

## No. 31

## 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," clarifying the register's right to authorize the administering of oaths to certain witnesses.

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

Fiduciaries  
Act of 1949.

Section 1. Section 304, act of April 18, 1949 (P. L. 512), known as the "Fiduciaries Act of 1949," amended August 17, 1951 (P. L. 1258), is amended to read:

Section 304, act  
of April 18, 1949.  
P. L. 512,  
amended August  
17, 1951, P. L.  
1258, further  
amended.

Section 304. Affidavit and Oath.—The affidavit to a petition for the grant of letters and the oath of the fiduciary relative to the performance of his duties *and the oath of a witness relative to probate of a will* may be taken before and administered by—

(1) Within the Commonwealth. The register of any county of the Commonwealth.

(2) Outside of the Commonwealth. A public officer of another jurisdiction having duties similar to those of a register who has been authorized to do so by the register of the county where the application for letters is to be made.

APPROVED—The 15th day of May, A. D. 1963.

WILLIAM W. SCRANTON

## No. 32

## AN ACT

Amending the act of September 26, 1951 (P. L. 1458), entitled "An act relating to records of governmental departments or agencies or private businesses, institutions, professions or callings; authorizing the reproduction or recording thereof by any photographic, photostatic, microfilm, micro-card, miniature photo-

graphic, or other similar process; providing for the admissibility of such reproductions in evidence and the disposition of the original records," extending its provisions to records held in a custodial or fiduciary capacity and further specifying requirements which reproductions must meet.

Uniform Photographic Copies of Business and Public Records as Evidence Act.

Section 1, act of September 26, 1951, P. L. 1458, amended.

Reproduction or recording of certain records by photographic, photostatic, etc., process, authorized.

Such reproductions, etc., when satisfactorily identified, admissible in evidence.

Act effective immediately.

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

Section 1. Section 1, act of September 26, 1951 (P. L. 1458), known as the "Uniform Photographic Copies of Business and Public Records as Evidence Act," is amended to read:

Section 1. If any business institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity, has kept or recorded any memorandum, writing, entry, print, representation, or combination thereof, of any act, transaction, occurrence or event, and in the regular course of business has caused any or all of the same to be recorded, copied or reproduced by any photographic, photostatic, microfilm, micro-card, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original, the original may be destroyed, in the regular course of business, [unless held in a custodial or fiduciary capacity or] unless its preservation is required by law. *Any such reproduction in order to comply with this act must accurately reproduce all lines and markings which appear on the original.* Such reproduction, when satisfactorily identified, is as admissible in evidence as the original itself in any judicial or administrative proceeding, whether the original is in existence or not, and an enlargement or facsimile of such reproduction is likewise admissible in evidence if the original reproduction is in existence and available for inspection under direction of court. The introduction of a reproduced record, enlargement or facsimile does not preclude admission of the original.

Section 2. This act shall take effect immediately.

APPROVED—The 15th day of May, A. D. 1963.

WILLIAM W. SCRANTON

No. 33

AN ACT

Amending the act of May 15, 1933 (P. L. 796), entitled, as amended, "An act providing for the preservation of the records or photographic film reproductions, or photographic or photostatic copies thereof, of banks, bank and trust companies, trust