

such dealer shall permit any such peace officer or department employe without let or hindrance to make investigation as herein authorized.

Penalty.—Any person failing to comply with the signals or requests of peace officers or department employes, as provided in this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

Section 39. The act, approved the ninth day of February, one thousand nine hundred forty-five (Pamphlet Laws 3), entitled "An act authorizing the Secretary of Revenue to issue one registration plate for motor vehicles during the present war and for a period of not longer than two years thereafter and making it lawful to operate a motor vehicle with only one registration plate attached thereto as provided herein," is hereby repealed.

Section 40. Article XII of said act is hereby amended by adding, immediately following section 1216 thereof, a new section to read as follows:

Section 1216.1. Uniformity of Interpretation.—This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law throughout this Commonwealth and all the subdivisions thereof.

Act of February 9, 1945, P. L. 3, repealed.

Article XII, said act, amended by adding, immediately following section 1216 thereof, a new section 1216.1.

APPROVED—The 24th day of August, A. D. 1951.

JOHN S. FINE

No. 337

AN ACT

To further amend sections five, seven, eleven and twenty-one and to add section twenty-one point one to the act, approved the sixth day of August, one thousand nine hundred forty-one (Pamphlet Laws 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the salaries of the chairman and the other members of the board; increasing the ceiling on salaries of the secretary of the board and of district supervisors; making the amount of such salaries subject to the determination of the board in conformity with the rules of the Executive Board; and by further defining the jurisdiction, duties, powers and functions of the Pennsylvania Board of Parole.

Pennsylvania
Board of Parole.

Section 5, act of
August 6, 1941,
P. L. 861, as
last amended by
act of July 3,
1947, P. L. 1248,
further amended.

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

Section 1. Section five of the act, approved the sixth day of August, one thousand nine hundred forty-one (Pamphlet Laws 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the "Pennsylvania Board of Parole"; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," as last amended by the act, approved the third day of July, one thousand nine hundred forty-seven (Pamphlet Laws 1248), is hereby further amended to read as follows:

Salaries of chair-
man and other
members of
board.

Section 5. The chairman of the board shall receive a salary of [eleven] *twelve* thousand *five hundred* dollars [(\$11,000)] (*\$12,500*) per annum and each of the other members of the board shall receive a salary of [ten] *eleven* thousand *five hundred dollars* [(\$10,000)] (*\$11,500*) per annum.

Section 7, said
act, as last
amended by act
of May 27, 1943,
P. L. 767,
further amended.

Section 2. Section seven of said act, as last amended by the act, approved the twenty-seventh day of May, one thousand nine hundred forty-three (Pamphlet Laws 767), is hereby further amended to read as follows:

Organization of
Board of Parole.
Appointment of
secretary.

Section 7. As soon as may be convenient after their appointment the members of the Board of Parole shall meet and organize. They shall appoint a secretary, who shall not be a member of the board, who shall hold office at their pleasure, who shall have such powers and perform such duties not inconsistent with any law of this Commonwealth as the board shall prescribe, and who shall receive such compensation as the board shall determine, *in conformity with the rules of the Executive Board*, not exceeding [five] *six* thousand dollars [(\$5000)] (*\$6000*) per annum. In the absence or incapacity of the secretary to act the [board] *Board of Parole* may designate such other person as it may choose to perform temporarily the duties of secretary.

Compensation.

Section 11, said
act, as last
amended by act
of July 3, 1947,
P. L. 1248,
further amended.

Section 3. Section eleven of the said act, as last amended by the act, approved the third day of July, one thousand nine hundred forty-seven (Pamphlet Laws 1248), is hereby further amended to read as follows:

Section 11. Each district parole office shall be in charge of a district supervisor who shall be appointed by the board, with the approval of the Governor, and who shall receive such annual salary, for those where the district includes either a county of the first class or a county of the second class not exceeding [six] *seven* thousand dollars [(\$6000)] (*\$7000*), and for those in other districts not exceeding [four] *five* thousand five hundred dollars [(\$4500)] (*\$5500*), as the board shall determine, *in conformity with the rules of the Executive Board*. Said district supervisor shall be the executive head of the district office to which he shall be appointed and shall have the control, management and direction of all employes of the [board] *Board of Parole* assigned to said district, subject to the supervision of the board.

Appointment of district supervisors.
Compensation.

Section 4. Section twenty-one of the said act, as last amended by the act, approved the twenty-seventh day of May, one thousand nine hundred forty-three (Pamphlet Laws 767), is hereby further amended to read as follows:

General duties.

Section 21, said act, as last amended by act of May 27, 1943, P. L. 767, further amended.

