

Counsel fees and other expenses.

Court order not subject to collateral attack in Orphans' Court.

Personal representative to file copy of court order in office of Register of Wills.

Additional security.

Act effective immediately.

counsel of record in such action, or upon petition by the personal representative of such decedent, make an order approving such compromise or settlement. Such order may approve an agreement for the payment of counsel fees and other proper expenses incident to such action.

Section 2. The order of the court approving such compromise or settlement or an agreement for the payment of counsel fees and other expenses shall not be subject to collateral attack in the Orphans' Court in the settlement of the decedent's estate.

Section 3. The personal representative shall file a copy of the order of the court approving such compromise or settlement in the office of the Register of Wills by whom his letters were granted. When the personal representative has been required to give bond, he shall not receive the proceeds of any such compromise or settlement until the Register of Wills has made an order excusing him from entering additional security or requiring additional security, and in the latter event, only after he has entered the additional security.

Section 4. This act shall become effective immediately upon final enactment.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE

No. 199

AN ACT

To amend section 403 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (Pamphlet Laws 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," by clarifying provisions relating to exemption from execution of certain property by landlord for nonpayment of rent.

"The Landlord and Tenant Act of 1951."

Section 403, act of April 6, 1951, P. L. 69, amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 403 of the act, approved the sixth day of April, one thousand nine hundred fifty-one (Pamphlet Laws 69), entitled "An act relating to the rights, obligations and liabilities of landlord and tenant and of parties dealing with them and amending, revising, changing and consolidating the law relating thereto," is hereby amended to read as follows:

Section 403. Exemption of Property on Premises Under Lease or Conditional Sale Contract.—The following personal property loaned to or leased or hired by

any person, or conditionally sold to any such person under a contract of sale reserving title in the vendor until paid for, shall be exempt from levy and sale on distress for rent so long as the title thereto remains in the owner, *lender*, lessor or conditional vendor, if written notice, specifically describing the personal property *loaned*, leased, hired or conditionally sold, shall be given to the landlord or his agent at the time the said personal property is placed upon the demised premises or within ten days thereafter, which notice shall contain a statement of the respective amounts due on each article named in the notice, and when so given, shall be effective as to such landlord and any future owner or owners of said premises, that is to say—

- (1) All pianos, melodeons and organs;
- (2) All soda water apparatus and the appurtenances thereto;
- (3) All sewing machines and typewriting machines;
- (4) All electric motors, electric fans and dynamos;
- (5) All ice cream cabinets and ice cream containers and the appurtenances thereto;
- (6) All household furniture and household goods;
- (7) All patented shoe repairing machinery and tools;
- (8) All beauty and barber shop furniture and equipment;
- (9) All cigarette vending machines.

In the case of personal property enumerated in clauses (2) and (5) of this section, notice may be given in the manner above provided or, in lieu thereof, the name and address of the owner, *lender*, lessor or conditional vendor may be marked on or attached to said property in a conspicuous part thereof.

Upon request at any reasonable time the owner, *lender*, lessor or conditional vendor of any personal property enumerated in this section shall advise the landlord or his agent as to the status of his account with the tenant. In default of such advice, it shall be conclusively presumed no balance is due on said account.

Any landlord may levy upon and sell on distress for rent any right or interest of the tenant in any personal property mentioned in this section, subject to the rights therein of the owner, *lender*, lessor or conditional vendor.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE