

NORTH CAROLINA GENERAL ASSEMBLY
1965 SESSION

CHAPTER 479
SENATE BILL 313

AN ACT AUTHORIZING AND EMPOWERING THE CITY OF DURHAM TO REMOVE GRAVES FROM PROPERTY OWNED BY IT LOCATED ON MURPHY, COLE, COLFAX, MOLINE, DUPREE, CONCORD, WOLF DENN, AND ROXBORO STREETS IN THE CITY OF DURHAM.

The General Assembly of North Carolina do enact:

Section 1. The city of Durham is hereby specifically authorized and empowered, in the discretion of its governing body, to remove graves from any property owned by it located on Murphy, Cole, Colfax, Moline, Dupree, Concord, Wolf Denn, and Roxboro Streets in the city of Durham after giving notice of thirty days to the relatives of the deceased persons buried in such graves, if any are known, and if not known, then after publication of a notice of such intended removal once a week for four consecutive weeks in some newspaper having a general circulation in the county of Durham; and such graves when removed shall be removed to a suitable place in another cemetery, due care being taken to protect the tombstones and to place them properly so as to leave the graves in as good condition as before removal; and, if necessary, to furnish suitable coffins or boxes for interring the remains which may be found in such graves. This authority to remove the graves shall specifically include the authority to open any such graves and to take therefrom any dead body or part thereof and anything interred therewith, and to remove and re-enter the same in some other cemetery or suitable place as may be selected by the next of kin, if any, or the Clerk of the Superior Court of Durham County. All expense of disinterment and removal and reinterment, including the acquisition of another burial site, shall be borne by the city of Durham.

Sec. 2. The authority granted by this Act shall be in addition to and not in substitution for the authority granted by the General Statutes of North Carolina.

Sec. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

Sec. 4. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 11th day of May, 1965.