

Chap.374 AN ACT REGULATING THE SALE OF CERTAIN ARTICLES AND THE CONTAINERS IN WHICH THEY MAY BE SOLD.

Be it enacted, etc., as follows:

G. L. 98, § 22,
amended.

Sale of certain
articles and
containers in
which sold
regulated.

Chapter ninety-eight of the General Laws is hereby amended by striking out section twenty-two and inserting in place thereof the following: — *Section 22.* Paper or fibre cartons which are used for the sale by measure of viscous or semi-solid commodities or mixtures of solids and liquids shall contain and shall be sold as containing one quart, one pint, one half pint or one gill, Massachusetts standard liquid measure. Such cartons shall be of such shape and dimensions as may be approved by the director. Whenever the shape and dimensions of any such carton have been so approved, the director may authorize the manufacturer to have printed thereon a statement of its capacity in terms of Massachusetts standard liquid measure, with the words "Approved by the Director of Standards for Massachusetts", and with such other marking as the director may require. Such cartons shall be legal measure only for such commodities as may be designated by the director and shall be exempt from the laws requiring the sealing of measures.

Approved May 9, 1921.

Chap.375 AN ACT RELATIVE TO THE DISTRIBUTION OF CORPORATION TAXES AND INTEREST THEREON TO CITIES AND TOWNS.

Be it enacted, etc., as follows:

G. L. 58, new
section after
§ 24.

Distribution of
interest re-
ceived on over-
due corporation
taxes.

SECTION 1. Chapter fifty-eight of the General Laws is hereby amended by inserting after section twenty-four the following new section: — *Section 24A.* Interest received by the commonwealth on overdue taxes from corporations under section seventy of chapter sixty three, shall be distributed, credited and paid to the several towns in the same manner and proportions as the principal of such taxes is distributed, credited and paid.

G. L. 58, new
section after
§ 10.

State treasurer
to allow dis-
tribution of
certain taxes,
etc.

SECTION 2. Said chapter fifty-eight is hereby further amended by inserting after section ten the following new section: — *Section 10A.* The state treasurer shall allow, as an offset to any amount due the commonwealth from any town on November fifteenth in any year by way of the state tax, a sum equal to eighty per cent of the amount of any taxes to be distributed to such town under sections twenty

to twenty-four A, inclusive, that have been paid to the commonwealth on or before November first of that year, but which by reason of pending questions of abatement or otherwise cannot be immediately distributed.

SECTION 3. Section twenty-five of said chapter fifty-eight is hereby amended by inserting after the word "twenty-four", in the third line, the letter: — A, — so as to read as follows: — *Section 25.* The commissioner, subject to appeal to the board of appeal, shall ascertain and determine the amount due to each town under sections twenty to twenty-four A, inclusive, notify the treasurer of each town thereof and certify the amount, as finally determined, to the state treasurer, who shall thereupon pay the same.

G. L. 58, § 25, amended.

Commissioner to determine amounts due to cities and towns.

Approved May 9, 1921.

AN ACT RELATIVE TO THE TAXATION OF INCOMES RECEIVED BY FIDUCIARIES FROM DEALINGS IN INTANGIBLE PERSONAL PROPERTY.

Chap. 376

Be it enacted, etc., as follows:

SECTION 1. Section five of chapter sixty-two of the General Laws is hereby amended by striking out, in the twenty-fourth to thirty-fourth lines, inclusive, the words "; provided, that in the case of intangible personal property held by trustees or other fiduciaries, said excess shall be determined and the tax imposed by this section assessed and paid, at the time when such trust is terminated, but such trustee or other fiduciary may at his option include said excess in any return of income made prior to the termination of the trust, and the tax shall be assessed and paid as of the year in which the return is made. In case of trusts continuing for more than five years, said excess, if not previously returned, shall be included in a return of taxable income at least in every fifth year, and the tax shall be assessed and paid as of the year in which the return is made", — and also by striking out, in the thirty-fourth line, the word "such", so that subsection (c) will read as follows: — (c) The excess of the gains over the losses received by the taxpayer from purchases or sales of intangible personal property, whether or not said taxpayer is engaged in the business of dealing in such property, shall be taxed at the rate of three per cent per annum. Any trustee or other fiduciary may charge any taxes paid under this paragraph against principal in any accounting which he makes as such trustee.

G. L. 62, § 5, amended.

Tax on excess of gains, etc., from purchases, etc., of intangible personal property.

Same in case of trustee.