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REVENUE SYSTEMS

OF

STATE AND LOCAL GOVERNMENTS

By CARL C. PLEHN, Ph. D.

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REVENUE SYSTEMS OF THE STATE AND LOCAL GOVERNMENTS.

A DIGEST OF CONSTITUTIONAL AND STATUTORY PROVISIONS RELATING TO TAXATION IN THE DIFFERENT STATES AND TERRITORIES IN 1902.

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SUMMARY.

This summary is intended to present a general survey of the revenue systems of the states and territories. It includes all that is characteristic and most of the important details of the several revenue systems, omitting the less frequent or less important items. It has been designed primarily for the purpose of showing in what state a given tax is in use, or a given provision relating to revenue may be found. If it is desired to ascertain what taxes are in use in a given state, the information can be ascertained better from the compilation of the revenue laws of that state as given in Part II of this digest; but if it is desired to know in what states a given tax or given provision obtains, such information will be more easily found in this summary.

In general, the state laws leave wide discretionary powers to the local governments as to matters relating to taxation, but in each state there are some statutory provisions of a general character intended to bring about uniformity in the levy and collection, even of local taxes, within the state. This summary, as also the compilations of the revenue systems of the states, is based upon such general statutory provisions only. The provisions relating to taxation to be found in city charters or ordinances, local in character, have not been included in this summary, nor in the compilations for the states and territories. Both the summary and such compilations are, therefore, primarily concerned with state taxation, and county and municipal taxation are covered only in so far as they have been determined or fixed by general state legislation. In this digest the word "municipal" refers to those divisions of government smaller than, or ranking below, the county, as cities, towns, townships, etc.

The material in the compilations of the revenue laws of the several states and territories is presented, so far as possible, under fixed headings or classes. In the summary the same headings or classes have also been used as far as possible.

The classification used is as follows:

First—

General Description, Constitutional Provisions, and Officers.

Second—

Under each of three main divisions, namely, State Revenues, County Revenues, and Municipal Revenues, come the following subdivisions—

A. Taxes.
- I. The general property tax.
  - 1. Base.
    - *a.* The property subject to taxation.
      - The exemptions.
    - *b.* Assessment.
    - *c.* Equalization.
  - 2. Rate.
  - 3. Collection.
- II. Poll tax.
- III. Inheritance tax.
- IV. Corporation taxes.
- V. Business taxes and licenses.
- VI, VII, etc. Other taxes, where they occurred.

B. Fees.

C, D, etc. Other revenues, not taxes, where found.

The summary follows as closely as may be the same classification, but with the following exceptions:

No attempt has been made to summarize the general descriptions nor the constitutional provisions. This is for the obvious reason that everything of significance in them is necessarily embodied in the statutory provisions, and the mere distinction between statutory

and constitutional law can not be of any importance in interpreting the statistics concerning the revenues of the states.

Furthermore, no attempt has been made to summarize the provisions in regard to fees, miscellaneous taxes, and other miscellaneous revenues. This is for the reason that scarcely any two states have the same provisions and any summary would necessarily be little more than a reprint of what is shown, almost as conveniently, under the descriptions of the revenue systems of the several states and territories.

DEFINITIONS.

The following definitions have ruled in the classification of material:

Officers.—This list includes only those concerned directly with the assessment, levy or collection of taxes and other revenues. Officers, who, like the treasurers, merely receive the funds or act in some very subordinate capacity, are not included.

A tax.—A *tax* is a general compulsory contribution of wealth collected in the general interest of the community from individuals or corporations by an exercise of the sovereign power of the government, and levied without reference to the special benefits which the contributors may severally derive from the public purposes for which the revenue is required.

The general property tax.—This is a direct tax upon property, or upon persons, natural or corporate, in proportion to their property, except only such as may be specifically exempt on account of its or their public character or from considerations of public policy. This is the most widely used tax in the United States.

Poll tax.—This is a direct personal tax, usually on males, in certain classes, apportioned, as the name implies, at so much per head.

Inheritance tax.—This is a tax levied upon property passing by bequest, by the intestate laws of a state, or by deed or gift intended to take effect after death.

Corporation taxes.—This term has been used somewhat broadly to include all taxes levied on corporations generally or on any particular group of corporations, when such taxes are notably different in form or administration from the taxes levied on private or individual citizens or their property. It does not include all taxes levied on corporations, but only those which appear to take on a special form.

Business taxes and licenses.—These include all revenues collected from persons, natural or corporate, by reason of the business or calling in which they are engaged, where such collection is associated with and enforced by the granting of a license or permit to engage therein, and where the granting of such license or permit is a condition to the transaction of business or the following of a trade or industrial calling, the performance of any act, or the beginning of any undertaking.

Among the subordinate terms used are:

Base.—The kind of property, the classes of persons, the sorts of income, etc., on which the tax is levied.

Exemptions.—Items naturally or logically included in the base, but which for reasons of public policy are treated as exceptions and arbitrarily excluded from the base. Items sometimes listed in the statutes as exempt, because the taxpaying ability they represent is levied upon in some other way, are omitted.

Assessment.—Includes two processes: (1) Listing or enrolling, and (2) appraising or valuing the items entering into the base. (See further limitations, page 626.)

Equalization.—Raising or lowering the assessment or appraisal, by districts or by classes of property in order to produce uniformity. (See further limitations, page 629.)

Rate.—The amount of the tax falling on each unit of the base.

Collection.—The process of gathering the revenues. This has been made to include the time of payment, of delinquency, the penalties for nonpayment and delinquency, the lien of the government, and other matters relating to the enforcement of the levy.

OFFICERS.

The states fall into two sharply distinct groups in relation to the election or appointment of officers dealing with taxation, as well as in regard to the general administration of the entire revenue system: the first, those in which the township is the unit of administration and hence the district or division for which the local officers are elected or appointed; the second, those in which the county is the unit. A few states have the township system in some counties and the county system in others. This may arise from a permanent difference in the plan of local government in different sections, as in Illinois, or it may be, as in the Dakotas, a merely transitional stage, passing away as soon as, with the growth of population, the counties are organized into townships.

Under the township system there may be county officers to supervise the work of local officers, in the interest of uniformity, as do the county assessors in Indiana, and very frequently the collection of taxes for state, county, and municipal purposes is made by the county collectors.

It is also common under the county system to allow certain cities, or towns and cities generally, to have their own officers, assessors, and collectors, for the administration of local or city taxes. But in that case state and county taxes, at least outside of the excepted cities, are usually assessed and collected by county officers.

In the following general summary the differences in the titles of the officers have been ignored; and listers, appraisers, etc., have all been included under the term

"assessors." The particular titles used in the different states have been preserved in the abstracts for each state. The office of assessor is rarely combined with any other office, and it is very unusual for the assessor to be tax collector. A common exception, however, is that the assessor acts as collector for the poll taxes and collects taxes on easily movable personalty when the owner thereof has no realty. The office of the collector is, on the contrary, sometimes combined with that of another office; thus the treasurer, town or county, is often ex officio tax collector in Northern and Western states, while in some Southern states the sheriff acts as tax collector.

Under the township system the roll, when made up by the assessor, is usually revised by some local board of review, which may be either the local legislative body, as the town trustees, or city council, or a board specially constituted for the purpose. The latter is more common in those states in which the assessment is made at infrequent intervals. The duties of these boards are to adjust differences between individuals and to hear appeals from the action of the assessor. After review by the local board, the roll is, in many states, referred to a county board of equalization, whose principal duty it is to equalize between the towns and cities in the county and sometimes to hear appeals from the action of the local boards of review. In many states there are also state boards of equalization, which generally have power to equalize the assessments between the different counties.

Under the county system the first revision is usually made by the county board of equalization, whose chief duties are to equalize between the individuals, while the state board, if there be one, equalizes between the counties.

Other officers having in some states important duties with the administration of the revenue laws are: State boards of assessment for certain classes of property, which classes are withdrawn from the local assessors, such as railroad property; the auditors, who frequently receive the returns of certain classes of taxpayers; and, in a few states, tax commissioners, vested with different functions in different states, but generally exercising supervision over the administration of the revenue laws and reporting to the legislature necessary changes.

There are a few other officers, such as the tax inquisitors in Ohio and the back-tax commissioners in some of the Southern states, who are mentioned in the abstracts for the different states but not brought together in the summary.

The treasurers, state and local, are usually mere keepers of the public moneys and have little to do, unless ex officio, with the direct administration of the tax system. They have, therefore, not been included in the list of officers directly connected with taxation.

The chief value of this compilation of the officers, in connection with the statistics relating to the revenues, is to point out the differences in the system of administration which are likely to affect the thoroughness of the administration.

The assessors, who make up the initial or primary assessment rolls for the general system of state and local taxes, are:

1. Elected or appointed by counties:[1]

In Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho; in some counties in Illinois; in Indian Territory, Kentucky; by parishes in Louisiana; in Maryland, Mississippi; in some counties in Missouri; in Montana; in some counties in Nebraska; in Nevada, New Mexico; in some counties in North Dakota; in Oklahoma, Oregon; in a few counties in Pennsylvania; in some counties in South Dakota; in Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wyoming.

(*a*) The county assessors[2] are elected:

Once every two years in Arkansas, Colorado, Florida, Georgia, Idaho, Indian Territory, Maryland, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming; once every three years, in Pennsylvania; once every four years, in Alabama, Arizona, California, Illinois, Kentucky, Louisiana, Mississippi, Missouri, Tennessee, and West Virginia; once every five years, in Virginia.

2. Elected or appointed by townships, towns, cities, or villages, or other analogous units:

In Connecticut; in Delaware by the "hundred;" in District of Columbia;[3] in some counties in Illinois; in Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota; in some counties in Missouri and Nebraska; in New Hampshire, New Jersey, New York, North Carolina; in some counties in North Dakota; in Ohio, Oklahoma; in some counties in Pennsylvania; in Rhode Island, South Carolina; in some counties in South Dakota; in Vermont and Wisconsin.

(*a*) The local or town assessors are elected:

Once every year in all but three towns in Connecticut; in Illinois, Kansas, Maine, Michigan, Minnesota, Nebraska, New Hampshire, North Dakota, Ohio, Rhode Island, Vermont, and Wisconsin; once every two years in Delaware, Iowa, Missouri, New York, Oklahoma, South Carolina, and South Dakota; once every three years in three towns in Connecticut; in New Jersey and Pennsylvania; once every four years in Indiana and North Carolina; once every one to three years in Massachusetts; hold during good behavior in the District of Columbia.

The assessors are compensated by salary or per diem:

In all states except the following, in which they are compensated by commissions or (and) fees: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana; in some cases, New Jersey; New Mexico; at the discretion of the appointing authority, North Carolina; Texas, Virginia, and West Virginia.

[1] Yet in some of these states there are cities which have, or may have, their own independent officers for the assessment and collection of their separate city taxes.

[2] As affecting the terms of these officers in some cases, see the frequency of assessment, below.

[3] For the District, see abstract.

There are state or territorial boards of assessment (or special officers), for certain subjects of taxation:[1]

In Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Idaho, Illinois, Indian Territory, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

There are county boards of review or equalization:

In Arizona, Arkansas, California, Colorado, Delaware, Florida, Idaho, Illinois, Indian Territory, Indiana, Iowa, Kansas, Kentucky; parish boards for railroads in Louisiana; in Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas Utah, Washington; between individuals in West Virginia, Wisconsin, and Wyoming.

There are state (or territorial) boards of equalization:

In Arizona, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Washington, West Virginia, Wisconsin, and Wyoming.

There are state tax commissioners, or boards exercising certain supervisory powers[2] over the administration of the system of taxation as a whole or in part, exclusive of legislative or similar commissions for the revision of the revenue laws:

In Alabama, Connecticut, Indiana, Maine, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Tennessee; since 1902 in West Virginia; in Vermont and Wisconsin.

The collectors for the main part of the system, other than for purely municipal taxes, are:

1. Elected or appointed by counties:

In Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho; in some counties in Illinois; in Indian Territory, Indiana, Iowa, Kansas, Kentucky; by parishes in Louisiana; in Maryland, Minnesota, Mississippi; in some counties in Missouri; in Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina; in some counties in South Dakota; in Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wyoming; taxation districts in Hawaii.

2. Elected or appointed by townships, towns, cities, villages, or other analogous local units:

In Connecticut; by the "hundred" in Delaware; in Maine, Massachusetts, Michigan; in some counties in Missouri; in New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island; in some counties in South Dakota; in Vermont and Wisconsin.

[1] The list does not contain certain states in which some subjects of taxation, like the railroads, "make return" to a state officer who does not, beyond receiving the returns, exercise any positive function of assessment.

[2] Powers or duties analogous to those of these commissions are often conferred upon regular state officers.

State Revenues.

A. Taxes.

I. *The general property tax.*

The general property tax is used as a state tax, that is, to supply some revenues for general state purposes:

In all the states and territories except Connecticut, Delaware, Indian Territory, Pennsylvania, and Alaska.

In Connecticut, however, the state levies what is in effect a general property tax on the basis of the number of specified polls, and in Pennsylvania the state levies a tax on certain classes of personal property.

A number of other states have recently increased the proportion of their revenues coming from sources other than the general property tax, and correspondingly reduced the proportion drawn from that tax. This, however, is shown in the analyses of the revenues themselves, rather than in the summary of the laws.

1. *Base—*

a. The property included and exempt.—The property included is most commonly defined as: (1) "All property, real and personal, in the state not specially exempt;" it is also common to add: (2) "and moneys, credits, investments in bonds, stocks, joint-stock companies, etc.," or "personal property generally of persons residing within the state." Vermont expressly exempts all personal estate of its residents located in another state, and several states exempt property taxed in another state or permanently located in business in another state.

Most of the revenue laws distinguish two classes of property only, real and personal. The definitions of these two classes "for purposes of taxation" differ in many instances from the common-law definitions. The more important particulars in which they differ will be noted below.

In the following states the revenue laws make no special definition of property "for purposes of taxation:"

Delaware, Georgia, Iowa, Maryland, Mississippi, Tennessee, and Virginia.

In the following states more than two classes of property subject to taxation are recognized and specially defined:

Alabama, 14; Arkansas, 6; California, 5; Colorado, 3; Idaho, 3; Illinois, 5; Kentucky, 6; Louisiana, 15; Nebraska, 4; New Mexico, 3; Ohio, 6.

Real estate is usually defined, for purposes of taxation, to include land and improvements thereon.

All rights and privileges connected with land are also included in many instances, but these do not assume any great importance except in those states in which there are considerable amounts of public lands.

Public lands, state and national, are not ordinarily taxable; but in some states the interest, or possessory claim, of persons acquiring title to public lands, as under the homestead laws, or by purchase under contract from the state, is taxable. In others the settler is not taxed until he has an interest sufficient to entitle him to a patent. In some of the latter, however, the improvements made by the settler on public lands are taxable. In some states possessory claims and private improvements on public lands are taxed as real estate; in others, as personal property. As these differences in classification seriously affect the comparability of the tables of the assessed valuations, especially in the Western states, every effort has been made to learn the exact practice. The statutes are usually ambiguous on this point, and it has been necessary to gather this information from the attorney-generals of the states.

In the following states there are no particular provisions of the law bearing on possessory claims, presumably because there are no great number of such interests in these states:

Alabama, Connecticut, Delaware, District of Columbia, Florida, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, and Virginia.

In the following states the law provides that for the purposes of taxation real property shall include, in addition to land and improvements thereon, the possession of or right to the possession of land:

Arizona, Arkansas, California, Colorado, Georgia, Idaho, Indian Territory, Iowa, Kansas, Maine, Minnesota, Missouri, Montana, Nevada, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming.

But possessory claims are not taxable until title is acquired:[1]

In Arizona, Idaho, Kansas, Missouri, Montana, Oklahoma, South Dakota, Wisconsin, and Wyoming.

Possessory claims are taxable as personal property:

In Indiana, Michigan, New Mexico, and North Dakota.

Improvements on public lands, the title to which has not yet passed to the settler, are taxable as personal property:[1]

In Arizona, Michigan, Minnesota, Montana, New Mexico, Oregon, Texas, and Wisconsin.

Improvements on land are specially defined so as to imply treatment or valuation apart from the land:[2]

In Arizona, California, Colorado, Idaho, Nevada, New Hampshire, New Mexico, New York (since 1903), Ohio, and Utah.

[1] These are the two most important exceptions modifying the proportions of assessed real estate to assessed personal property.

[2] See further provisions having the same effect, under Assessment, page 628.

Personal property is not specially defined, for purposes of taxation:

In Delaware, District of Columbia, Georgia, Iowa, Maryland, Mississippi, Nebraska, New Hampshire, North Carolina, Pennsylvania, Tennessee, and Virginia.

Personal property is defined, for purposes of taxation, to include all things other than real estate:

In Alabama, Arizona, Arkansas, California, Colorado, Idaho, Indian Territory, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Montana, New Mexico, Ohio, Oklahoma, South Carolina, Utah, Vermont, West Virginia, and Wyoming; also certain items specially enumerated in Alabama, Arkansas, Indian Territory, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Ohio, South Carolina, West Virginia, and Wyoming.

Personal property is defined, for purposes of taxation, only by the enumeration of the particular items included:

In Connecticut, Florida, Illinois, Indiana, Maine; "personal estate," in Massachusetts; in Michigan, Nevada, New Jersey, New York, North Dakota, Oregon, Rhode Island, South Dakota, Texas, Washington, Wisconsin, and Hawaii.

Irrespective of general definitions under which they would ordinarily fall, the following items are specifically and arbitrarily defined, for purposes of taxation, as real estate or as personal property, respectively:

Ferries or ferry franchises, as real estate in Iowa, New Hampshire, and South Dakota.
Ibid., as personal property in Wisconsin.
Franchises, special, as real estate in New York.
Franchises, corporate, as real estate in Wyoming.
Fruit or nut bearing or ornamental trees or vines, as real estate in California and South Dakota.
Gas and water mains, as personal property in Montana, North Dakota, South Dakota, Washington, and Wisconsin.
Land scrip, railroad, as real estate in Minnesota.
Mineral rights, as real estate in Alabama, Arkansas, California, Colorado, Connecticut,[3] Idaho, Illinois, Kansas, Massachusetts, Minnesota, Missouri, Montana, New Jersey, New Mexico, New York, North Dakota, South Dakota, Utah, and Washington.
Mining claims, as personal property in Arizona.
Railroad track, or property necessarily used in operation, as real estate in Arkansas, Illinois, Indiana, Maine, Nevada, New Hampshire, and New York.
Ibid., as personal property in Iowa, North Carolina, Ohio, and South Carolina.
Ships are not deemed property for purposes of taxation in Washington.
Street railroad tracks, as personal property in Montana and South Dakota.
Telegraph lines, as real estate, or improvements, in Arizona, New Hampshire, and New York. Ibid., as personal property in California and South Carolina.
Telephone lines, also, in New Hampshire.
Toll bridges, as real estate in Iowa, Nevada, and New Hampshire.
Bridges, as real estate in New York.
Ibid., as personal property in South Carolina and Wisconsin.
Toll roads or turnpikes, as real estate in Arizona, California, Idaho, and Nevada.
Ibid., as personal property in South Carolina.
Water ditches, as real estate in Arizona, California, Idaho, Nevada, and New Hampshire.

[3] Not taxed for state purposes.

Debts may be deducted from credits, or from moneys and credits, or from money at interest:

In Arizona, Arkansas, California, Colorado; if liable to be assessed and set in the list of creditors, in Connecticut; in Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire, North Carolina, Ohio, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, Washington; average amount during year, in Wisconsin; in West Virginia and Wyoming.

Debts may be deducted from personal property:

In New York, Rhode Island, and Texas; from certain items only, in Vermont and West Virginia.

Debts may be deducted from all property:

In New Jersey.

Franchises, corporate and special, are specifically mentioned as taxable property, under the general property tax:[1]

In Arizona (of railroads); in California, Colorado, Illinois, Indiana, Kentucky, Louisiana; of certain classes of corporations only, in Massachusetts; in Michigan, Minnesota, Missouri, Montana, New York; of railroads, North Carolina; of certain classes of corporations, in North Dakota; in Tennessee, Texas; of certain classes of corporations, in Utah; in Vermont, Washington, Wyoming, and Hawaii.

In the following states and territories shares of stock, in those corporations for whose taxation or for the taxation of whose property special provision is made, are not taxable to shareholders:

Arizona, Arkansas, California, Colorado, Connecticut, Florida, Idaho, Illinois, Indian Territory, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia, Wisconsin, Wyoming, and Hawaii.

In two of the above states shares of stock in corporations are declared to possess no value over and above the value of the property of the corporation they stand for and represent and are not taxable to the shareholders, namely:

Arizona and California.

The "corporate excess," or the amount by which the market value of the capital stock of the corporations exceeds the value of the tangible and other property assessed to the corporations, is distinctly specified as an item of property taxable to the corporations in the following states:

Illinois, Indiana, Minnesota, Mississippi, Nebraska, North Carolina, North Dakota, South Dakota, and Tennessee. It is probable that the same item is taxable in some other states by construction of other parts of the revenue laws, but only those states have been included in which it is obviously intended to tax this as an item of property taxable to the corporations under the general property tax. (See, further, Corporation taxes, page 633.)

[1] Presumably such franchises are included under the general idea of property in other states as well. This list includes only those states which provide especially for such taxation.

In the following states shareholders are taxable on that portion of their holdings which represents the "corporate excess:"

In Alabama and the District of Columbia; in Iowa (some corporations; see, also, above); and in Maryland.

In the following states it appears that shareholders are taxable on their stock to its full value (if found) without reference to any taxes paid by the corporations:

Delaware, Georgia, Louisiana, and Washington.[2]

The bonds of domestic corporations, held by residents of the state, are taxed at their market value, the tax being payable by the corporation:

In Maryland and Pennsylvania.

Certain items of income are arbitrarily defined as property for purposes of taxation:

Gross receipts of toll bridges, telephone companies, etc., in Alabama.
Gross commissions of factors, brokers, etc., in Alabama.
Gross receipts of cotton pickeries, warehouses, etc., in Alabama.
Gross proceeds of mines, in Colorado, Nevada, South Carolina, and Utah.
Ground rents, in Delaware.
Net receipts of foreign fire, marine, and inland navigation insurance companies, in Illinois.
Ibid., all insurance companies, in Nebraska and Oklahoma.
Specified items of personal income, in Massachusetts.
Excess of premiums collected by insurance companies over losses paid, in Montana.
Net yearly income of ships engaged in foreign carrying trade, in New Hampshire and Massachusetts.
The income of any annuity unless the capital be taxed, in Minnesota, North Dakota, South Dakota, and Wyoming.
Gross premium receipts of insurance companies, less dividends, cancellations, and commissions, in Ohio.
Interest and income from United States bonds and other nontaxable securities, in Vermont.
Gross receipts of express and telegraph companies, in Indian Territory.
Gross receipts from foreign bridge companies, in Indiana.

Polls are taxable as property or included in the rolls with property, at a valuation of, or at a rate per poll equivalent to a valuation of:

$140 to $2,700, Delaware (until 1899);[3] $100, New Hampshire; $200, Vermont.

Mortgages on real estate are taxable as personal property belonging to the mortgagee, and no deduction is allowed the mortgagor from the assessed value of the property covered by the mortgage:

In all states except Arizona, California, Colorado, Connecticut, Idaho, and Indiana; in nine counties in Maryland; in Massachusetts, New Jersey, Pennsylvania, Washington, Alaska, and Hawaii.

Mortgages are (or may be) assessed to the mortgagee and the mortgagor allowed to deduct a corresponding amount from the assessed value of the land:

In California; except as to excess of mortgage over assessed value of land, in Connecticut;[4] in Massachusetts; in five counties in New Jersey; in Alaska and Hawaii; (since 1903, in Wisconsin).

[2] For further information regarding corporations, see Corporation taxes, page 633.
[3] Taxed for local purposes only.
[4] Not taxable for state purposes save under special conditions.

Mortgagor may have the mortgage assessed to the mortgagee if not over $700, nor over half the value of the property, and enjoy a deduction of a corresponding amount from the assessed value of the land:

In Indiana.

Mortgaged property taxable as a whole to mortgagor, unless mortgage is returned by mortgagee, in which case deduction is allowed:

In Arizona.

Same as above, except that deduction may be claimed by mortgagor:

In New Jersey.

Mortgaged property taxable to mortgagor and mortgage as such untaxed:

In Colorado and Idaho.

Mortgages not considered property for purposes of taxation:

In Washington.

Mortgages are assessed 8 per cent on amount of interest promised:

In nine counties in Maryland.

Mortgages are assessed 4 mills for state purposes only:

In Pennsylvania.

Exemptions—general rules.—All property belonging to the United States, and certain other items, such as greenbacks and bonds, are exempt by Federal law from all state and local taxation. Nevertheless most of the state statutes reenact this exemption.

All property belonging to the states or territories, to counties, towns, cities, villages, or other divisions of government is in the nature of things exempt. Yet the state statutes very generally provide for this exemption. The only exceptions or apparent exceptions to this general rule are instances in which public property may, under some public or quasi public contract or agreement, be used for private profit or enjoyment; or in which property belonging to the municipalities, or even to the state itself, is included in the valuation which is the basis for the apportionment of state taxes to the municipalities.

It is a general principle, usually expressed with great care and detail in the statutes, and, even when not so expressed, uniformly recognized and rigidly enforced by the courts, that private property exempted because devoted to a given or stated purpose, loses that exemption if devoted to some other purpose or used in such a manner as to yield directly or indirectly any private profit or enjoyment.

As the three provisions above stated are uniform in all parts of the United States, all reference to them is omitted in the following summary.

In many states where certain classes of property or the persons, legal or natural, owning or controlling such property, are taxed in a manner different from other classes of property, as, for example, public service corporations taxed on gross or net earnings, these classes of property are technically and by law expressly exempt from the general provisions of the law. But as these classes are in no sense relieved from any part of their proportion of the public burdens, they have been regarded as *merely technical exemptions and are omitted from the summary of exemptions.* The provisions governing them will be described under their proper headings in other parts of the general summary.

The following summary is based upon the general statutes of the different states. Exemptions provided in local or special laws, commonly found in Southern states but prohibited by the constitutions of most Northern and Western states, are not included.

Particular attention is called to the fact that owing to the great variety of expressions used, certain special or particular provisions which are given in some state statutes are covered by more general expressions in others. Thus, for example, only one state expressly exempts "nunneries," but in many others the same result is attained by exempting all "religious societies," while in others the term is "property used for religious purposes," and so on. So complex are the interrelations of the different provisions that this summary can serve only the most general purposes. Some more special questions can be answered by inspecting the compilations for the individual states; but for any detailed or exact information reference must necessarily be had to the statutes and the multitude of cases interpreting them.

Class A.—Exemptions for religious, pious, charitable, or benevolent purposes, or for similar reasons:

1. Religious:
   Churches—All states and territories except Alaska.
   Parsonages—$5,000, Connecticut; Florida, Kansas, Kentucky; $6,000, Maine; Maryland, Michigan; $2,500, New Hampshire, New Jersey; not over $2,000, New York; North Carolina, South Carolina, Virginia, West Virginia, Wisconsin, and Wyoming.
   Religious societies or property held for religious purposes—Delaware, Illinois, Iowa, Kansas; personal property to $6,000, Maine; Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, South Dakota, Tennessee, Virginia, Wisconsin, and Hawaii.
   Ecclesiastical societies and their stock—Connecticut and Michigan.
   Camp meeting associations—Minnesota and New Jersey.
   Nunneries—Virginia.
   Religious books kept for sale by ministers or colporteurs—Alabama.
2. Pious:
   Cemeteries—All states and territories except California.
   Crematoriums—Iowa.

3. Charitable and benevolent:

Property used for charitable and (or) benevolent purposes or belonging to charitable and (or) benevolent societies or associations or institutions—Alabama, Arizona, Arkansas, Colorado, Connecticut, Delaware; personal property only, District of Columbia; Florida, Georgia, Idaho, Illinois, Indian Territory, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska; to $5,000, Nevada; New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

Grouped with the above are fraternal organizations, Grand Army posts, etc., lodges, etc.—North Dakota, Ohio, and Wyoming.

Odd Fellows, order of, buildings, parts of buildings, furniture and equipment—Idaho; to $5,000, Nevada.

Masons, order of, buildings, parts of buildings, furniture and equipment—Idaho; to $5,000, Nevada.

Grand Army posts, charitable funds of—Connecticut, Kansas; $20,000, Massachusetts; Michigan, Vermont.

Soldiers' Home—District of Columbia.

Sons of Veterans, personal property of—Michigan.

Union Veterans' Union, personal property of—Michigan.

Women's Relief Corps—Michigan.

