

valid and effectual in law for transferring, passing and conveying the estate, right, title and interest of such husband and wife of, in and to the lands, tenements and hereditaments mentioned in the same, as if all the requisites and particulars of such acknowledgment had been made according to law, and as if such trustee or attorney in fact had made the acknowledgment thereto in such capacity; and the record of the same duly made in the proper office for recording of deeds in this Commonwealth, and exemplifications of the same duly certified, shall be legal evidence in all cases in which the original would be competent evidence.

Legal evidence.

Section 2. This act shall not apply to suits now pending and undetermined.

Application of act.

APPROVED—The 11th day of April, A. D. 1931.

GIFFORD PINCHOT

—
No. 26

AN ACT

Providing that upon the merger or consolidation of a hospital or home to which the General Assembly has made a maintenance appropriation, the appropriation, or the balance thereof, shall be paid to the merged or consolidated institution.

Section 1. Be it enacted, &c., That whenever a hospital or home to which the General Assembly has made an appropriation for maintenance shall merge or consolidate with one or more hospitals or homes, the appropriation, or any balance thereof, which has not been paid to such hospital or home shall be paid to the merged or consolidated institution, upon the same basis and subject to the same approvals as if the merger or consolidation had not occurred.

Institutions.

Appropriation to be paid to those merged or consolidated.

APPROVED—The 11th day of April, A. D. 1931.

GIFFORD PINCHOT

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No. 27

AN ACT

To amend section nine of the act, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty three (Pamphlet Laws, five hundred and three), entitled "An act relating to the sale and conveyance of real estate," providing for the acceleration of vested remainders to literary, scientific, charitable, or religious corporations or associations in certain cases.

Section 1. Be it enacted, &c., That section nine of the act, approved the eighteenth day of April, Anno Domini

Real property, etc.

Section 9, act
of April 18,
1853 (P. L. 503),
amended.

Prohibitions as to
the disposal of
real or personal
property.

one thousand eight hundred and fifty three (Pamphlet Laws, five hundred and three), entitled "An act relating to the sale and conveyance of real estate," is hereby amended to read as follows:

Section 9. That no person or persons shall, after the passing of this act, by any deed, will, or otherwise, settle or dispose of any real or personal property, so and in such manner that the rents, issues, interest, or profits thereof, shall be wholly or partially accumulated for any longer term than the life or lives of any such grantor or grantors, settler or settlers, or testator, and the term of twenty-one years from the death of any such grantor, settler, or testator, that is to say, only after such decease during the minority or respective minorities with allowance for the period of gestation of any person or persons, who, under the uses or trusts of the deed, will, or other assurance directing such accumulation, would, for the time being, if of full age, be entitled unto the rents, issues, interests, and profits so directed to accumulate, and in every case where any accumulation shall be directed otherwise than as aforesaid, such direction shall be null and void in so far as it shall exceed the limits of this act, and the rents, issues, interests and profits, so directed, to be accumulated contrary to the provisions of this act, shall go to and be received by such person or persons as would have been entitled thereto if such accumulation had not been directed: Provided, That any donation, bequest, or devise, for any literary, scientific, charitable, or religious purpose, shall not come within the prohibition of this section, which shall take effect and be in force, as well in respect to wills heretofore made by persons yet living and of competent mind, as in respect to wills hereafter to be made: And provided, That notwithstanding any direction to accumulate rents, issues, interests, and profits, for the benefit of any minor or minors, it shall be lawful for the proper court as aforesaid, on the application of the guardian, where there shall be no other means for maintenance or education, to decree an adequate allowance for such purpose, but in such manner as to make an equal distribution among those having equal rights or expectations, whether at the time being minors or of lawful age: *And provided, That whenever in the course of the administration of a trust created by deed or by the will of a decedent, who, either before or after the passage of this act, shall have died domiciled in this State, by the provisions of which deed or will the grantor or testator shall have directed the payment of an annuity or annuities, or created an estate for life or for lives or for a term of years, with vested remainder to a corporation or association formed for literary, scientific, charitable, or religious purposes, it shall be made to appear to the court having jurisdic-*

Trust estates.

Annuity, or
estate for life or
years.

Remainder vested
in literary,
scientific, charit-
able or religious
organization.

tion of the administration of such estate or trust that all parties in interest in said estate or trust, still living or in corporate existence, have agreed that the trust be settled and ended upon terms mutually satisfactory to them, or that the interests of the annuitant or annuitants or of the beneficial owner or owners of the estate for life or for years have been donated to or acquired by the corporation or association formed for literary, scientific, charitable, or religious purposes, holder of the vested interest in remainder, said court may—due notice having been given to all parties in interest, and the court being satisfied that all parties who are or may be interested in the trust property are in existence, are sui juris and are agreed, and that annuitants or cestui que trustent are properly protected—decree that the trust be settled and ended in whole or in part and award to such literary, scientific, charitable, or religious corporation or association the sums to which it may be entitled: *Provided further, however, That the provisions of the foregoing proviso shall not be effective to bring about the termination of a trust created by deed or will, as aforesaid, if, in the instrument under which the trust arises, the grantor or testator, as the case may be, shall have declared his purpose to create, by accumulation, a fund for the benefit of a literary, scientific, charitable, or religious corporation or association, and shall also have specified the number of years during which such accumulation shall be made by his trustees for that purpose, which term shall not have expired; or shall have specified a sum that it was his intention to accumulate, which sum shall not have been attained; or shall have specified a particular object to be accomplished for which the trust fund is not yet sufficient.*

Acquisition of outstanding interest.

Notice to parties interested.

Decree terminating trust.

Proviso.

Trusts for accumulation excepted.

APPROVED—The 14th day of April, A. D. 1931.

GIFFORD PINCHOT