Section 21. The board is hereby authorized to release on parole any convict confined in any penal institution of this Commonwealth as to whom power to parole is herein granted to said board, except convicts condemned to death or serving life imprisonment, whenever in its opinion the best interests of the convict justify or require his being paroled and it does not appear that the interests of the Commonwealth will be injured thereby. [If at the time a person is paroled he has been imprisoned for a period in excess of the minimum term of imprisonment to which he shall have been sentenced, the period of parole may be extended by the board up to, but not beyond, the maximum term imposed.] The power to parole herein granted to the Board of Parole may not be exercised in the board's discretion at any time before, but only after, the expiration of the minimum term of imprisonment fixed by the court in its sentence or by the Pardon Board in a sentence which has been reduced by commutation: Provided, however, That if the Board of Parole refuse to parole the prisoner at the expiration of any minimum term fixed by the Pardon Board, it shall, within ten days after the date when the minimum term expired, transmit to the Pardon Board a written statement of the reasons for refusal to parole the prisoner at the expiration of the minimum term fixed by the Pardon Board. Thereafter, the Pardon Board may either accept the action of the Board of Parole, or order the immediate release of the prisoner on parole, under the supervision of the Board of Parole. Said board shall have the power during the period for which a person shall have been sentenced to recommit

Scope of Board's power to release on parole.

Exception.

Board may parole only after expiration of minimum term of imprisonment.

Proviso.

Board empowered to recommit parole violators.

one paroled for violation of the terms and conditions of his parole and from time to time to reparole and recommit in the same manner and with the same procedure as in the case of an original parole or recommitment, if, in the judgment of the said board, there is a reasonable probability that the convict will be benefited by again according him liberty and it does not appear that the interests of the Commonwealth will be injured thereby.

Said act amended by adding thereto, after section 21 thereof, a new section 21.1.

Disposition of convicted parole violators.

Section 5. The said act is hereby amended by adding thereto, after section twenty-one, a new section to read as follows:

*Section 21.1. (a) Convicted Violators. Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any penal institution of the Commonwealth who, during the period of parole or while delinquent on parole, commits any crime punishable by imprisonment, for which he is convicted or found guilty by a judge or jury or to which he pleads guilty or *nolo contendere at any time thereafter in a court of record, may, at the discretion of the board, be recommitted as a parole violator to the penal institution from which he was paroled or to any other institution to which legally transferred. If his recommitment is so ordered, he shall be reentered to serve the remainder of the term which said parolee would have been compelled to serve had he not been paroled, and he shall be given no credit for the time at liberty on parole. The board may, in its discretion, reparole whenever, in its opinion, the best interests of the prisoner justify or require his release on parole and it does not appear that the interests of the Commonwealth will be injured thereby. If a new sentence is imposed upon him to be served in the same institution from which paroled, then the service of the balance of said term originally imposed shall precede the commencement of the new term imposed for the latter crime. If a new sentence is imposed upon him to be served in any institution other than the one from which paroled, then the service of the new term for the latter crime shall precede the commencement of the balance of the term originally imposed. The period of time for which the parole violator is required to serve shall be computed from and begin on the date that he is taken into custody to be returned to the institution as a parole violator.*

Disposition of convicted technical violators.

(b) Technical Violators. Any parolee under the jurisdiction of the Pennsylvania Board of Parole released from any penal institution in the Commonwealth who, during the period of parole, violates the terms and conditions of his parole, other than by the commission of a new crime of which he is convicted or found guilty by a

* "nolo" in original.

*judge or jury or to which he pleads guilty or *nolo contendere in a court of record, may be recommitted after hearing before the board to the institution from which he was paroled or to any other institution to which legally transferred as a parole violator. If he is so recommitted, he shall be given credit for the time served on parole in good standing but with no credit for delinquent time, and may be reentered to serve the remainder of his original sentence or sentences. Said remainder shall be computed by the board from the time his delinquent conduct occurred for the unexpired period of the maximum sentence imposed by the court without credit for the period the parolee was delinquent on parole, and he shall be required to serve such remainder so computed from the date he is taken into custody on the warrant of the board. Such prisoner shall be subject to reparole by the board whenever in its opinion the best interests of the prisoner justify or require his being reparoled and it does not appear that the interests of the Commonwealth will be injured thereby.*

Section 6. All acts or parts of acts inconsistent herewith are hereby repealed.

Inconsistent acts repealed.

Section 7. This act shall, to the extent permitted by the Constitution, become effective immediately upon its final enactment.

Act, to extent permitted by Constitution, effective immediately.

APPROVED—The 24th day of August, A. D. 1951.

JOHN S. FINE

No. 338

AN ACT

Relating to the apportionment of estate taxes and providing procedure for enforcement of contribution or exoneration.

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

"Estate Tax Apportionment Act of 1951."

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

(1) "Person" includes a corporation, partnership and association, as well as a natural person, whether acting in a separate or in a fiduciary capacity.

(2) "Estate Tax" means gross Federal estate tax, including interest and penalty thereon.

(3) "Persons interested in property includible in gross estate" includes persons liable for payment of estate tax and persons whose property is subject to a

* "nolle" in original.