Y. M. C. A., personal property of—Michigan.

Young People's Christian unions, personal property of—Michigan, Virginia.

W. C. T. U. associations, personal property of—Michigan.

Temperance societies—Massachusetts.

Asylums, homes, refuges, institutions, etc.—Arizona, Maryland; for orphans and aged and poor persons, Rhode Island; for orphans, and reformatories, Virginia; for orphans, for aged and infirm, and reformatories for fallen women, Washington; for deaf, dumb and blind, lunatics, and orphans, West Virginia; Home of the Friendless in Milwaukee, Milwaukee Orphan, Wisconsin; for orphans, Wyoming.

Hospitals—Arizona; supported wholly or in part by state, also infirmaries, Connecticut, Idaho, Maryland, Mississippi, Missouri, New Jersey, North Dakota, Pennsylvania, Rhode Island, Virginia, Washington, West Virginia, and Wyoming; the Queen's Hospital, Hawaii; Kapiolani Maternity Home, Hawaii.

Widows and orphans, property of—not to exceed $1,000, when total is not over $2,000, Arizona; $1,000, when total is not over $5,000, Idaho; $500, if total does not exceed $1,000, Massachusetts; to $5,000, Nevada.

Widow or mother of deceased pensioner—$1,000, Connecticut.

Pensioned widows, fathers, and mothers—$1,000, Connecticut.

Dependent on own exertions—$200, Florida.

Aged and infirm, unable in judgment of assessors to contribute—Iowa, Maine; over 75 years, $500, if total is less than $1,000, Massachusetts; Oregon and South Dakota.

Poverty, by reason of, persons who in the opinion of the assessor are unable to contribute—Michigan, Oregon, and Rhode Island.

Disabled persons, and maimed—$200, Florida and Mississippi.

Deaf-mutes, insane, and blind—to $1,000, Alabama.

Deaf and dumb—Mississippi.

Blind persons—$3,000, Connecticut and Mississippi.

Persons assessed for less than $100—Maryland.

Unmarried women over 21 years of age—$500, if total does not exceed $1,000, Massachusetts.

Soldiers, sailors, or marines of the United States—When pensioned, up to $3,000, Connecticut; $800, unless property is over $5,000, Iowa; receiving state pension, Maine; and their widows $2,000, unless property is over $5,000, Massachusetts.

3. Charitable and benevolent—Continued.

Widows, unmarried, of the above—$800, unless property is over $5,000, Iowa.

Persons who have served in Army, Navy, Marine Corps, or Revenue Service of the United States—$1,000, Connecticut.

Indians, estates of, Maine, Michigan; lands, New York, North Carolina, Oregon, and Wisconsin.

Class B.—Exemptions granted for education, or the advancement of knowledge:

1. Schools, colleges, and the like:

Educational purposes generally, or educational institutions and societies, property used for—Alabama, District of Columbia, Florida, Indiana, Kentucky, Maryland, Montana, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, and West Virginia.

School property—Alabama, Arizona, Arkansas, Colorado, District of Columbia, Idaho, Illinois, Indian Territory, Indiana, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Hampshire, North Dakota, Ohio, Rhode Island, South Carolina, Texas, Virginia; free schools, West Virginia; Wyoming and Hawaii.

Academies—Arkansas, Connecticut, Georgia, Kansas, New Jersey, North Dakota, Pennsylvania, South Carolina, Virginia, and West Virginia.

Normal schools—Vermont.

Colleges—Arizona, Arkansas, Connecticut, Delaware, Georgia, Indian Territory, Kansas, Louisiana, Maine, New Jersey, North Dakota, Pennsylvania, South Carolina, Virginia, West Virginia, and Wisconsin.

Seminaries of learning—Georgia, New Hampshire, North Dakota, Pennsylvania, and Virginia.

Universities, endowment—Kansas, Pennsylvania, and Wisconsin.

Professors and president of Brown University[1]—to $10,000, Rhode Island.

California School of Mechanical Arts—California.

Leland Stanford Junior University—California.

2. Libraries, library associations, etc.:

Public libraries—All libraries not professional, Alabama, Arizona, free public, California, Colorado; personal property, District of Columbia; Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Montana, New Mexico, Oklahoma, Oregon, Rhode Island; personal property, South Dakota; Texas, Utah, Virginia, Washington, West Virginia, and Wyoming.

Certain law libraries—Ohio.

Private libraries—Of ministers, Alabama; $200, Connecticut; District of Columbia, Idaho; $300, Iowa; family, $50, Kansas; Michigan, North Carolina; $100, South Dakota; Vermont; family, West Virginia; $200, Wisconsin.

School books—District of Columbia; $50, Kansas; and Michigan.

Books, philosophical apparatus, paintings, and statuary of any company or association kept in a public hall—Georgia and Louisiana.

3. Associations for the advancement of science, letters, etc.:

Literary institutions and societies—Alabama, Connecticut, Florida, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, New Mexico, North Carolina, Oregon, and Wisconsin.

Scientific institutions and societies—Alabama, Connecticut; personal property, District of Columbia; Florida, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, New Mexico, North Carolina, Oklahoma, Oregon, South Dakota, Tennessee, and Wisconsin.

Philosophical societies—Illinois.

Biological and fish stations—New Jersey.

Mechanical societies—Illinois and South Carolina.

Turner societies—Wisconsin.

[1] Other similar exemptions may be found in the charters of other universities.

3. Associations for the advancement of science, letters, etc.—Continued.

Art galleries, public—Wisconsin; the Corcoran Art Building, District of Columbia.

Museums, free public—California.

Virginia Historical Society—Virginia.

Association for the Preservation of Virginia Antiquities, Confederate Memorial Literary Society, Mount Vernon Ladies' Association of the Union—Virginia.

Bunker Hill Monument—Massachusetts.

Class C.—Exemptions granted in return for services regarded as of a public character:

Agricultural societies—$25,000, Alabama; Arizona; stock of, Connecticut; Florida, Illinois, Iowa, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Mexico, New York, South Carolina, West Virginia, and Wisconsin.

Horticultural societies—Illinois, Montana, and Nebraska.

Industrial expositions—Minnesota and Wisconsin.

Fire companies, or apparatus and buildings—Arizona, Arkansas, Connecticut, Florida, Illinois, Iowa, Kansas, Michigan, Minnesota, New Jersey, New York, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Washington, West Virginia, Wisconsin, and Wyoming.

Firemen—From road taxes, New Mexico.

Armories—Michigan, New Jersey, North Carolina, North Dakota, Ohio, and Wisconsin.

Class D.—Exemptions granted for economic or fiscal administrative reasons:

1. Exemptions intended to lighten the burden upon the poor or those of moderate means, or to encourage industry and frugality generally:

Abatement from all property, real and personal—$300, Hawaii.

Improvements in and on land to $500—Washington.

Abatement from personal property—$200 each family, Kansas; used in connection with business, $200, Michigan; $100, Minnesota; $10, North Dakota; $100, Ohio; $300, Oregon; $1,000, Tennessee; situated in another state, Vermont; $300, Washington.

Cash—$100, Connecticut and Delaware.

Household furniture, or goods, or kitchen utensils—to $150, Alabama; $200, Colorado; $500, Connecticut; other than plate, Delaware; $1,000, District of Columbia; $300, Iowa; $250, Kentucky; $500, Louisiana; $200, Maine; $1,000, Massachusetts; $500, Michigan; $25, North Carolina; $200, South Dakota; $250, Texas; $500, Vermont; $200, Wisconsin and Wyoming.

Beds and bedding requisite for family—Iowa, South Dakota, and Wyoming.

Wearing apparel—Alabama, Connecticut, Delaware, District of Columbia, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, North Carolina, South Carolina, South Dakota, Vermont, Wisconsin, and Wyoming.

Articles of personal adornment—District of Columbia.

Provisions—And seed, Alabama; Connecticut; for one year, Delaware; Maryland; to $500, Michigan; for one year, Oklahoma; $100, South Carolina; for one year, Vermont; for six months, Wisconsin.

Food for family—Iowa; for one year, Oklahoma and South Dakota; Wyoming.

Fuel for family use—Connecticut, Maryland; to $500, Michigan; for one year, Oklahoma and South Dakota.

Tools, farming—$25 worth, Alabama; $200, Connecticut; Delaware; $200, Idaho; $300, Iowa; Maine; $300, Maryland, Massachusetts, and Vermont.

Tools, mechanics'—$25, Alabama; and implements of profession, Delaware; $200, Idaho; $300, Iowa; Maine; $300, Maryland and Massachusetts; $500, Michigan and Vermont.

Tools, miners', prospector or householder—$200, Idaho.

1. Exemptions intended to lighten the burden upon the poor or those of moderate means, etc.—Continued.

Wagon—One, Alabama; wagon, team, and harness of teamster, Iowa; one wagon, sleigh, and harness, Vermont; of farmer, having tires three inches wide, and sleighs, gauge four feet six inches, Wisconsin.

Sewing machines—One to each family when personal property does not exceed $250, Alabama; one, Michigan.

Looms and spinning wheels, family—Alabama.

Musical instruments—Used by churches, Connecticut; not exceeding $1,500, Maine.

Family portraits—Alabama, District of Columbia, Iowa, Michigan, Oklahoma, South Dakota, and Wisconsin.

Domestic animals—Under 1 year of age (swine and sheep under 6 months), Iowa; under 6 months, Maine; same as Iowa, Massachusetts and Michigan; 4 months old, Vermont.

Sheep—Ten head, Alabama; $100, Connecticut; under 6 months of age, Iowa, Massachusetts, and Michigan.

Swine—Under 6 months of age, Iowa, Massachusetts, and Michigan.

Oxen—One yoke, Alabama.

Hogs—Twenty head, Alabama; $50, Connecticut.

Cows and calves—Two, Alabama.

Poultry—Alabama; $25, Connecticut; Iowa; $15, Massachusetts; $25, Vermont.

Bees—Ten stand, Iowa.

Deposits in savings banks—New Jersey and New York.

Homestead—When not over $200, New Mexico.

Possessory rights to public lands—Idaho, Oklahoma, and other states by construction.

Watch—One, $25, Vermont.

2. Exemptions intended to adjust inequalities or to correct other incongruities in the operation of the revenue laws, to equalize the effect of the chosen date to which the assessment refers, to prevent double taxation and the like:[1]

Crops of preceding year, produce of soil—Alabama, Connecticut; grain and produce of land, Delaware; and produce, Iowa; Kentucky, Maine, Maryland, Tennessee; hay and produce sufficient to winter stock, Vermont; and increase of live stock, West Virginia.

Growing crops—California, Idaho, Tennessee, and Wisconsin.

All fiber crops—Hawaii.

Products, manufactured during the year and remaining unsold—Alabama, Tennessee, and West Virginia.

Fish, while in hands of fisherman or packer not sold—Maryland.

Produce of mines, salt wells, and oil wells, of the year and unsold—West Virginia.

Mortgages—Idaho; when not deducted, New Jersey; of nonresidents under certain conditions, New York.

Toll roads or plank roads—Wisconsin.

Stock on hand of manufacturer or tradesman—Delaware.

Stock in corporations such that no dividends are paid—New Hampshire.

Mining claims—Idaho.

Mines—For ten years, Maine; but not proceeds, Nevada; for ten years, New Mexico.

Swamp and swale lands—Improvements on, for ten years, New Hampshire.

3. Exemptions intended to foster or promote certain selected industries, to afford means of transportation, to preserve roads, and the like:

Irrigation ditches—Private and not selling water, Arizona, Colorado, Idaho, and Utah; public, when free, New Mexico; all, for six years, New Mexico.

Fruit and nut bearing trees—For four years from time of planting in orchard form, California; Washington; nonbearing, Florida; and forest, Nebraska; fruit or forest, South Dakota.

[1] This does not include purely technical exemptions, but only those which apparently work an exemption not granted in other cases.

3. Exemptions intended to foster or promote certain selected industries, etc.—Continued.

Vines, grape, for three years from time of planting in vineyard form—California.

Manufactories[1]—Cotton, for five years; if total investment is $50,000, ten years, Alabama. Shipbuilding, for five years; or if $500,000 is invested, for ten years, Alabama. Beet sugar, until 1910, Iowa; ten years, Wyoming. Certain specified industries, Mississippi; ibid., for five years, New Mexico. Woolen mills, smelter, refining and reduction works, and tanneries, for five years, New Mexico. Oxide of zinc, or metallic zinc, three years, Wisconsin. Canning pineapples, jams, jellies, etc., Hawaii.

Railroads—New roads, for ten years after 1901, Arizona and New Hampshire; six years, New Mexico; real estate of, for eight years, Vermont.

Tree plantations, etc.—Connecticut; twenty years from 1882, Maine; ten years after trees reach four feet, Massachusetts; for fifteen years, not over $25 per acre, Rhode Island; to $1,000, South Dakota; belts, Wisconsin; forest lands fenced to protect springs, Hawaii.

Vessels—Delaware; in foreign trade, Massachusetts; registered in the state and owned by American citizens, New York; in construction, Washington.

Cooperative insurance companies—New York.

Fences, line—Nebraska.

Fishing apparatus—$200, Connecticut.

Imports—Delaware.

Class E.—Exemptions by legislative contract:

There are a considerable number of scattered exemptions granted to various institutions of learning, or to various industrial enterprises, to towns and villages, to certain groups of persons and to bondholders by legislative or constitutional contract of more or less long standing. These are of interest rather as exceptions to the rule than on account of their effect upon the general figures or statistics of assessment or valuation. Among the most important of these are the exemptions of various bonds, state and local. There is so much variety in the practice of the different states in this regard and so many exceptions within each state that no general summary would assist in interpreting the statistical returns. Hence all of these are omitted here.

b. Assessment.—The term "assessment" as used in this summary includes only the two processes of: (1) Listing or enrolling and (2) appraising or valuing the property or persons to be taxed. (Cf. Cooley, Taxation, second edition, page 351.) This is the usage most commonly found in recent statutes. In some of the older states, however, notably in some of the New England states, there are statutes still in force in which the term is used to cover all the processes involved in determining the amount of tax each individual is to pay. That is, it includes not only the "assessment," appraisal, or valuation of property, but also the actual levy of the tax. (Cf. People *v.* Weaver, 100 U. S., 539.) The phrase "assessing the property" expresses more nearly the modern or first mentioned meaning, while "assessing the taxes" implies the older or second mentioned meaning of the term. No serious confusion is likely to arise from this difference in local usage, as the context can be relied upon to make the meaning clear. (Cf. R. I. Hospital Trust Co. *v.* Babbitt, 22 R. I., 113.)

[1] In many states municipalities are authorized to grant exemptions under certain limitations to manufacturing establishments.

In most of the states there is one general assessment roll in which all taxable property, with comparatively few and insignificant exceptions, is entered and upon which the state, county, and all local taxes are levied. This roll is variously known as the assessment roll, assessment list, "duplicate," "grand duplicate," "general inventory," "grand list," or by other names suggestive of local practices.

The initial assessment, or valuation and listing, of all property, except that of certain classes of public service corporations (assessed by state boards, see below) is usually made in districts (ward, township, county, etc.) by local assessors. (See Officers, above.) It is unimportant whether these officers are by law "state" or "local," as they make their rolls in substantially the same manner, by districts.

This initial assessment roll, so far as made by local officers, is usually subject to review and correction by some local board and to equalization by county and state boards (see Equalization, below), and to the roll so corrected are applied both the local and state rates of taxation.

This general description fits, with some relatively unimportant exceptions, the conditions and practices prescribed by the statutes in all the states and territories, except as mentioned below. This procedure is intended to produce a certain degree of uniformity within each state, and so far as this end can be accomplished by statutory enactment, the assessment is made uniform. These exceptions below tend to create differences.

Exceptions: (1) The following states do not levy a state tax upon the assessment of general property (only some of them, as set forth below, levy on certain classes of property):

Connecticut, Delaware, Indian Territory, Pennsylvania, and Alaska. (See, also, pages 670 and 674.)

(2) In the following states the assessment roll is essentially a local roll, and state taxes, with the exception, possibly, of a few fixed rates, are apportioned to the towns or counties in the lump, to be raised by them in such manner as they may prescribe; in these states there is not necessarily any complete state roll, nor any general state rate:

Apportioned biennially, in Maine; apportioned triennially, in Massachusetts; apportioned quinquennially, in Michigan; apportioned quadrennially, in New Hampshire; state tax on personal property only, in Pennsylvania; apportioned once in sixteen or seventeen years, in Rhode Island; apportioned annually, in Vermont and in Washington; apportioned decennially, in West Virginia; apportioned annually, in Wisconsin.

(3) In many states, especially among those in which the counties are the initial assessment districts, the cities, or certain cities, are by special provision, either in the statutes or in their charters, allowed to make separate assessment rolls to serve as bases of local or city taxes. The states in which such provisions have been found in general statutes are:

Alabama, Arizona, California, Georgia, Iowa, Kentucky, Mississippi, Missouri, Texas, West Virginia, and Wyoming.

Frequency of assessment: (1) An assessment or valuation of all property is made annually and for all purposes, both state and local:

In Alabama, Arizona, California, Colorado, Connecticut, Florida, Georgia, Idaho, Kentucky, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Wisconsin, Wyoming, and Hawaii.

(2) An assessment or valuation is made annually for local taxes:

In Maine, Massachusetts, Michigan, New Jersey, New Hampshire, Pennsylvania, and Rhode Island.

(3) An assessment or valuation of personal property, or of all property *except real estate*, is made annually:

In Arkansas, District of Columbia, Illinois, Indian Territory, Indiana, Iowa, Kansas, Minnesota, Mississippi, Ohio, South Carolina, Tennessee, Vermont, Virginia; for local taxes, in West Virginia; in Washington.

(4) State taxes are apportioned annually in all states levying state taxes on general property and having an annual assessment, except the following:

In Maine, every two years; in Massachusetts, every three years; in Michigan, every five years; in New Hampshire, every four years; in Rhode Island, every sixteen or seventeen years; in West Virginia, every ten years.

(5) An assessment or valuation is made less frequently than annually, as follows:

(*a*) For all property—Once every four years, in Delaware[1] and North Carolina. (*b*) For real estate—Once every two years, in Arkansas; three years, in District of Columbia; four years, in Illinois; four years, in Indiana; two years, in Iowa; two years, in Kansas; two years, in Minnesota; four years, in Mississippi; four years, in North Carolina; ten years, in Ohio; four years, in South Carolina; two years, in Tennessee; four years, in Vermont; five years, in Virginia; usually ten years, in West Virginia; and two years, in Washington. (*c*) Maryland has a "fundamental assessment" roll, made in 1896 and revised in part biennially.

Date of the assessment.—In most states the date to which the assessment refers is very carefully defined in order to determine which of several holders of property in succession shall pay the tax. In only six states does it seem to be indeterminate or left to be determined by the local authorities, and even in these states it must fall within the comparatively short period allowed the assessor for making up his rolls.

The determination of the date has a very important bearing on the contents of the assessment roll and upon the interpretation of the census figures. It is usually placed in the winter or spring, the object being to avoid imposing a tax upon the harvest of the year. When a later date is chosen, there are elaborate provisions exempting the crops of the year from taxation.

[1] For local taxes only.

Property is to be assessed to the owner, and at the value it had on—

January—1, Florida; second Monday, Idaho; 1, Iowa, Louisiana, and South Carolina; 10, Tennessee; 1, Texas; real estate only, 1, Virginia; 1, Hawaii.

February—first Monday, Arizona; personal property only, first Monday, Indian Territory; 1, Mississippi; first Monday, Utah; personal property only, 1, Virginia.

March—first Monday, California, Kansas, Montana, and Nevada; 1, New Mexico and Oklahoma; first Monday, Oregon; 1, Washington.

April—1, Georgia, Illinois, Indiana, and Maine; second Monday, Michigan; 1, Nebraska, New Hampshire, and North Dakota; day before the second Monday, Ohio; 1, Vermont and West Virginia; lumber only, 1, Wisconsin; 1, Wyoming.

May—1, Colorado, Massachusetts, Minnesota, and South Dakota; except real estate and lumber, 1, Wisconsin.

June—first Monday, Arkansas; real estate only, first Monday, Indian Territory; 1, Missouri and North Carolina.

July—1, District of Columbia.

September—15, Kentucky; second Monday, Pennsylvania.

October—1, Alabama and Connecticut.[1]

Indeterminate—Delaware,[1] Maryland, New Jersey,[1] New York, Rhode Island; real estate only, Wisconsin.

Statement of taxpayer.—Statements under oath setting forth the amount of property owned or held under his control are required or may be required of each taxpayer in every state and territory except New York.

Although in some states the taxpayer is required both to list and to value his property, yet in general the assessor or the reviewing authorities may adopt and enter another valuation.

(1) In the following states the oath which the taxpayer is required to make covers the correctness and completeness of the list of property only, and does not cover the values given. Any statement made as to values is therefore "idle information."

Alabama, Arizona, California, and Delaware;[1] as to personal property only, in District of Columbia; in Florida and Idaho: except as to personal property, in Illinois; in Indiana, Iowa, and Kansas; except land, in Louisiana; in Massachusetts, Minnesota, Nebraska, Nevada, New Hampshire, North Dakota, Oregon, South Dakota, Tennessee, Vermont, Virginia; except personal property, in Washington; in West Virginia and Wyoming.

(2) In the following states the oath covers the values inserted, but these values may nevertheless be altered by the assessor or the reviewing authorities:

In Arkansas and Connecticut;[1] personal property only, in Illinois and Indiana; in Indian Territory and Kentucky; lands only, in Louisiana; in Maine, Maryland, Michigan, Mississippi, Missouri, Montana, New Jersey,[1] New Mexico, and North Carolina; personal property only, in Ohio; in Oklahoma, Pennsylvania,[1] Rhode Island, South Carolina, and Texas; personal property only, in Washington; and in Hawaii.

(3) Sworn statement may be required at discretion of assessor:

In Colorado and Utah; of personal property and its values, in Wisconsin.

(4) Differences of opinion as to values between taxpayer and assessor referred to arbitration or to board of review. Assessor may not on his own initiative alone change the values:

In Georgia, North Carolina, South Carolina, and Texas; if statement be taken, in Wisconsin; in West Virginia.

(5) Although no statement is required and the listing is done by the assessor on best information, yet the taxpayer has a right to come forward on "grievance day" and swear to the amount and value of his personal property:

In New York.

Rate of assessment.—The statutes everywhere prescribe that property shall be valued or appraised at its full cash value; but there are a number of cases in which the *assessed* value or the amount which is set in the list is legally lower than the appraised value. These cases are:

For city taxes, 70 per cent, in Arizona; real estate, two-thirds, in District of Columbia; all property at one-fifth, in Illinois; 25 per cent, in Iowa; by state board of equalization 70 per cent, in Kentucky; 50 cents on each $100, in New Hampshire; each $100 as $1, in Vermont.

In a few cases, not all compiled, certain items of property are given an arbitrary valuation, as plate and polls in Delaware.

Assessment of certain classes of property by state boards (exclusive of taxes other than those on property):

Railroad property—In Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho; except the Illinois Central Railroad, in Illinois; in Indian Territory, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, and New Mexico; for special franchises, in New York; in North Carolina and North Dakota; boards composed of county auditors of counties through which road runs, in Ohio; in Oklahoma, South Carolina, South Dakota, Tennessee, and Utah; if not taxed on gross earnings, in Vermont; in Virginia, West Virginia, and Wyoming.

Telegraph companies—In Alabama, Arkansas, Colorado, Georgia, Idaho, Indiana, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Utah, Virginia, West Virginia, and Wyoming.

Telephone companies—In Alabama and Colorado; for state taxes only, in Connecticut; in Georgia, Idaho, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Utah, Virginia, West Virginia, and Wyoming.

Sleeping car, dining car, palace car companies, etc.—In Arkansas, Colorado, Georgia, Indiana, Iowa, Louisiana, Michigan, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Utah, Virginia, West Virginia, Wisconsin, and Wyoming.

Express companies—In Arkansas and Colorado; for state taxes only, in Connecticut; in Georgia, Indiana, Iowa, Louisiana, Michigan, Mississippi, Missouri, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Virginia, West Virginia, Wisconsin, and Wyoming.

Freight line and equipment companies—In Colorado, Georgia, Indiana, Iowa, Michigan, Minnesota, Missouri, North Carolina, North Dakota, Ohio, Oklahoma, Utah, Virginia, West Virginia, Wisconsin, and Wyoming.

Street railroads—Florida, Georgia, Indiana, Missouri, North Carolina, Ohio, Utah, and West Virginia.

Special provisions.—Improvements on land are separately assessed:

In Arizona, Arkansas, California, Colorado, Idaho, Indian Territory, Indiana; in certain cities only, in Kentucky; in Maryland, Massachusetts, Montana, Minnesota, Nebraska, Nevada, New Hampshire; may be assessed, in New Jersey; in New Mexico; since 1903, in New York; in North Carolina, North Dakota, Ohio, Pennsylvania, South Dakota, Utah, Virginia, Washington, West Virginia, and Wyoming.

Shares of bank stock are assessed at the bank[1] in the name of the shareholders, at market or book value of shares, or at the same rate as other personal property, with allowance for any property assessed and taxed to the bank:

In Alabama, Arizona, Arkansas, Colorado; national banks only, in Florida; in Georgia; national banks only in Idaho; in Illinois, Indian Territory, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico; for state taxes, in North Carolina; in North Dakota and Ohio; national banks only, in Oklahoma and Rhode Island; in South Carolina, South Dakota, Tennessee, and Utah; for state taxes, in Virginia; in Washington and Wisconsin.

Bank stock is assessed to the shareholder where he resides, unless out of the state, then at place where bank is located:

In Maine, Maryland, New Hampshire, New Jersey; for local taxes, in North Carolina; in Oregon; other than national, in Rhode Island; in Texas, Vermont, and Hawaii.

Bank stock is assessed in the name of the bank:

In Oklahoma.

Bank stock is not taxed:

In California and Nevada.

Banks are subject to special corporation tax:

In Connecticut, Delaware, District of Columbia, Kentucky, New York, and Pennsylvania.

c. Equalization.—There is universally some provision for a review of the assessor's roll and for the settlement of differences between him and the taxpayer in regard to the assessment.

In those states or portions of states where the township system of tax administration prevails the reviewing power is vested in a local board, either specially constituted for the purpose or composed of the local legislative or representative body.

In those states or portions of states where the county system of tax administration prevails there is usually a combination of the power to review with that of equalization proper in the hands of a county board.

The methods of review are so nearly uniform throughout the country, and the differences in detail have so little bearing on the contents of the assessment rolls, that the provisions of the statutes relating to review have not been summarized.

[1] Shares of stock in banks assessed at par value in Wyoming.

Equalization, in the strict sense, involves the idea of raising or lowering the assessment by districts or by classes of property in order to produce uniformity. It aims to correct general rather than individual or personal inequalities.

The work of a town or village board of review can scarcely be called equalization, but the boards of review in large cities often adjust or equalize differences between wards or assessment districts in a manner which could properly be called equalization.

Equalization proper usually begins with the county, and is completed by a state board which adjusts differences between the counties.

In states having the county system of tax administration the functions of review and of equalization for the county are usually combined in the county board of equalization in an inseparable manner.

States in which there is no provision, or only partial provision, for equalization:

(1) *No county equalization.*—Alabama, Connecticut,[1] Georgia, Louisiana, Maine,[1] Massachusetts,[1] New Hampshire,[1] Rhode Island,[1] Vermont, Virginia, and West Virginia.

(2) *No state equalization.*—Alabama, Arkansas, Delaware,[2] Florida, Georgia, Indian Territory, Louisiana, Maryland, Massachusetts,[3] Mississippi, Nevada,[4] Oregon, Rhode Island,[3] Texas, Vermont, and Virginia.

States in which there is provision for equalization:

(1) *County equalization:*

(*a*) County boards empowered to raise or lower any assessment (usually combined with powers of review)—In Arizona, Arkansas, California, Colorado, Delaware; district, in District of Columbia; power to raise only, in Idaho; some counties, in Illinois; in Indiana, Iowa, Kansas, Kentucky, Maryland, Mississippi, Missouri, Montana, Nevada, New Jersey, New Mexico, North Carolina; the annual boards, in North Dakota; in Oregon; personal property only, except at time of the triennial assessment, in Pennsylvania; in some counties in South Dakota; in Tennessee, Texas, Utah, Washington, and Wyoming.

(*b*) Same as (*a*), but such boards may not raise or lower the aggregate as returned by the assessors—Real estate only, in Florida; may raise but not reduce, in North Dakota; decennial boards may raise but not reduce, in Ohio and South Carolina.

(*c*) Among the above, boards may raise or lower classes of property separately—In Colorado, Illinois, Indiana, North Carolina, South Dakota, and Washington.

