

improvement for which such bonds shall be issued, *whichever is earlier*, which period of usefulness shall be stated in the ordinance authorizing such bonds, and when so stated shall be conclusive [and shall bear interest at a rate not exceeding] *and may be sold for such price or prices as the municipality shall determine: Provided, That the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum in addition to any taxes, payment of which may be assumed by the municipality.*

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 25th day of July, A.D. 1961.

DAVID L. LAWRENCE

No. 369

AN ACT

Amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to Adoption," further prescribing which persons must appear in court.

Adoption.

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

Section 3, act of April 4, 1925, P. L. 127, amended August 26, 1953, P. L. 1411, further amended.

Section 1. Section 3, act of April 4, 1925 (P. L. 127), entitled "An act relating to Adoption," amended August 26, 1953 (P. L. 1411), is amended to read:

Section 3. Hearings.—Upon presentation of any such petition to adopt as aforesaid a time for hearing thereon shall be fixed not less than ten days from said presentation, which said hearing shall be private or in open court, as the court shall determine, and may be adjourned from time to time if the nature of the case should so require. At said hearing the adopting parents or parent, the person proposed to be adopted, if in the opinion of the court [such persons' presence] *the presence of the person to be adopted* is deemed necessary, and all the persons whose consent is necessary hereunder and any person concerned individually or as a representative of an agency acting as an intermediary between the natural parent or parents and the adopting parents must appear in person and be examined under oath by such court or judge, but the personal appearance of the natural parents or other persons whose consent is necessary hereunder may be dispensed with in the discretion of the court or judge hearing the petition, if such persons reside without the jurisdiction of the court, or if for any other reason the said court or judge deem it unnecessary, provided the duly executed consents of such persons in writing have been

filed with the petition; and the said court or judge may in his discretion require the personal appearance of the natural parents of the child at a different time and separate and apart from that of the other parties in interest. *The presence of any person concerned individually or as a representative of an agency acting as an intermediary between the natural parent or parents and the adopting parents may be dispensed with by the court or judge if such person resides without the jurisdiction of the court.*

Where a finding of abandonment has been made by a court in accordance with the provisions of section 1.2 of this act, but the court where such finding has been made is a court other than the court in which the adoption proceedings are pending, the petitioners shall attach to their petition to adopt a copy of the decree of abandonment, duly certified by the clerk of the court where the finding of abandonment was made.

**Finding of  
abandonment.**

When abandonment is averred in the petition for adoption but has not previously been found as a fact in a court, notification to the parent or parents of the time and place of the hearing shall be made by personal service or registered mail to the last known address. If the parent or parents cannot be found, evidence of search satisfactory to the court shall be given. When parent or parents cannot be located, the returned receipt of the registered letter to the last known address shall be considered conclusive evidence of search. If parental rights have been terminated previously under the provisions of this act, either by voluntary relinquishment or by the finding of abandonment, consent of the parent or parents or notification of the hearing shall not be required. The said court or judge shall also hear any other testimony as to the facts set forth in the petition or necessary to inform the court as to the desirability of the proposed adoption, and shall also make or cause to be made an investigation by some person or public agency or private agency (with its consent) specifically designated by said court or judge to verify the statements of the petition and such other facts as will give the court full knowledge as to the desirability of the proposed adoption.

**Averment of  
abandonment.**

The court shall establish a procedure for the payment of investigation costs by the petitioners or by such other persons as the court may direct.

Section 2. This act shall take effect immediately.

**Act effective  
immediately.**

APPROVED—The 25th day of July, A.D. 1961.

DAVID L. LAWRENCE