

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.

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," which was amended by the act, approved the twelfth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, five hundred ninety-eight), entitled "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 and 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, of 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 further amended to read as follows:

(c) It shall be lawful for any executor, administrator, trustee, or other person duly authorized to take charge or possession of the personal estate of any decedent, or for any guardian or other legal representative of the estate of a minor, acting under letters testamentary or of administration, or other authority, granted by or under the laws of any other State, Territory, or possession of the United States of America, or of any foreign country, to assign and transfer, and to receive the dividends or interest of any public debt or loan of the Commonwealth of Pennsylvania, or of any county, city, borough, township, or school district thereof, or any stocks or bonds of any corporation incorporated under the laws of this Commonwealth, or the stock of any National Bank standing in the name of, or belonging to, the decedent, minor or *cestui que trust*, or any mortgage debt or indenture of mortgage held by, or belonging to, the decedent minor or *cestui que trust*, upon real estate situate within the Commonwealth, and to enter or cause to be entered satisfaction, upon the record of such indenture of mortgage: [Before any such act shall be done by any such executor, administrator, trustee, guardian, or other person, there shall be filed in the office of the register of wills for the county in which is located the office for the transfer of such loans, stocks, or bonds, or, in the case of a mortgage, of the county where the mortgaged real estate may be situated, when such person is acting under letters or other authority granted by or under the laws of any other State, Territory, or possession of the United States of America, a copy of the will, probate and letters issued thereon, or of such other grant of authority, duly authenticated in accordance with the acts of Congress; or, when such person is acting under letters or other authority granted by or under the laws of any foreign country, a copy of such will, probate and

Authority to receive interest and dividends and to satisfy judgments or mortgages.

Proviso.

Affidavit to be filed.

letters issued thereon, or of such other grant of authority, certified by the official custodian of such documents or records, under his official seal, if any, to be a true and correct copy of the originals thereof in his possession or under his control, together with the certificate of the presiding judge or the officer having jurisdiction or authority over such custodian that the attestation is in due form and by the proper officer] Provided, That before any such executor, administrator, or trustee shall assign or transfer any such loans, stock, bonds, or mortgages, or receive any interest or dividends thereon, or enter satisfaction of any such mortgage, he shall also file, with said register of wills, an affidavit stating that the said decedent is not indebted to any person in this Commonwealth, and that the proposed transfer, assignment, receipt, or entry of satisfaction is not made for the purpose of removing any of the assets of said decedent beyond the reach of any of the creditors in this Commonwealth; and any such transfer, assignment, receipt, or entry of satisfaction, without first making and filing such affidavit, shall be void.

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

JOHN S. FISHER

No. 280

AN ACT

Providing penalties for trespassing on grounds of State institutions and for refusing to leave such grounds after notice.

Trespassing on grounds of State institutions.

"State institution" defined.

Section 1. Be it enacted, &c., That the term "State institution," as used in this act, shall include all penal, reformatory, or correctional institutions, hospitals for the insane, or any institution for feeble-minded or epileptic persons, for inebriates, or for juvenile delinquents and dependents, and all charitable institutions whatsoever, within this Commonwealth, maintained in whole or in part by the Commonwealth, and whose boards of inspectors, managers, trustees, or directors are, respectively, appointed by the Governor.

Conviction.

Penalty.

Section 2. Whoever wilfully trespasses upon the land or premises belonging to the Commonwealth, and appurtenant to any State institution, or whoever, after notice from an officer of any State institution to leave said land, refuses to do so, shall, upon conviction thereof in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine of not more than ten dollars and, in default of the payment of such fine and costs, shall be imprisoned in the county jail one day for each dollar of fine and costs unpaid.

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

JOHN S. FISHER