

No. 288

## AN ACT

To amend the title and sections one and two of an act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred seventy-six), entitled "An act providing for the burial of certain persons who are, have been, or shall be, soldiers, sailors, or marines, designated as 'deceased service men'; defining the term 'deceased service men'; authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death; and providing for the burial of widows of soldiers, sailors, or marines."

Section 1. Be it enacted, &c., That the title of an act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred seventy-six), entitled "An act providing for the burial of certain persons who are, have been, or shall be, soldiers, sailors, or marines, designated as 'deceased service men'; defining the term 'deceased service men'; authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death; and providing for the burial of widows of soldiers, sailors, or marines," is hereby amended to read as follows:

Burial of deceased service men.

Title of act of May 13, 1925 (P. L. 676), amended.

## AN ACT

Providing for the burial of certain persons who are, have been, or shall be, soldiers, sailors, [or] marines, or members of the enlisted nurse corps, designated as "deceased service men"; defining the term "deceased service men"; authorizing county commissioners to provide markers and burial plots for such deceased service men at the expense of such county in which they shall die or have a legal residence at the time of their death; and providing for the burial of widows of soldiers, sailors, or marines.

Section 2. That section one of said act is hereby amended to read as follows:

Section 1 amended.

Section 1. Be it enacted, &c., That the term "deceased service man," as used in this act, shall be defined and construed to mean and include any soldier, sailor, marine or members of the enlisted nurse corps, having a legal residence within [their] any county *within this Commonwealth*, who has died or shall hereafter die anywhere within or without the United States while in the service of the United States in the military, naval, or other branch of the combative forces of said United States during any war in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in

"Deceased service man" defined.

the United States or any foreign country or territory or upon the high seas, or of any honorably discharged soldier, sailor, [or] marine, or member of the enlisted nurse corps who served or who shall hereafter serve in any such combative force of the United States during any war in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any such combative force of the United States where a state or condition of war existed or shall hereafter exist in the United States or any foreign country or territory or upon the high seas; or any [such] honorably discharged soldier, sailor, marine, or member of the enlisted nurse corps who has died [within the] or may hereafter die in any county of this Commonwealth although [his residence may be elsewhere] he or she may not have a legal residence in any county of this Commonwealth. Whenever the body of said soldier, sailor, marine, or member of the enlisted nurse corps, is unclaimed by any relatives or friends and the county commissioners are notified of [the] this condition in writing giving the facts, by any organization of veterans, [said] and upon investigation the county commissioners shall [investigate the case and if the claim is found to be correct they shall treat the same as the body of a deceased service man] find such condition to exist, or who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered in to the service of the United States and has been or hereafter shall be honorably discharged or relieved from such service, [and shall hereafter die within their county or shall die beyond their county and shall have a legal residence within their county at the time of his death] and who shall have a legal residence in any county of this Commonwealth and shall hereafter die either within or without the county of his legal residence.

When body is to be taken in charge by county commissioners.

Section 2 amended

Section 3. That section two of said act is hereby amended to read as follows:

Sum to be spent.

Section 2. [The] Whenever the county commissioners of [each] the county [in] of this State within which a deceased service man, as hereinabove defined, had a legal residence at the date of his death, or of the county where he or she died in case he or she has no legal residence in any county of this Commonwealth, are notified that the body is unclaimed by relatives or friends and, upon investigation, such commissioners shall find such condition to exist, they are hereby authorized and directed to expend the sum of seventy-five dollars (\$75.00) toward the funeral expenses of [any] such deceased service man: Provided, however, That such county commissioners shall not contribute any moneys

Proviso.

toward the funeral expenses of [any] such deceased service [men] *man* where the total expense of [any such] *his or her* funeral, including said allowance of seventy-five dollars (\$75.00), shall exceed four hundred dollars (\$400.00), nor unless application for the payment of such moneys shall be made within one year after the date of the burial of such deceased service man.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 289

AN ACT

To amend section two of an act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred thirty-seven), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein."

Section 1. Be it enacted, &c., That section two of an act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, three hundred thirty-seven), entitled "An act relating to the jurisdiction, powers, and procedure of the several orphans' courts in proceedings for the partition and valuation of real estate, and for the sale of real estate for the purpose of distribution; and the fees, costs, and expenses therein," is hereby amended to read as follows:

Partition in orphans' court.

Section 2 of act of June 7, 1917 (P. L. 337), amended.

Section 2. The jurisdiction of the orphans' court under this act shall be exercised on the petition of the surviving spouse of the decedent, of any heir of the decedent in a case of intestacy, or of any devisee having an interest in the real estate in question in a case of testacy, whether the interest of such person be vested in possession or in remainder, or of any person having a life interest in an undivided share of such real estate, or of any alienee, *heir, surviving spouse*, or devisee of any party in interest. If the party be a weak-minded person for whom a guardian has been appointed, or a minor, lunatic, or habitual drunkard, the petition shall be filed by the guardian or committee of such party.

Petitioners.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER