

claimant, and to be published *in the county in which the registered office of the corporation is located* once a week for two successive weeks in two newspapers published in the English language, one of which shall be a newspaper of general circulation and the other the legal newspaper, if any, designated by the rules of court for the publication of legal notices; otherwise, in two newspapers of general circulation published in the county in which the registered office of the corporation is located. Where there is but one newspaper of general circulation published in any county, advertisement in such newspaper shall be sufficient.

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APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 395

AN ACT

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 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," providing for evidence of mental condition to be submitted by deposition or affidavit of a physician or psychiatrist of any city-owned hospital or institution.

**Incompetents'
Estates Act of
1955.**

Section 331, act of February 28, 1956, P. L. 1154, reenacted and amended July 11, 1957, P. L. 794, further amended.

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

Section 1. Section 331, 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 to read:

Section 331. Evidence of Mental Condition.—In any hearing relating to the mental condition of a person whose competency is in question, the deposition of, or sworn statement by, a superintendent, manager, physician or psychiatrist of any State-owned mental hospital or veterans administration hospital *or a physician or*

* "estate" in original.

psychiatrist at any municipally-owned hospital or institution shall be admissible in evidence as to the condition of an inmate of such hospital in lieu of his appearance and testimony, unless by special order, the court directs his appearance and testimony in person.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 23rd day of September, A. D. 1959.

DAVID L. LAWRENCE

No. 396

AN ACT

Amending the act of May 5, 1933 (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing for the expiration of registered names if the corporation is not formed within one year from the date of registration, and deleting the proof of advertisement as a requirement for the granting of a certificate of authority to a foreign nonprofit corporation.

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

Nonprofit Corporation Law.

Section 1. Section 204, act of May 5, 1933 (P. L. 289), known as the "Nonprofit Corporation Law," amended July 11, 1957 (P. L. 692), is amended to read:

Section 204, act of May 5, 1933, P. L. 289, amended July 11, 1957, P. L. 692, further amended.

Section 204. Registration of Corporate Name.—The incorporators shall make application to the Department of State for the registration of the proposed corporate name. The application shall set forth the name which the incorporators desire to use, the address including street and number, if any, of the proposed registered office of the corporation and it shall be signed by at least five incorporators. If the Department of State finds that the proposed name is available for corporate use, the department shall register the name, and shall issue to the incorporators a certificate that the proposed name has been duly registered. If the proposed name is not available for corporate use, the department shall refuse to