
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **597** Session of
1961

INTRODUCED BY MESSRS. PROPERT AND KESSLER,
MAY 2, 1961.

REFERRED TO COMMITTEE ON JUDICIARY GENERAL,
MAY 2, 1961.

AN ACT

Amending the act of April 18 1949 (P L 512) entitled "An act relating to the administration and distribution of decedents' estates trust estates minors' estates and absentees' estates both as to real and personal property and the procedure relating thereto including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases the appointment bond removal and discharge of fiduciaries of such estates their powers duties and

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

liabilities the rights of persons dealing with such fiduciaries and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees and containing provisions concerning guardians of the person of minors the powers duties and liabilities of sureties and of foreign fiduciaries the abatement survival and control of actions and rights of action and the presumption of death and also generally dealing with the jurisdiction powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries" further regulating indexing of petitions for specific performance of agreements to purchase or sell real estate

The General Assembly of the Commonwealth of Pennsylvania

hereby enacts as follows

1
2
3
4
5
6

Section 1 Subsection (c) of section 620 act of April 18 1949

(P L 512) known as the "Fiduciaries Act of 1949" is amended to read

Section 620 Specific Performance of Contracts

* * *

(c) Indexing in Judgment [Index] or Ejectment and Miscellaneous

Indexes When any petition for specific performance of an agreement

1 to purchase or sell real estate is filed the prothonotary of the court of
 2 common pleas where the real estate or any part of it lies upon the
 3 receipt of a certificate of such fact by the clerk of the court where
 4 the petition was filed shall enter the petition upon either the judgment
 5 [index] or objection and miscellaneous indexes against the defendants
 6 as directed by local rules of court and shall certify it as lis pendens in
 7 any certificate of search which he is required to make by virtue of his
 8 office

9 Section 2 This act shall take effect immediately

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

.....
 Chief Clerk, Senate

.....
 President pro tempore, Senate

.....
 Speaker, House of Representatives

Approved The day of A. D. 1961.

.....
 Governor