(*d*) County boards may raise or lower the assessment in any town, township, or other assessment district in the county—In some counties, in Illinois; in Indiana, Iowa, Michigan,[5] Oklahoma, Pennsylvania, South Carolina, and Wisconsin.[5]

(*e*) Same as (*d*), but may not lower the aggregate—In Minnesota, Nebraska, New York, North Dakota, Ohio, and South Dakota.

(2) *State equalization:*

(*a*) State or territorial board of equalization may raise or lower the assessment of any county—In California, Colorado, Indiana, and Iowa; must take 70 per cent as standard, in Kentucky; once every five years, in Michigan; in Montana, New Jersey, New Mexico, North Carolina; specified items, in Pennsylvania; real estate quadrennially, other property annually, in South Carolina; in Tennessee, Utah, Washington; decennially, real estate only, in West Virginia; in Wisconsin; real property only, in Wyoming; in any assessment district, in Hawaii.

(*b*) Same as (*a*), but state board may not reduce the aggregate as returned by all assessors (or county boards)—In Arizona; not more than 15 per cent, in Idaho; not more than 10 per cent, in Illinois; in Kansas; not more than 1 per cent, in Minnesota; real estate only, in New York; not more than 1 per cent, in North Dakota; decennially, for real estate only, in Ohio; in Oklahoma; not increase more than $3,000,000, in South Dakota.

(*c*) Among the above the state board may change the valuation of classes of property separately—In Idaho, Illinois, Iowa, Minnesota, Missouri, Oklahoma, South Dakota, Utah, and Washington.

(*d*) In Nebraska equalization is accomplished by changing the rate of taxation in each county.

(*e*) State boards of equalization may raise or lower the assessment of any town, township, or other assessment district—In Connecticut,[6] Indiana, Maine, New Hampshire; county as well, in South Carolina.

2. *Rate*—

The tax rate is the amount of tax falling on each unit of the base. The unit of the base in the general property tax is commonly either $100 of assessed valuation of property or $1 of the same. In the former case the rate is expressed as so many cents or dollars and cents on each $100; in the latter case, as so many mills on the dollar, 50 cents on each $100 being equivalent to 5 mills on the dollar. In Vermont the rate is expressed as so many cents or dollars and cents on each "dollar in the grand list." But each "dollar in the grand list" stands for $100 worth of property.

Tax rates can not be compared directly without a knowledge of the rate of assessment determined by law, or custom, which often overrides the law. In seven states, as shown above, the law provides for assessment at less than true value, while in practically all the others, custom sets a value lower than the true one.

In the following summary the statement of rates has been abbreviated by the omission of the expressed unit of the base, and it will be readily understood that when the rate is given as so many *mills* the words "on each dollar of assessed valuation of property" have been omitted; when given in *cents* the words "on each $100 of assessed valuation of property" have been omitted.

Limitation.—The rate of taxation for state purposes is limited by the constitution or by general statute to:

Sixty-five cents, in Alabama; 1 per cent, in Arkansas; 4 mills, in Colorado; 5 per cent, in Illinois;[7] 6 mills, in Louisiana; 25 cents, in Missouri; 3 mills, in Montana; special rates for each of three funds, in Nebraska; 4 mills, in North Dakota; special rates for each of nine funds, in Oklahoma; 5 mills, in Oregon; 2 mills, in South Dakota; for schools, 20 cents, in Texas; 4 to 8 mills, according to size of total assessment, in Utah; 3 mills, in Washington; 4 mills, except for education, charity, and debt, in Wyoming; 5 mills, in Hawaii.

[1] Except as incidental to the apportionment of the county taxes.
[2] No state tax.
[3] Except as incidental to the apportionment of state taxes.
[4] But assessors meet annually and agree upon rates of assessment for classes of property.
[5] Practically incidental to apportionment state and county taxes.
[6] State does not ordinarily levy a tax on general property.
[7] Assessed valuation is one-fifth of the true value.

Determination of the rate.—The actual rate to be levied is determined, within any limits which may be set, as shown above:[1]

1. By general statute, subject to amendment as other statutes—In Alabama, Arizona, Arkansas, Colorado, District of Columbia, Kentucky Louisiana, and Missouri; for personalty taxed by state, in Pennsylvania; in Rhode Island, Tennessee, and Texas; for schools and roads, in Vermont; in Virginia and West Virginia; certain rates, in Wyoming.

2. By special statute at each session of the legislature—In Florida, Georgia, Indiana, Maryland, Mississippi, Nevada, New Mexico, North Carolina, Ohio, and Oklahoma; occasionally, additional special taxes, in Rhode Island; in South Carolina and Vermont.

3. By a state board or by some official acting under authority of the legislature who apportions the appropriations or certain appropriations on the assessed valuation—In Arizona;[2] in California, Colorado, Florida,[3] Georgia,[2] Illinois, Iowa, Kansas, Minnesota, Montana, Nebraska, Nevada,[2] New York, North Dakota, and Oklahoma;[2] on basis of expenditures, in Oregon; in South Dakota, Utah, Washington, Wisconsin, Wyoming;[2] and Hawaii.

4. No universal state rate named, taxes for state purposes being apportioned in lump sums to each taxing district—In Idaho, Maine, Massachusetts, Michigan, and New Hampshire.

5. Special rates provided by the constitution or general statutes for schools are levied annually without reference to above methods of determining the rate—one mill on the dollar, in Florida, Maine, Michigan, and Wisconsin. (These are popularly known as "the mill tax.")

3. *Collection.*—State taxes, except of certain corporations, are collected by—

(*a*) County tax collector:

In Alabama and Arizona, sheriff, in Arkansas; in California, Colorado, Florida, Georgia, and Idaho; some counties, in Illinois; in Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, and Minnesota; sheriff, in Mississippi; in Missouri, Montana, Nebraska, Nevada, and New Mexico; sheriff, in North Carolina; in North Dakota and Ohio; sheriff, in Oklahoma; county responsible in corporate capacity, in Oregon; in South Carolina; some counties, in South Dakota; in Tennessee, Texas, Utah, Virginia, Washington, West Virginia, and Wyoming; the assessor of the division, in Hawaii.

(*b*) Township collectors:

Some counties, in Illinois; in New York and Pennsylvania; some counties, in South Dakota; in Wisconsin.

(*c*) Towns which are responsible in their corporate capacity:

In Maine, Massachusetts, Michigan, New Hampshire, Rhode Island, and Vermont.

Except on personal property unsecured, such taxes become due immediately on assessment, by assessor:

In Arizona, California, Montana, and Nevada.

Collector's compensation—by salary or per diem in most states, but by fees and commissions:

In Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Michigan, Missouri, New York, Pennsylvania, South Carolina, and Virginia.

Taxes become due:

January—First Monday, Arkansas and Indian Territory; one-half real estate first Monday, California; 10, Illinois; first Monday, Iowa; personal property, 1, real estate, first Monday, Nebraska.

February—One-half, 1, New Mexico.

March—1, Indiana.

April—1, Kentucky; one-half, first Monday, Oregon.

May—1, Minnesota.

June—1, New Hampshire; one-half, first Monday, Nevada; one-half, 15, Rhode Island.

July—1, Virginia.

August—One-half, 1, New Mexico; 1, West Virginia.

September—Ten days after second Monday, Idaho; 1, Maine, Maryland; first Monday, North Carolina, Utah; third Monday, Wyoming.

October—1, Alabama; personal property and one-half real property tax, second Monday, California; 1, Georgia; 15, South Carolina; one-half, first Monday, Oregon; first Monday, Tennessee, Texas.

November—First Monday, Florida; 1, Kansas, North Dakota; 1, Oklahoma.

December—1, Michigan; on or before 15, Mississippi; on or before 20, New York; one-half, first Monday, Nevada; 1, South Dakota; one-half, 15, Rhode Island.

No date set, or when roll is completed and notice published—Arizona, Colorado, Louisiana; on notice, Massachusetts, Missouri, Montana, Ohio, Pennsylvania; six days' notice, Vermont, Washington, Wisconsin.

Taxes become delinquent:

January—1, Alabama; first Monday, Idaho; 1, Maryland; 10, Michigan; 1, Missouri; third Monday, Oklahoma; 31, Wisconsin.

February—One-half, last day, Colorado; personal property, 1, Nebraska; 1, North Dakota; personal property, 30 days after first Monday, Washington.

March—1, Illinois; one-half, 1, or whole if first installment is not paid, Iowa; personal property, 1, Minnesota; one-half, or whole if first installment is not paid, 1, South Dakota; 1, Tennessee.

April—Personal property, 10, Arkansas, Indian Territory; one-half real estate, last Monday, California; first Monday, Florida; one-half, last Monday, or whole if first installment is not paid, Oregon.

May—Real estate, second Monday, Arkansas, Indian Territory; one-half, first Monday, Indiana; real estate, 1, Nebraska; one-half real estate, 31, and whole if one-half is not paid, Washington.

June—One-half, 20, Kansas; one-half, first Monday, Nevada; one-half, 1, New Mexico; one-half, 20, Ohio; one-half, 15, Rhode Island.

July—One-half, last day, Colorado.

September—One-half, 1, Iowa; sixty days after 1, Maine.

October—One-half, first Monday, Oregon; one-half, 1, South Dakota.

November—Personal property and one-half real estate, first Monday, California; from towns, 10, Connecticut; one-half, first Monday, Indiana; 1, North Carolina; one-half, 1, Oregon; 2, Tennessee; 15, Utah; one-half real estate, 30, Washington; 1, West Virginia.

December—Third Monday, Arizona; 20, Georgia; one-half, 20, or whole if first installment is not paid, Kansas; 1, Kentucky; 31, Louisiana; 15, Mississippi; first Monday, Montana; one-half, 1, New Mexico; one-half, first Monday, or whole if first installment is not paid, Nevada; thirty days after 20, New York; one-half, or if first installment is not paid, all, 20, Ohio; one-half, 15, Rhode Island; 31, South Carolina; 31, Texas; 1, Virginia; 31, Wyoming.

Not fixed—Fourteen days after notice, Massachusetts, New Hampshire; sixty days after notice, Pennsylvania; six days after notice Vermont.

Penalties for delinquency take the form of—

(1) Collectors' fees, costs, and interest:

In Alabama and Florida; 7 per cent interest, in Georgia; in Illinois; 1 per cent a month, in Iowa; 2 per cent a month, in Louisiana; 1 per cent a month, in Maine; 4 per cent collection fee instead of 1 per cent, the regular fee, in Michigan; 1 per cent a month, in Missouri; 10 per cent, in Montana; 10 per cent, in Nebraska; 10 per cent (and see next paragraph), in New Mexico; 5 per cent, in New York; 5 per cent, and on real estate, if sold for taxes, 15 per cent, in Ohio; 2 per cent, in South Dakota.

[1] The specific rates fixed by general or special statutes are omitted.
[2] Merely promulgates the rate fixed as under "1" or "2," above.
[3] Governor empowered to lower the rate, set under "2," above.

(2) Percentage of taxes:

Five per cent, in Arizona; 25 per cent, in Arkansas and Indian Territory; personal property and one-half real estate, 15 per cent, one-half real estate, 5 per cent, in California; one-half taxes 1 per cent a month to August 1, and then 15 per cent on all, in Colorado; 10 per cent, in Idaho; one-half 10 per cent, one-half 6 per cent, in Indiana; one-half 5 per cent plus 5 per cent if not paid with second installment, and one-half 5 per cent, in Kansas; 6 per cent, in Kentucky; 10 per cent, in Minnesota; 10 per cent, in Montana; 10 per cent, in Nevada; 1 per cent plus 4 per cent at end of month plus 10 per cent collection fee, in New Mexico; personal property 5 per cent, real estate 3 per cent, November 1, plus 3 per cent June 1, plus 5 per cent November 1, in North Dakota; 10 per cent and interest at 12 per cent, in Oregon; 10 per cent, in South Carolina; 1 per cent a month, in South Dakota; 1 per cent a month, in Tennessee; 10 per cent, in Texas; 5 per cent, in Virginia; 8 per cent plus interest at 8 per cent, in Wyoming.

(3) Imprisonment and action for debt:

In Maine, Massachusetts, and New Hampshire.

Rebates for prompt or advance payment:

Five per cent on second installment for payment with first installment, in Kansas; 5 per cent before September 1, 4 per cent October 1, 3 per cent November 1, in Maryland; 3 per cent before November 15, in Oregon; 5 per cent if paid within sixty days, in Pennsylvania; 3 per cent if paid before March 15, in Washington; 2½ per cent, in West Virginia; 5 per cent, in Wisconsin.

II. *Poll taxes.*

There is no poll tax for state purposes:

In Arizona, Arkansas, Delaware, Florida, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Utah, Washington, Wisconsin, Wyoming, and Alaska.

The state or territorial poll taxes are levied on:

Males 20 to 60 years of age, in Hawaii; males 21 to 45 years of age, in Alabama; males 21 to 50 years of age, in Indiana, North Carolina, Oregon,[1] and South Carolina;[1] males 21 to 60 years of age, in California, Georgia, Mississippi,[1] Nevada, and Texas; males 21 to 70 years of age, in Connecticut,[1] New Hampshire[1] and Vermont;[1] males over 21 years of age, in Colorado, Indian Territory,[1] Maine,[1] Massachusetts,[1] New Jersey,[1] New Mexico,[1] Tennessee,[1] Virginia and West Virginia.

Exempt are, or may be:

The aged, in Maine; clergymen, in Hawaii; persons exempt by law, in Nevada and New Hampshire; firemen, in Connecticut, New Jersey, New Mexico, Vermont, and Hawaii; persons under guardians, in Maine; Indians not taxed, in California, Maine, and Texas; Indians, uncivilized, in Nevada; persons disabled, in Alabama and Texas; by loss of limb in battle, in Florida; ibid., in service of the Confederacy, in Georgia; infirm, in Maine, Hawaii, and North Carolina; deaf-mutes, in Alabama, Mississippi, and Texas; insane, in Alabama, California, New Hampshire, New Jersey, and Texas; idiots, in New Jersey; blind, in Alabama, Mississippi, and Texas; maimed, in Mississippi; members of national guard or militia, in Alabama, Colorado, Connecticut, Vermont, and Hawaii; persons having less than $500 worth of property, in Alabama; paupers, in California, New Hampshire, New Jersey, and Vermont; poor, in Maine and North Carolina; persons unable to earn a living, in South Carolina and Tennessee; indigent, in Hawaii; soldiers and (or) sailors of the United States, in Connecticut and New Jersey, if disabled, in Vermont; students, in Connecticut; trustees, school, in Alabama.

[1] For methods of levying tax or reporting receipts, see text of state revenue systems.

The rate is:

$1.50, in Alabama; $2, in California; $1, in Colorado, Connecticut, Georgia, Indian Territory, and Indiana; $1 to $3, in Maine; $2, in Massachusetts and Mississippi; $3, one-half county, in Nevada; $1, in New Jersey and New Mexico; in 1902, $1.29, in North Carolina; $1, in Oregon, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Hawaii.

Levied as (1) part of general taxes on property and polls:

Assessed as property at 50 cents equal to $100, in New Hampshire; set in the list at $2 equal to $200, in Vermont.

(2) Military tax, or military commutation tax:

Base, males 18 to 45 enrolled, in Connecticut and North Carolina. Rate, $2.

III. *Inheritance taxes.*

These taxes are levied upon property passing by will, or by the intestate laws, or by transfer intended to take effect after death, and vary in rate with the different classes of heirs and amounts of property.

The details also vary greatly from state to state and show so few uniformities as to make a general summary difficult. But there are a number of broad general principles easily discernible. In general, collateral heirs (including, by common usage in this connection, strangers in blood) are more heavily taxed the farther removed from the decedent, while direct heirs are either exempted entirely or much more lightly taxed. It should be noted that the terms "direct heirs" and "collateral heirs," as defined for purposes of taxation or used to distinguish the different kinds of inheritance taxes, do not have their strict legal meanings. Thus brothers, nephews, and nieces are often grouped with the direct heirs, while strangers in blood are almost always included with collateral heirs. In some states there are other classes. The line of demarcation between direct and collateral heirs varies from state to state, as do the abatements allowed and the rates on classes interposed between direct and collateral heirs. At one extreme is Delaware, which taxes only strangers in blood; at the other is Utah, which taxes all inheritance without distinction as to classes of heirs.

The inheritance taxes are changing rapidly, the greater number of states having adopted them within the past ten years. Every biennial legislative period brings new laws, and amendments to the old. The courts have not fully determined the constitutional questions involved, and are constantly modifying the interpretation put upon the law. To bring the compilation down to 1905 would add at least three states and materially modify the statements in regard to at least five more.

No inheritance tax.—There was no inheritance tax in 1902 in the following states:

Alabama, Arizona, District of Columbia, Florida, Georgia, Idaho, Indian Territory, Indiana, Kansas, Kentucky, Louisiana, Minnesota,

Mississippi, Nevada, New Hampshire, New Mexico, North Dakota,[1] Oklahoma, Oregon,[1] Rhode Island, South Carolina, South Dakota, Texas, Wyoming,[1] and Alaska.

Collateral inheritance tax only.—The following states in 1902 taxed collateral heirs only:

Arkansas, California,[2] Delaware, Hawaii, Iowa, Maine, Maryland, Massachusetts, Missouri, New Jersey, Ohio,[3] Pennsylvania, Tennessee, Vermont, Virginia, and West Virginia.

There is a general exemption of property passing to charitable, benevolent, religious, or educational institutions or societies, or to similar institutions, when exempt from the general property tax.

1. Among those usually classed as direct heirs who were exempt there were included:

(*a*) The father, mother, husband, wife, and child, or lineal issue, in all of the above states. (*b*) The adopted child, in all except Delaware, Maryland, New Jersey, Pennsylvania, and Tennessee. (*c*) The descendant of an adopted child, in Arkansas and Ohio. (*d*) The wife or widow of a son and the husband of a daughter, in California, Maine, Massachusetts, New Jersey, Ohio, Pennsylvania, Tennessee, and Vermont. (*e*) The brother and sister, in Delaware, Massachusetts, New Jersey, Ohio, Tennessee, and Virginia. (*f*) Ancestors, in Delaware and California; grandfather and grandmother only, in Virginia. (*g*) The niece and nephew, in Delaware[4] and Ohio.

2. Estates are exempt if not over (or less than) the following amounts:

$250, in Pennsylvania and Tennessee; $500, in California, Delaware, Hawaii, Maryland, and New Jersey; $1,000, in Iowa and West Virginia; $2,000, in Vermont.

3. Distributive shares are exempt if not over (or less than) the following amounts (not including exemptions brought about by abatement):

$500, in Massachusetts.

4. Distributive shares enjoy an abatement of, or are taxed on the excess over, the following amounts:

$200, in Ohio; $500, in Maine.

5. The rate of the collateral inheritance tax when not accompanied by a direct inheritance tax was 5 per cent in all but the following states:

2½ per cent in Maryland and West Virginia; 4 per cent in Maine.

Direct and collateral inheritance tax.—The following states taxed in 1902 both direct and collateral inheritance:

Colorado, Connecticut, Illinois, Michigan, Montana, Nebraska, New York, North Carolina, Utah, Washington, and Wisconsin.

1. There is only one state, namely, Utah, which taxes all inheritances without distinction between heirs.

In Utah the rate is 5 per cent on the excess of all estates over $10,000.

2. In the following states there were in 1902 two classes of heirs subject to the tax and only two classes, direct and collateral:

Connecticut, Michigan, Montana, and New York. And among these Michigan and New York taxed direct heirs on personal property only.

(*a*) Among those included under direct heirs and taxable as such in these states were:

The father, mother, husband, wife, and child or lineal issue, and adopted child, in all four states; the brother, sister, wife or widow of a son, or husband of a daughter, in all but Connecticut.

(*b*) Direct heirs are not taxed if the inheritance comes from an estate[5] of:

Less than $7,500, in Montana; less than $10,000 of personal property (all estates consisting of real property only being exempt for direct heirs), in New York.

(*c*) They are taxed only on their share of the estate:

Over $10,000, in Connecticut; over $20,000, in Michigan.

(*d*) Collateral heirs are not taxed if the inheritance comes from an estate of:

Less than $500, in Michigan, New York, and Montana; and only on their share of the estate over $10,000, in Connecticut.

(*e*) The rates for direct heirs are:

One-half of 1 per cent, in Connecticut; 1 per cent, in Michigan, Montana, and New York. The rate for collateral heirs is 5 per cent in all of the four states.

3. In the following states heirs are divided into three classes, corresponding generally to the ideas of direct and collateral heirs and strangers or distant relatives:

Colorado, Illinois, Nebraska, and Washington.

(*a*) Among those classed as direct heirs are:

Father, mother, husband, wife, lineal descendant, and adopted child, in Colorado, Illinois, Nebraska, and Washington; descendant of an adopted child, in Washington; brother, sister, wife or widow of a son, or husband of a daughter, in Colorado, Illinois, and Nebraska.

(*b*) Direct heirs are taxable only on the excess of their shares:

Over $10,000, in Colorado, Nebraska, and Washington; $20,000, in Illinois.

(*c*) Collateral heirs are taxable only on the excess of their shares:

Over $500, in Colorado; $2,000, in Illinois and Nebraska.

(*d*) "Other heirs" are not taxable if their shares are less than $500:

In Colorado.

(*e*) The rates for direct heirs are:

On taxable shares or estates, 1 per cent, in Illinois, Nebraska, and Washington; 2 per cent, in Colorado.

[1] These three states adopted an inheritance tax since 1902 and before 1905.
[2] California adopted an entirely new law and included direct heirs in 1905.
[3] Ohio adopted a direct inheritance tax in 1903.
[4] In Delaware the tax applied to strangers in the blood only.

[5] One of the chief difficulties in the interpretation of inheritance tax laws lies in the ambiguity found in many states as to whether it is the size of the "estate" from which the inheritance comes or the size of the "share" going to a particular heir that determines the classification. There is frequent litigation on this point and the matter has not been clearly decided in many cases. The text from this point on gives in each case the interpretation that seems most probable.

(*f*) The rates for collateral heirs are:

On taxable shares or estates, 2 per cent, in Illinois and Nebraska; 3 per cent, in Colorado; 3 per cent on the first $50,000, 4½ per cent on the second $50,000, and 6 per cent on the excess over $100,000, in Washington.

(*g*) The rates for "other heirs" are:

On taxable shares, 3 per cent on $500 to $10,000, 4 per cent on $10,000 to $20,000, 5 per cent on $20,000 to $50,000, and 6 per cent on $50,000 or more, in Colorado and Nebraska. The same, except 4 per cent on $10,000 to $25,000, 5 per cent on $25,000 to $50,000, in Illinois. Double the rates for collateral heirs, in Washington.

4. Two states, namely, North Carolina and Wisconsin, recognize five classes of heirs, and their systems do not admit of combination or condensation. For details, see general description of the revenue systems of these states.

IV. *Corporation taxes.*

There is a tendency observable in all parts of the United States toward the creation of special methods for the taxation of corporations, the aim of which is to find a form of taxation to reach the taxpaying ability of each of the different classes of corporations in the simplest and most direct manner. There is no abandonment of the general property tax in cases in which that tax can be remodeled so as to reach the property of corporations. But in those cases, of which the insurance companies afford the best example, where it is practically impossible to reach the corporations by means of the general property tax, this tax is abandoned and some entirely different method applied. Under the original and somewhat primitive idea upon which the general property tax rested, shares of stock representing the property of the corporation and the bonds and other documents of a similar character would be taxable to the stock or bond holder as part of his property and the property of the corporation, as such, ignored; but it is obviously so difficult to discover and assess shares of stock in this manner that all but a few states have abandoned the attempt, and, ignoring the individual shareholders and bondholders, tax the property of the corporations.

With the growth of corporations, almost all of the states have modified, in some cases slightly, in some more extensively, the general rules of taxation, so far as they are applied to corporations. There are but six states and two territories which make no material distinction in matters of taxation between natural persons and corporations, viz:

Alabama, Colorado, Indian Territory, Louisiana, Mississippi, Montana, Nebraska, and Oklahoma.

Among these, three are Southern states—Alabama, Louisiana, and Mississippi—which have an extensive system of general license taxes applicable to corporations as to natural persons or firms. These license taxes have, especially in the case of Louisiana, much the same ultimate effect as the special taxes on certain classes of corporations found in some of the Northern states.

In most of the other states this distinction between natural persons and corporations is confined chiefly to a difference in the methods in which the different taxes, commonly used, are applied to corporations. Thus, for example, by far the larger number of states tax railroads under the general property tax, but many of them have special boards for the assessment of railroad property, and these boards proceed in ascertaining the values in a manner quite different from that of the ordinary assessor.

In the matter of the taxation of corporations, however, the following states have departed widely from the older systems or methods which are applied to natural persons, and may thus be regarded as at the opposite extreme from those mentioned above:

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Pennsylvania, Virginia, West Virginia, and Wisconsin.

1. *The general property tax as applied to corporations.*—The general property tax is still more commonly and widely applied to corporations than any other system of taxation. There are but four states which do not use the general property tax at all as a state tax—that is, as a tax to supply revenues for general purposes—but levy upon corporations by some other method. These are Connecticut, Delaware, New Jersey, and Pennsylvania. And not even these states have waived the right to levy state taxes, even on the property of corporations, under the general property tax. In all, corporations generally are taxable upon at least a part of their property for local purposes.

So strongly intrenched is the general property tax that in many states the constitution prohibits, either in express terms or by implication, the exemption of corporate property from taxation under the general property tax or the substitution for it of any other kind of tax upon corporations. These are:

Alabama, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada; except railroads, North Dakota; Ohio,[1] Oregon, South Carolina, South Dakota, Tennessee, Texas,[1] Utah; under the old constitution but not under the new, Virginia;[1] Washington, Wyoming.

Even among these states there are variations in the application of the general property tax upon all or certain classes of corporations:

(1) Franchises, corporate and (or) special, are often specifically mentioned as taxable property, and in other cases are frequently taxed under the general property tax by virtue of coming under the general definition of personal property. Franchises are specifically mentioned as taxable property in:

Of railroads, Arizona, California, Colorado, Illinois, Indiana, Kentucky; certain classes of corporations only, Louisiana; Massachusetts,

[1] These states levy corporation taxes extensively in addition to the general property tax.

Michigan, Minnesota, Missouri, Montana, New York, North Carolina; certain classes of corporations only, North Dakota; Tennessee, Texas; certain classes of corporations only, Utah, Washington; Vermont, Wyoming.

In one state, New York, special franchises are defined as real estate in order to prevent the deduction of debts (bonded indebtedness) from franchises, a deduction which has generally been allowed from all personal property in that state.

(2) "The corporate excess," or the amount by which the market value of the capital stock of corporations exceeds the value of tangible and other property assessed to the corporations, is sometimes distinctly specified as an item of property taxable to the corporations themselves, bringing in an item similar to the good will of private individuals. The following states are the only ones which specifically define "corporate excess" as taxable property in this way, but it is probable that the same item is taxable in other states by construction of the general revenue laws. This list does not include states in which the "corporate excess" is taxable to the stockholder as part of the value of his holdings:

Illinois, Indiana, Minnesota, Mississippi, Nebraska, North Carolina, North Dakota, South Dakota, and Tennessee.

(3) Shares of stock (contrary to what might be expected from the current theory of the general property tax and from views commonly held in regard to the evasion of taxes on shares of stock) are usually not taxable to the holder, the property which they represent being taxable to the corporation. The only states in which it appears that shareholders are taxable on their stock without reference to any taxes paid by the corporation are:

Delaware, Georgia, Louisiana, and Washington.

(4) In the following states shareholders are, however, expressly taxable on that portion of their holdings which represents the "corporate excess:"

Alabama, District of Columbia; some corporations only, Iowa; Maryland.

(5) One state, Massachusetts, reaches the "corporate excess" in another way (see *a*, 2, page 635).

(6) Certain items of receipts (income) are, in the case of some corporations, defined as property for purposes of taxation, to wit:

Gross receipts of toll bridges and telephone companies, in Alabama.
Gross receipts of cotton pickeries, warehouses, etc., in Alabama.
Gross proceeds of mines, in Colorado, Nevada, South Carolina, and Utah.
Net receipts of foreign fire, marine, and inland navigation insurance companies, in Illinois.
Ibid., all insurance companies, in Nebraska and Oklahoma.
Excess of premiums collected by insurance companies over losses, in Montana.
Gross premium receipts of insurance companies, less dividends, cancellations, and commissions, in Ohio.
Gross receipts of foreign bridge companies, in Indiana.
Gross receipts of express and telegraph companies, in Indian Territory.

