

filed and preserved among the records of the fiduciary.

Paragraph 2,
clause (e), sec-
tion 49, amended.

Section 4. That paragraph two of clause (e) of section forty-nine of the said act is hereby amended to read as follows:

2. Where stocks, bonds, or other securities have been distributed in kind, as above provided, to any fiduciary, [it shall be the duty of such fiduciary to use reasonable diligence in converting such securities as shall not be investments now or hereafter authorized by law; and] if such fiduciary be doubtful as to the propriety of *retaining* or making sale of such securities, he may apply to the orphans' court having jurisdiction of his accounts, by petition, for authority and direction to *retain* or sell the same; whereupon, after due notice to all parties interested, the said court shall make such order in the premises as to it may appear proper.

Fiduciary may
apply for au-
thority to sell or
retain stocks,
bonds, etc.

When effective.

Section 5. This act shall become effective immediately upon final enactment.

APPROVED—The 28th day of May, A. D. 1937.

GEORGE H. EARLE

No. 285

AN ACT

To amend section one of the act, approved the seventeenth day of July, one thousand nine hundred nineteen (Pamphlet Laws, one thousand twenty-five), entitled "A supplement to an act, approved the second day of May, one thousand eight hundred and ninety-nine (Pamphlet Laws, one hundred and eighty-four), entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares, and merchandise, and providing for the collection of said tax,' " by providing for the annual appointment by the Auditor General of mercantile appraisers in cities of the first class, and terminating the terms of certain mercantile appraisers.

Section 1, act of
July 17, 1919
(P. L. 1025),
amended.

Section 1. Be it enacted, &c., That section one of the act, approved the seventeenth day of July, one thousand nine hundred nineteen (Pamphlet Laws, one thousand twenty-five), entitled "A supplement to an act, approved the second day of May, one thousand eight hundred and ninety-nine (Pamphlet Laws, one hundred and eighty-four), entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares, and merchandise, and providing for the collection of said tax,' " is hereby amended to read as follows:

Cities of the
first class.
Mercantile
appraisers.

Section 1. Be it enacted, &c., That in all cities of the first class, on or before the [thirteenth] *first* day of [December] *June*, [one thousand nine hundred and nineteen] *one thousand nine hundred and thirty-seven*, and [quadrennially] *on or before the first day of June*

of each year thereafter, the Auditor General [and the city treasurer] shall appoint five suitable qualified citizens as mercantile appraisers for [terms of four years each] a period of one year. Not all of said appraisers shall be members of the same political party. The powers, duties, and compensation of said appraisers shall be as now provided by law.

Appointment.

Term.

Powers, duties, salaries.

Section 2. The terms of mercantile appraisers in cities of the first class in office immediately prior to the first day of June, one thousand nine hundred thirty-seven, are hereby terminated as of that date.

Terms of present appraisers terminated.

Section 3. This act shall become effective immediately upon its final enactment.

When effective.

APPROVED—The 28th day of May, A. D. 1937.

GEORGE H. EARLE

No. 286

AN ACT

Relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by