

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

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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

Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by providing for increase in number and change in term of members of Authority boards.

"Municipality Authorities Act of 1945."

Subsection A of section 7, act of May 2, 1945, P. L. 382, as last amended by act of January 21, 1952, P. L. 2188, further amended.

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

Section 1. Subsection A of section 7 of 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 Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," as last amended by the act, approved the twenty-first day of January, one thousand nine hundred fifty-two (Pamphlet Laws 2188), is hereby further amended to read as follows:

Section 7. Governing Body.—A. The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows:

(a) If the Authority is incorporated by one municipality the board shall consist of [five members, or in case of an Authority one or more projects of which extends or is to extend into or is leased or is to be leased to more than one municipality the board shall consist of] such number of members not less than five as shall be set forth in the articles of incorporation or amendment thereto. The governing body of such municipality shall appoint the members of the board, whose terms of office shall commence on the date of appointment. [and one of whom] *Unless otherwise provided in the articles of incorporation or amendment thereto, one member shall serve for one year, one for two years, one for three years, one for four years and one for five years from the January first next succeeding the date of incorporation, and if there [be] are more than five members of the board, their terms shall be staggered in a similar manner. Thereafter whenever a vacancy has occurred or is about to occur by reason of the expiration of the term of any*

member, the said governing body shall appoint a member of the board for a *like* term [of five years,] to succeed the member whose term has expired or is about to expire.

(b) If the Authority is incorporated by two or more municipalities, the board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority, but in no event less than five. When one or more additional municipalities join an existing Authority, each of such joining municipalities shall have such membership on the board as the municipalities then members of the Authority and the joining municipalities may determine by appropriate resolutions. Such member or members representing the joining municipality or municipalities shall be appointed, immediately upon the admission of such municipality or municipalities into the Authority, for the term of years provided in the application for membership required by section three point one of this act.

The members of the board, each of whom shall be a citizen of the municipality by which he is appointed or a citizen of a municipality into which one or more of the projects of the Authority extends or is to extend or to which one or more of said projects has been or is to [to] be leased, shall be appointed, their terms *fixed and staggered*, and vacancies filled, and where two or municipalities are members of the Authority, shall be apportioned in such manner as the articles of incorporation, the amendments thereof or the application for membership required by section three point one of this act shall provide. [No member shall be appointed for a term longer than five years.]

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

JOHN S. FINE

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No. 157

AN ACT

To amend the act, approved the first day of June, one thousand nine hundred forty-five (Pamphlet Laws 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by further regulating the deposit and amount of security; providing for reciprocity; fixing penalties for certain unlawful acts.