(7) There are state boards for the assessment of certain classes of corporations or of certain classes of corporate property, as follows:

(*a*) Railroad property: In Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho; except the Illinois Central Railroad, in Illinois; in Indian Territory, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, and New Mexico; for special franchises, in New York; in North Carolina and North Dakota; boards composed of county auditors of counties through which road runs, in Ohio; in Oklahoma, South Carolina, South Dakota, Tennessee, and Utah; if not taxed on gross earnings, in Vermont; in Virginia, West Virginia, and Wyoming.

(*b*) Telegraph companies: In Alabama, Arkansas, Colorado, Georgia, Idaho, Indiana, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Utah, Virginia, West Virginia, and Wyoming.

(*c*) Telephone companies: In Alabama and Colorado; for state taxes only, in Connecticut; in Georgia, Idaho, Indiana, Iowa, Kansas, Louisiana, Mississippi, Missouri, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Tennessee, Utah, Virginia, West Virginia, and Wyoming.

(*d*) Sleeping car, dining car, palace car companies, etc.: In Arkansas, Colorado, Georgia, Indiana, Iowa, Louisiana, Michigan, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Utah, Virginia, West Virginia, Wisconsin, and Wyoming.

(*e*) Express companies: In Arkansas and Colorado: for state taxes only, in Connecticut; in Georgia, Indiana, Iowa, Louisiana, Michigan, Mississippi, Missouri, North Carolina, North Dakota, Ohio, South Carolina, South Dakota, Virginia, West Virginia, Wisconsin, and Wyoming.

(*f*) Freight line and equipment companies: In Colorado, Georgia, Indiana, Iowa, Michigan, Minnesota, Missouri, North Carolina, North Dakota, Ohio, Oklahoma, Utah, Virginia, West Virginia, Wisconsin, and Wyoming.

(*g*) Street railroads: In Florida, Georgia, Indiana, Missouri, North Carolina, Ohio, Utah, and West Virginia.

(8) Bank stock is assessed at the bank in the name of the shareholders, at market or book value of shares, or at the same rate as other personal property, with allowance for any property assessed and taxed to the bank:

In Alabama, Arizona, Arkansas, and Colorado; national banks only, in Florida; in Georgia; national banks only, in Idaho; in Illinois, Indian Territory, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, and New Mexico; for state taxes, in North Carolina; in North Dakota and Ohio; national banks only, in Oklahoma and Rhode Island; in South Carolina, South Dakota, Tennessee, and Utah; for state taxes, in Virginia; in Washington, Wisconsin, and Wyoming.

Bank stock is assessed to the shareholder where he resides, unless out of the state, then at place where bank is located:

In Maine, Maryland, New Hampshire, and New Jersey; for local taxes, in North Carolina; in Oregon; other than national, in Rhode Island; in Texas, Vermont, and Hawaii.

Bank stock assessed in the name of the bank:

In Oklahoma.

Bank stock not taxed:

In California and Nevada.

Banks subject to special corporation tax:

In Connecticut, Delaware, District of Columbia, Kentucky, New York, and Pennsylvania.

(9) Bonds of domestic corporations held by nonresidents of the state are taxable at their market value, the tax being payable by the corporation:

In Maryland and Pennsylvania.

2. *Taxation of corporations other than by the general property tax.*—There are general or special corporation taxes in every state except the following nine, already mentioned as making no distinction between natural persons and corporations:

Alabama,[1] Alaska,[1] Colorado,[2] Indian Territory, Louisiana,[1] Mississippi,[1,3] Montana, Nevada, and Oklahoma.

The following states make a distinction between natural persons and corporations in matters relating to taxation, but in a comparatively few cases only, as specified below. (N. B.—Under this paragraph the assessment of certain kinds of corporate property by a state board is not treated as an exception to the general rule; such assessments are regarded merely as a particular application of the general property tax. For the same reasons, license taxes on corporations, when part of the general license system, are not included.)

Arizona, foreign insurance companies; Arkansas, insurance companies; (California, since 1903, foreign insurance companies); Florida,[4] insurance companies, sleeping car companies, and the Southern Express Company; Georgia,[4] insurance companies (except life and assessment), express, telegraph, and telephone companies; Idaho, insurance companies; Illinois, the Illinois Central Railroad Company, and foreign insurance companies, other than life, also all domestic companies are taxed on the "corporate excess" as property; Indiana, domestic companies taxed on the "corporate excess," foreign insurance companies; Iowa, foreign insurance companies; Kansas, foreign insurance companies; Kentucky,[4] foreign insurance companies and foreign building and loan associations; Missouri,[4] foreign insurance companies; Nebraska, foreign insurance companies and all domestic corporations are taxed on the "corporate excess" as property; New Hampshire, savings banks, trust companies, building and loan associations, domestic stock fire insurance companies, foreign insurance companies; New Mexico, sleeping car companies, express companies, and foreign oil companies; North Dakota, sleeping car, express, and insurance companies and all domestic companies are taxable on their "corporate excess" as property; Oregon, foreign insurance companies (since 1903, a small general franchise tax); Rhode Island, telegraph and telephone companies, express companies, savings banks, trust companies, insurance companies, surety companies, building and loan associations, and street railways; South Carolina, foreign insurance companies; South Dakota, foreign insurance companies and all domestic companies are taxable on the "corporate excess" as property; Tennessee,[4] foreign insurance and all domestic companies are taxable on their "corporate excess" as property; Utah, insurance companies; Washington, insurance companies, and a small general franchise tax; Wyoming, insurance companies; Hawaii, insurance companies.

[1] Has license taxes on certain corporations as part of general system of license taxes.
[2] Has a small annual franchise tax.
[3] Corporations are taxable on the "corporate excess" as part of the property.
[4] There are also some license taxes which fall on certain classes of corporations.

The following states have an extensive system of corporation taxes, some general and some special, which are distinct both in form and administration from the taxes applied to natural persons:

Connecticut, Delaware, District of Columbia, Maine, Maryland,[5] Massachusetts, Michigan, Minnesota,[6] New Jersey, New York, North Carolina,[5,7] Ohio,[6] Pennsylvania,[7] Texas,[5,7] Vermont, Virginia,[5,7] West Virginia, and Wisconsin.

(*a*) *The general corporation tax.*—The following states, all but five of which are in the list of states named immediately above as having an extensive system of corporation taxes, levy a "general corporation tax" (or taxes), in the sense of levying a tax (or series of taxes) on all corporations, or on all corporations with a few definite exceptions, in a manner or form essentially different from the taxes applied to natural persons. All these states, except the five in parentheses, also levy important special taxes on selected classes of corporations, as set forth below:

(Alabama), (since 1905, California), (Colorado), Delaware, District of Columbia, Maine, Massachusetts, New Jersey, New York, North Carolina; since 1902, Ohio; (since 1903, Oregon); Pennsylvania, Texas, Vermont; since 1903, Virginia; (Washington), West Virginia.

These "general corporation taxes" take the form of:

(1) An annual state franchise tax on capital stock at comparatively high rates and in lieu of all other taxes, except, in two instances, local taxes or taxes on real estate:

One and one-half per cent, District of Columbia;[8] at rates varying with dividends, New York; 5 mills, Pennsylvania.

(2) An annual state franchise tax on the "corporate excess" in lieu of all taxes, state and local, except on real estate:

At the average rate for the state, Massachusetts.

(3) An annual franchise tax at comparatively low rates based on authorized capital and not carrying exemption from other taxes (often combined with other taxes on selected classes of corporations):

Alabama;[9] (since 1905, California); Colorado, Delaware, Maine; domestic corporations, New Jersey; North Carolina, Ohio, Oregon, Texas, Vermont, Virginia, West Virginia, and Washington.

(4) Foreign corporations generally are taxed upon their gross earnings in the state:

In New Jersey.

The taxes, so called, imposed in connection with the issuance of charters to corporations, the issuance of authority to increase the capitalization, the admission of foreign corporations to the state, etc., are fees.

[5] Has a few licenses on corporations.
[6] Corporations taxable on the "corporate excess" as part of their property.
[7] In addition to the general property tax.
[8] In lieu of all other taxes.
[9] Paid-up capital.

(*b*) *Special corporation taxes.*

(1) *Insurance companies:*

Insurance companies are more often subjected to special corporation taxes than any other class of corporations. Special state taxes on one or more classes of insurance companies are found in every state except California (which, however, adopted such a tax in 1903), Indian Territory, and Nevada.

Fire insurance companies:

(*a*) Taxed on gross premiums received, no deductions specified:

In Alabama, 1 per cent;[1] in Arizona, 2 per cent; in Colorado, 2 per cent; in Connecticut, foreign, outside the United States, 2 per cent; in Delaware, 1½ per cent, also three-fourths of 1 per cent; in District of Columbia, 1½ per cent; in Florida, 1 per cent; in Illinois, 2 per cent; in Iowa, companies organized outside the United States 3½ per cent, other foreign 2½ per cent, domestic 1 per cent; in Kansas, companies organized outside the United States 4 per cent, other foreign 2 per cent; in Louisiana, graduated rates; in Maryland, 1½ per cent; in Massachusetts, foreign, 2 per cent; in Minnesota, 2 per cent; in Missouri, foreign, 2 per cent; in New Jersey, foreign, 2 per cent, domestic 1 per cent; in New York, companies organized outside the United States ½ per cent, domestic 1 per cent; in North Carolina, 2½ per cent; in North Dakota, 2½ per cent; in Ohio, 2½ per cent;[2] in South Carolina, foreign, ½ per cent; in South Dakota, foreign, 2½ per cent; in Tennessee, foreign 2½ per cent, domestic 1½ per cent; in Texas, one-half of 1 per cent; in Utah, 1½ per cent;[1] in Wyoming, 2½ per cent; in Hawaii, 1 per cent.

(*b*) Taxed on gross premiums less losses paid in state and return premiums:

In Arkansas, 2½ per cent;[3] in California (since 1903), 2 per cent; in Idaho, 2 per cent; in Indiana, 3 per cent;[4] in Oregon, 2 per cent; in Washington, 2 per cent.[4]

(*c*) Taxed on gross premiums, less return premiums and reinsurance premiums:

In Georgia, 1 per cent; in Kentucky, 2 per cent; i. Maine, foreign, 1½ per cent; in Michigan, foreign, 3 per cent; in New Hampshire, foreign, 2 per cent; in Ohio, 2½ per cent; in Pennsylvania, foreign 2 per cent, domestic eight-tenths of 1 per cent; in Rhode Island, 2 per cent; in Vermont, 2 per cent; in Virginia, 1 per cent; in Wisconsin, 2 per cent.

(*d*) Taxed on net receipts or on premiums less losses and expenses at the same rate as personal property:

In Montana, Nebraska, New Mexico, and Oklahoma.

(*e*) Taxed on each dollar of risks written:

In West Virginia, one-fourth of 1 mill.

(*f*) A flat fee for a general license:

In Delaware, $100; in Mississippi, $1,000.[5]

(*g*) Taxed on net assets:

Mutual fire, in Connecticut, three-fourths of 1 per cent.

Life insurance companies:

(*a*) Taxed on gross premiums received, no deductions specified:

In Alabama, 1 per cent;[6] in Arizona, 2 per cent; in Colorado, 2 per cent; in Delaware, foreign, 1½ per cent, domestic thirty-one one-hundredths of 1 per cent, also three-fourths of 1 per cent on surplus; in Florida, 2 per cent; in Georgia, 1 per cent; in Iowa, 2½ per cent; in Kansas, companies organized outside the United States 4 per cent, United States companies, 2 per cent; in Kentucky, 2 per cent; in Louisiana, graduated license tax; in Maryland, 1½ per cent; in Michigan, 2 per cent; in Minnesota, 2 per cent; in Mississippi, 2 per cent on first year and one-tenth of 1 per cent on renewal premiums; in Missouri, foreign, 2 per cent; in New Hampshire, 1 per cent; in New York, 1 per cent, companies organized outside the United States exempt; in North Carolina, 2½ per cent; in North Dakota, 2½ per cent; in Pennsylvania, 2 per cent; in Rhode Island, 2 per cent; in South Carolina, foreign, one-half of 1 per cent; in South Dakota, 2½ per cent; in Tennessee, foreign, 2½ per cent; in Texas, 2 per cent; in Utah, 1½ per cent; in Virginia, 1 per cent; in Wyoming, 2½ per cent.

(*b*) Taxed on gross premiums less losses paid in state and return premiums:

In Arkansas, 2½ per cent;[4] in Idaho, 2 per cent; in Indiana, 3 per cent;[3] in Oregon, 2 per cent; in Washington, 2 per cent.[3]

(*c*) Taxed on gross premiums less return premiums:

In Maine, 1½ per cent; in Ohio, foreign, 2½ per cent; in Vermont, 2 per cent.

(*d*) Taxed on net premium receipts:

In District of Columbia, 1½ per cent.

(*e*) Taxed on net receipts or on premiums less losses and expenses at the same rate as personal property:

In Montana, Nebraska, and New Mexico.

(*f*) Taxed on net value of policies and insurance in force:

In Massachusetts, one-fourth of 1 per cent on net value and 2½ mills per $1,000 of insurance in force; West Virginia, insurance written, 1½ mills.

(*g*) Flat fee or license tax, no percentage tax:

In Wisconsin, $300.

In lieu of other taxes.—The special taxes on insurance companies are in lieu of all other taxes:

In Alabama,[7] Arizona, Arkansas, District of Columbia,[8] Idaho,[8] Illinois,[8] Iowa, Michigan, Montana,[8] Nebraska,[8] North Carolina, North Dakota, Ohio,[7] Pennsylvania, South Dakota, and Tennessee.

In the following states the so-called retaliatory law imposes taxes on foreign insurance companies in addition to or taking the place of the above taxes. The following citation from the California Code, which is similar in its provisions to the laws of other states, shows the nature of these taxes:

When, by the laws of any other state or country, any taxes, fines, penalties, licenses, fees, deposits of money * * * are imposed on insurance companies of this state doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, * * * imposed upon such insurance companies of such states or countries * * * the same obligation * * * must be imposed upon insurance companies of such other state or country doing business in this state.

Such taxes are imposed on insurance companies:

In Alabama, California, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Vermont, West Virginia, Wisconsin, and Wyoming.

Retaliatory clauses govern taxes entirely:

Fire—(Until 1903, California). Life—(Until 1903, California); in Connecticut, Illinois, and New Jersey.

For license taxes imposed on insurance companies, see V. Business taxes and licenses, next section.

(2) *Banks:*

Banks are for the most part taxed under the general property tax, by special licenses, or under the general corporation tax, if one exists, and the special provisions, so far as found, applying to banks, have been summarized under those headings.

The only states which levy special corporation taxes on banks are:

Delaware, specific taxes on certain banks by name, and one-fourth of 1 per cent on shares; District of Columbia, 6 per cent on gross earnings; Maine, varying rates on different classes of banks; Pennsylvania, 4 mills on the dollar of the value of the shares (with other options).

National banks are taxed by the states under powers derived from act of Congress (U. S. Rev. Stat., §§3701, 5219):

All stocks, bonds, treasury notes, and other obligations of the United States, shall be exempt from taxation by or under state or municipal or local authority.

Nothing herein shall prevent all the shares in any association from being included in the valuation of the personal property of the owner or holder of such shares, in assessing taxes imposed by the authority of the state in which the association is located; but the legislature of each state may determine and direct the manner and place of taxing all the shares of national banking associations located within the state, subject only to two restrictions, that the taxation shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such state, and that the shares of any national banking association owned by nonresidents of any state shall be taxed in the city or town where the bank is located, and not elsewhere. Nothing herein shall be construed to exempt the real property of associations from either state, county, or municipal taxes to the same extent, according to its value, as other real property is taxed.

The slight variations which prevail in the application of the rule of taxation thus laid down are not sufficient to cause any essential differences in the contents of the assessment rolls or the meaning of the tax returns in the various states, and have not, therefore, been summarized.

State banks when specially taxed are usually taxed in substantially the same manner as national banks.

Savings banks are subject to special taxation in several states, but there is no substantial uniformity. In general, the object of the special rules laid down is to make due allowance for the taxes paid by such banks on their investments, as, for example, on taxable mortgages, or to encourage savings by lessening to a degree the burden on the savings deposits.

The several states are:

Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, and Vermont.

(3) *Railroads:*

Railroads are taxed for state purposes under the general property tax, with modifications as to methods of application and administration (as set forth under the headings above) in all states except[1] the following:

Connecticut, Delaware, Illinois (the only exception is, however, the Illinois Central Railroad Company), Maine, Maryland, Massachusetts, Michigan, Minnesota, New York,[2] Pennsylvania, Vermont,[3] and Wisconsin.

Railroads are taxed for state purposes on their gross (or net) earnings (other than taxes merely to defray the expenses of railroad commissions):

In Delaware, 10 per cent on net earnings (applied only to companies not paying specific taxes); in Maine, at rates ranging from one-half of 1 per cent to 4 per cent; in Maryland, one-half of 1 per cent; in Michigan, at rates ranging from 2½ per cent to 5 per cent (repealed since 1902); in Minnesota, 3 per cent (since 1902 raised to 4 per cent); in New York, in addition to the property tax and other taxes, five-tenths of 1 per cent, except elevated roads, which pay 1 per cent (and also 3 per cent on dividends in excess of 4 per cent); in Pennsylvania, in addition to other taxes, 8 mills on the dollar; in Texas, in addition to the property tax, 1 per cent on gross earnings from passenger traffic; in Vermont, 2½ per cent, or, as an alternative, seven-tenths of 1 per cent on the property; in Virginia, covered by income tax at 1 per cent on net earnings in addition to property tax; in Wisconsin, at varying rates up to 4 per cent (since repealed).

Railroads pay a license tax analogous to the general licenses on other lines of business:

In Mississippi, North Carolina, graduated according to gross earnings.

Railroads are taxed for state purposes on the value of their capital stock:

In Connecticut, 1 per cent;[4] in Delaware, one-half of 1 per cent, but usually commuted by legislative contract; in Kentucky, a franchise tax on stock in addition to the property tax; in Massachusetts on stock less value of real estate locally taxed; in New York, unless taxed on dividends; in Pennsylvania, as part of the general corporation tax (recent changes in Virginia and West Virginia omitted).

(4) *Sleeping car and similar transportation companies:*

(*a*) Taxed according to mileage run by cars in state:

In Alabama, $1 to $500;[5] in Mississippi, $200.

(*b*) Taxed on value of capital stock employed in state:

In Arkansas, Ohio, South Carolina, and Wisconsin.

(*c*) Taxed on gross receipts in state:

In Delaware, 1½ per cent; in Florida, one-half of 1 per cent; in Georgia, 2½ per cent (repealed); in Maine, 4 per cent; in Maryland, 2 per

[1] Less property taxes paid.
[2] Made up in part by computing tax on premiums as personal property.
[3] Less losses and commissions.
[4] Less losses only.
[5] Domestic companies may deduct property tax.
[6] Less property taxes.
[7] Companies paying property tax may deduct such tax.
[8] Except on real estate.

[1] Real estate not used in the operation of the roads is usually taxable as property, whatever the system.
[2] Real estate taxable as property for state purposes and so defined as to practically include all property; but the state rate is very low.
[3] But the general property tax is an alternative open to the companies.
[4] And funded and floating indebtedness.
[5] Changed in 1901 to $1,250 annually.

cent; in Michigan;[1] in Minnesota, 3 per cent; in New Jersey, 2 per cent; in New York, same as railroads; in Pennsylvania, same as railroads; in Texas, 2½ per cent; in Vermont, 5 per cent.

(*d*) Taxed a flat rate for each car or company:

In North Dakota, $100;[2] in Tennessee, $2,500.

(*e*) Taxed on net income:

In Virginia.

(5) *Telegraph companies:*

(*a*) Taxed according to mileage:

In Alabama, Connecticut, Delaware, Tennessee, Vermont,[3] Virginia;[4] West Virginia (foreign), Wisconsin.

(*b*) On gross earnings:

In Georgia, 2½ per cent; in Maine, at graduated rates up to 4 per cent; in Maryland, 2 per cent; in Michigan, 3 per cent; in New Jersey, 2 per cent; in New York, five-tenths of 1 per cent; in North Carolina, 2 per cent; in New Mexico; in Pennsylvania, 8 mills per $1; in Rhode Island, 1 per cent; in Vermont, 3 per cent;[5] in Virginia.[6]

(*c*) Taxed on messages sent:

In Texas, one-half cent to 1 cent.

(6) *Telephone companies:*

(*a*) Taxed according to mileage:

In Alabama, Connecticut;[7] in West Virginia, foreign.

(*b*) Taxed on gross receipts:

In Delaware, 4 per cent; in Georgia, 2½ per cent; in Maine, at graduated rates up to 4 per cent; in Maryland, 2 per cent; in Michigan, 3 per cent; in New Jersey, 2 per cent; in New York, five-tenths of 1 per cent; in North Carolina, 2 per cent; in Pennsylvania, 8 mills per $1; in Rhode Island, 1 per cent; in Vermont, 3 per cent.

(*c*) Taxed on instruments:

In Tennessee, at rates graduated by size of counties; in Texas and Virginia.

(7) *Express companies:*

(*a*) License tax:

In Alabama, $4,000; in Florida, Southern Express Company, $2,500; in North Dakota, graduated according to size of stations; in Tennessee, at rates varying with mileage; in Virginia, by mileage; in West Virginia, by mileage, foreign.

(*b*) On gross earnings:

In Connecticut, 5 per cent; in Delaware, 5 per cent; in Georgia, 2½ per cent;[8] in Maine, 2 per cent;[9] in Maryland, 2 per cent; in Minnesota, 6 per cent; in New Jersey, 2 per cent; in New Mexico, 2 per cent; in New York, five-tenths of 1 per cent; in North Carolina, 2 per cent; in Ohio, 2 per cent;[10] in Pennsylvania, 8 mills per $1; in Rhode Island, 1 per cent; in Texas, 1½ per cent; in Vermont, 4 per cent.

V. *Business taxes and licenses.*

The states of Alabama, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Pennsylvania, Tennessee, Texas, Virginia, and West Virginia—in short, all the Southern states except South Carolina (which gives the revenues from a similar system to the counties)—have an extensive system of state license taxes which amounts to a complete or nearly complete excise system, supplementing the state general property tax and in part taking its place. In all the other states these taxes appear only sporadically as state taxes, being left almost entirely to the municipalities.

In general, these taxes are levied under what the courts have called the police or regulative power rather than under the taxing power of the government. But in many instances, especially in the above mentioned states, they have developed to such a degree that it is impossible to distinguish them economically from true taxes.

The character of these taxes is such as practically to defy classification. The motives, too, under which they are levied are mixed. Many of them, such as the tax on liquor dealers, games, and amusements, are partly regulative and partly sumptuary; that is, they are levied in the first instance to restrict and control the taxed industry, but the rates are often determined by the fact that the enjoyment or use of these things is evidence of an ability to pay taxes. Another group, such as the taxes on itinerant vendors, peddlers, auctioneers, etc., seems to be dictated by the idea that these compete, in an irregular way, with established industries which pay the regular taxes. Still another group, like the taxes on lawyers, abstract companies, commission merchants, agents, brokers, etc., seems to be designed to reach occupations which, while affording good incomes, do not require the use of much, if any, taxable property.

As one of these motives which gives character to the taxes is rarely found in any case unmixed with the others, classification along these lines would be more or less arbitrary and largely a matter of opinion. It is probably on this account that in the more advanced of the general state license laws the attempt to classify the taxes has been abandoned and a simple alphabetical list given. Such an alphabetical list is given below and will probably serve all the purposes which can be expected of this compilation.

Inasmuch as these taxes, where extensively used, are carefully fitted into and adjusted to the other existing taxes in the general system of each state, there are a number of apparent gaps which can not be accounted for without reference to the other taxes. For example, Louisiana places a license tax on banks and Tennessee does not, but Tennessee taxes banks in other ways which Louisiana does not.

These taxes are occasionally in lieu of all other taxes. Instances in which this is the case can be found in the special description for each state.

In many instances the rates are cited in a very abbreviated form, as long schedules could not be inserted here. The full rates are given in the special descriptions of each state. When not otherwise stated or obvious from the nature of the tax, the rates are the annual charges. The briefest possible catchwords have been sought and all such phrases as "the business of" or "dealing in," etc., have been cut out whenever possible.

[1] Regarded as unconstitutional.
[2] Reported to be a dead letter, but still in the statutes.
[3] Optional with gross earnings tax.
[4] And gross earnings tax.
[5] Optional with mileage tax.
[6] And mileage tax.
[7] And on each receiver.
[8] Unless property taxes amount to 2½ per cent of gross earnings.
[9] Less taxes levied on real estate owned and used by express companies.
[10] Less what is paid for transportation of freight.

Abstract companies—$5 to $20, Alabama; $5 to $25, Georgia; $10 to $50, Tennessee.

Advertising companies—$10 to $100, Tennessee.

Agencies, miscellaneous—In 13 classes, $5 to $120, Louisiana; renting houses, $10 to $30, Virginia.

Alcohol—$50, Hawaii.

Architects—$10, Georgia.

Auction sales—5 per cent gross, Florida; 2½ per cent gross, Maine; wines, etc., 2½ per cent, goods imported 1½ per cent, Michigan; 1½ per cent, Missouri; of certain articles, indeterminate, Ohio; 3 per cent, Pennsylvania; one-fourth of 1 per cent, Virginia; 2 per cent, West Virginia.

Auctioneers—$5 to $50, Alabama; $10, Delaware; $25, Georgia; $20, Idaho; $2, Maine; various rates, Maryland; $5 to $30, Mississippi; $75, six months, Missouri; various rates, Ohio; $250 to $3,000, Pennsylvania; $5 to $20 transient, per week $20, Tennessee; $10, Texas; $50 to $130, and various by sales, Virginia; $5 and $2 per thousand of population, West Virginia; $15 to $600, Hawaii. Land in towns: $10 and one-half of 1 per cent of gross sales, Florida; $100 and one-fourth of 1 per cent, Virginia.

Bankers, private—$100, Delaware; $10 to $100, Florida; $30 to $100 per quarter, Idaho; in 4 classes, $75 to $500, Louisiana; 1 per cent of receipts, Pennsylvania; $50, Texas; $50 to $250, Virginia; $750, Hawaii.

Banks—$10 to $100, Florida; in 14 classes, $50 to $4,500, Louisiana; $250, Alaska. Foreign: 2½ per cent gross profits, minimum $1,000, Louisiana.

Barber shops—$2.50 per chair, Mississippi.

Baseball parks, etc.—$25 to $50, Alabama; $25 to $50, Georgia; $10 to $25, Tennessee; $25, Texas. Public parks—$100, Tennessee.

Bicycle renting and dealers—$5 to $15, Alabama; $10, Georgia; $10, Tennessee; $5 to $10, Mississippi.

Billiard tables—$25 to $50, Alabama; $25, Florida; $25, Georgia; $15 per quarter, Idaho; $10, Louisiana; one $50, each additional $25, Maryland; $25 to $75, Mississippi; first $20, each additional $10, Missouri; $20, Texas; $50 for one and $25 each additional, Virginia; $75 for first and $25 each additional, West Virginia; $15, Alaska; $25, Hawaii. Not connected with saloon: $10, Florida. Dealers in, in each county: $100, Georgia.

Billposters—$5 to $25, Alabama; $10 to $50, Tennessee; $5, Mississippi.

Bond makers—$50, Alabama.

Book agents, except those selling religious books, and soldiers of the Civil War, or indigent and disabled persons selling in county of residence—$10 per county, Alabama; and pictures $10, Florida; $10, Virginia.

Bottlers—$25, Alabama; $125 to $500, Pennsylvania; $5 to $25, mineral water $20, Mississippi; $10 to $75, Tennessee; $200, Alaska.

Bowling alleys—$25, Alabama; $15, Florida; $25, Georgia; $5 per quarter, Idaho; $25 to $50, Kentucky; $10, Louisiana; $10, Missouri; $100, Texas; $25 for one and $10 each additional, Virginia; $40 for first and $10 each additional, West Virginia; $25, Hawaii.

Brewers—$100, Alabama; $100 each county, Florida; $300, Georgia; $200, Kentucky; $20 to $6,250, Louisiana; $60, New Mexico; $1,000 and $250 to $6,000, Pennsylvania; $250, Tennessee; $5 semiannually, Virginia; $50 to $550, West Virginia; $500, Alaska; $250, Hawaii. Agents: $25, Kentucky; $50 to $250, Tennessee.

Brokers—$5 to $50, Alabama; $100, Delaware; $10 to $100, Florida; $100, Indiana; $25 to $100, Maryland; $25 to $75, Mississippi; $50 to $1,000, Missouri; 1 per cent of receipts, Pennsylvania; $25 to $50, Tennessee; $50, Texas; $100 to $150, Virginia; $50 to $100, West Virginia; $100, Alaska. Coupon: $500 to $1,000, Virginia. Merchandise: $2.50 to $25, Alabama; factors and commission men, in 17 classes, $25 to $1,750, Louisiana; $7.50 to $30, Tennessee; $100, Virginia.

