

his relationship to the original decedent and based upon the value of the property or interest therein at the time when the same vests in possession; provided, however, that the tax or taxes previously paid with respect to such property shall be credited to such new tax and only the balance shall be assessed.

(c) If no application for the payment of a tax at the rate of either 1% or 7 1/2%, or a proper combination of the two, as hereinbefore provided, shall have been made to the orphans' court OR OTHER COURT HAVING JURISDICTION, AS PROVIDED UNDER § 160, within a reasonable time after the valuation of the preceding or concurrent interest, or if the tax so assessed after application shall not have been prepaid within thirty days from the date of such determination, then the person who shall ultimately receive a concurrent or subsequent interest in such property shall, at the time when the same vests in possession, pay a tax based upon the whole value thereof as of the date of such vesting, without deduction of the tax or taxes previously paid, and the orphans' court, or other court having jurisdiction, AS PROVIDED UNDER § 160, shall so value the interest and assess the tax based upon such value. The tax so ascertained shall be and remain a lien upon the property subject to such interest for a period of four years from the date when the same vests in possession. Any order or determination under this section shall be subject to the same right of appeal as provided in § 160.

(d) In the event of full payment under the provisions of this section, a subsequent invasion of corpus by or on behalf of any person under the provisions of the instrument creating such interests shall not be subject to any inheritance tax thereon except to the extent that the rate of tax attributable to such person exceeds the rate theretofore paid hereunder, if any.

(e) A person having no interest under such instrument other than the mere possibility of having a power of appointment exercised in his favor shall not be considered a person by whom, or on whose behalf, an application could be made under subsection (a) hereof, but he shall nevertheless be entitled to the benefits available under subsection (b) hereof.

(f) Whenever application is made hereunder on behalf of persons one or more of whom are subject to taxation under the provisions of § 149 and another or others of whom are subject to taxation under the provisions of § 150, then the tax payable shall be fixed at the higher rate, and the orphans' court OR OTHER COURT HAVING JURISDICTION, AS PROVIDED UNDER § 160, on application of any party in interest, may apportion the tax among the applicants who shall thereafter respectively be responsible hereunder only for the amount so apportioned.