

vided, That a person entitled to dealer registration under clause (3) of the definition of "dealer" in section one hundred two of this act may only use dealer's registration plates for the purpose of transporting new motor vehicles, trailers or semi-trailers on their own wheels, and a person entitled to dealer registration under clause (4) of said definition may only use dealer's registration plates for the purpose of moving or operating a motor vehicle, trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired, demonstrating for sale, or which he is moving for delivery to a bona fide purchaser in the regular course of his business, [and a person entitled to dealer registration under clause (5) or (6) of said definition may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes,] and a person entitled to dealer registration under clause (7) of said definition may only use dealer's registration plates in direct connection with his own repair business for repairing, servicing, or delivering his own vehicles: Provided further, That in no event shall manufacturer's, jobber's, or dealer's registration plates be used for any purpose other than as limited in this section.

Penalty.—Any person violating any of the provisions of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

APPROVED—The 19th day of August, A. D. 1953.

JOHN S. FINE

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No. 319

AN ACT

To further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by requiring corporate surety in certain bonds.

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

Section 1. Sections 1055, 1103, 1105 and 1121 of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as reenacted and amended by the act, approved the tenth day of July, one thousand nine hundred forty-seven

"The Borough Code."

Sections 1055, 1103, 1105 and 1121, act of May 4, 1927, P. L. 519, as reenacted and amended by act of July 10, 1947, P. L. 1621, further amended.

(Pamphlet Laws 1621), are hereby further amended to read as follows:

Section 1055. Oath and Bond of Controller.—The borough controller shall, before entering upon the duties of his office, take and subscribe an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform the duties of his office with fidelity. He shall give bond to the borough [, with two or more sureties or] with a surety company to be approved by the council, in such sum as it may by ordinance direct, conditioned for the faithful discharge of his duties. The amount of said bond shall be sufficient to adequately protect the borough from any illegal or unfaithful action by the controller. The cost of such bond shall be paid by the borough.

Section 1103. Bonds.—Whenever an appointed officer or employe of any borough, is required to give bond, for the faithful performance of his duties, the borough may pay the premium thereon. *All bonds required to be given by borough officials or employes shall be with a surety company or other company authorized by law to act as surety.*

Section 1105. Bond and Duties.—The borough treasurer shall, before entering upon the duties of his office, give bond, [with surety as required by the borough council] *with a surety company or other company authorized by law to act as surety*, conditioned for the faithful performance of his duties. He shall keep a just account of all receipts and disbursements, and shall annually submit his account to the borough auditors or controller; he shall pay over all moneys remaining in his hands and deliver all books, papers, accounts, and other things belonging to the borough, to his successor. All moneys received by any officer, or other person, for the use of the borough shall be forthwith paid to the borough treasurer. He shall deposit all moneys received by him in a bank or banking institution in the name of the borough. All expenditures shall be paid out of funds in the treasury only when authorized by the treasurer, upon an order signed by the president of council and the borough secretary and also by the borough controller, if any. Such order shall not be executed unless there is money in the treasury available therefor.

Section 1121. Bond.—The borough solicitor shall, if council so requires, give a bond to the borough, [with two or more sureties, or one bonding company] *with a surety company or other company authorized by law to act as surety*, to be approved by the council, in such sum as it shall direct, conditioned for the faithful performance of his duty.

APPROVED—The 19th day of August, A. D. 1953.

JOHN S. FINE