Building and loan association or agents—$10, Florida; $25 to $250, Mississippi; $25, Wyoming.

Butchers, meat markets, retail—$10 to $15, Mississippi; $5 to $15, Tennessee; $15, Alaska; $10 to $100, Hawaii.

Checkroom—$10 to $20, Tennessee.

Cigar and tobacco dealers—$5 to $10, Alabama; $5, Florida; $5 to $10, Tennessee; $5, Virginia; $15, Alaska; $10, Hawaii. Manufacturers: 1 per cent of product up to $1,000, one-half of 1 per cent of excess over $1,000, Kentucky; $20 to $6,250, Louisiana; $25, Alaska.

Cigarette dealers, retail—$5 to $35, Alabama; $10, Georgia; $10, Kentucky; $10, Maryland; $10, Mississippi; $5, Missouri; $15, Ohio; $10, Texas; $10, West Virginia. Manufacturers: 2½ per cent product, Kentucky; $20 to $6,250, Louisiana. Dealers, wholesale: $100, Kentucky; $30, Ohio; $50, West Virginia. Foreign dealers: 5 per cent, Kentucky.

Circuses—$100 to $150 per day, Alabama; $100, Delaware; $200, Florida; $100 to $500 per day, Georgia; $10 each exhibition, Idaho; various rates up to $50, Kentucky; $30 to $500, Louisiana; $50 to $150, Mississippi; $1,000, Pennsylvania; $25 to $200 per day, Tennessee; $100 to $250 per exhibition, Texas; $20 to $100 per day and 5 per cent of receipts, Virginia; $50 to $75 each exhibition, West Virginia; $100, Wisconsin.

Coal agents or dealers—$5 to $20, Alabama; $5 to $30, Tennessee; $12.50 to $30, Mississippi.

Cockpits—$50, Texas.

Coke agents or dealers—$5 to $20, Alabama; $5 to $30, Tennessee.

Cold storage—$10, Alabama; $10 to $150, Tennessee.

Collecting agencies—$10 to $25, Alabama; $50 each county, Georgia; $30 to $400, Louisiana; $10 to $25, Tennessee.

Commercial or mercantile agencies—$300, Alabama; $50 in each county, Georgia; $11 to $125, Tennessee; $500, Texas.

Commission merchants—$5 to $50, Alabama; $25, Delaware; $5, North Dakota; $50, Mississippi; $25 and $50, Texas; $50, and ad valorem on commissions, Virginia; $5, Washington.

Common criers—$5, Virginia.

Construction companies—$25, Alabama; $15 to $50, Tennessee.

Conveyancers—$10, Delaware.

Corporations—Domestic: If capital stock is over $25,000, 2 cents per $1,000, Colorado. Foreign: 4 cents per $1,000 of capital stock, but if par value per share is less than $1, 2½ cents per $1,000 shares, Colorado; $10 to $50, Vermont. Not subject to specific licenses: $10 to $500, Alabama.

Cotton buyers or brokers—$10, Alabama; $25, Mississippi; $5 to $25, Tennessee; $10 to $35, Texas.

Cotton presses and ginneries—$20 to $6,250, Louisiana; round bale $15 to $30, compress $50 to $150, gins $25, Mississippi; $25 to $150, Tennessee. Weighers: $10 to $35, Mississippi.

Cottonseed buyers—$10, Mississippi.

Cottonseed oil—$20 to $6,250, Louisiana; $175 to $250, Mississippi; $15 to $350, Tennessee; $25, Texas.

Dances or halls—$5, Alabama; $10, Mississippi.

Debenture companies—$100, Mississippi.

Dentists—$25, Connecticut; $10, Delaware; $10, Florida; $5 to $120, Louisiana; $10, Mississippi; $10 to $25, Virginia. Itinerant: $5, Texas.

Detective agencies—$50, Alabama; $50, Georgia; $50, Maine.

Dispensary, municipal—$250 and $250 per 1,000 population (1903), Alabama.

Distillers—$25, Alabama; $100 each county, Florida; $75, Kentucky; $20 to $6,250, Louisiana; $50, Mississippi; $200, New Mexico; $100 to $2,000, Pennsylvania; $10 to $250, brandy $5 to $10, Tennessee; $30 and up, brandy separate rates, Virginia; $50 to $550, West Virginia; $250, Hawaii.

Dog fights—$500, Texas.

Dog shows and pony shows (trained animals)—$25 to $35 per day, Alabama; $10 to $30 per day, Georgia; $25 per day, Mississippi; $15 to $30 per day, Tennessee.

Dogs—Males: $1.15, Maine; $1, Maryland. Females: $3.15, Maine; $2, Maryland. Kennels: $10 to $20, Maine; one dog $1, each additional 50 cents, Virginia.

Druggists—$10, West Virginia; $50, Alaska. Selling liquor: $75, Kentucky.

Drummers—$75 to $125, Idaho; $50, Michigan; $60, Ohio; $250 per island, Hawaii.

Dummy railroads—$10 to $40, Alabama.

Editors—$5 to $120, Louisiana.

Electric light and power—$15 to $100, Alabama; $10 to $100, Florida; 20 classes, $20 to $6,250, Louisiana; $25 to $75, Mississippi; $10 to $750, Tennessee; $300, Alaska. Foreign: $5 per $1,000 gross receipts, Louisiana.

Elevator companies—$10 to $20, Alabama.

Emigrant agent—Each county, $500, Georgia.

Express companies—$10 to $200 per city, Florida; 10 classes, $30 to $400, Louisiana; $500 and $1 per mile of track, Mississippi; $500 to $2,000, Tennessee. Transfer companies: $50, Alaska. Foreign: $10 per $1,000 gross receipts, Louisiana.

Feather renovators—$10 in each county, Alabama; $50, Mississippi; $250, Tennessee.

Fees, persons buying fees of officers—$2.50 to $100, Tennessee.

Ferries—$5 to $75, Alabama; indeterminate, Idaho; $3 to $50, Indiana; other than steam $5 to $10, steam $75 to $150, Mississippi; $2 to $5,000, Missouri; $5 to $50, Tennessee; steam, $100, Alaska.

Fertilizer manufacturers—$25 to $100, Mississippi; $50, New Hampshire; each brand, $20, Ohio; $15 to $30, Pennsylvania; to sell, $100, Vermont; $20, Virginia.

Fishermen—$2.50 to $50 monthly, Washington.

Fortune tellers—$5, Alabama; each county, $50, Mississippi; $10, Tennessee; each county, $10, Texas.

Fraternal and benevolent societies—Soliciting membership: In four classes, $150 to $375, Louisiana.

Fruit stands—$2.50 and $5, Alabama; $2.50 and $5, Tennessee.

Futures, dealers in—$200, Alabama; $1,000, Georgia; $200 to $400, Tennessee.

Gambling—First month $100, subsequent months $75, Nevada.

Game tables or games—$25 to $50, Alabama; cane racks, $50, Mississippi; $10 to $25, Tennessee; $25, Texas; bagatelle, $10 for one and $5 each additional, Virginia; bagatelle, $25 for first and $10 for others, West Virginia.

Gas works or companies—$15 to $100, Alabama; $10 to $100, Florida; 20 classes, $20 to $6,250, Louisiana; $30 to $100, Mississippi; $50 to $700, Tennessee; $300, Alaska.

Guides—Resident $1, nonresident $20, Maine.

Gypsies and traders—$25 each county, Alabama; $25 each county, Georgia; $50, Maryland; $50, Mississippi.

Hack lines—$25, Mississippi.

Hacks and omnibuses—$2.50 to $5, Mississippi.

Halls, public—$10, Alaska; $10 to $25, Alabama.

Horse dealers—40 cents per animal sold, Alabama; for whole state, $50, Mississippi.

Hotels and boarding houses—$10 to $150, Florida; $10, Kentucky; in 10 classes, $40 to $600, Louisiana; $1, Maine; $10 to $75, Mississippi; $20 to $60, New Mexico; 50 cents per room, Tennessee; $5 and percentage on rental, Virginia; 3 per cent rental, West Virginia; $2 to $50, Hawaii; hotels $50, boarding houses $15, Alaska. With liquor licenses: $60 to $235, Kentucky.

Hunters—Deer: $5, Maine. Birds: $10, South Dakota. Animals: $25, for residents $1, South Dakota; for residents $1, for nonresidents $10, Washington.

Ice factories or dealers—$15 to $50, Alabama; $25 to $100, Mississippi; $5 to $100, Tennessee; dealers, $10 to $50, Texas.

Illuminating oils—(½ cent per gallon, Alabama, 1903).

Insane asylums—$50 first year, $25 per year thereafter, Connecticut.

Insurance brokers or agents—$10, Connecticut; foreign, $25, Delaware; $5 to $25, Florida; in each county $10, traveling $50, Georgia; $3, Idaho; $100 for state, $25 for one county, Maryland; of unauthorized companies, $20, Massachusetts; $10 to $40, Mississippi; $10, Missouri; $25, Nebraska; of foreign company, $20, New Jersey; $10, New Mexico; foreign life, $100, Oregon; $5, Texas; $100, Virginia; fire $2, marine $50, Washington; $25, Alaska. Solicitors: $5, Oregon.

Insurance companies—$200, Florida; $50, Idaho; life, 69 classes, $150 to $5,250, fire, marine, etc., 30 classes, $150 to $4,500, Louisiana; guarantee $100, accident $250, fire adjusters $25, fire $1,000, general $250 to $1,000, Mississippi; fire, life, and accident $100, casualty and surety $20, Nevada; $50, New Jersey; fire $50, others $100, Oregon; foreign life and accident assessment plan, $25, Wyoming. For plate glass: $50, Florida. Annual statement: $5, Oregon. Doing a banking business: $50, Alabama. Not capitalized: $1 per $1,000 on gross premiums, Colorado.

Intelligence offices—$25, Virginia; $10, Tennessee.

Itinerant traders or vendors—$50, Alabama; $100, Connecticut; drugs and medicines, $500, others per county $50, Florida; each county, $25, Georgia; of drugs per month, $100, Illinois; $5 to $20, Indiana; of drugs, $100, Iowa; $100, Kentucky; $25, Maine; $25, Massachusetts; $25, Michigan; each county, $35, Mississippi; $25, New Hampshire; $25, New Jersey; $25, Ohio; $25, Rhode Island; $100, Tennessee; $10 to $100 per month, Texas; $25, Vermont; $50, Wisconsin.

Jewelers—$5 to $125, Louisiana; $25, Alaska.

Jugglers—$25, Delaware; $25, Texas.

Junk dealers—(1903) $150, Alabama; $15 to $50, Mississippi; $50, Virginia. Canvassers: $25, Virginia.

Land agents—$10, Florida; $5, Texas; $10 to $50, and one-eighth of 10 per cent on sales, Virginia.

Land stock companies—$10 to $25, Tennessee.

Laundries—$10, Alabama; steam, $10, Mississippi; $7.50 to $50, Tennessee; steam, $10, Texas; $50, Hawaii.

Lawyers—$10, Delaware; $10, Florida; $10, Georgia; $5 to $120, Louisiana; $10, Mississippi; $5, Texas; $15 to $25, Virginia.

Legerdemain, or sleight of hand—$10, Alabama.

Lighting companies—$10 to $100, Tennessee.

Lightning rod agents—$50, Alabama; $100, Arkansas; per county, $10, Florida; $50 each county, Georgia; $100, Indian Territory; double peddlers' rates, Kentucky; $200, Louisiana; $100, Mississippi; $300, New Hampshire; $100, Tennessee; $100, Texas; $20, Virginia; $50, West Virginia. Dealers: $30, Texas.

Liquor—Liquor licenses, local: State receives one-fourth, Massachusetts, Rhode Island. Liquors imported in original package: spirituous, $300, Michigan; malt, $100, Michigan. Liquor dealers, general: $500 each county, Florida; each place of business, $200, Georgia; $100 to $500, Idaho; $300, Indian Territory; $100, Indiana; 1 to 5 gallons $400, 5 gallons $200, Mississippi; ad valorem tax, Missouri; $350, Ohio. Sale and manufacture of distilled liquors and wines: 10 cents per gallon, Missouri. Ava, sold at auction: Each taxation district, $100 to $1,000, Hawaii. Liquor dealers, spirituous, vinous, or malt: Retail—$200 to $350, Alabama; $300 plus 2 per cent plus $1, Arkansas; $25, Colorado; $18 to $150, Maryland; $900 to $1,200, Mississippi; $100 to $400, New Mexico; $25 to $100, Pennsylvania; $150 to $200, Tennessee; $300, Texas; $75 to $125, Virginia; $350, West Virginia; $1,000, Hawaii; in local option districts on prescription—$200, Texas; in theaters—$150, West Virginia. Liquor dealers, spirituous, vinous, or malt, at retail on steamboat, water craft, or sleeping, dining, or buffet car: $350, Alabama; $100, Arkansas; $200, Georgia; $200, Tennessee. Saloons, barrooms, beer gardens, etc.: in 8 classes, $100 to $1,500, Louisiana; $75 to $125 and 15 per cent of rental, Virginia. Malt only, small towns: $40, Virginia. Sample liquor merchants: $350, but in small towns $60, Virginia. Liquor dealers, malt only: Retail—one-fourth rates for all, Alabama; $200 in each county, Georgia; $50, Kentucky; $50, Texas; small towns, $30, Virginia; and wines, $200, Hawaii. Apple and peach brandy, by distiller: $100, West Virginia.

Liquor dealers, vinous only: Retail—one-tenth rates for all, Alabama. Liquor, retail: Spirituous and vinous—$100, Kentucky. Liquor dealers, spirituous, vinous, and malt: Wholesale—$350, Alabama; $100, New Mexico; $100 to $1,000, Pennsylvania; $300, Texas; $200, Tennessee; $350, Virginia; $350, West Virginia; $500, Hawaii. Liquor dealers, wholesale, malt only: $50, Arkansas; $25 to $100, Mississippi; $150, Virginia. Wines, ales, and mineral waters: $200, Kentucky. Hopfen weis, cider dealers, etc.: $500, Mississippi.

Litigation—$2.50 to $7.50, Tennessee.

Livery stables—$5 to $50, Florida; $10 to $60, Mississippi; $10, New Mexico; $10 to $40, Tennessee; 30 cents per stall, 30 cents per hack, Texas; $15 to $25, and 50 cents per stall, Virginia; $25 to $50, Hawaii. Wagon yard: $5, Texas. Hack driver: $10, Virginia. Baggage wagons: $5, Virginia.

Lumber yards—$10 per 100,000 feet of sales, Mississippi.

Manufacturers—$5 and $1 on first $1,000 cost raw materials and 10 cents per $100 over $1,000, millers exempt, Delaware; in 25 classes, $15 to $8,000, Louisiana; ad valorem, Missouri; as merchants, Alaska. Of cigars: 25 cents per workman, Florida.

Matrimonial agents—$100 in each county, Georgia.

Menageries—$25, Alabama; $30 to $500, Louisiana.

Merchants and mercantile establishments—$1 to $3, Florida; wholesale, 16 classes, $50 to $3,500, retail, 24 classes, $5 to $3,500, Louisiana; $12 to $150, Maryland; $2.50 to $250, Mississippi; ad valorem, Missouri; $10 to $150, New Mexico; ad valorem, Pennsylvania; $3 to $300, Texas; $5 to $10 and ad valorem on purchases, Virginia; $10 to $500, Alaska; provisions and drugs $50, general merchandise $50 and three-eighths of 10 per cent on excess over $20,000, Hawaii. Selling liquors—$100, Kentucky.

Merry-go-rounds, flying jennies, hobby horses—various rates, Alabama; $50, Delaware; $10 each county, Florida; $25, Georgia; $10, Mississippi; $15 to $100, Tennessee; $15, Texas; $10 to $20, Virginia; $25 per week, West Virginia.

Milk wagons and stands—$1, Washington; $2.50, Hawaii.

Milliners—$6, Maryland.

Mines—Quartz mills, per stamp, $3, Alaska.

Money lenders, loan agents—$100, Alabama; each county, $10, Georgia; $100, Mississippi. Loan companies, etc.: 10 classes, $75 to $3,000, Louisiana; $150, Texas.

Museums—$25, Alabama.

News companies—$100, Alabama; $500, Tennessee.

Oculists—$5 to $120, Louisiana.

Oils, illuminating, lubricating, or fuel—Wholesale: One-half of 1 per cent gross sales, Alabama; $5 per $1,000 gross sales, Louisiana; $25 to $75, Mississippi; $25 to $200, Tennessee. Depots: $10, Kentucky. Retailing: $5, Kentucky.

Oleomargarine dealers—$5, Mississippi.

Osteopathy—$25, Connecticut.

Oyster catchers—$5 to $20, Delaware.

Oyster or eating houses—$50, Maryland.

Oyster vessels—Under 5 tons $2 and each additional ton 50 cents, Connecticut.

Packing houses, agents of—In each county $200, Georgia; canning $10, Mississippi; salmon, $100 to $450, Oregon; $100 to $1,000 per season, Washington; salmon canning 4 cents per case, salmon salteries 10 cents per barrel, fish oil 10 cents per barrel, fertilizers 20 cents per ton, Alaska. Houses only: One-half of 1 per cent on product, Kentucky; $2 per $1,000 of proceeds, Louisiana.

Patent churns and patent fences, peddlers of—$25 each county, Georgia.

Patent rights—$5 each county, Alabama; and agricultural implements, $25 in each county, Georgia; $50, Rhode Island; each county $250, Texas; $25, Virginia; $10, West Virginia.

Pawnbrokers—$75, Alabama; $100, Florida; $50, Georgia; $50 per quarter, Idaho; $500, Kentucky; $375 to $500, Louisiana; $100, Maryland; $100, Mississippi; $250, New Mexico; $10 to $150, Tennessee; $150, Texas; $250, Virginia; $100, West Virginia; $300, Alaska; $150, Hawaii.

Peddlers—General license: $25 semiannually, Arkansas; $300, Florida; $50 in each county, Georgia; $25 for six months, Indian Territory; $5 to $20, Indiana; $2 to $20, Maine; $50, Massachusetts; $50, New Hampshire; $60, Rhode Island. Hucksters: $1 to $5, Tennessee; $25, Alaska. In a boat or boats for peddling, trading, etc.: $10 to $30, Florida; $50 each county, Georgia; $200, Louisiana; first license $1 per day, subsequent 50 cents per day, Missouri; each county $10, Texas; $50 to $200, Mississippi. On foot: $15, Alabama; $25 to $50, Idaho; $20, Kentucky; $10, Louisiana; $100, Maryland; $15, Michigan; each county $10, Mississippi; $3 semiannually, Missouri; $250, New Mexico; $12, Ohio; each county $10, Tennessee; each county $5, Texas; $250, Virginia; $100, West Virginia; $30, Wisconsin. One-horse wagon: $40, Alabama; $50 to $100, Idaho; $40, Louisiana; $150, Maryland; $40, Michigan; $15, Mississippi; $250, New Mexico; $20, Ohio; each county $20, Tennessee; each county $7.50, Texas; $500, Virginia; $150, West Virginia; $45, Wisconsin. Two-horse wagon: $55, Alabama; $50, Kentucky; $75, Louisiana; $200, Maryland; $75, Michigan; $30, Mississippi; $10, Missouri; $300, New Mexico; $28, Ohio; each county $30, Tennessee; each county $10, Texas; $100, Virginia; $200, West Virginia; $75, Wisconsin. Railroad or steamboat: $100, Michigan. On horseback or other animals: $25, Alabama; $30, Kentucky; $25, Louisiana; $15, Mississippi: $20, Ohio; $500, Virginia. Of coal oil: $10, Tennessee. Of clocks: $500, Alabama; $100, Arkansas; in each county $100, Georgia; $100, Indian Territory; $200, Louisiana; each county $15 to $25, Tennessee; each county $250, Texas. Of clocks and smoothing irons: $100 each county, Georgia. Of jewelry: Per county $50, Mississippi; $200, Rhode Island. Of cakes: $25, Hawaii. Of bed springs: $15 per county, Mississippi. Of washing machines: $15 per county, Mississippi. Of medicine: $50 each county, with music $100, Alabama; each city and town per day $100, Florida; $100, Mississippi; $150 to $200 in each county, Tennessee; $100, Texas; $5 to $25, Washington; $50, Alaska. Of spectacles or eyeglasses: $5 each county, Alabama; $15, Mississippi. Of patent school apparatus, etc.: $150 upward, Tennessee.

Pension agents—$10, Florida.

Phonograph for hire—$25, Texas. Kinetoscopes, etc.: $125, Texas. Panoramas: $10, Texas.

Photographers—Traveling $5 to $15, Alabama; $20, Delaware; $10, Georgia; $5 to $120, Louisiana; $5 to $50, Mississippi.

Physicians—$10, Delaware; $10, Florida; $10, Georgia; $5 to $120, Louisiana; $5, Texas; $10 to $25, Virginia. Itinerant: $250, Iowa; $50, Texas; $50, Alaska.

Piano and organ agents—$20, Mississippi.

Pig iron storage companies—$50, Alabama.

Pilots—$5 and 5 per cent of charges, Washington.

Pistols and arms, dealers in—$10, Florida; $25, Georgia; $100, Kentucky; wholesale $10, and cartridges $5, retail $100 and cartridges $50, Louisiana; $5, Mississippi.

Planing mills—$50, Alaska.

Playing cards, dealers in—$5, Alabama; $10, Kentucky; retail $5, wholesale $20, Tennessee.

Plumbers or gas fitters—$5 to $10, Alabama; $5 to $20, Tennessee.

Pool selling—Per day $5, Missouri; per day $5, Texas.

Pool tables—$25 to $100, Alabama.

Presidents, superintendents, or agents—Of express companies, of telegraph companies, of railroad companies, of street railroad companies, of steamboat companies, of telephone companies, of electric light companies, of sleeping car companies, of parlor car companies, of banks, of building and loan associations, of gas companies: All $10, Georgia.

Race tracks—$100 to $500, Alabama; $50 to $2,500, Louisiana; $100 to $200, Tennessee; $50 to $100, Texas.

Railroad and steamboat ticket brokers—$50 to $100, Alabama; $50, Georgia; $25 to $50, Louisiana; scalpers, $25, Mississippi; $5, North Dakota; $25 to $75, Tennessee.

Railroad companies—$100 per mile, Alaska; $2 to $20 per mile, Mississippi; $120 per mile, Tennessee.

Railroad terminal companies—$20 to $50, Tennessee.

Real estate brokers or agents—$5 to $15, Alabama; $50, Delaware; $25, Maryland; $10, Mississippi; $10, New Mexico; $5 to $40, Tennessee; $50, Alaska.

Rectifiers—$200, Alabama; $100 to $300, Kentucky; $20 to $6,250, Louisiana; $100 to $1,000, Pennsylvania; $150, Virginia.

Restaurants—$25, Delaware; $5 to $15, Florida; $1, Maine; ordinaries, $25 to $450, Maryland; $5 to $125, Mississippi; $20 to $60, New Mexico; $5 to $200, Pennsylvania; $3 to $40, Tennessee; $25 and percentage on rental, Virginia; 3 per cent of annual rental, West Virginia; $15, Alaska.

Sales, fire, bankrupt, insolvent—$100, Alabama.

Sawmills—$20 to $6,250, Louisiana; $15 to $100, Mississippi; 10 cents per 1,000 feet, Alaska.

Secondhand clothing—$500, Mississippi.

Securities, dealers in—$5 to $50, Tennessee; $100, Hawaii.

Sewing machine agents—$25 for each county, Alabama; companies $200 and each agent $5, Arkansas; for each county, $10, Florida; $200, Indian Territory; $10 to $50, Mississippi; companies $200 and agents $5, Tennessee; $15, Texas; companies $200 and canvassers $20, agents $15 in first county and $10 in others, Virginia; $10, West Virginia.

Shipping brokers—$50 and for each runner $5, Maryland; $10, Texas; $50, Virginia.

Ships and shipping—$1 per ton, Alaska.

Shoot the chutes—$20 to $6,250, Louisiana.

Shooting galleries—$15, Alabama; $50, Georgia; $5 to $20, Mississippi; $30 each county, Texas; $25, West Virginia.

Shows and exhibitions—$5 per day, Alabama; $30 to $50, Georgia; $5 each exhibition, Idaho; for each performance $5 to $25, Indiana; per show $1 to $3, per year $30, Maryland; $5 to $25 per day, Mississippi; $5 per day, Tennessee; $2, Texas; per day $20 to $100, Virginia; 10-cent shows, $20 per week, West Virginia; $5 per performance, Hawaii. For sale of medicine: $50, Texas.

Side shows, with circus—$10 per day, Alabama; one-half circus rates, Kentucky; $20 per day, Mississippi; $15 to $20 per day, Tennessee; $10 per day, Texas; $10 per exhibition, West Virginia; $20, Wisconsin.

Skating rinks—$25, Alabama; $15, Florida; $5 to $30, Tennessee; $25, Texas; $10 per quarter, Virginia; $5 to $100, West Virginia.

Slaughtering—$30 to $150, Arizona; one-half of 1 per cent on product, Kentucky; $20 to $6,250, Louisiana; $10 to $150, Tennessee.

Sleeping car companies—$200, Mississippi; $2,500, Tennessee.

Slot machines—$2, Alabama; $2.50, Virginia; $2.50 to $100, Tennessee.

Soda water, etc.—$5 to $10, Mississippi; in 7 classes, $5 to $50, Louisiana.

Stallions or jacks for use of mares—$10, nonresident $20, Delaware; $5, Florida; various rates, Kentucky; $10 to highest price, Maryland; $5, Mississippi; $10, Virginia.

Stave and spoke factories—$10, Mississippi.

Steamboats—$1 per ton up to $100, Florida.

Stock and bond dealers—$20, Alabama.

Stockyards—$15 to $75, Tennessee.

Stove agents or peddlers—$100, Arkansas; $200 each county, Georgia; $100, Indian Territory; $200, Louisiana; each county $15 to $25, Tennessee; each county $200, Texas.

Street railroads—$10 to $40, Alabama; three-eighths of 1 per cent of gross receipts or $15 to $100, Louisiana; $25, Mississippi; per mile of track, $1.50 to $8, Tennessee; tramways $10 per mile, Alaska; per car, $10, Hawaii.

Sugar refineries—One-eighth of 10 per cent gross receipts, Louisiana,

Supply cars—$100, Alabama.

Switchback—$75, Delaware; $20 to $6,250, Louisiana.

Taxidermists—$10, Alaska.

Telegraph companies—In 20 classes, $20 to $6,250, Louisiana; $300, Maryland; $250 plus 25 cents per mile, Mississippi; $20 to $700, Tennessee. Foreign: $3 per $1,000 of gross receipts, Louisiana.

Telephone companies—In cities, $5 to $25, Alabama; $10 to $100, Florida; in 20 classes, $20 to $6,250, Louisiana; $2.50 to $50, Mississippi. Foreign: $5 per $1,000 gross receipts, Louisiana.

Theaters—$25 to $50, Alabama; $25 to $250, Florida; in 4 classes, $175 to $400 and by cities $10 to $100, Louisiana; $10 to $50, Mississippi; $10 to $25, New Mexico; $30 to $500, Pennsylvania; $10 to $200, Tennessee; $1 to $25, Texas; per performance $3, per week $10, Virginia; $10 to $20 per week, West Virginia; $100, Alaska. Traveling shows: $5 per day, Florida; $5 per day, $25 per week, $100 per month, Tennessee. Dealers in tickets: $5 to $15, Tennessee.

Timber mills, land—$25 to $50 and $25 per acre, Mississippi.

Toll bridges—$5 to $75, Alabama; indeterminate, Idaho; $7, Texas.

Toll roads—$12.50 to $250, Tennessee; on trail, $200, Alaska.

Trading cars—$100 to $250, Mississippi.

Trading stamp companies—Each county, $10, Kentucky; $250 to $500, Louisiana; $250 to $500, Tennessee.

Transportation lines, freight and passenger, river and lake steamers—$1 per ton, Alaska.

Undertakers—$20, Mississippi; $5 to $50, Tennessee.

Variety shows, etc.—If females are employed as waitresses, per performance, $50, Florida; certain dances, $2,500 to $5,000, Louisiana; $200, Tennessee.

Warehouses, grain elevators, etc.—$10 to $20, Alabama; $30 to $400, for sugar and molasses $75 to $1,000, Louisiana; $2.50 to $20, Mississippi; $2 to $3, North Dakota; $1, South Dakota; $15 to $50, Tennessee; $25 to $50, Virginia; and docks, 10 cents per ton, Alaska.

