

No. 223.

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 man"; and authorizing county commissioners to provide headstones, markers, and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death.

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 county, 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 the United States or any foreign country or territory, or upon the high seas; or of any honorably discharged soldier, sailor, or marine, 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 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 into 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.

Section 2. The county commissioners of each county in this State 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 toward the funeral expenses of any such deceased service man where the total expense of any such funeral, including said allowance of seventy-five dollars (\$75.00), shall exceed three hundred dollars (\$300.00).

Section 3. It shall be the duty of the county commissioners of each county in this State to draw a warrant upon the treasurer of their county in the sum of

Soldiers, sailors, marines, and war nurses.

"Deceased service man" defined.

County commissioners shall contribute toward funeral expenses.

Proviso.

Payment of contribution

seventy-five dollars (\$75.00) for each body buried in accordance with the provisions of this act, to be paid out of the funds of the county, and such warrants shall be made payable only to the person or persons who shall have buried the bodies for which the warrants are to be so drawn.

Duty of public officers or employes.

Section 4. All public officers, agents, and servants, and all officers, agents, and servants of any county, city, township, borough, district, or other municipality, or of any almshouse, prison, morgue, hospital, home, or other public institution, having the control or custody of the body of such deceased service man whose body is entitled to be buried under the provisions of this act, shall, immediately upon the death or arrival of the body of such deceased service man, notify the county commissioners of said county wherein such death may have occurred or wherein such deceased service man shall have had his legal residence.

Headstones.

Section 5. It shall also be the duty of the county commissioners of each county in this State, upon or at any time subsequent to the death of any service man, as defined herein, who shall be buried within their counties, under the provisions of this act or any prior act, on the application of any relatives or friends of such deceased service man, to cause a headstone to be placed at the head of the grave of each such deceased service man, containing his name and, if possible, the organization to which he belonged or in which he served, in letters raised or cut in at least three-sixteenths of an inch deep on such headstone, to be of either marble or granite, and to be placed or set in a concrete base; and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence: Provided, however, That the expense shall not exceed the sum of fifty dollars for each headstone, and the county commissioners of each county, acting under this section, shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone.

Maximum cost.

Markers.

Section 6. The county commissioners of the several counties of this State shall, upon the petition of any ten reputable freeholders of any city, borough, township, or district in said county, procure for, and furnish to, said petitioners some suitable and appropriate markers, made of metal with bronze alloy, for the grave of each and every such deceased service man or woman buried within the limits of said city, borough, township, or district, to be placed upon the grave of such deceased service man or woman for the purpose of permanently

marking and designating such grave for memorial purposes, and when such deceased service man or woman shall have been a veteran of any war for which the Government of the United States issued discharge buttons, the markers designated for their graves shall include a facsimile of said discharge button.

Section 7. The county commissioners of the several counties of this State are hereby authorized to purchase plots of ground in any cemetery or burial-ground in their respective counties for the interment of such deceased service men whose bodies are entitled to be buried under the provisions of this act, and to draw their warrant on their county treasurer for the payment of the same: Provided, however, That the purchase price of said plots of ground shall not be charged against or allotted as part of the cost of burial of such deceased service man who may be buried in any of said plots under the provisions of this act.

County commissioners may purchase lots.

Section 8. The following acts of Assembly are intended to be superseded by this act—be, and the same are therefore, repealed by this act, to wit:

Acts repealed.

An act, entitled "An act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors, and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors, and marines," which became a law in the seventh day of June, Anno Domini one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and seventy).

Act of June 7, 1915 (P. L. 870).

An act, entitled "An act to amend sections one, two, three, and four of an act, approved the seventh day of June, Anno Domini one thousand nine hundred and fifteen, entitled 'An act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors, and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors, and marines,' " which became a law on the twelfth day of April, Anno Domini one thousand nine hundred and seventeen (Pamphlet Laws, seventy-four).

Act of April 12, 1917 (P. L. 74).

Act of May 26,
1919 (P. L. 284).

An act, entitled "An act to amend section one of an act, approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and seventy), entitled 'An act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors, and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors, and marines,' as amended; providing for the payment of funeral expenses of soldiers, sailors, and marines, dying while in service, and for headstones for the graves of such soldiers, sailors, and marines," which became a law on the twenty-sixth day of May, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, two hundred and ninety-four).

Act of June 20,
1919 (P. L. 519).

An act, entitled "An act to amend section one of an act, approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and seventy), entitled 'An act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors, and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors, and marines,' as amended," which became a law on the twentieth day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, five hundred and nineteen).

Act of June 7,
1919 (P. L. 425).

An act, entitled "An act to amend section five of an act, approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws, eight hundred and seventy), entitled 'An act to amend, revise, and consolidate the law providing for the burial of certain honorably discharged soldiers, sailors, and marines, at the expense of the counties in which they shall die or have a legal residence at the time of their death; to provide a system for effecting the burial of such soldiers, sailors, and marines; to provide headstones and markers for the graves of such soldiers, sailors, and marines; and to authorize the county commissioners of the several counties to purchase plots of ground for the burial of such soldiers, sailors, and marines,' " which

became a law on the seventh day of June, Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws, four hundred and twenty-five).

Together with all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed. Repeal.

The repeal by this act of any act of Assembly, or part thereof, as indicated by the titles of the various acts of Assembly as above set forth in this section, shall not be construed to revive any act or part thereof heretofore repealed or superseded. Effect of repeal.

APPROVED—The 10th day of May, A. D. 1921.

WM. C. SPROUL.

No. 224.

AN ACT

To further amend section twenty of an act, approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred forty-four), entitled "An act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road," as amended: providing for the vacation of abandoned or condemned turnpikes.

Section 1. Be it enacted, &c., That section twenty of an act, approved the eleventh day of May, one thousand nine hundred and eleven (Pamphlet Laws, two hundred forty-four), entitled "An act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed Turnpikes.