

Objections to
appraisalment to
be specified.

specify all the objections to said appraisalment, and any objections not specified in the appeal shall not be considered by the court. Upon such appeal, the court may determine all questions of valuation and the liability of the appraised estate for such tax, subject to the right of appeal to the Supreme or Superior Court.

APPROVED—The 22d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 254

AN ACT

To amend the title, and to amend section one as amended, of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by including notice in the title that said act taxes transfers made in contemplation of death; and by imposing upon banks, other institutions or depositories the duty of making certain reports; and fixing penalties on such banks, other institutions or depositories for failure to make such reports.

Inheritance taxes.

Title of act of
June 20, 1919 (P.
L. 521), amended.

Section 1. Be it enacted, &c., That the title of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," be and the same is hereby amended to read as follows:

AN ACT

Providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death: *defining and taxing transfers made in contemplation of death*; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal.

Section 2. That section one of the said act as amended by the act, approved the twenty-eighth day of March, one thousand nine hundred and twenty-nine (Pamphlet Laws, one hundred eighteen), entitled "An act to amend section one of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), as amended by the act, approved the fourteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws seven hundred seventeen), entitled 'An act to amend section one and section two as amended of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," providing for reciprocity with other States in the taxation of the transfer of property of non-resident decedents,' by providing that the proceeds of policies of life insurance, payable otherwise than to the estate of the insured, shall not be included in imposing any tax thereunder," as further amended by the act, approved the sixteenth day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, seventeen hundred ninety-five), entitled "An act to amend section one as amended, sections thirty-eight and thirty-nine, and to add section four to article one, of an act, approved the twentieth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred twenty-one), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Com-

Section 1, as last amended by act of March 28, 1929 (P. L. 118) and act of May 16, 1929 (1795), further amended.

monwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' by defining and taxing transfers made in contemplation of death; by providing for the filing of liens; prescribing when the exercise of the power of appointment shall be a taxable transfer under the transfer inheritance tax acts; and taxing of joint estates,' be and the same is hereby amended and re-enacted to read as follows:

Property subject to transfer tax.

Section 1. Be it enacted, &c., That a tax shall be, and is hereby, imposed upon the transfer of any property, real or personal, or of any interest therein or income therefrom in trust or otherwise, to persons or corporations in the following cases:

Transfer by resident decedent.

(a) When the transfer is by will or by the intestate laws of this Commonwealth from any person dying seized or possessed of the property while a resident of the Commonwealth, whether the property be situated within this Commonwealth or elsewhere.

Transfer of property in Commonwealth by non-resident decedent.

(b) When the transfer is by will or intestate laws of real property within this Commonwealth, or of goods, wares, or merchandise within this Commonwealth, or of shares of stock of corporations of this Commonwealth or of national banking associations located in this Commonwealth, and the decedent was a nonresident of the Commonwealth at the time of his death.

Transfer in contemplation of death.

(c) When the transfer is of property made by a resident, or is of real property within this Commonwealth or of goods, wares, and merchandise within this Commonwealth, or of shares of stock of corporations of this Commonwealth, or of national banking associations located in this Commonwealth, made by a nonresident, by deed, grant, bargain, sale or gift, made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after such death.

Transfer made within one year.

If such transfer is made within one year prior to the death of the grantor, vendor, or donor of a material part of his estate, or in the nature of a final disposition or distribution thereof, and without an adequate valuable consideration, it shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this clause.

Person coming into possession by transfer from decedent.

(d) When any person or corporation comes into the possession or enjoyment by a transfer from a resident or

nonresident decedent, when such nonresident decedent's property consists of real property within this Commonwealth, or of shares of stock of corporations of this Commonwealth, or of national banking associations located in this Commonwealth, of an estate in expectancy of any kind or character which is contingent or defeasibly transferred by an instrument taking effect after the passage of this act, or of any property transferred pursuant to a power of appointment contained in any instrument taking effect after the passage of this act. The proceeds of policies of life insurance, payable otherwise than to the estate of the insured, and whether paid directly by the insurer to beneficiaries designated in the policies, or to a trustee designated therein, and held, managed, and distributed by such trustee to or for the benefit of such persons or classes of persons under such plan and in such estates as may have been prescribed by the insured under agreement with such trustee, shall not be included in imposing any tax under this section: Provided, That property transferred pursuant to powers of appointment shall, in all cases where the power is hereafter exercised, be taxed as of the estate of the donor, notwithstanding any blending of such property with the property of the donee.

Property held jointly.

Personal property of a nonresident decedent made taxable under this section shall not be subject to the tax so imposed if a like exemption is made by the laws of the State or country of the decedent's residence in favor of residents of this Commonwealth.

When personal property of nonresident decedent not taxable.

(e) Whenever any property, real or personal, is held in the joint names of two or more persons, except as tenants by the entirety, or is deposited in banks or other institutions or depositories in the joint names of two or more persons, except as husband and wife, and payable to either or the survivor upon the death of one of such persons, the right of the surviving person or persons entitled to the immediate ownership or possession and enjoyment of such property shall be deemed, prima facie, a transfer of one-half, or other proper fraction thereof, taxable under the provisions of this act, in the same manner as though this part of the property to which such transfer relates belonged to joint tenants or joint depositors as tenants in common, and had been bequeathed or devised to the surviving person or persons by such deceased joint tenant or joint depositor by will.

Property held jointly.

Whenever personal property is deposited in banks or other institutions or depositories in the joint names of two or more persons, except by a husband and wife, as tenants by entireties, and one of the parties to such deposit shall die, it shall be the duty of such bank or other institution or depository, within ten days after knowledge of such death, to notify the Department of Revenue

Bank to notify Department of Revenue of death of joint depositor.

Failure to notify. *of such death, giving the name of such deceased person, the amount deposited at date of death with such bank or other institution or depository, and the name of the survivor or survivors to such account. Any bank or other institution or depository which, after knowledge of any such death, shall fail immediately to notify the*

Penalty. *Department of Revenue, as herein required, shall be liable to a penalty of one hundred dollars (\$100.00), to be recovered by the said department as debts of like amount are by law recoverable.*

APPROVED—The 22d day of June, A. D. 1931.

GIFFORD PINCHOT

No. 255

AN ACT

Imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire.

Excise tax on gross receipts.

Transportation companies using public highways.

Definitions.

Section 1. Be it enacted, &c., That the word "company," as used in this act, shall be construed to mean any individual who, or copartnership, corporation, joint-stock association, or association of individuals whatsoever which, shall engage in the business of carrying passengers or property for hire over the highways of this Commonwealth in motor vehicles or trackless trolleys. For the purposes of this act, the term "motor vehicle" shall be construed to mean every vehicle which is self-propelled, except such as move upon or are guided by a track erected upon the highways.

Semiannual report to be filed with Department of Revenue.

Contents.

Section 2. Each company shall pay an excise tax for the use of the highways of this Commonwealth. For the purpose of ascertaining the amount to be paid, each such company shall, on or before the first days of February and August of each year, file with the Department of Revenue, on forms prescribed and furnished by it, a report, under oath or affirmation, setting forth: (1) The name and address of the company owning or operating such motor vehicle or vehicles; (2) the location of the principal place of business of such company; (3) the name and address of the person in this Commonwealth upon whom service of process or other notice may be had against such company; (4) a schedule, if any, or, if not, a description of the routes over which such company shall have operated over highways in this Commonwealth during the period for which the report is filed; (5) the number of miles of all routes over which such motor vehicle or motor vehicles shall have been operated by such company during the period for which