Waterworks or companies—$15 to $100, Alabama; $10 to $100, Florida; 20 classes $20 to $6,250, Louisiana; $20 to $150, Mississippi; $25 to $800, Tennessee; $50, Alaska.

Weapons—Dealers in pistols, bowie knives, and brass knuckles: $50, Alabama; $25, Mississippi. Dealers in pistols and rifle cartridges: $10 to $50, Alabama.

Wild West shows—$15 to $30 per day, Tennessee.

Wineries—$50, Kentucky.

Witness certificates, dealing in claims against the state—$10, Alabama.

Woodyards—$5 to $20, Mississippi.

VI, VII, etc.

For taxes other than those included under the five classes given above, see:

Tax on official commissions—Maryland.

Tax on commissions of executors and administrators—Maryland.

Income tax—Hawaii, North Carolina, South Carolina, Virginia. (See, also, General property tax, page 685, for instances in which incomes are taxed as property, and Corporation taxes and Business taxes and licenses, page 633, for instances in which gross or net earnings form the basis of taxation.)

Tax on emoluments of officers—Pennsylvania.

Transfer tax—Tennessee.

Litigation tax—Tennessee.

Tax on wills and administrations—Virginia.

Tax on deeds and contracts—Virginia.

Tax on suits—Virginia.

B, C, etc.

Fees and other miscellaneous revenues not summarized, see under each state.

County Revenues.

A. TAXES.

I. *The general property tax.*

The general property tax when used by the counties is not an independent tax, and there is generally no separate county machinery for its administration. It is essentially a part (1) of the state or (2) of the local general property tax.

1. *Base.*—The property included and the methods of its assessment and equalization are substantially the same for county as for state purposes and have been described under state taxation for all states except: (1) Rhode Island, which levies no separate county tax. (2) The following, in which the general property tax is essentially a local tax and the county taxes are substantially the same as those of the lesser local units: Connecticut, Maine, Massachusetts, New Hampshire, and Vermont. (3) The following, in which, however, the only exception is that county taxes are levied on the county roll before revision by the state board of equalization: Illinois and Wisconsin. (4) Alaska, District of Columbia, Hawaii, and Indian Territory, which have no counties proper. Hawaii has since 1902 made a "division" analogous to the county.

In many instances, by law or by practice, exemptions may be extended by the county authorities to manufacturing plants of one sort or another, usually for a limited term of years. The following were the only instances that could be found in the general laws. It is not uncommon, however, to grant these exemptions by local or special laws. Such laws were not searched and consequently can not be included here:

Factories and shipbuilding plants, Alabama; certain industries, Maryland; manufacturing plants, domestic mutual fire insurance companies, Mississippi; in certain counties, manufactories, Pennsylvania.

2. *Rate.*—The rate at which taxes shall be computed upon the assessed valuation is fixed by the legislative authority of the county in all states except the following, in which a lump sum is apportioned to the towns and no county rate proper is determined. The apportionment is:

(1) By the county legislative authority, in Michigan and New Hampshire. (2) By the county representatives to the state legislature, in Connecticut. (3) By the county legislative authorities, on authorization by the legislature, in Maine. (4) By the state legislature in Massachusetts, South Carolina, and Vermont.

The rate is limited in the following manner:

(1) It may not exceed the rate named, without any exception as to purposes and without specification of rates for special purposes or classification of counties: 50 per cent of state tax, Georgia; 75 cents, Illinois; usually 33 cents, Indiana; 10 mills, Louisiana; some counties 2 per cent, New York; 1 cent on the dollar, Pennsylvania. (2) It may not exceed the rate named, except for payment of debt charges: One-half of 1 per cent, Alabama; $2, Arizona; 50 cents, Kentucky; $1.50 and 50 cents for debt charges, Nevada; 3 per cent, Wisconsin; 12 mills, Wyoming. (3) It may not exceed the rate named, except for schools and debt charges: 95 cents, West Virginia. (4) It may not exceed the rate named, except for roads, schools, and debt: 30 cents, Tennessee. (5) For all purposes combined or for any one of a number of specified purposes it may not exceed a given limit: County rate, together with state rate not to exceed 16 mills, or 13½ mills, except for debt, and for roads 2 mills, Mississippi; 16 mills, schools minimum 2 mills, poor one-fifth of 1 per cent, roads minimum 1 mill, maximum 2 mills, Montana; not to exceed a total of $1.50, and distributed, not to exceed, for general purposes and poor 9 mills, roads 5 mills, bridges 4 mills, sinking fund some counties 3 mills, others 4 mills, Nebraska; 8 mills, general purposes 5 mills, poor 1 mill, roads 2 mills, bridges 2 mills, South Dakota. (6) Rates for specified purpose limited: For general purposes 5 mills, for certain debt charges 5 mills, for schools 5 mills, Arkansas; for general purposes $1, schools 50 cents, debt 50 cents, California; usually 5 mills for general purposes and 3 mills for roads, Florida; for general purposes$ 1.50, bridges 25 cents, Idaho; for general purposes 5 mills, courthouses and jails 2 mills, New Mexico; general purposes 8 mills, bridges 2 mills, roads 5 mills, irrigation fund one-fourth of 1 mill, extraordinary tax by vote 3 mills, North Dakota; for schools 3 mills, South Carolina; general purposes one-fourth of 1 per cent, roads and bridges 15 cents, debts and permanent improvements 25 cents, road improvements 15 cents, schools by vote 20 cents, Texas; general purposes 5 mills, schools 4 mills, Utah; roads 15 cents, schools 10 cents, Virginia; debt 5 mills, general purposes 8 mills, schools 8 mills, road tax 5 mills, bridges 3 mills, Washington. (7) Counties are classified and the rates are limited according to the total assessed valuation: For general purposes 3 to 25 mills, minimum rate for schools 2 mills, maximum 5 mills, Colorado; for general purposes 4 to 6 mills, schools minimum 1 mill, maximum 3 mills, bridges 3 mills, poor 1 mill, Iowa; one-half of 1 to 1 per cent, Kansas; some counties 5 mills, others $5,000 but not over 10 per cent, Minnesota; 35 to 50 cents, Missouri; $2\frac{3}{10}$ mills to $14\frac{3}{4}$ mills, Ohio.

The limits set by law may be exceeded by popular vote in the following cases: For schools by three-fifths vote, Alabama; for debt charges by two-thirds vote, California; for schools, Florida, Illinois, Iowa, Kansas, Missouri, Nebraska, Washington; three-fifths vote, West Virginia.

3. *Collection.*—County taxes are collected in the same manner as the state taxes or the local taxes with which they are affiliated (see above, for division of states).

II. *Poll taxes.*

The county poll tax is sometimes a road tax and falls only upon the taxable polls in the road districts. When such a tax is covered into the county treasury and does not, as is more often the case, stop with the road district, it has been accounted a county tax. But the distinction between a county road poll tax, especially if payable in labor, and a road district poll tax is at best an arbitrary one.

There is no poll tax for county purposes in:

Colorado, Connecticut, Georgia,[1] Illinois, Indian Territory, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi,[1] New Jersey, New Mexico,[1] New York, Ohio, Pennsylvania, Rhode Island, South Carolina,[1] West Virginia, and Wisconsin. The county receives half the state poll tax in Nevada.

The county poll tax falls on:

Males 21 to 40 years of age in North Dakota; males 21 to 50 years of age in Idaho, Indiana, Nebraska, North Carolina, Oklahoma, Oregon, Utah, Washington, and Wyoming; males 21 to 55 years of age in California and Florida; males 21 to 60 years of age in Arizona, Missouri, Montana, Nevada, and Texas; males 21 to 70 years of age in New Hampshire and Vermont; males over 21 years of age (electors) in Arkansas, Kentucky, Louisiana, Tennessee, Virginia, South Dakota; not determined in Delaware.

The rate is:

$2.50, Arizona; $1, Arkansas; $3, California; 25 cents to $1.25, Delaware; $1, Florida; $2, Idaho; fixed annually by county legislative authority, Indiana; 50 cents, Iowa; $1.50, Kentucky; $1, Louisiana; $1.50 to $3, Missouri; $2, Montana; $3, Nebraska; (state and county), Nevada; taxed as property, New Hampshire; $1, New Jersey; $2 (state and county), North Carolina; $1, North Dakota; 4 days' work or $4, Oklahoma; $1, Oregon; $1, South Dakota; $1, Tennessee; 25 cents, Texas; $3, Utah; taxed as property, Vermont; 50 cents, Virginia; $2, Washington; $2, Wyoming.

[1] For explanation of county receipts from poll taxes, see text of state revenue systems.

III. *Inheritance tax.*

The inheritance tax is not used by the counties[1] directly, except:

In Montana, where 40 per cent of the state inheritance tax is passed directly to the county school fund; in Ohio, where 25 per cent of the state inheritance tax is credited to the county; and in Wisconsin, where 15 per cent of the state inheritance tax is retained by the counties.

In some other states the inheritance tax is passed into the general school fund and apportioned to the counties with the rest of the moneys in the school fund.

IV. *Corporation taxes.*

The counties do not ordinarily impose or share in special corporation taxes.

The following are the exceptions found:

One-half the territorial tax on car companies and one-half the tax on gross receipts of express companies is distributed to the counties, the former on a mileage basis, the latter according to business done, New Mexico; the bonus received by the state from foreign railway corporations is to be paid to the counties in which the lines are located in proportion to assessed valuation, Pennsylvania; 3 per cent of the taxes on street railroads and electric light and power companies, Wisconsin.

V. *Business taxes and licenses.*

The following states do not (so far as the general statutes show) utilize license taxes for county revenues:

Delaware, Kentucky, Maine, Massachusetts, New Hampshire, Rhode Island, Virginia, Washington, and Wisconsin.

In the following states the counties receive a percentage of the state license taxes:

40 per cent, Idaho; one-half, New Mexico.

In the following states the counties are permitted to levy additional license taxes upon the same subjects as are taxed in this manner by the state:

Not to exceed 50 per cent of the state license taxes, Alabama and Florida; not to exceed those of the state, Louisiana; same as Alabama, except that counties may not tax insurance companies, telegraph, express, or sleeping car companies, building and loan associations, and commercial agencies, Mississippi; not to exceed the state revenue tax more than 100 per cent, Missouri; not to exceed the state license, Tennessee; same as Alabama, Texas.

Municipal Revenues.

Under this heading are included the revenues of all divisions of government smaller than or ranking below the counties. These are the cities, towns, villages, school districts, and other divisions—such as road districts, drainage, irrigation, levee, sanitary districts, etc.—which receive revenues from taxation.

These municipalities have independent but restricted powers of taxation, all derived from the state. For the most part they depend upon the same taxes and sources of revenue as the states. Their main dependence everywhere is the general property tax, which is used by them even when it is not used by the states. This is supplemented, in general, by poll taxes, by licenses of one sort or another, and by income from municipal industries.

[1] The Louisiana inheritance tax of 1904 was a county tax.

A detailed analysis of city revenues is given in Census Bulletin 20, which makes it unnecessary to give an extended statement here.

The following analysis is based solely on the provisions of the general statutes of the different states, no attempt having been made to summarize city charters or ordinances. In most of the larger cities the revenue system is governed by the charter and is under the control of the city government. These city systems, while conforming in the main to the system here outlined, present numerous exceptions. It should therefore be understood that the analysis given here is that of the more general system, in the main the provisions applicable to the smaller cities, to towns, to villages, to school and other taxing districts which are governed under provisions of the general laws.

A. TAXES.

I. *The general property tax.*

This tax is used for local purposes in every state and territory in the Union. It is used by the municipalities even in those states where it is not used for state purposes.

The chief characteristics of the general property tax, namely, the property included, the exemptions, the methods of assessment, of equalization, of fixing the rate, and of collection have been described above, under state taxes. This has been done to facilitate comparisons with other states even in the case of the four states and one territory, namely, Connecticut, Delaware, New Jersey, Pennsylvania, and Alaska, which do not use this tax for state purposes.

1. *Base—*

a. The property included and exempt.—As a general rule municipalities tax the same property as the state and they may not tax any property exempt from state taxation. In some cases cities are permitted to exempt manufacturers, usually for a term of years, from city taxation, even though they are taxable for state purposes. Such provisions are found in the general laws of Alabama, Kentucky, Maryland, Mississippi, New Hampshire, New Jersey, New York, Rhode Island, South Carolina, and Vermont.

The same result is accomplished elsewhere by charter provisions and in other ways. Such a practice rests in some states entirely on custom without sanction of the law.

b. Assessment.—The assessment or valuation is usually the same as that for state purposes. In other words, the town, city, or district roll is a mere copy or excerpt from the great roll of the state, containing the property subject to taxation within that town, city, or district. But in many cases the cities have authority to make or use another valuation for the purpose of city taxation. That is, there are two assessment rolls, a state roll and a city roll. This practice gives rise to some confusion, as the same pieces of property

may be assessed at one value for city purposes and quite a different one for state or county purposes.

The general statutes do not always show clearly whether the cities are allowed the privilege of a separate and additional assessment. As such privileges existed in many places before it was undertaken to establish a general system and were confirmed in city charters and the like, they were never carried into the general code. There appears, however, to be one assessment roll only in all states, except the following, in which municipalities generally or certain classes of municipalities are permitted to make a separate roll for local taxation:

Alabama; cities only, Arizona; California; but it may not exceed state valuation, Florida; Georgia, Iowa, Kentucky, Maine; St. Louis and cities of the first and second classes, Missouri; Montana, South California, Texas; cities of the second, third, and fourth classes, Washington; cities of over 10,000 inhabitants, West Virginia; and Wyoming.

In some states the assessment roll is primarily local, the state taxes being apportioned to the municipalities and applied to their rolls. In some of these states there is an equalization of the roll for state purposes, but the municipal taxes are levied on the original roll as it stood before equalization. The apportionment of the state taxes in lump sums, as in Massachusetts and Michigan, to the municipalities has this effect. The states having in this limited sense a separate roll for municipal as distinguished from state taxation are:

Connecticut, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Washington, West Virginia, and Wisconsin.

c. Equalization.—The provisions for equalization between localities and between individuals—generally called "review" in Eastern states—have been fully covered under the description of State revenues.

2. *Rate—*

The rate is regularly fixed by the local legislative authority. It is subject, however, to various limitations, both by general statutory or constitutional provisions, and by city charters.

The following general limitations of municipal tax rates have been found in the statutes. In general, these rates may be exceeded by popular vote:

The rate may not exceed: One-half of 1 per cent, Alabama; various limits according to size of city and purposes, Arizona; 5 mills for general purposes and 5 mills for debt created prior to 1874, Arkansas; 2 per cent, California; 1 per cent, Florida; except for street improvements, one-half of 1 per cent, Georgia; 10 mills, Idaho; 2 per cent, Indian Territory; 90 cents, Indiana; 10 mills, Iowa; first-class cities 2 per cent, second class 4 per cent, Kansas; limits varying with size of city, Kentucky; 10 mills, Louisiana; various limits according to the size of the municipality, Michigan and Minnesota; for general revenue, 12 mills, Mississippi; various limits according to size of city, Missouri; 1 per cent, Montana; various rates according to size of city, Nebraska; various rates for different cities, Nevada and New Jersey; 1 per cent in cities, one-half of 1 per cent in towns, New Mexico; 1 per cent, North Carolina; various limits for different purposes, North Dakota, Ohio, and Oklahoma; 1 per cent, Oregon; various limits for different classes of cities, Pennsylvania; 1 per cent, Rhode Island; various limits according to size of cities, South Carolina; general revenue, cities 10 mills, towns and villages 5 mills, South Dakota; various limits according to class of municipality, Texas, Utah, and Washington; $1, West Virginia; in towns 2½ per cent, cities 3½ per cent, Wisconsin; 8 mills, Wyoming.

3. *Collection—*

The provisions for the collection of city taxes are substantially the same as those for the collection of state taxes.

The general rule is that these taxes are collected by the officers who collect state and county taxes. Provision for special tax collectors is often made in the city charters and not in the general statutes. In the following states collection as provided in the general statutes is by municipal as distinct from state officers:

Alabama, Arizona; some cities, California; Kentucky, Montana; some cities, Tennessee; Texas; cities of the third class, Utah; West Virginia, Wyoming.

II. *Poll taxes.*

1. *Subjects:*

(N. B.—Except as noted below the exempt classes are the same for local poll taxes as for state.)

Adult males, Alabama; able-bodied males 21 to 50 years of age, Arizona; able-bodied males 21 to 45, Colorado; males 21 to 70, Connecticut; able-bodied males 21 to 45, except ministers, Florida; able-bodied males, Idaho; cities same as state, road districts, able-bodied males 21 to 50, Indiana; able-bodied males 21 to 45, Iowa; able-bodied males 21 to 45, except in cities of second class 21 to 50, Kansas; adult males, Kentucky; males 21 to 50, except pensioners, soldiers, mentally incompetent, and paupers, Michigan; qualified voters, Minnesota; cities of first class, males 21 to 60, second class 21 to 50, villages 21 to 50, Missouri; able-bodied males 21 to 60, New Mexico; males 21 to 70, except soldiers and sailors maimed in war, firemen, clergymen, paupers, idiots, and insane, New York; same as state, North Carolina; males 21 to 50, except paupers, idiots, and lunatics, North Dakota; males 21 to 55, except honorably discharged soldiers, pensioners, militiamen, volunteer firemen, Ohio; able-bodied males 21 to 50, Oklahoma; able-bodied males, Oregon; same as state, Pennsylvania; qualified to vote, Rhode Island; males 18 to 50, South Carolina; males 21 to 50, except paupers, idiots, and lunatics, South Dakota; same as for state, Tennessee; males over 21, except idiots and lunatics, Texas; same as county, Utah; males over 21, Virginia; males 21 to 50, Washington; males 21 to 50, Wisconsin.

2. *Rates:*

$2, Alabama; two days' labor on roads or $4, Arizona; $2 or two days' labor, Colorado; $1, Connecticut; three days' labor on roads or $1, Florida; cities two days' labor or $2, outside cities $4, Idaho; two to four days' labor or $1.25 per day, Indiana; two days' labor or $2 to $4, Iowa; townships two days of eight hours each or $3, cities of first class two days of ten hours each or $3, cities of second class $1, Kansas; $1.50, Kentucky; one day's labor, Michigan; $2 or labor, Minnesota; cities of first class $1.50, second class $2, villages $3, Missouri; $3 or labor, Montana; $3 or labor, Nebraska; not to exceed $1, New Jersey; $1 or labor, New Mexico; one day's work or $1, New York; not fixed, North Carolina; one day's labor, North Dakota; two days' labor or $3, Ohio; cities $1, road districts four days or $4, Oklahoma; $3 or labor, Oregon; cities of second and third classes $1, road tax $1, one-half in money, other may be in labor, Pennsylvania; $1 or enough with other taxes to amount to $1, Rhode Island; labor not over four days or not over $3, South Carolina; one day's labor or not over $1.50, South Dakota; not to exceed $1, Tennessee; cities not over $1, road districts labor or money to $3, Texas; fixed by city, Utah; fixed by council, Virginia; $2, in cities of third class $4, Washington; $1.50, Wisconsin.

3. *Collection:*

The same as other municipal taxes, except:

By road overseer or street superintendent or similar officer, Arizona, Colorado, Florida, Idaho, Indiana, Iowa, Kansas, Minnesota, Montana, Nebraska, Ohio, Oregon, and South Carolina.

III. *Inheritance taxes.*

See State revenues.

IV. *Corporation taxes.*

Municipalities seldom levy any corporation taxes in the sense in which that term has been used in this compilation. They generally tax corporations under the general property tax or by licenses.

In some cities franchises to use the public streets have been granted, on condition that the recipient pay an annual rental for the privilege, which is fixed at a certain percentage of the gross receipts. Such a rental charge is sometimes spoken of as a tax. It is, however, a pure rental charge and should be classed with income from public property.

In Connecticut, Maine, and Massachusetts the state remits to the towns and to the cities some of the taxes collected by it from corporations. (See special analysis for these states.)

In Illinois foreign fire insurance companies pay 2 per cent of their gross receipts to the city or village for the benefit of the fire department. The same provision is found in the laws of Kansas and of North and South Dakota. Pennsylvania remits to the towns one-half the net amount received from the 2 per cent tax on premiums of foreign insurance companies.

V. *Business taxes and licenses.*

Business taxes and licenses are more extensively used as a source of revenue by the municipalities than they are by the states or counties, with the exception of the list of Southern states given above, which use a general license system for state revenue.

They are levied under the direct authority of the cities, and in most of the Northern states are fixed by local ordinances under provisions of the city charters. In these states it is the exception, rather than the rule, to find any definite provisions in the general statutes concerning local licenses. On the other hand, in those Southern states which use the license or excise taxes for state purposes it is customary to regulate local licenses by general statute. Hence the following list of local licenses is incomplete, representing as it does only those licenses which were found in the general statutes.

In many cases the statutes confer general powers on the city authorities to license and tax certain classes of business and leave the determination of the rates to the cities. In such cases the statutes convey no information as to the rates. Whenever rates were found in the general statutes they have been entered in our compilation, but otherwise the mere fact that a given industry is taxable is all that has been entered. It does not necessarily follow that all cities in a state levy all the license taxes which they are empowered to and which are entered in this list.

The license taxes are levied in the greatest number of cases on liquor dealers; next in frequency are amusements of one sort or another, especially games like billiards and bowling alleys; it is also common to levy such taxes on businesses which are not adequately covered by the general property tax. Nevertheless, these taxes are so varied in character as not to be readily subjected to classification, and a simple alphabetical list will be more useful than any classified list.

Particular attention is called to the fact that, owing to the great variety of expressions used, certain special or particular provisions which are found in some states are included in or covered by more general expressions in others. Thus, for example, "tippling houses and dramshops," specifically mentioned in several states, are taxable under other names in many other states.

Advertising signs—Ohio.

Amusements—Alabama, Arkansas, Colorado, Minnesota, Nevada, New York, North Dakota, South Dakota, and Utah. Places of amusement: Colorado and Maine.

Auctioneers—Not over $50, Alabama; Arizona; $50 to $100, Arkansas; Colorado, Connecticut, Iowa; $2, minimum, Massachusetts; Michigan, Minnesota, New Jersey; in cities over 1,000,000, $250, New York; North Dakota, Oklahoma, South Dakota; $10 to $300 plus a percentage, Wisconsin. Auction sales—2½ per cent, Maine; Ohio; one-tenth of 1 per cent, seven-eighths to state, Rhode Island.

Automobiles—Ohio.

Bagatelle tables—Arizona and North Dakota.

Ballast lighters and captains—$5, $10, New York.

Bankers—Oklahoma. Banks—Utah.

Bankrupt stock—Wisconsin.

Bicycle sidepaths—50 cents to $1, Connecticut.

Billiard saloons—Iowa; $10, Maine; $2, minimum, Massachusetts; North Dakota, South Dakota; not limited, Arizona; Arkansas, Colorado, Iowa; outside cities, minimum $50 to township, Kansas, Michigan, Minnesota; $20 for first, $10 each for others, Missouri; $10, New Hampshire (exempt from tax); Ohio, Oklahoma, Rhode Island; maximum $25, Washington; Wyoming.

Billposters—Iowa. Billboards—New Jersey and Ohio.

Boarding houses—Oklahoma.

Bowling alleys—Arizona, Colorado, Iowa; outside cities, minimum $50, Kansas; $10, Maine; $2, minimum, Massachusetts; Michigan, Minnesota; $10, New Hampshire (exempt from tax); Ohio, Oklahoma, Rhode Island, South Dakota, Wyoming.

Breeding stock—Kentucky.

Brewers—Arizona and Utah.

Brokers—Arkansas, Colorado, North Dakota, Oklahoma, and Utah.

Business places—Colorado.

Butchers—Arizona and Oklahoma. Butcher shops—Minnesota.

Canal boats—Villages in New York.

Carriages, etc.—$1, Massachusetts, New Hampshire, and Wyoming.

Carters—Arizona.

Carts and wagons—Not to exceed $30, Alabama.

Cigars—South Dakota. Cigarettes—South Dakota.

Circuses—Arizona, Iowa, New Jersey; two-day shows, $10 to $100, Utah.

Collector of birds—For scientific purposes, $1, Connecticut.

Concerts—Arizona; $25 if 50 cents admission, New Jersey.

Confectioners—Oklahoma.

Contractors—Oklahoma.

Corn doctors—Arkansas.

Dance houses—Arkansas.

Detectives, private—$10, Massachusetts; $10, Rhode Island.

Distillers—Arizona and Utah.

Dogs and other domestic animals not included in list of property—Arkansas; male or spayed female $1.15, unspayed female $5.15, kennel licenses $50, Connecticut; $3 to $10, Indiana; Kansas; male $2, female $5, for breeding five in number $25, over five $50, Massachusetts; males and spayed females $5, Michigan; Montana, Nebraska, Nevada; male $2, female $5, New Hampshire; New Jersey; $1 to $2, New York; at large, North Carolina (also swine, horses, and cattle); $2 male, $3 female, North Dakota; Ohio, Pennsylvania; male $1.15, female $5.15, Rhode Island; Utah; male $1, female $4, Vermont; maximum $2, Washington; $1 to $10, Wisconsin; $1 to $3, Wyoming.

Draymen—Arizona, North Dakota, and South Dakota. Drays: Oklahoma and Wyoming.

Druggists—Oklahoma.

Employment agencies—$1, Maine; Minnesota, North Dakota, South Dakota, and Utah.

Exhibitions—Arizona; street and sparring, Arkansas; horoscopic and general, Arkansas; Connecticut, Michigan; $1 to $300, New Hampshire; North Dakota, Ohio, Rhode Island, South Dakota, Utah, and Wyoming.

Explosives, vendors of—Ohio.

Express companies—$2.50 to $250, Alabama; Nevada, North Dakota, Oklahoma, and Utah. Expressmen: South Dakota.

Ferries—Arizona, Michigan, New York, and Ohio.

Fortune tellers—Arkansas.

Franchises—Kentucky.

Freight lines—Nevada.

Gaming and fraudulent devices—Not limited, Arizona.

Gaming tables—Arkansas and Wyoming.

Gas and electric companies—Nevada.

Gift enterprises—Arkansas.

Hackmen—Arizona, New York, North Dakota, South Dakota, and Utah. Hacks: Michigan, Oklahoma, and Wyoming.

Halls, public—Villages in New York.

Hawkers—Arizona, Arkansas, Michigan, North Dakota, Ohio, Oklahoma, South Dakota, and Utah.

Horse killing establishments—Minimum $1, Massachusetts.

Hospitals—Lock, private and venereal, Arkansas; maternity, Connecticut.

Hotels—Iowa.

House boats—Ohio.

House movers—Ohio.

Hucksters—Ohio and Wyoming.

Insurance agents—Arizona; foreign companies, maximum $100, Missouri; Oklahoma; 1 per cent, Wyoming.

Insurance companies—Arizona.

Intelligence offices—Arkansas; $2 minimum, Rhode Island.

Itinerant doctors—Iowa.

Junk stores—Arizona; $2 to $10, Connecticut; New Jersey. Junk dealers: Minimum, $2, Massachusetts and Iowa.

Laundries—Utah.

Liquor dealers—$20 to $500, Alabama; not limited, Arizona; Georgia, Indiana, Maryland; $100 to $150, Oklahoma; cities, first and second class $1,000, third class $500, other $300, boroughs $150, townships $75 (one-fifth to county), Pennsylvania. In domestic wines (not producers): Georgia. Tippling houses and dramshops: Arkansas, Missouri, and Oklahoma.

Liquor license—General: $1,000 if drunk on premises, $300 if not drunk on premises, Massachusetts; one-half of county liquor tax, Michigan; cities over 10,000 inhabitants $1,000, others $500, Minnesota; 50 per cent plus 25 per cent of state tax, Mississippi; cities over 10,000 $1,000, under 10,000 $500; one-half county license money for retail of liquor in quantities less than a quart, Nevada; granted by excise commission, New Jersey; cities get two-thirds of state license, New York; $25, North Carolina; wholesale or retail manufacturing or selling $500 to $1,000, retail only $200 to $400, Rhode Island; one-half profits from liquor dispensaries to city, one-half to county, South Carolina; same privileges as county, Texas; minimum $400, Utah; $300 to $1,000, 10 per cent to state, Washington; towns $100, cities $200, or by vote of citizens may be increased to $250 to $400 in towns and $350 or $500 in cities, Wisconsin; Wyoming. Spirituous: Towns of over 3,000 inhabitants $450, others $250, Connecticut; $150 to $1,000, Kentucky. Ale, beer, and wine only: $200, Connecticut; $250 if drunk on the premises, otherwise $150, Massachusetts. Malt and cider only, $250, Massachusetts. Hotels, $250, Connecticut; wholesale grocers, $250, Connecticut; druggists, towns 5,000 $12, less than 5,000 $10, Connecticut; $1, Massachusetts. Distilled liquors and alcohol: $50, Connecticut; medicinal only, $500, Rhode Island.

