

(b) Every corporation, limited partnership or joint-stock association, chartered or created under the laws of any other state or of the United States or of any foreign country, which shall have issued to it a certificate of authority to do business by the Department of State on or after the first day of January, one thousand nine hundred fifty-three, or on or after the first day of any fiscal year beginning in the calendar year one thousand nine hundred fifty-three, shall make, as of the date of issuance to it of such certificate of authority, an excise tax report to the Department of Revenue within thirty (30) days after the issuance to it of such certificate of authority or within thirty (30) days from the effective date of this act, whichever is later, and annually thereafter, at the same time that such corporation, limited partnership or joint-stock association is required by law to file with the Department of Revenue a capital stock or franchise tax report. Every such corporation, limited partnership or joint-stock association, at the time of making every report required by this section, shall compute and pay to the department the excise tax, if any, then due to the Commonwealth.

Act effective immediately.
Applicability of section 1 (a) of act.

Applicability of section 1 (b) of act.

Section 2. This act shall become effective immediately upon its enactment; but the provisions of section 1 (a) shall apply to calendar or fiscal years during which the act of May eighth, one thousand nine hundred one (Pamphlet Laws 150), as amended, shall remain in force and effect; and the provisions of section 1 (b) shall first apply to or during the calendar year one thousand nine hundred fifty-three and to or during any fiscal year beginning in the calendar year one thousand nine hundred fifty-three.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE

No. 209

AN ACT

To authorize courts to direct fiduciaries to make partial distribution or to pay into the State Treasury without escheat moneys, the use, benefit, enjoyment or control of which would not be available to certain non-resident beneficiaries entitled thereto; and providing remedies to such beneficiaries under certain conditions.

Fiduciaries.

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

Section 1. Definitions.—The following terms when used in this act, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

“Beneficiary” shall mean and include any legatee, devisee, distributee or other person who is entitled to share in the distribution of money or other property held by a fiduciary and who is not a resident of the United States, its territories or possessions.

“Fiduciary” shall mean and include any executor, administrator, trustee or guardian, whether domiciliary or ancillary, individual or corporate, subject to the jurisdiction of a court.

“Court” shall mean the court of record having jurisdiction over the fiduciary.

Section 2. Decree of Partial Distribution or of Payment Without Escheat.—Whenever it shall appear to the court that if distribution were made a beneficiary would not have the actual benefit, use, enjoyment or control of the money or other property distributed to him by a fiduciary, the court shall have the power and authority to direct the fiduciary (a) to make payment of the share of such beneficiary at such times and in such manner and amounts as the court may deem proper, or (b) to withhold distribution of the share of such beneficiary, convert it to cash, and pay it through the Department of Revenue into the State Treasury without escheat.

Section 3. Custody of Funds in Commonwealth; Fiduciary Released.—Upon receipt of the money directed to be paid into the State Treasury, the Commonwealth shall assume the custody of such money for the benefit of such beneficiary. The fiduciary, by making such payment, shall thereafter be relieved of and released from any and all liability for any claim or claims which then exist or thereafter arise with respect to such money.

Section 4. Repayment.—Any beneficiary or person, legally entitled to any money which has been paid into the State Treasury under the provisions of this act, may at any time petition the court which directed such payment into the State Treasury for repayment of the same. Upon proof to the satisfaction of the court of the petitioner’s ownership of such money and that he will have the actual possession, benefit, use, enjoyment or control thereof, the court shall enter a decree directing the Board of Finance and Revenue to make an order for repayment, payable out of funds in the State Treasury appropriated for that purpose, with interest thereon at the rate of two percentum per annum from the date when the said money was paid into the State Treasury to the date of repayment thereof.

Section 5. Appeals.—Any party in interest may appeal, as in other cases, from any order or decree of the court entered pursuant to the authority of this act.

Act effective
immediately.
Applicability
of act.

Section 6. This act shall become effective immediately upon its final enactment; and shall apply to any money or other property of any beneficiary not distributed prior to that date.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE

No. 210

AN ACT

Providing for the observance of March fifteenth of each year as Charter Day.

Charter Day.

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

Proclamation by
Governor.

Section 1. The Governor shall issue annually his Proclamation designating and setting apart March fifteenth as Charter Day and calling upon the people of the Commonwealth, the public schools and other educational institutions and patriotic, religious, historical and veterans' organizations to observe the anniversary of the execution of the Royal Charter by King Charles II on the fifteenth day of March, one thousand six hundred eighty-one, thereby creating the corporate legal existence of Pennsylvania, with appropriate exercises and programs, to the end that the establishment or birthday of Pennsylvania shall be commemorated each year.

Observance.

Act effective
immediately.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 28th day of July, A. D. 1953.

JOHN S. FINE

No. 211

AN ACT

Authorizing acknowledgments and affidavits by persons on active duty with the armed forces of the United States before persons authorized by act of Congress to act as notaries public; and validating certain acknowledgments and affidavits.

Notaries public.

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