

Section 301. Exclusive Jurisdiction.—The orphans' court shall have exclusive jurisdiction of:

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(19) Non-profit Corporations. The administration and proper application of funds awarded by an orphans' court to a non-profit corporation heretofore or hereafter organized under the laws of the Commonwealth of Pennsylvania for a charitable purpose at the direction of the orphans' court or at the direction of a settlor or testator of a trust or estate subject to the jurisdiction of the orphans' court, except in such instances as the court may disclaim future jurisdiction thereof.

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Section 2. This act shall take effect immediately.

APPROVED—The 22d day of December, A. D. 1965.

WILLIAM W. SCRANTON

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No. 477

AN ACT

SB 872

Amending the act of April 24, 1947 (P. L. 89), entitled "An act relating to the form, execution, revocation, operation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to elections to take under or against wills and the procedure in reference thereto," providing for ademption.

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

Section 1. Section 14, act of April 24, 1947 (P. L. 89), known as the "Wills Act of 1947," is amended by adding, at the end thereof, a new clause to read:

Section 14. Rules of Interpretation.—In the absence of a contrary intent appearing therein, wills shall be construed as to real and personal estate in accordance with the following rules:

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(17) Ademption. A specific devise or bequest shall not be adeemed when the testator or the testator's estate receives an asset in exchange for the subject of the devise or bequest and the act which otherwise would have caused the ademption occurs while the testator is an adjudged

incompetent. In such case the devise or bequest shall be deemed to apply to whatever was received in exchange.

Section 2. This act shall take effect immediately.

APPROVED—The 22d day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 478

AN ACT

SB 874

Amending the act of February 28, 1956 (P. L. 1154), entitled, as amended, "An act relating to the administration and distribution of incompetents' estates, both as to real and personal property, and the appointment of guardians of the persons of incompetents, and the procedure relating thereto; including the disposition of such estates or portions thereof and the determination of title thereto without the appointment of a guardian in certain cases; the appointment, bond, removal and discharge of guardians of such estates, their powers, duties and liabilities, the rights of persons dealing with such guardians, and the rights of persons claiming an interest in such estates or in property distributed therefrom whether as claimants or distributees, and containing provisions concerning the determination of incompetency and the powers, duties and liabilities of foreign guardians; and also generally dealing with the jurisdiction, powers and procedure of the orphans' court and the common pleas court relating to incompetents' estates," barring certain claims for failure to present them at the call for audit or confirmation.

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

Section 1. The act of February 28, 1956 (P. L. 1154), known as the "Incompetents' Estates Act of 1955," reenacted and amended July 11, 1957 (P. L. 794), is amended by adding, after section 615, a new section to read:

Section 616. Failure to Present Claim at Audit.—Any person who at the audit of a guardian's account has a claim which arose out of the administration of the estate of an incompetent or arises out of the distribution of an incompetent's estate or upon an accounting of the guardian of the estate of an incompetent, whether the incompetent is still adjudicated incompetent or has been adjudicated competent, and which is not reported to the court as an admitted claim, and who shall fail to present his claim at the call for audit or confirmation, shall be forever barred, against: (1) any property of the incompetent distributed pursuant to such audit or confirmation; (2) the former incompetent, if