Livery stables—Arizona.

Lodging houses—$10, Connecticut.

Lumber yards—Arizona, North Dakota.

Lung testers—Arkansas.

Magnifying glasses—Arkansas.

Maternity hospitals—Michigan.

Menageries—Arkansas, Iowa; $10 to $50, Vermont.

Merchants—Not over $25, Alabama; retail for short period, $50 per week minimum, Minnesota; Oklahoma; retail transient, $25 to $200 per month, Pennsylvania; (storekeepers), Utah.

Merry-go-rounds—Not over $50, Maine.

Milk dealers—50 cents, Massachusetts; New Jersey.

Money changers—Arizona, Arkansas, Utah, and North Dakota.

Muscle developers—Arkansas.

Museums—Arkansas.

Omnibuses—New Jersey. Omnibus drivers: North Dakota.

Ordinaries—Arkansas, New York, North Dakota, South Dakota, and Utah.

Oyster digging—$2.50, Massachusetts.

Paints and chemicals—$1, Massachusetts.

Pawnbrokers—Arizona, Arkansas; $10 to $50, Connecticut; Georgia; $10 to $100, Indiana; Iowa; $50, Massachusetts; Minnesota; $50 to $100, Nebraska; $500, New York; North Dakota, Oklahoma; $50, Rhode Island; South Dakota, Utah, Wyoming.

Peddlers—Arizona, Arkansas, Colorado; at same rate as county, Indiana; Iowa, Maryland; different rates for different sized towns, $3 to $25, Massachusetts; Michigan; $5 to $10, New Hampshire; New York, North Dakota, Ohio, Oklahoma, South Dakota, Utah, Wisconsin, Wyoming.

Picnic groves—$2 minimum, Massachusetts.

Pistol galleries—Arkansas.

Playing cards—Per pack, not over $1.

Plumbers—Iowa; master $2, journeymen 50 cents, Massachusetts; fee for examination, Michigan; 50 cents, New Hampshire; Ohio.

Porters or runners for cars or public houses—Arizona and North Dakota.

Privileges—50 per cent state tax minimum (telegraph, express, and sleeping cars excepted), Minnesota.

Professions, trades, and callings, generally—Arizona, Colorado, Indiana; cities first class, other classes only specific ones, Kansas; Kentucky; excepting ministers, teachers, priests, lawyers, and doctors, Missouri; Nebraska, Nevada, Oregon; certain callings by cities third class, maximum $100, Pennsylvania; excepting t achers and ministers at a rate to be determined by gross income or upon capital invested, North Carolina; one-half state rate with certain exemptions, also same privileges as county, Texas; Washington, Wyoming.

Real estate agents—Oklahoma.

Restaurants and eating houses—Iowa, Michigan, Oklahoma, and Utah.

Saloons—Local option, Arkansas; Oklahoma.

Scales, public—North Dakota.

Scalpers, ticket—North Dakota, South Dakota, and Utah.

Scavengers—Iowa.

Secondhand or junk shops—Arizona; $2 to $10, Connecticut.

Shooting galleries—Iowa and Ohio.

Shows—Alabama, Arkansas, Iowa, Maine, Michigan, Minnesota; $100 to $300, New Hampshire; North Dakota, Ohio, Rhode Island, South Dakota, Utah, and Wyoming. Horse: Arkansas.

Skating rinks—$2 minimum, Massachusetts; New Jersey.

Slaughterhouses—$1 minimum, Massachusetts.

Soft drinks—South Dakota.

Solicitors for passengers or baggage—Michigan.

Steamboats—$1 minimum, Massachusetts.

Surveyor of lumber—$1 minimum, Massachusetts.

Taverns—Michigan, Minnesota, Ohio, and Oklahoma.

Taxidermists—$5, Maine.
Telegraph companies—Alabama and Nevada.
Telephone companies, long distance—Alabama.
Theaters—Alabama, Arkansas, Iowa; $350, New Jersey; North Dakota, Ohio, Oklahoma, South Dakota, Utah.
Toll bridges—Michigan and New York.
Vehicles for hire—Ohio, Oklahoma, Virginia, and Wyoming.
Vendors, itinerant—$25, Connecticut; Maine, Michigan; 2 per cent of value of goods, New Hampshire; Ohio, Rhode Island, Vermont.
Water companies—$50 to $400, Montana.
Wharf boats—Michigan.
Wharves and fish weirs—$5, Maine.

School Revenues.

For the sources from which the revenues for the support of schools are drawn, see under the several states.

ALABAMA.[1]

The revenue laws of Alabama have undergone extensive revisions in the past few years, and these were not fully completed at the time to which the census statistics refer. In 1897, in addition to the enactment of the state tax commission law, known as the back-tax commission law, a number of other changes were made in the tax laws of the code of 1896. Many more changes were made at the legislative session of 1898–99 and that of 1900–1901. In 1901 a new constitution was adopted which necessitated some changes in the revenue laws, and in 1903 the statutes were revised to conform to the new constitutional requirements. An act, approved February 23, 1899, with reference to licenses, having been declared unconstitutional by the supreme court, moneys collected thereunder were refunded by act of December 13, 1900, and a new law covering this subject was passed in 1901.

As these changes in the law materially affect the interpretation of the census statistics, it is necessary to set them forth in some detail.

A peculiarity of the Alabama revenue administration is the so-called back-tax commission, established in 1897. A state tax commissioner, who is appointed by the governor for a term of four years, has the power to appoint one tax commissioner in every county (as the statute was amended in 1899) for a term of four years. It is the duty of these commissioners to discover (and to aid the revenue officers in collecting) "escaped and delinquent back taxes, and licenses." They are to enforce the collection of any dues to the state that have been evaded within the five years previous to the date of discovery. The state tax commissioner is now paid a salary, but the county tax commissioners are compensated by a penalty of 10 per cent of the amount of taxes secured through their services, which is levied in addition to the back taxes found due. The assessors also have power to assess back taxes evaded in any one of five years previous to date of discovery, and they receive a commission of 5 per cent, assessed as a penalty.

Another peculiarity of the Alabama system is the payment of the assessors and tax collectors by percentage commissions on the amount of taxes assessed and collected, and by fees for certain other services performed by the assessors or tax collectors.

Alabama has three principal sources of revenue: (1) The general property tax, (2) the poll tax, and (3) the business taxes and licenses.

The counties and the incorporated towns and cities are the only subdivisions of the state with independent powers of taxation. Other districts, practically all of which are school districts, receive their funds from the state or county treasury.

CONSTITUTIONAL PROVISIONS.

ARTICLE XI.

Sec. 211. All taxes levied on property in this state shall be assessed in exact proportion to the value of such property, but no tax shall be assessed upon any debt for rent or hire of real or personal property while owned by the landlord or hired during the current year of such rental or hire, if such real or personal property be assessed at its full value.

Sec. 212. The power to levy taxes shall not be delegated to individuals or private corporations or associations.

Sec. 213. (Refers to public debt.)

Sec. 214. The legislature shall not have the power to levy in any one year a greater rate of taxation than sixty-five one-hundredths of one per centum on the value of the taxable property within this state.

Sec. 215. No county in this state shall be authorized to levy a greater rate of taxation in any one year on the value of taxable property therein than one-half of one per centum; provided, that to pay debts existing on the sixth day of December, 1875, an additional rate of one-fourth of one per centum may be levied and collected, which shall be appropriated exclusively to the payment of such debts and the interest thereon; provided, further, that to pay any debt or liability now existing against any county, incurred for the erection, construction, or maintenance of the necessary public buildings or bridges, or that may hereafter be created for the erection of necessary public buildings, bridges, or roads, any county may levy and collect such special taxes, not to exceed one-fourth of one per centum, as may have been or may hereafter be authorized by law, which taxes so levied and collected shall be applied exclusively to the purposes for which the same were so levied and collected.

[1] This compilation is derived mainly from the following sources:
"The Code of Alabama, 1896," approved February 16, 1897, prepared by Wm. L. Martin, commissioner. Published by the Foote & Davies Company, Atlanta, Ga., 1897. This omitted the changes made in revenue laws by the session of 1896–97.
An act to amend the revenue laws of the state, approved February 21, 1899, and given in the Session Laws 1898–99, pages 164 to 203. Declared unconstitutional.
An act to further amend the revenue laws of the state, approved March 5, 1901, given in the Session Laws 1900–1901, pages 210 to 250.
The new constitution of Alabama, 1901.
The Revenue Code of the State of Alabama, 1903, published by the auditor: The Brown Printing Company, Montgomery, Ala., 1903. This includes the amendments made at the session of 1902–3.

Sec. 216. (This section limits the rate in cities, towns, villages, and other municipal corporations to ½ per cent for current purposes; 1 per cent for debts existing December 6, 1875; for the city of Mobile, ¾ per cent for current purposes and ¾ per cent for debts existing December 6, 1875; for cities of Birmingham, Huntsville, and Bessemer, and the town of Andalusia, ½ per cent for current purposes and ½ per cent for debts existing at the time of adoption of this constitution; for the city of Montgomery, ½ per cent for general purposes and ¾ per cent for debts, public schools, and public conveniences; for Troy, Attalla, Gadsden, Woodlawn, Brewton, Pratt City, Ensley, Wylam, and Avondale, an additional tax not to exceed ½ per cent; for Decatur, New Decatur, and Cullman, an additional $\frac{3}{10}$ per cent, to be applied, in Decatur, for public schools, public school buildings, and public improvements, and in New Decatur and Cullman exclusively for educational purposes, to be expended by the school trustees; but the additional tax in Troy and the cities named thereafter above must be sanctioned by majority vote at special election.)

Sec. 217. The property of private corporations, associations, and individuals of this state shall forever be taxed at the same rate; provided this section shall not apply to institutions devoted exclusively to religious, educational, or charitable purposes.

Sec. 218. The legislature shall not have the power to require counties or other municipal corporations to pay any charges which are now payable out of the state treasury.

Sec. 219. The legislature may levy a tax of not more than two and one-half per centum of the value of all estates, real and personal, money, public and private securities of every kind in this state passing from any person who may die seized and possessed thereof, or any part of such estate, money, or securities, or interest therein transferred by the intestate laws of this state, or by will, deed, grant, bargain, sale, or gift, made or intended to take effect in possession after death of the grantor, devisor, or donor, to any person or persons, bodies politic or corporate, in trust or otherwise, other than to or for the use of the father, mother, husband, wife, brothers, sisters, children, or lineal descendants of the grantor, devisor, donor, or intestate.

ARTICLE XII.

Sec. 221. The legislature shall not enact any law which will permit any person, firm, corporation, or association to pay a privilege, license, or other tax to the state of Alabama and relieve him or it from the payment of all other privilege and license taxes in the state.

Sec. 229. * * * The legislature shall, by general law, provide for the payment to the state of Alabama of a franchise tax by corporations organized under the laws of this state, which shall be in proportion to the amount of capital stock; but strictly benevolent, educational, or religious corporations shall not be required to pay such a tax. * * *

ARTICLE XIV.

Sec. 259. All poll taxes collected in this state shall be applied to the support of the public schools in the respective counties where collected.

Sec. 260. The income arising from the sixteenth section trust fund, the surplus revenue fund, until it is called for by the United States Government, and the funds enumerated in sections 257 (this section makes the principal derived from the sale of certain lands a trust fund) and 258 (this section appropriates donations and escheats to the school funds) of this constitution, together with a special annual tax of thirty cents on each one hundred dollars of taxable property in this state, which the legislature shall levy, shall be applied to the support and maintenance of the public schools, and it shall be the duty of the legislature to increase the public school fund from time to time as the necessity therefor and the condition of the treasury and the resources of the state may justify: *Provided*, That nothing herein contained shall be so construed as to authorize the legislature to levy in any one year a greater rate of state taxation for all purposes, including schools, than sixty-five cents on each one hundred dollars' worth of taxable property: *And provided further*, That nothing herein contained shall prevent the legislature from first providing for the payment of the bonded indebtedness of the state and interest thereon out of all the revenues of the state.

Sec. 269. The several counties in this state shall have power to levy and collect a special tax not exceeding ten cents on each one hundred dollars of taxable property in such counties for the support of public schools: *Provided*, That the rate of such tax, the time it is to continue, and the purpose thereof, shall have been first submitted to a vote of the qualified electors of the county, and voted for by three-fifths of those voting at such election; but the rate of such special tax shall not increase the rate of taxation, state and county combined, in any one year, to more than one dollar and twenty-five cents on each one hundred dollars of taxable property; excluding, however, all special county taxes for public buildings, roads, bridges, and the payment of debts existing at the time of the ratification of the constitution of 1875. * * *

ARTICLE IV.

Sec. 91. The legislature shall not tax the property, real or personal, of the state, counties, or other municipal corporations, or cemeteries; nor lots in incorporated cities or towns, or within one mile of any city or town to the extent of one acre, nor lots one mile or more distant from such cities or towns to the extent of five acres; with the buildings thereon, when same are used exclusively for religious worship, for schools, or for purposes purely charitable.

ARTICLE VIII.

Sec. 194. The poll tax mentioned in this article (in section 178, which makes the payment of the poll tax prerequisite to the exercise of the electoral franchise) shall be one dollar and fifty cents upon each male inhabitant of the state over the age of twenty-one years, and under the age of forty-five years, who would not now be exempt by law, but the legislature is authorized to increase the maximum age fixed in this section to not more than sixty years. Such poll tax shall become due and payable on the first day of October in each year, and become delinquent on the first day of the next succeeding February, but no legal process nor any fee or commission shall be allowed for the collection thereof. The tax collector shall make returns of poll tax collections separate from other collections.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county tax assessors, one in each county elected for a term of four years, whose compensation consists, first, of commissions on state and county taxes assessed by them, varying with the amount of taxes assessed in each county from 1 per cent to 8 per cent; and, second, of fees paid by the persons assessed, amounting to 50 cents for the assessment and 25 cents each for any extra services, such as sending notices, etc.

(2) The judge of probate in each county, elected for six years, who makes abstracts for the state auditor and for the collector, and who collects license taxes.

(3) The court of county commissioners, consisting of four members elected for four years, and the judge of probate, constitute a board of review.

(4) The county tax collector, elected for four years.

(5) The state auditor, elected for four years.

(6) The state board of assessors for railroad, telegraph, and telephone companies, composed of the governor, the secretary of state, the auditor, and the treasurer, together with the attorney-general, who acts as adviser and decides any tie vote.

(7) The state tax commissioner, appointed for four years by the governor, and the district (or county) tax commissioners, appointed for four years by the state tax commissioner and commonly known as the "back-tax commissioners," whose functions are described in the introductory statement.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—The statutes enumerate 14 different classes of property which are "subjects" of taxation. The list is so comprehensive as to include all real and personal property. The enumerated items are: (1) Lands and improvements thereon; (2) wharves and wharf boats, landings, cotton pickeries, cottonseed-oil mills, compressors, grain elevators, toll bridges, ferries and turnpikes, and all passes, channels, or canals where tolls are charged, and street railroads, printing presses and materials; (3) steamboats, vessels, and water craft, excepting such as are engaged in foreign commerce; (4) the average amount of all stocks of goods, wares, merchandise on hand during the year; (5) all household furniture, libraries, jewelry, plate and silverware, etc., wagons, etc., office furniture, tools, arms, cattle, and other domestic animals; (6) money hoarded; (7) all moneyed capital, that is all money lent, solvent credits, or credits of value (in 1903 the section of the code containing provision (7) was changed as to mortgages so as to provide for a "privilege" tax in addition to recording fee for mortgages in lieu of all other taxes); (8) shares in incorporated banks; (9) shares in corporations, other than railroad, telegraph (long distance telephone added in 1903), building and loan associations, and banks or banking associations; (10) real and personal property of water companies, electric light and power companies, gas companies, furnaces, rolling mills, mines, quarries, or manufacturing establishments; (11) all investments in bonds; (12) the roadbed, track, and other property, real and personal, of railroads, and all tramroads, pole roads, canals, ditches, and channels, etc.; (13) all dividends declared or earned, and not divided, by corporations; (14) all other property. For purposes of taxation the gross amount of sales at auction; the gross amount of commissions of any factor, broker, etc.; the gross receipts of all cotton pickeries, warehouses, or other storage places; and the gross receipts of toll bridges and ferries, canals, ditches, channels, passes, tramroads, and pole roads, and of telephone companies except long distance telephone companies, are also treated as property. (Since 1901. Formerly this list included also gas works, electric light companies, and street railroads.)

(1) "Real property" is held to mean not only land, city, town, and village lots, but also all things thereunto pertaining, and all structures and other things so annexed or attached thereto as to pass to a vendee by the conveyance of the land or lot.

(2) "Personal property" is held to include all things, other than real property, which have any pecuniary value, and moneys, credits, and investments in any bonds, stocks, joint-stock companies, or otherwise. Credits include mortgages.

(3) Exempt from taxation, besides public property, are bonds of Alabama; cemeteries; lots and buildings used for religious worship, educational, or purely charitable purposes; all school furniture and other property used exclusively for public school purposes (the word "public" was dropped in 1903), and $25,000 for each public agricultural association; property of literary and scientific institutions; libraries of ministers of the gospel; all libraries not professional, and religious books kept for sale by ministers or colporteurs; deaf-mutes, insane, and blind persons, to the extent of $1,000; all family portraits; household furniture to $150; one yoke of oxen; one cart or wagon; two cows and calves; 20 head of hogs; 10 of sheep; all poultry; all cotton and other agricultural crops grown in the preceding year, and all manufactured articles remaining in hands of producer or manufacturer; provisions and seed; all wearing apparel; all looms and spinning wheels kept for use of family; $25 worth of farming tools or mechanic's tools; one sewing machine to each family, when taxable property does not exceed $250. (In 1899 the exemption of agricultural products was modified so that cotton and pig iron were exempt for twelve months from time of production, and thereafter to pay a special tax. In 1903 the special tax was abolished.) To encourage cotton factories it was enacted in 1893 that the county authorities might grant them exemption for five years; in 1901 shipbuilding plants were given the same opportunity, and it was further provided that cotton factories established since 1897 and in which $50,000 had been invested prior to 1902 should be exempt from all taxes for ten years, and shipbuilding plants investing $500,000 within five years from 1901 were also exempted from all taxes for ten years.

b. Assessment.—There is but one assessment list for state and county purposes. The assessment is made by the county assessor on the basis of sworn statements furnished by the taxpayers. The assessment of all property is made annually and refers to the 1st day of October; it is made up between that date and the 1st of February with a "supplementary" assessment up to the last Monday in May. Property is to be valued at its actual cash value. When possible, the assessor is to interrogate the taxpayer personally. The penalty for failure to make a return to the assessor is, in the case of private persons, 5 per cent added to the assessment made by the assessor; in the case of railroad, telegraph, and long distance telephone companies, and of corporations whose gross receipts are taxable as property, the penalty is a 50 per cent increase. Besides entering the valuation, the assessor is required to enter separately in the assessment book the amount of state, county, and special taxes on the aggregate of real and personal property. The assessor turns over the assessment book to the judge of probate, who makes the abstracts for the state auditor and the county collector. If the assessor discovers property that has escaped taxation in any assessment within five years previous, he assesses the back taxes against that property and for this receives a special commission. There is also a tax commissioner in each county who, under the supervision of the state tax commissioner, is authorized to assess back taxes.

Other provisions in regard to assessment were:

In valuing real estate the location, whether vacant or lying idle, or occupied and in use, and, if occupied and in use, the rent derived therefrom, is to be taken into consideration.

Railroad, telegraph, and long distance telephone companies are assessed on all property, not strictly localized, by the state board of assessors, and the assessment so made is apportioned to each county on the basis of mileage in such county.

The valuation of railroad property not local in character made by the state board of assessors is had "exclusively upon the consideration of what a clear fee-simple title thereto would sell for under the conditions under which that character of property is most usually sold."

The tax assessor is entitled to receive out of the first moneys collected for the state the following commissions on state taxes: In counties where the state taxes assessed do not exceed $12,000 the rate of commission shall be 8 per cent on the first $1,000, 4 per cent on the second $1,000, and 2 per cent on the remainder; in counties where the state taxes assessed exceed $12,000, the commissions shall be the same up to $12,000, 1½ per cent up to $60,000, and 1 per cent on the remainder. He has the same commissions on county taxes. He gets 5 per cent on back taxes. Also, the tax assessor receives a fee of 50 cents for making the demand on the taxpayer for his list of assessment, to be charged to the taxpayer and collected with the taxes, and also a fee of 25 cents for the issuance and service by the tax assessor of each notice to a taxpayer of an increase in his property valuation by the court of county commissioners, to be charged against the taxpayer if the increase is made final, otherwise canceled.

c. Equalization.—There is no equalization, strictly interpreted, of any part of the assessment in Alabama, but the court of county commissioners sits as a board of review and hears and adjudicates all objections to the assessment, treating them as regular cases on the docket to be tried in the name of the state of Alabama as plaintiff and the taxpayer as defendant. An appeal from its decision may be taken to the circuit court.

There is no state board of equalization and no equalization between counties.

2. *Rate—*

The constitution of 1875 limited the rate which might be levied for state purposes to 75 cents on each $100 of assessed valuation; that of 1901 reduced the rate to 65 cents. The annual rate is not determined by apportionment, but the code (subject to amendment at each session) fixes the rate in round numbers, and the amount so raised is apportioned for the various purposes. This system has resulted frequently in a deficit.

In 1897 the rate was fixed for all purposes in general at 55 cents; in 1899, 10 cents was added specifically for schools; and in 1903 the total rate of 65 cents was divided as follows: 30 cents for schools, 10 cents for the relief of needy Confederate soldiers and sailors, and 25 cents for general purposes.

3. *Collection—*

Taxes are collected by the county tax collector, who is paid for his services by commissions out of the taxes collected, similar to those allowed the assessor, and is allowed small fees, paid by the taxpayer, for collecting delinquent taxes. Taxes are due and payable after the 1st of October and become delinquent on the 1st day of January. The collector attends in each election precinct twice each year and makes appointments for the payment of taxes. Except for the collectors' fees, costs, and interest there are no penalties for delinquency. Delinquent taxes may be collected by seizure and sale of personal property, by garnishment, or by sale of lands under action by the court of county commissioners.

II. *Poll tax.*

The state poll tax (see section 194 of Article VIII of the Constitution), less expenses of levy and collection, is paid into the state treasury and by it disbursed to the county to be expended for the schools within the county of its collection

1. *Base—*

Every male inhabitant from 21 to 45 years of age not exempt by law. Those exempt are: Township trustees (in charge of schools), all members Alabama National Guard, and all persons permanently disabled whose taxable property does not exceed $500, deaf-mutes, insane, and blind.

2. *Rate—*

Fixed by the constitution at $1.50 per annum.

3. *Collection—*

Collected by county tax collectors under supervision of state auditor and paid into the state treasury.

4. *Apportionment—*

Apportioned by the state superintendent of education; each county is entitled to all the poll taxes collected within its bounds, and each township or school district and each race therein, to poll taxes collected therefrom.

III. *Inheritance tax.*

There is, at present, no inheritance tax in Alabama, but the constitution of 1901 provides that the legislature may levy such a tax. (Article XI, section 219.)

IV. *Corporation taxes.*

Corporations without any exception are covered, as are private individuals, by the general property tax, by the license taxes, or by both, while certain of them are also subject to special privilege taxes. The constitution of 1901 (Article XII, sections 229 and 232) provides that the legislature shall by general law provide for the payment of a franchise tax.

The code of 1896 imposes a franchise tax paid to the state of $25 on every increase of $50,000 in capital stock up to $1,000,000; from $1,000,000 to $5,000,000 this tax is $500; and over $5,000,000, $1,000. For fees paid before a commission is issued to a corporation, see all fees under B.

The following privilege or license taxes on corporations are notable and different in character from the other licenses:

Insurance companies, foreign and domestic, fire and life, pay a tax of $1 per annum on each $100 of gross premiums received in the state, but domestic companies taxed on their property may deduct the taxes so paid. Fraternal organizations are exempt.

Express companies doing business between points wholly in the state pay a license or privilege tax of $4,000 per annum.

Sleeping car companies formerly paid an annual privilege tax of $500 and $1 for each mile run by its cars in the state not to exceed $1,000 in all. In 1901 this was made $1,250 and the mileage tax removed.

Building and loan associations, domestic or foreign, pay a privilege tax of $1 on each $1,000 of paid-up capital stock up to $100,000 and 50 cents on each $1,000 over $100,000, and must pay taxes on office furniture and real estate, but are not required to pay taxes upon mortgages on real estate.

Telegraph companies in addition to the property tax, pay an annual privilege tax; companies whose lines in the state do not exceed

150 miles pay $1 per mile; over 150 miles, $500, together with $1 per mile; long distance telephone companies whose lines do not exceed 200 miles within the state pay 50 cents per mile; over 200 miles, $250 also, in addition to the taxes on their property.

Railroad companies operating lines within the state pay as a railroad license tax such percentage of their gross earnings accruing from business within the state, as may be necessary to pay the expenses of the state railroad commission.

V. *Business taxes and licenses.*

For state purposes a large number of licenses are levied—annually except where otherwise stated.

