

No. 128

AN ACT

SB 610

Amending the act of April 24, 1947 (P.L.89), entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," further providing for the time for ascertaining certain classes.

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

Section 1. Section 14 of the act of April 24, 1947 (P.L.89), known as the "Wills Act of 1947," is amended by adding after clause (4), a new clause to read:

Section 14. Rules of Interpretation.—In the absence of a contrary intent appearing therein, wills shall be construed as to real and personal estate in accordance with the following rules:

* * *

(4.1) Time for Ascertaining Class. In construing a devise or bequest to a class other than a class described in section 14 (4), the class shall be ascertained at the time the devise or bequest is to take effect in enjoyment, except that the issue then living of any member of the class who is then dead shall take per stirpes the share which their deceased ancestor would have taken if he had then been living.

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 22nd day of June, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 128.



Secretary of the Commonwealth.