§ 2003. Opening safe deposit box

1. When it appears to the court by petition that a person, firm or corporation has in its possession or under its control papers of a decedent of whose estate the court has jurisdiction or that the decedent has leased from them a safe deposit box and that such papers or safe deposit box may contain a will of the decedent, a deed to a burial plot in which the decedent is to be interred or a policy of insurance issued in the name of the decedent and payable to a designated beneficiary, it may make an order ex parte directing such person, firm or corporation to permit a person named in the order to examine the papers or safe deposit box and to make an inventory of the papers or of the contents of the safe deposit box in the presence of an authorized employee or agent of such person, firm or corporation, and if a paper purporting to be a will of the decedent, a deed to the burial plot or a policy of insurance be found to deliver the will to the clerk of the court, personally or by registered mail as directed by the court or the deed to the person designated in the order or the policy of insurance to the beneficiary named therein. The clerk shall furnish a receipt upon delivery to him of the will.

2. Notwithstanding any provisions of subdivision one of this section, a safe deposit company, trust company, bank, corporation, firm or other person, having in its possession, or under its control one or more safe deposit boxes shall permit an individual or individuals each of whom being a joint lessee with the decedent of said safe deposit box or boxes, or a deputy authorized by the decedent to have access to said safe deposit box or boxes, to examine and make copies of, in the presence and under the supervision of an officer of the company, bank, corporation or firm, any paper or papers found in said safe deposit box or boxes bearing upon the desire of the deceased as to the disposal of his remains, or deed to a cemetery plot, or proof of membership in a burial society. For purposes of this subdivision, the term "deputy" shall mean the person who had access to the decedent's safe deposit box or boxes and to the contents thereof on the last day of decedent's life. After copies have been made of the paper or papers described in this subdivision, the original paper or papers shall be resealed in the safe

deposit box or boxes and such officer shall certify that such papers have been resealed and file such certification with the surrogate's court.