

of the governing body may appeal therefrom in the same manner as appeals from decisions of the agency charged by law or by local ordinance with the issuance of permits for such building changes.

Section 5. The agency charged by law or by local ordinance with the issuance of permits for the erection, demolition or alteration of buildings within the historic district shall have power to institute any proceedings, at law or in equity, necessary for the enforcement of this act or of any ordinance adopted pursuant thereto, in the same manner as in its enforcement of other building, zoning or planning legislation or regulations.

Enforcement of provisions of act.

Section 6. The provisions of this act are severable and, if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein. The provisions of this act shall not be construed to limit the powers and duties assigned to the Pennsylvania Historical and Museum Commission.

Severability.

Section 7. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 168

AN ACT

Amending the act of April 18, 1949 (P. L. 512), entitled "An act relating to the administration and distribution of decedents' estates, trust estates, minors' estates and absentees' estates, both as to real and personal property, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a fiduciary in certain cases; the appointment, bond, removal and discharge of fiduciaries of such estates, their powers, duties and liabilities; the rights of persons dealing with such fiduciaries, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning guardians of the person of minors, the powers, duties and liabilities of sureties and of foreign fiduciaries, the abatement, survival and control of actions and rights of action, and the presumption of death; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and of the register of wills in all matters relating to fiduciaries," changing provisions relating to the order of payment of claims against estates.

Fiduciaries Act
of 1949.

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

Section 622, act
of April 18,
1949, P. L. 512,
amended.

Section 1. Section 622, act of April 18, *1949 (P. L. 512), known as the "Fiduciaries Act of 1949," is amended to read:

Section 622. Classification and Order of Payment.—If the applicable assets of the estate are insufficient to pay all proper charges and claims in full, the personal representative, subject to any preference given by law to claims due the United States, shall pay them in the following order, without priority as between claims of the same class:

(1) The costs of administration;

(2) The family exemption;

(3) The costs of the decedent's funeral and burial, and the costs of medicines furnished to him within six months of his death, of medical or nursing services performed for him within that time, *of hospital services including maintenance provided him within that time*, and of services performed for him by any of his employees within that time;

(4) The cost of a gravemarker;

(5) Rents for the occupancy of the decedent's residence for six months immediately prior to his death;

(6) All other claims, including claims by the Commonwealth.

APPROVED—The 13th day of June, A. D. 1961.

DAVID L. LAWRENCE

No. 169

AN ACT

Authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 3.68 acres, more or less, of land situate in Indiana Borough, Indiana County.

Real property.

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

Department of
Property and
Supplies with
approval of
Governor
authorized to
sell certain land
in Indiana
Borough,
Indiana County.

Section 1. The Department of Property and Supplies, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell, at public sale to the highest bidder, the following described tract of land, together with all improvements thereon, situate in Indiana Borough, County of Indiana,

* "1929" in original.