

Proviso.
Duty of corpora-
tion.

be and hereby are validated and confirmed, so that said charters shall have the same force and legal effect as if the applicants for incorporation had complied with all the requirements of law relative to the registration of their proposed names and addresses: Provided, however, that any corporation, before deriving the benefits of this section, shall file in the office of the Secretary of the Commonwealth within one year after the approval of this act an application for registration of the name and address of such corporation, setting forth the date of its incorporation; and, if the name of such corporation does not conflict with any other name, title, or designation duly registered according to law, it shall be registered, and a certificate of such registration shall be filed with the records of the court which granted the charter; and such registration shall have the same force and effect as though made at the time, or times, required by law: Provided, also, That, in the event the name of such corporation is similar to, or so nearly resembling the name, title, or designation of any association, society, order, foundation, federation, organization, or corporation duly registered according to law that it cannot be properly registered or used by the corporation,—and such prior registration is not withdrawn by such other association, society, order, foundation, federation, organization, or corporation,—such corporation shall be entitled to have its name or title amended by application to the court of common pleas which granted the charter, in the manner now provided by law for the amendment of a charter; and a decree granting a change of name of such corporation, where the new name or title has been duly registered as required by law, shall have the effect to validate, confirm, and create such association as a corporation in deed and in law with full force and effect, as if said association had originally complied with all the requirements of law as to registration of its proposed name and title.

Proviso.

APPROVED—The 5th day of March, A. D 1925.

GIFFORD PINCHOT.

No. 11.

AN ACT

Ratifying and confirming the action of the Department of Welfare in classifying the Wernersville State Hospital as a hospital for the care and treatment of the indigent insane.

Wernersville State
Hospital.

Section 1. Be it enacted, &c., That the action of the Department of Welfare, in constituting the Wernersville State Hospital an institution for the care and

treatment of all types of mental diseases, instead of an asylum for the chronic insane, be, and the same is hereby, ratified, and confirmed; and said Wernersville State Hospital is hereby declared to have become, and to be, an institution for the care and treatment of the indigent insane.

Treatment of indigent insane.

APPROVED—The 5th day of March, A. D. 1925.

GIFFORD PINCHOT.

No. 15.

AN ACT

In relation to the procedure in certain classes of cases in which there is raised a question as to the jurisdiction of a court of first instance over the defendant or the cause of action for which suit is brought; and authorizing appeals from the preliminary decision of such questions.

Section 1. Be it enacted, &c., That wherever in any proceeding at law or in equity the question of jurisdiction over the defendant or of the cause of action for which suit is brought is raised in the court of first instance, it shall be preliminarily determined by the court upon the pleadings or with depositions, as the case may require; and the decision may be appealed to the Supreme Court or the Superior Court, as in cases of final judgments.

Jurisdiction over defendant.

Determined by court.

Appeal.

Section 2. All such preliminary questions shall be raised by petition setting forth the facts relied upon, whereupon a rule to show cause shall be granted, and such preliminary question disposed of by the court. Such procedure shall be deemed de bene esse only and shall not operate as a general appearance.

Petition.

Rule to show cause.

Section 3. The appeal here provided for must be taken and perfected within fifteen days from the date when the decision is rendered; shall be made returnable on the third Monday after it is taken; and shall be placed by the appellate court at the head of its argument list for civil cases to be heard at the earliest date consistent with its rules governing the presentation of appeals: Provided, That as to decision made prior to the approval of this act, the fifteen days limitation shall not begin to run until after the date of its approval. A failure to appeal within the time specified will be deemed a waiver of all objections to jurisdiction over the defendant personally.

Time for appeal.

Provide.

Section 4. The right of appeal here conferred is not intended to cover questions of jurisdiction which go to the form of the action alone as between law

Right of appeal construed.