

No. 366

AN ACT

Authorizing the owners of cemeteries, with the approval of the court of quarter sessions, to improve neglected cemeteries without the removal of the dead therefrom in certain cases, and conferring jurisdiction on courts of quarter sessions for such purposes.

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

Section 1. Whenever any cemetery, or any part or section thereof, owned by any incorporated or unincorporated church, cemetery or burial association, shall become so neglected as, in the opinion of the court of quarter sessions of the county wherein such cemetery is situated, to become a public nuisance, such court, upon petition of the incorporated or unincorporated church, cemetery or burial association managing and conducting such cemetery and after such notice as is required in section four of this act, may authorize the management thereof at its cost and expense to improve the cemetery or any part or section thereof, without the removal of any dead therefrom, by the restoration, improvement or removal of some or all of the gravestones, posts, railings, fences or other structures or improvements thereon.

Neglected cemeteries may be improved if considered a public nuisance and if the court authorizes the improvement.

Section 2. If the court authorizes the removal of gravestones, it shall direct the petitioner to erect and maintain at a prominent location in the cemetery a suitable memorial stone, bronze or similar material, having inscribed thereon the available names and dates of all persons buried in the cemetery or part or section thereof, the gravestones for whom have been authorized to be removed.

Gravestones removal authorized and replacement requirements.

Section 3. The petition filed by the church, cemetery or burial association, shall set forth the proposed plans of petitioner for the improvements of the cemetery, part or section thereof, including, if it proposes to remove the gravestones, a description of the memorial it intends to erect, the known names and dates of the dead buried therein and the known names and addresses of the person or persons having rights of interment therein.

Requirements of petition to the court.

Accompanying the petition shall be a scale drawing of the area to be improved, which shall show and designate the location of the graves from which the gravestones are to be removed. The drawing shall be filed and preserved by the court of quarter sessions, and a copy thereof shall be filed and preserved by the church, cemetery or burial association.

Section 4. Whenever a church, cemetery or burial association shall file a petition as hereinbefore provided,

Notice of hearing.

the court shall direct such notice of the filing of the petition and of a date fixed for hearing thereon to be given to the owners of rights of interment therein, and to the known descendants of the dead buried therein, in such manner as it shall deem appropriate. An opportunity to be heard shall be afforded to all such persons, if any appear, before the court shall make an order authorizing the petitioner to improve such cemetery, part or section thereof.

Act effective
immediately.

Section 5. This act shall take effect immediately.

APPROVED—The 28th day of February, A. D. 1956.

GEORGE M. LEADER

No. 367

AN ACT

Amending the act of May fifteen, one thousand nine hundred thirty-three (Pamphlet Laws 624), entitled, as amended, "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers and employes' mutual banking associations; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers and employes' mutual banking associations, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations, employes' mutual banking associations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further providing for authorized investments of savings banks.

Banking Code.

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

Paragraph (1),
clause (3), sub-
section C, section
1208, act of May
15, 1933, P. L.
624, amended
July 13, 1953,
P. L. 413,
further amended.

Section 1. Paragraph (1) of clause (3) of subsection C of section one thousand two hundred eight, act of May fifteen, one thousand nine hundred thirty-three (Pamphlet Laws 624), known as the "Banking Code," amended July thirteen, one thousand nine hundred fifty-three (Pamphlet Laws 413), is amended to read:

Section 1208. Authorized Investments of Savings Banks Not Under Special Charter.—

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C. A savings bank, other than a savings bank organized under a special act of the General Assembly,