

Decision of the Tax Appeal Board - Date: January 12, 1972

Docket Nos. 422, 423, 424

Leslye M. Heisler, Trustee

Carla M. Heisler, U/A 4/19/68 (Docket No. 422)

Albert Heisler, Trustee

Susan Jo Heisler, Trust U/A 1/16/67 (Docket No. 423)

Albert Heisler, Trustee

Henrietta Heisler, Trust U/A 1/16/67 (Docket No. 424)

Personal Income - Corporation Merger - Exchange of Stock for  
Debentures - Recognition of Gain - Prior Law.

Any gain realized on the exchange of common stock of a corporation for debentures of another in connection with a merger is not recognized for purposes of the Delaware personal income tax in effect before January 1, 1971. The prior state law (Sec. 1146 (a) (3) used language identical to Section 112 (b) (3) I. R. C. 1939, which considered an exchange of stock for securities (debentures) to be nontaxable.