the proper county, to purchase such additional quantity of land, [not exceeding two hundred acres] and to take a deed or deeds, therefor, in the name of the county, as shall be thought necessary; and in the second-named instance, on like recommendation, to sell, at public sale, after due notice, such part of the land held, as shall be thought unnecessary and unprofitable to be held, and execute a deed, or deeds, therefor, to the purchaser.

If land connected with any poor house is insufficient.

County commissioners to purchase additional.

They may also sell unnecessary land.

APPROVED—The 23d day of March, A. D. 1925.

GIFFORD PINCHOT.