

their respective counties, not exceeding [fifty] *five hundred* acres, either with or without buildings thereon erected, and to repair or erect such buildings and make such improvements thereon as they may deem necessary and convenient for a workhouse, the title for said property in case of a purchase to be made to the proper county.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 278

AN ACT

To amend section six (a) of an act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred forty-seven), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge, and removal, of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees *durante absentia*; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by enlarging the class of persons who may institute proceedings as to presumed decedents and enlarging the powers of the court in the matter thereof.

Section 1. Be it enacted, &c., That section six (a) of an act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred forty-seven), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents

Fiduciaries.

Presumed decedents.

Section six (a) of act of June 7, 1917 (P. L. 447), amended.

of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees *durante absentia*; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," is hereby amended to read as follows:

Persons who can
petition for let-
ters.

Section 6. (a) Whenever, hereafter, any person shall be presumed to be dead on account of absence for seven or more years from the place of his or her last domicile, whether the same be within this Commonwealth or in any other State, Territory, or possession of the United States, or in any foreign country, any person entitled, under the last will and testament of such presumed decedent or under the intestate laws to any share in his or her estate within this Commonwealth, *or under any deed, will, or other instrument in writing, or in any other way, method, or manner, to any share or interest in any estate held by or for such presumed decedent, for years or for the term of his or her natural life, or the escheator for the Commonwealth,* may present a petition to the orphans' court of the county of such person's last residence, or, where the presumed decedent was a nonresident of this Commonwealth, in the orphans' court of the county where the greater part of his property within this Commonwealth may be situated, setting forth the facts which raise the presumption of death. The said court, if satisfied as to the [person who would be entitled to letters testamentary or of administration were the presumed decedent in fact dead shall] *interest of the petitioner,* may cause to be advertised in a newspaper published in said county, once a week for four successive weeks, together with such other advertise-

Petition.

Advertisement of
fact of applica-
tion.

ment as the court, according to the circumstances of the case, shall deem expedient or advisable, the fact of such application, together with notice that, on a day certain which shall be at least two weeks after the last appearance of said advertisement, the court, or master appointed by the court for that purpose, will hear evidence concerning the alleged absence of the presumed decedent and the circumstances and duration thereof.

Notice of hearing.

Section 2. This act shall apply to all proceedings pending at the date of its passage.

Application of act.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 279

AN ACT

To amend clause (c) of section fifty-eight of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred forty-seven), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisalment of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," removing the requirement for the probate of wills and letters under which foreign fiduciaries are acting.

Section 1. Be it enacted, &c., That clause (c), of section fifty-eight of the act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, four hundred forty-seven), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and re-

Fiduciaries.

Clause (c), section 58, of act of June 7, 1917 (P. L. 447), as amended by act of May 12, 1925 (P. L. 598), further amended.