

any portion of the said land or improvements erected thereon.

Approval and form of deed of conveyance.

Section 2. The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

Disposition of proceeds.

Section 3. All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the General Fund.

Act effective immediately.

Section 4. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 25th day of July, A. D. 1953.

JOHN S. FINE

No. 155

AN ACT

To amend sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (Pamphlet Laws 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by providing that writ of certiorari shall not be a supersedeas unless bond is filed; and clarifying provisions as to required lapse of time before the issuance of notice of forcible ejection.

"The Landlord and Tenant Act of 1951."

Sections 506 and 509, act of April 6, 1951, P. L. 69, amended.

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

Section 1. Sections 506 and 509 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (Pamphlet Laws 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," are hereby amended to read as follows:

Section 506. Appeal; Certiorari.—Within five days after the rendition of judgment, either party may appeal to the next court of common pleas upon filing in that court a bond with one or more sufficient sureties, conditioned for the payment of all costs and rent that have accrued or may accrue up to the time of final judgment and for damages assessed, if any, in case the judgment shall be affirmed. Any such appeal shall be tried in the same manner as other suits are tried. Such appeal shall not be a supersedeas to the writ of possession in any case except upon special allowance of the court to which the appeal is taken.

If upon the appeal the jury shall find in favor of the tenant, they shall also assess any damages which he may have sustained by reason of his removal from the premises and judgment shall be entered for such damages and

costs and that the tenant shall retain or recover possession of the demised real estate, as the case may be. The tenant shall have the necessary writ or writs of execution to enforce said judgment.

A writ of certiorari to remove the proceedings before the justice of the peace may be had as in other cases and the court of common pleas shall review the same de novo.

*Such writ of certiorari shall not be a supersedeas to the writ of possession unless a bond with surety be filed containing the same conditions as required for filing an appeal as provided in this section.*

Section 509. Return Where Tenant Retains Forcible Possession; Notice to Tenant that Alias Writ Will be Issued Requiring Use of Force, and Service Thereof.—In any case brought by a landlord before a justice of the peace for the recovery of the possession of real property, if there is no supersedeas to the writ of possession, and the tenant or occupant forcibly detains the real property against the officer serving the writ of possession, the constable or sheriff shall make return of the writ as follows: "Unserved because the tenant or occupant forcibly detains possession of the real property."

Whereupon, after the expiration of [ten days from the rendition of judgment by the justice of the peace, as in this article provided, and] *five days from the issuing of the writ of possession to the officer, as in this article provided*, such officer shall notify, in writing, the tenant or occupant that an alias writ of possession will be issued setting forth his duty to use such force as may be necessary by the breaking in of any door, or otherwise to enter upon the real property for the purpose of executing a writ of possession in accordance with the judgment obtained.

Any such notice may be served personally on the tenant or occupant, or by leaving same at the principal building upon the premises, or by posting the same conspicuously on the leased premises.

APPROVED—The 25th day of July, A. D. 1953.

JOHN S. FINE

---

No. 156

AN ACT

To further amend the act, approved the second day of May, one thousand nine hundred forty-five (Pamphlet Laws 382), entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such