

No. 438

AN ACT

Amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," changing the publication provisions relating to auditors' reports.

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

Section 1. Subsection (b) of section 1721, act of August 9, 1955 (P. L. 323), known as "The County Code," is amended to read: Subsection (b), section 1721, act of August 9, 1955, P. L. 323, amended.

Section 1721. Audit of Accounts by Auditors; Report to Common Pleas; Publications; Financial Report to Department of Internal Affairs.—

* * * * *

(b) The auditor's report shall be prepared and [placed in the printer's hands for publication] within ten days after being filed in the court of common pleas, [and] shall be published, once, in [such] *at least two* newspapers published in said county; *or if not more than one newspaper is published in the county, then in such newspaper; *or if there be no newspaper published in the county, then in one newspaper of general circulation in said county* [as the commissioners direct]. The expense of the publication of said report shall be paid by the county.

APPROVED—The 13th day of October, A. D. 1959.

DAVID L. LAWRENCE

No. 439

AN ACT

Amending the act of August 10, 1951 (P. L. 1163), entitled, as amended, "An act relating to the orphans' courts; conferring exclusive jurisdiction on such courts over the administration and distribution of decedents' estates, trust estates, minors' estates, absentees' estates and 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," conferring exclusive jurisdiction of control of decedent's burial on the orphans' court and giving it concurrent jurisdiction with regard to guardians of the person of incompetents.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: Orphans' Court Act of 1951.

* "of" in original.

Clause (1), section 301 and section 302, act of August 10, 1951, P. L. 1163, amended February 10, 1956, P. L. 1022, further amended.

Section 1. Clause (1) of section 301 and section 302, act of August 10, 1951 (P. L. 1163), known as the "Orphans' Court Act of 1951," amended February 10, 1956 (P. L. 1022), are amended to read:

Section 301. Exclusive Jurisdiction.—The orphans' court shall have exclusive jurisdiction of:

(1) Decedents' Estates. The administration and distribution of the real and personal property of decedents' estates *and the control of the decedent's burial.*

* * * * *

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

(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) *Guardian of Person.* The appointment, control and removal of the guardian of the person of any incompetent.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 13th day of October, A. D. 1959.

DAVID L. LAWRENCE

No. 440

AN ACT

Amending the act of April 29, 1959 (P. L. 58), entitled "An act consolidating and revising the Vehicle Code, the Tractor Code, the Motor Vehicle Financial Responsibility Act and other acts relating to the ownership, possession and use of vehicles and tractors," authorizing the operation of a vehicle having two others attached thereto in certain cases.

The Vehicle Code.

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

Section 902, subsection (c), clause (1), act of April 29, 1959, P. L. 58, amended.

Section 1. Section 902, subsection (c) clause (1) of the act of April 29, 1959 (P. L. 58), known as "The Vehicle Code," is amended to read:

Section 902. Size of Vehicles, Tractors and Loads.—

* * * * *

(c) * * *

(1) No motor vehicle or tractor, except a tractor of the first class, shall be operated upon a highway drawing,