

No. 148.

AN ACT

Relative to testamentary trustees in the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever, by the provisions of any last will and testament, a trust has been or shall be declared or created of and concerning any real or personal estate, to be executed by the executor or executors of said last will, whether by virtue of their said office as executors or otherwise, it shall and may be lawful for the said executor or executors, to renounce or resign the said trust, without in any way affecting or destroying their office and trust as executors generally, or any other trust vested in them by the said will; and upon such renunciation, resignation or refusal by the said executors to act in the said trust, it shall and may be lawful for the orphans' court of the proper county, upon the application of any person interested, to appoint a trustee or trustees in the place or stead of those who may have renounced, resigned or refused to act as aforesaid; and also a successor or successors to such trustee or trustees, from time to time, if by death, resignation or otherwise, the same shall be necessary or expedient, in all which cases the trustee or trustees, so appointed, shall have the same estate, power and interest in the premises in trust, as the executor or executors would have had in case he or they had not resigned, refused to act or renounced the same, either by the common law or by any act of assembly of this commonwealth: *Provided,* That this act shall only extend to the city and county of Philadelphia.

Executors may
renounce a trust
created by will.

Court may ap-
point trustees.

JAMES COOPER,
Speaker of the House of Representatives.

CH. GIBBONS,
Speaker of the Senate.

APPROVED—The third day of March, one thousand eight hundred and forty-seven.

FRS. R. SHUNK.