

and does not appear at the return-day of the writ, the plaintiff, having filed his declaration, may file a common appearance for the defendant, and proceed in the cause as in other cases. Where the writ has been returned nihil habet as to the defendant, it shall be lawful for the plaintiff, at and after [the third term of the court] *forty-five days* after the execution of the writ, to take judgment against the defendant for default of appearance: Provided, That the plaintiff, fifteen days prior to the entry of said judgment, shall have filed his declaration.

Judgment
for default
of an
appearance.

Filing of
declaration.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE

No. 407

AN ACT

To further amend subparagraph three of subsection (a) of section five hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the re-settlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by making further provision relative to interest upon State deposits.

Section 1. Be it enacted, &c., That subparagraph three of subsection (a) of section five hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due

Subparagraph
3, of subsection
(a), of section
505, act of
April 9, 1929
(P. L. 343), as
amended by
act of June 7,
1935 (P. L.
283), further
amended.

or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth, and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as last amended by the act, approved the seventh day of June, one thousand nine hundred thirty-five (Pamphlet Laws, two hundred eighty-three), is hereby further amended to read as follows:

3. Shall agree to pay interest upon all State deposits, at the rate to be fixed every six months by the Board of Finance and Revenue, having due regard to the then prevailing money market: *Provided, That such agreement is not in conflict with law or any regulation of the Comptroller of the Currency, or of the Federal Reserve Board of the United States.* The said board may fix different rates of interest for active and inactive depositories, *not in conflict with law or any regulation of the Comptroller of the Currency, or of the Federal Reserve Board of the United States,* and may adopt and promulgate rules governing the time when interest shall begin to run on deposits of uncollected items. The board shall fix the specific day on which any change in interest rate shall become effective, and shall notify, in writing, every depository of such change and the effective date thereof. Pending action by the board the interest rates heretofore fixed by law shall remain in force. All collections shall be made for the Commonwealth without cost or compensation.

When
effective.

Section 2. This act shall become effective immediately upon its final enactment.

APPROVED—The 25th day of June, A. D. 1937.

GEORGE H. EARLE