
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **223** Session of
1961

INTRODUCED BY MESSRS. WEINER, SILVERT, SHAFER,
MULLIN, MALLERY, STEVENSON, EHRCOOD AND BELL,
FEBRUARY 14, 1961.

REFERRED TO COMMITTEE ON JUDICIARY GENERAL,
FEBRUARY 14, 1961.

AN ACT

Amending the act of April 24 1947 (P L 89) entitled "An act relating to the form execution revocation operation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to elections to take under or against wills and the procedure in reference thereto" providing for the revocation of wills by persons in military service and mariners and providing

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underlining indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars

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

1 Section 1 Subsection (b) of section 1 act of April 24 1947 (P L 89)
2 known as the "Wills Act of 1947" amended May 22 1953 (P L 216) is
3 amended to read

4 Section 1 Who May Make a Will

5 * * *

6 (b) Persons in Military Service and Mariners Any person of sound
7 mind eighteen years of age or older and being in the Armed Forces of
8 the United States in active service at home or abroad or being a mariner
9 on land or at sea may by will dispose of all his real and personal estate
10 subject to payment of debts and charges [and] He may thereafter re-
11 voke such will [whether or not the United States is engaged in war and]
12 whether or not he is still in such service or is a mariner

13 Section 2 Clause (13) of section 14 of the act is amended to read

14 Section 14 Rules of Interpretation In the absence of a contrary
15 intent appearing therein will shall be construed as to real and personal
16 estate in accordance with the following rules

1 * * *

2 (13) Lien of Pecuniary Legacies Pecuniary legacies of one hun-
 3 dred dollars or less shall not be a charge on any of the testator's real
 4 estate All pecuniary legacies in excess of the principal sum of one
 5 hundred dollars shall be charged upon [and payable out of] any real
 6 estate not specifically devised [where the personal estate is or becomes
 7 insufficient for their payment]

8 * * *

9 Section 3 This act shall take effect immediately

We certify that this bill has passed the Senate and the House of
 Representatives.

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 Chief Clerk, Senate

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 President pro tempore, Senate

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 Speaker, House of Representatives

Approved The day of A. D. 1961.

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 Governor