

in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure relating to incompetents' estates," are hereby amended to read as follows:

Section 102. Definitions.—The following words when used in this act, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

(1) "Prothonotary" means the prothonotary of the court of common pleas or the clerk of the orphans' court having jurisdiction.

(2) "Court" means the court of common pleas or the orphans' court having jurisdiction of the appointment of the guardian or of the incompetent's estate.

Act effective  
immediately.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

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

JOHN S. FINE

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No. 220

AN ACT

To amend the title and section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (Pamphlet Laws 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," by giving the orphans' court concurrent jurisdiction over the administration and distribution of incompetents' estates.

Orphans' Court  
Act of 1951.

Title and section  
302, act of  
August 10, 1951,  
P. L. 1163,  
amended.

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

Section 1. The title and section 302 of the act, approved the tenth day of August, one thousand nine hundred fifty-one (Pamphlet Laws 1163), entitled "An act relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom," are hereby amended to read as follows:

## An Act

Amended title.

Relating to the orphans' court; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, and absentees' estates; *conferring concurrent jurisdiction over the administration and distribution of incompetents' estates and the determination of title to real estate in certain cases*; providing for the organization of orphans' courts, the procedure therein, the powers and duties of the judges thereof, and appeals therefrom.

Section 302. Concurrent Jurisdiction [—Title to Real Estate].—*The orphans' court shall have concurrent jurisdiction of:*

[The orphans' court shall have concurrent jurisdiction of the]

(1) *Title to Real Estate.* The determination of the persons to whom the title to real estate of a decedent or of the creator of an estate or trust subject to the jurisdiction of the orphans' court has passed by devise or descent or by the terms of the trust instrument: Provided, That nothing herein shall be construed to restrict the exclusive jurisdiction of the orphans' court to distribute real estate in an estate or trust within its jurisdiction.

(2) *Incompetents' Estates.* *The administration and distribution of the real and personal property of incompetents' estates, except when the jurisdiction thereof has been acquired by another Pennsylvania court. Another court which has acquired jurisdiction of the incompetent's estate may transfer it to the orphans' court.*

Section 2. The provisions of this act shall become effective immediately upon final enactment.

Act effective immediately.

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

JOHN S. FINE

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No. 221

AN ACT

To amend section 306 of the act, approved the eighteenth day of April, one thousand nine hundred forty-nine (Pamphlet Laws 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