The licenses are as follows:

Abstract companies, in towns or cities of 20,000 or more, $30; in towns or cities of 10,000 to 20,000, $20; 5,000 to 10,000, $10 (addition in 1903, less than 5,000, $5). Auctioneers, towns or cities of 20,000 or over, $50; 8,000 to 20,000, $30; 5,000 to 8,000, $20; 1,000 to 5,000, $5; transient auctioneers, $50. Bagatelle, or Jenny Lind table, $50. Baseball park, $50 (added in 1903, but in towns of less than 15,000, $25). Bond makers, $50 (added in 1903). Bottlers, $25. Billiard table, not in connection with a saloon, $25. Billiard table in connection with a saloon, $50. Bowling alleys, $25. Billposters in cities and towns of 20,000 or more, $25; 10,000 to 20,000, $15; less than 10,000, $5. Brokers or commission merchants in towns or cities of less than 2,500, $5; 2,500 to 5,000, $10; 5,000 to 10,000, $15; 10,000 to 25,000, $25; 25,000 or more, $50. Bicycles for rent in cities over 20,000, $15; 10,000 to 20,000, $10; less than 10,000, $5. Book agents, except those selling religious publications, and Federal or Confederate soldiers of the Civil War, or indigent or disabled persons selling only in county of residence, $10 in each county. Brewers, $100. Cigarette dealers outside incorporated cities or villages, $5; in cities of 5,000 or less, $10; 5,000 to 10,000, $20; 10,000 to 20,000, $25; in all other places, $35. Cigar and tobacco dealers in towns of 20,000 or more, $10; less than 20,000, $5. Circuses in or within 2 miles of (in 1903 made 5 miles) towns or cities of 5,000 or more, for each day, $150; in other places, $100; pony and dog shows in towns or cities of 10,000 or more, per day, $35; in other places, per day, $25; side shows, per day, $10; flying jennies, $10. Cold storage, $10 (in 1903 raised and graduated according to size of city, $200, $100, $50, $25, and $10). Commercial or mercantile agencies, $300 (in 1903, $10 more for each additional county). Concerts or exhibitions, not wholly for charitable, school, or religious purposes, $5 (in 1903 made $10, and if continuous, $5 per day, $15 per week, or $30 per month). Collecting agencies in towns or cities of 20,000, $25 (in 1903 made $100); less than 20,000, $10 (in 1903 made $25). Construction companies, $25 (in 1903 made $10 in each county). Compounders and rectifiers, $200. Cotton buyers, $10 (in 1903 made $10 in each county). Corporations doing business in Alabama not specifically required to pay some other license whose paid-up capital stock is under $10,000 pay $10; $10,000 to $25,000 pay $15; $25,000 to $50,000 pay $25; $50,000 to $100,000 pay $50; $100,000 to $200,000 pay $75; $200,000 to $300,000 pay $125; $300,000 to $400,000 pay $175; $400,000 to $500,000 pay $200; $500,000 to $1,000,000 pay $300; exceeds $1,000,000 pay $500. Banks are exempt. Coal or coke agents or dealers, in towns of 20,000 or over, $20; 5,000 to 20,000, $10; 5,000 or less, $5. Dealers in playing cards, $5. Cane racks (see Devices). Distillers, $25 (in 1903 raised to $50). Dog shows (see Circuses). Detective agencies, $50. Devices, such as throwing at figures, cane racks, knife racks, strength and lung testers, etc., $25 in each county. Dummy and electric railways, in counties of 40,000 or over, $50; 30,000 to 40,000, $40; less than 30,000, $10. Dice and dice boxes and dominoes in connection with saloon, $25 (added in 1903). Each town or city having dispensary, if less than 500, $250; 500 to 1,000, $500; over 1,000, $250 additional for each 1,000 or majority fraction. Electric light and power, gas and water works (street railroad added in 1903), in cities or towns of 20,000 or more, $100 (in 1903 made $200); 10,000 to 20,000, $50; 5,000 to 10,000, $25; less than 5,000, $15. Entertainments where dancing is had for admission fee, $5. Eyeglasses (see Peddlers). Express companies (see under A. IV, Corporation taxes). Feather renovators, $10 in each county (in 1903 raised to $50). Fire, bankrupt, insolvent sales, $100. Toll bridges or ferries within two miles of town or city of 2,000, when income is more than $300 and less than $600, $5; same when income is over $600, $10; in or within two miles of town or city of 2,000 to 5,000, $50; 5,000 or more, $75. Flying jennies, hobbyhorses, or merry-go-rounds in cities and towns of 20,000 or within one mile, for each week, $5; for each month, $10; for each year, $30; 2,000 to 20,000, $5 per month, $2.50 per week, $20 per annum; in other places, $1 per week, $2.50 per month, and $10 per year. Dealers in futures, $200 (made to include "bucket shops," in 1903, and rates $500 in towns or cities of 20,000 or more; $250 in all other cities). Fortune tellers, $5. Fruit stands in cities and towns over 10,000, $5; in other places, $2.50. Gypsies and traders, $25 in each county. Horse dealers, 40 cents on each animal sold (in 1903 made $20 per annum). Illuminating oil (added in 1903), to enforce inspection at ½ cent per gallon. Insurance companies doing a banking business, $50. Ice factories, daily capacity 10 tons, $15; 10 to 15 tons, $25; over 15 tons, $50. Itinerant traders, $50. Knife racks (see Devices). Laundries (other than those run by hand), $10 (in 1903 made to apply to hotels and exempted laundries in towns or villages of less than 1,000, and washerwomen). Lightning rod agents, $50. Legerdemain or sleight of hand, $10. Liquor dealers (spirituous, vinous, or malt), at retail on steamboat or other water craft, or on sleeping, dining, or buffet car, $350; in towns or cities less than 1,000, $200; 1,000 to 3,000, $250; 3,000 to 5,000, $275; 5,000 to 10,000, $300; more than 10,000, $350; but dealers in beer alone pay one-fourth these amounts, and wines alone, one-tenth of same. For wholesale dealers, $350; dealers in cider, $10. (In 1903 wholesalers in lager beer alone were given a license of $150.) Menageries or museums, $25. Slot machines, $2 (new regulations as to use in 1903). Mercantile agencies (see Commercial agencies). (Added in 1903.) Merchandise brokers, cities of 25,000 or more, $25; 10,000 to 25,000, $15; 5,000 to 10,000, $10; 2,500 to 5,000, $5; less than 2,500, $2.50. Money lenders, $100; banks exempt. News companies, $100, in lieu of all state and county licenses. Oils, illuminating or lubricating oils or fuel oils at wholesale, one-half of 1 per cent of gross sales, collected by state tax commissioner on a commission of 10 per cent. Pawnbrokers, $75 (in 1903 made $150 with $50 extra if pistols are sold). Patent rights, each $5 in each county. Peddlers of medicines, $50 in each county (in 1903 made $100, one-half for the county); spectacles or eyeglasses, $5 for each county; peddlers of medicine, with vocal or instrumental music or both, $100 in each county; in wagon drawn by one horse or other animal, $40 (in 1903 reduced to $25); two or more horses, $55 (in 1903 reduced to $35); on a horse or other animal, $25 (in 1903 reduced to $15); on foot, $15 (in 1903 reduced to $10); when accompanied by singers or performers on musical instruments, $100. Exempt are, peddlers of tinware only; wooden, stone or clay hollow ware only; tanners, persons disabled, incapacitated Confederate soldiers; peddlers of fish, oysters, game, fresh meats, poultry, fruit, and all farm products raised by the seller. Clock peddlers, $500 and $250 county license in each county. Citizens of Alabama five years resident who were soldiers or sailors of the Confederacy and do not own property over $1,000 may peddle outside cities without paying license, but they may not peddle medicines. Photographers in railroad car, $15 (in 1903 made $25); traveling in any other way, $5. Dealers in pistols, bowie or dirk knives, and brass knuckles, $50. Dealers in pistols or rifle cartridges in towns or cities of 20,000 or more, $50; 10,000 to 20,000, $25; other places, $10. Public halls in towns of more than 5,000, $25; 2,000 to 5,000, $15; less than 2,000, $10. Pool tables, pin pool, $100; not pin pool, but in connection with saloon, $50; for hire not in connection with saloon, $25. Plumbers or gas fitters in towns of 10,000 or more, $10 (in 1903 made $25); in other places, $5 (in 1903 made $10). Pig iron storage companies, $50. Race tracks at or within five miles of city of 5,000, $100; more than 5,000, $200. Railroad ticket brokers, except agents of a railroad, in cities or towns of 10,000 inhabitants or over, $100; less than 10,000, $50. Real estate brokers or agents in cities or towns of 10,000 or more, $15; less than 10,000, $5 (in 1903 a new class, 5,000 to 10,000, at $10, was made). Social clubs selling liquors pay retail liquor license. Supply cars, $100. Skating rinks, $25. Sewing machine agents, $25 in each county (in 1903 agents for stoves, ranges, pianos, or organs were added). Shooting galleries, $15. Side shows (see Circuses). Stock and bond dealers, $20 (in 1903 made $35).

Tenpin alleys (see Bowling alleys). Theaters in cities and towns over 8,000, $50; less than 8,000, $25. (In 1903 in cities and towns of more than 20,000, $100; the rest as before.) Toll bridges (see Ferries). Telephone companies in cities and towns of 20,000, $25; 10,000 to 20,000, $10; all others, $5. Private lines between residences exempt (added in 1903). Junk dealers, $150. Warehouse and elevator companies in cities of more than 20,000, $20 (in 1903, $50); less than 20,000, $10 (in 1903, $25). Waterworks (see Electric Light companies). Witness certificates, dealing in claims against the state, $10.

Tax on the sale of commercial fertilizers.—Dealers in commercial fertilizers pay $1 per annum. All fertilizers sold in packages of 200 pounds or less must bear state tax tag, for which a payment of 5 cents is collected; over 200 pounds, 5 cents for each 200 pounds or fraction thereof.

3. *Collection—*

State license taxes are paid to the judge of probate, who issues licenses and enforces the regulation. He is allowed a fee of 50 cents paid by the taxpayer. The judge of probate remits directly to the state treasurer.

B. FEES.

Corporations, before a commission shall issue, pay the judge of probate, in the county where their chief place of business is, for the benefit of the state, the following fees:

When proposed capital stock is $50,000 or less, $25; $50,000 to $100,000, $50; $100,000 to $250,000, $75; $250,000 to $500,000, $100; $500,000 to $1,000,000, $200; $1,000,000 and over, $250. Also small fees for filing papers, copies thereof, etc. The same fees are charged foreign corporations. Insurance companies of every sort pay the insurance commissioner the following fees: For filing charter, $100; for each annual statement, $100; agents' certificates and renewals, $2.50; seal of office, $1; copies of papers, 10 cents per 100 words.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are the same for county as for state purposes.

2. *Rate—*

The rate is fixed by the court of county commissioners, and a special rate may be levied for erecting or repairing county buildings. If three-fifths of the votes cast in an election favor it, a special rate may be levied for school purposes. The rate, except to pay indebtedness, may not exceed one-half of 1 per cent.

3. *Collection—*

Made by county collector at the same time and in the same manner as state taxes.

II. *Poll tax.*

Able-bodied adult males may be required to work on roads as may be necessary, anywhere within six miles of their residence, but not to exceed ten days per annum; or, in default of labor, to pay not less than $1 nor more than $3 per day of required service

III and IV. *Inheritance tax and corporation taxes.*

None for the county.

V. *Business taxes and licenses.*

The court of county commissioners may levy license taxes additional to the state license tax and on the same subjects up to 50 per cent of the state tax except where otherwise provided.

Rates especially mentioned are for lightning rod agents, $10; for peddlers of medicine, $50; peddlers of clocks, $250; supply cars, $10. Dogs may be registered and a fee of 25 cents, together with a tax of $1, must then be paid to judge of probate.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included is the same as for state taxation.

b. Municipalities may make an annual assessment of their own.

c. There is no equalization proper, but the intendant and the alderman hold a meeting to "correct errors."

2. *Rate—*

The municipal rate is limited by the constitution of 1901 to one-half of 1 per cent of the valuation of property as assessed for state purposes, and is fixed by the municipal authorities. (See citations from constitution for numerous special provisions.)

3. *Collection—*

The municipal authorities may appoint some person to collect taxes; the levy has the force of a judgment and may be enforced in a manner analogous to that for state taxes.

II. *Poll tax.*

Municipalities may levy a poll tax for road or street purposes of not exceeding $2 on each able-bodied adult male inhabitant who has resided therein three months.

III and IV. *Inheritance tax and corporation taxes.*

No such taxes are levied by the municipalities (but see Business taxes and licenses).

V. *Business taxes and licenses.*

Express companies pay the following license taxes in municipalities annually:

When the value of collections is $500 or less, $2.50; $500 to $1,000, $5; $1,000 to $2,000, $10; $2,000 to $3,000, $15; $3,000 to $4,000, $20; $4,000 to $5,000, $25; $5,000 to $10,000, $50; $10,000 to $15,000, $75; $15,000 to $20,000, $100, $20,000 to $25,000, $150; $25,000 to $30,000, $200; over $30,000, $250.

Telegraph and long distance telephone companies may also be taxed by municipalities for the privilege of doing business.

Municipal authorities have power to license, tax, regulate, and restrain theatrical and other shows and amusements, and the retailing of spirituous, vinous, and malt liquors within the corporate limits; to license wagons, carts, etc., not to exceed $30; retail liquor dealers, not less than $20 nor more than $500; merchants, not over $25; auctioneers, not over $50; and on each pack of playing cards, not over $1.

C. FINES AND PENALTIES.

Municipal authorities have power to impose fines not to exceed $50.

School Revenues.

The schools are administered in districts or city school districts, each of which receives from the state treasury via the county its apportionment of the lump sum appropriation or of the proceeds of the rate levied especially for schools, now fixed by constitution not to exceed 30 cents; also in the same manner all poll taxes collected within its bounds; an apportionment of the sixteenth section fund and other funds derived from the sale of lands, and 4 per cent on surplus revenues of the United States deposited with the state; all escheats to the state; and certain licenses. (See Constitutional provisions.)

ALASKA.[1]

The revenues of Alaska are derived from taxes on business and trade. This system of license taxes is the main source of revenue for general district purposes; and no provision is made for the taxation of real or personal property for district revenues.

Towns of 300 inhabitants may incorporate, and the council has power to impose and collect a poll tax on electors, a tax on dogs, a general tax on real and personal property, possessory rights, and improvements, and such license taxes on business as the council may deem reasonable.

Municipal taxes are not to exceed 1 per cent on the assessed valuation of property, and all assessments made by the corporation assessor are subject to review by the council, and appeals may be taken to the district court.

Fifty per cent of all license moneys collected by the clerk of the district court under the laws of the United States within such towns is to be paid over to the treasurer of the town and used for school purposes.

Fifty per cent of the license money collected outside of towns in the district of Alaska is to be expended under the direction of the Secretary of the Interior for school purposes outside of towns in the district.

The act of Congress of June 6, 1900 (chapter 786, 31 Stat., 321), an act making further provision for a civil government for Alaska, and for other purposes, provides:

Any person or corporation prosecuting any of the following lines of business within the district of Alaska must first obtain a license from a district court and pay for such license as follows:

Abstract offices, per annum, $50; banks, per annum, $250; boarding houses, 10 or more guests, per annum, $15; brokers (money, bill, note, and stock), per annum, $100; billiard rooms, per table, per annum, $15; bowling alleys, per annum, $15; breweries, per annum, $500; bottling works, per annum, $200; cigar manufacturers, per annum, $25; cigar stores, per annum, $15; drug stores, per annum, $50; public docks, wharves, warehouses, 10 cents per ton on freight handled or stored; electric light plants furnishing light or power, per annum, $300. Fisheries—salmon canneries, per case, 4 cents; salmon salteries, per barrel, 10 cents; fish-oil works, per barrel, 10 cents; fertilizer works, per ton, 20 cents. Freight and passenger transportation lines, river and lake steamers, $1 per ton per year on net tonnage of each vessel; gas plants, for heat and light, per annum, $300; hotels, per annum, $50; halls, public, per annum, $10; insurance agents and brokers, per annum, $25; jewelers, $25; mines—quartz mills, per stamp, per year, $3. Mercantile establishments and manufactories—business $100,000, per annum, $500; business $75,000, per annum, $375; business $50,000, per annum, $250; business $25,000, per annum, $125; business $10,000, per annum, $50; business under $10,000, per annum, $25; business under $4,000, per annum, $10. Meat markets, per annum, $15; manufactories, same classification and license charges as mercantile establishments; physicians, itinerant, per annum, $50; planing mills, itinerant, per annum, $50; pawnbrokers, itinerant, per annum, $300; peddlers, itinerant, per annum, $25; patent medicine vendors, per annum, $50; railroads, per mile, per annum, $100; restaurants, per annum, $15; real estate dealers and brokers, per annum, $50; ships and shipping, per ton, per annum (net tonnage), $1; sawmills, per 1,000 feet, 10 cents; steam ferries, per annum, $100; toll road on trail, per annum, $200; tobacconists, per annum, $15; tramways, per mile, per annum, $10; transfer companies, per annum, $50; taxidermists, per annum, $10; theaters, per annum, $100; waterworks, per annum, $50.

B. FEES.

Attorneys, admission fees, $10; notary public commission, $10. (Devoted to the historical library and museum.)

ARIZONA.[2]

Arizona depends for territorial revenue mainly upon the general property tax.

In the counties this tax is supplemented by licenses.

ORGANIC LAW.

R. S., U. S., section 1851. * * * No tax shall be imposed upon the property of the United States, nor shall the lands or other property of nonresidents be taxed higher than the lands or property of residents.

(1 Supp. R. S., U. S., p. 503, being chap. 818, 49th Cong., 1st sess. July 30, 1886.) (Known as the "Harrison Act.") The legislature of the territories of the United States, now or hereafter to be organized, shall not pass local or special laws in any of the following enumerated cases, that is to say: * * * For the assessment and collection of taxes for territorial, county, township, or road purposes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessors. In counties of the first, second, and third classes an assessor is appointed by the board of supervisors for a term of four years. In counties of the fourth, fifth, and sixth classes the sheriff is ex officio assessor.

(2) The county treasurer, who is ex officio tax collector.

[1] This compilation is derived mainly from the following sources:
Act of Congress, June 6, 1900, chapter 786. An act making further provision for a civil government for Alaska.
Act of Congress, March 3, 1901, chapter 859. An act to amend the above. (31 Stat., 2, 1438.)

[2] This compilation is based mainly upon the Revised Statutes of Arizona territory, 1901.

(3) In incorporated cities an assessor, appointed by the board of trustees, who is ex officio tax collector. He is compensated by fees, which are added to the property and license taxes.

(4) The county board of supervisors, which acts as county board of equalization. The mayor and council constitute the city board of equalization.

(5) The auditor and two other members, appointed by the governor for a term of two years, who constitute the territorial board of equalization; they also constitute the board of assessment for railroad property.

(6) The territorial auditor, appointed by the governor for a term of two years.

Territorial Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property of every kind and nature whatsoever within the territory, except as specially exempted, is subject to this tax.

(1) Real estate is defined to include the ownership of, or claim to, or possession of, or right of possession to any land. But it does not include mining claims, either lode or placer. Water ditches constructed for mining, manufacturing, or irrigating purposes, and wagon, turnpike, toll roads, and telegraph lines are treated as real estate.

(2) Personal property includes all property not included under (1), Whenever solvent debts (credits) are assessed, the person assessed may deduct his liabilities. Shares of stock are declared to possess no value beyond that of the property of the corporation for which they stand and are not taxable to the stockholders, but the property they represent is taxable to the corporation. Bank stock is excepted from this rule and is taxable to the stockholders. Property under mortgage or lease shall be listed by and taxed to the mortgagor or lessor, unless it be listed by the mortgagee or lessee.

(3) The exemptions, in addition to all public property, are: Houses occupied by fire companies and their apparatus; free public libraries, colleges, and schools; public hospitals, asylums, poorhouses, and other charitable or benevolent institutions; agricultural societies; churches; cemeteries; property of widows and orphans not to exceed $1,000, where their total assessment does not exceed $2,000; private irrigating ditches; and for ten years after February, 1901, the franchises, right of way, roadbeds, bridges, culverts, rolling stock, and other property used in the actual operation and construction of newly begun railroads.

b. Assessment.—All property, except that of railroads, is assessed by the county assessors. It is to be assessed at its full cash value, which is defined as "what the property would be taken for in payment of a just debt due from a solvent debtor." The assessment refers to the first Monday in February and the roll must be made up between that date and the first Monday in June. The assessment is based upon a sworn statement furnished to the assessor by the taxpayer, or, in neglect thereof, upon the best information obtainable. The penalty for furnishing a false list is assessment at five times the amount of tax for the year and loss of all rights before the board of equalization. Fifty per cent of the penalty goes to any informant. The refusal to file a statement constitutes a misdemeanor punishable by a fine of not less than $10 nor more than $300, or imprisonment for not less than two days nor more than three months, or both. The assessor is liable on his bond for the taxes on property which he neglects to assess.

Transient herds of sheep or goats are assessable in the place where the owner resides.

The property of railroads, except such as is not used in connection with the operation of the roads, is assessed by the territorial board of equalization. The property so assessed includes the franchise, right of way, roadbed, bridges, culverts, rolling stock, depots, station grounds, buildings, telegraph lines, and other property used exclusively in the operation of the railway. The assessment so made is apportioned among the counties and municipalities on the basis of number of miles of main track.

No land may be assessed at less than 75 cents per acre.

Shares of bank stock are assessed to the shareholders, but the tax, being a lien on shares and dividends, may be paid by the bank.

c. Equalization.—The county board of supervisors acts as a county board of equalization and may increase or lower any assessment, and may require the assessor to amend the roll or may itself amend it. An appeal from the decision of the county board of equalization lies to the district court.

The territorial board of equalization equalizes the assessment between counties, increasing or diminishing the valuation of the property of any county, to produce a just relation between all valuations of property in the territory, but it may not reduce the aggregate valuation of all counties below the aggregate returned by the supervisors.

2. *Rate—*

The territorial board of equalization determines the tax rate. This rate is not to exceed 35 cents on each $100 of assessable property for general purposes and such further sum as is required to meet the debt charges. There are, however, a number of other levies:

Insane asylum interest fund, 10 cents; normal school fund, 5 cents; territorial school fund, 3 cents; university fund, 6 cents; prison fund, 12 cents; range fund, 5 cents; redemption fund, $2\frac{1}{2}$ cents; interest world's fair bonds, $\frac{35}{100}$ cent; interest fund, $13\frac{7}{100}$ cents; university interest fund, $\frac{1}{2}$ cent; capitol interest fund, $1\frac{1}{2}$ cents; Tempe normal school fund, $2\frac{1}{2}$ cents; ibid., building fund, 4 cents; university interest fund, $\frac{17}{100}$ cent; Northern Arizona normal school fund, 3 cents; ibid., building fund, 1 cent; territorial industrial school fund, 1 cent; ibid., improvement fund, 4 cents; interest St. Louis exposition bonds, $\frac{35}{100}$ cent.

3. *Collection—*

Territorial taxes, together with county and municipal taxes, are extended on one duplicate assessment roll and are all collected by the county tax collector. Taxes become delinquent on the third Monday in December, and the penalty for delinquency is 5 per cent. Taxes are a general lien on all property of the taxpayer, and may be collected by seizure and sale. Taxes on personal property, however, when they are not secured by real estate are collected by the assessor.

II. *Poll tax.*

There is no territorial poll tax (see County and Municipal revenues).

III. *Inheritance tax.*

There is no tax on inheritances.

IV. *Corporation taxes.*

Corporations generally are taxed under the general property tax, but foreign insurance companies pay a tax of 2 per cent per annum on all premium receipts within the state.

V. *Business taxes and licenses.*

Licenses to slaughter are paid to the secretary of the live stock sanitary board and are:

Within 4 miles of town of 5,000 inhabitants, $150 annually; within 4 miles of town of 3,000 to 5,000 inhabitants, $120 annually; within 4 miles of town of 1,000 to 3,000 inhabitants, $90 annually; in all other cases, $30 annually.

B. FEES.

Banks pay to the bank comptroller (the auditor acts as such) a license fee at the time of beginning business amounting to $5, and for copies of papers, etc., 20 cents per folio of 100 words and $1 for certified copies.

For examination into the condition of the banks: When the capital stock is $50,000 or over, $40; when the capital stock is $25,000 and under $50,000, $35; when the capital stock is less than $25,000, $30; branch or agency banks, $25; building and loan associations, $30.

Foreign insurance companies pay: For filing statement, $5; for issuing certificate of authority, $5; for agents' certificate, $2; for filing articles of incorporation, $5; for publishing statement, $2.50.

Fees payable to the secretary of the territory (prior to 1903 these were retained by him) are: For affixing seal, $1; for filing articles of incorporation, $5; for filing affidavit of publication, $3; for recording, per folio, 20 cents; for official bonds, commissions, and miscellaneous documents, $1.50 to $3; for filing notice of intention to construct a railroad, $10; for filing notice to construct reservoir, $5.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are the same for county as for territorial revenues.

2. *Rate—*

The county supervisors may levy taxes not to exceed $2 on each $100 of assessed valuation of property and such additional amount as may be necessary to meet the interest and payment of the county debts.

3. *Collection—*

County taxes are collected in substantially the same manner as territorial taxes.

II. *Poll tax.*

1. *Base—*

Every male person between the ages of 21 and 60 years. Members of fire companies are exempt.

2. *Rate—*

Two dollars and a half per annum.

3. *Collection—*

Due, payable, and collected in the same manner as the taxes on personal property.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes.

V. *Business taxes and licenses.*

Liquor licenses.—First class, sales $20,000 quarterly; tax, $125 quarterly. Second class, sales $12,000 to $20,000 quarterly; tax, $100 quarterly. Third class, sales less than $12,000 quarterly; tax, $75 quarterly. Fourth class (hotels) selling only in quantities of less than 2 gallons and over 1 pint, $30 quarterly. Selling in quantities of less than 1 gallon—in cities, etc., of 800 and over, $50 quarterly; in cities of 200 to 800, $40 quarterly; in cities of less than 200, $20 quarterly; wayside places, $12 quarterly. Peddlers' licenses.—General, $75 quarterly; with a wagon, and selling liquor, $100 quarterly. Theater licenses.—All kinds of exhibitions, $30 quarterly; $10 for each performance. Circuses—5 per cent of gross receipts. Billiard tables, $10 quarterly; bowling alleys, $10 quarterly. Distilleries and breweries.—Sales per quarter, $10,000, $40 quarterly; sales per quarter, $5,000 to $10,000, $20 quarterly; sales per quarter, less than $5,000, $10 quarterly. Insurance agents, $10 quarterly. Gaming tables, $30 per month.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property assessed and the method of assessment and of equalization are substantially the same as described under territorial revenues. Cities may have a separate valuation.

2. *Rate—*

The levy is made by the board of trustees and for specified general purposes may not exceed three-fourths of 1 per cent.

3. *Collection—*

By the city assessor and tax collector in substantially the same manner as territorial and county taxes.

II. *Poll tax.*

1. *Road poll tax, labor tax.*

a. Base—

All able-bodied males between the ages of 21 and 50 years.

b. Rate—

Two days' labor, or $2 for each day.

c. Collection—

In labor or cash by the road overseer.

III. *Inheritance tax.*

There is no inheritance tax for municipalities.

IV. *Corporation taxes.*

There are no corporation taxes proper. But franchises to use the public streets may be granted for payment of an annual rental based on gross receipts.

V. *Business taxes and licenses.*

The city council may license and tax: Gaming and fraudulent devices; sale of liquors in every way; billiard tables, bagatelle tables, pin alleys, etc.; hackmen, draymen, carters, porters, etc.; auctioneers, distillers, brewers, lumber yards, livery stables, money changers, pawnbrokers, etc.; hawkers or peddlers; exhibitions, concerts, circuses, etc.; butchers; porters or runners for cars or public houses; secondhand and junk stores; insurance companies and agencies; any and all professions, trades, or callings, etc.; ferries.

School Revenues.

The territorial school fund receives, besides the receipts from lands and trust funds, the proceeds of 3 cents per $100 of assessed valuation of property.

The county school fund receives not less than 50 nor more than 90 cents levied by the supervisors on each $100 of assessed valuation; also the poll taxes.

There may also be special school district taxes levied by the trustees of the school district.

ARKANSAS.[1]

Arkansas depends almost entirely upon the general property tax and licenses or privilege taxes; but there is also a poll tax and an inheritance tax. There are no special corporation taxes, and, except for the assessment of a few classes of corporations by a state board, no essential departures from the local administration of the general property tax. The license taxes are in the main supplementary to the property tax, as they fall upon persons who would by the nature of their occupation otherwise escape taxation.

CONSTITUTIONAL PROVISIONS.

ARTICLE XVI.

SEC. 5. All property subject to taxation shall be taxed according to its value, that value to be ascertained in such manner as the general assembly shall direct, making the same equal and uniform throughout the state. No one species of property, from which a tax may be collected, shall be taxed higher than another species of property of equal value. *Provided,* The general assembly shall have power, from time to time, to tax hawkers, peddlers, ferries, exhibitions, and privileges in such manner as may be deemed proper: *Provided further,* That the following property shall be exempt from taxation: Public property used exclusively for public purposes; churches used as such; cemeteries used exclusively as such; school buildings and apparatus (includes private schools, see 42 Ark., 536), libraries and grounds used exclusively for school purposes; and buildings and grounds and materials used exclusively for public charity.

SEC. 6. All laws exempting property from taxation, other than as provided in this constitution, shall be void.

SEC. 7. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state may be a party.

SEC. 8. The general assembly shall not have power to levy state taxes for any one year to exceed, in the aggregate, one per cent of the assessed valuation of the property of the state for that year.

SEC. 9. No county shall levy a tax to exceed one-half of one per cent for all purposes, but may levy an additional one-half of one per cent to pay indebtedness existing at the time of the ratification of this constitution.

SEC. 10. The taxes of counties, towns, and cities shall only be payable in lawful currency of the United States, or the orders or warrants of said counties, towns, and cities, respectively.

SEC. 11. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same; and no moneys arising from a tax levied for one purpose shall be used for any other purpose.

[1] This compilation is derived mainly from the following sources:
A Digest of the Revenue Laws of the State of Arkansas, compiled in the auditor's office by Avery E. Moore, 1903.
Checked and verified by reference to A Digest of the Statutes of Arkansas, by L. P. Sandels and Joseph M. Hill, published by authority of the general assembly, 1894, and to the session laws since 1894.

ARTICLE X.

SEC. 3. (Exempted mines and manufactures from taxation. Expired by its own terms, in 1881.)

ARTICLE V.

SEC. 31. No state tax shall be allowed, or appropriation of money made, except to raise means for the payment of the just debts of the state, for defraying the necessary expenses of government, to sustain common schools, to repel invasion and suppress insurrection, except by a majority of two-thirds of both houses of the general assembly.

ARTICLE XII.

SEC. 4. No municipal corporation shall be authorized to pass any laws contrary to the general laws of the state, nor levy any tax on real or personal property to a greater extent, in one year, than five mills on the dollar of the assessed value of the same: *Provided,* That to pay indebtedness existing at the time of the adoption of the constitution an additional tax of not more than five mills on the dollar may be levied.

ARTICLE XIV.

SEC. 3. The general assembly shall provide, by general laws, for the support of common schools by taxes, which shall never exceed in any one year two mills on the dollar on the taxable property of the state; and by an annual per capita tax of one dollar, to be assessed on every male inhabitant of this state over the age of twenty-one years: *Provided,* That the general assembly may, by general law, authorize school districts to levy, by a vote of the qualified electors of such district, a tax not to exceed five mills on the dollar in any one year for school purposes: *Provided, further,* That no such tax shall be appropriated to any other purpose nor to any other district than that for which it was levied.

ARTICLE XIX.

SEC. 11. * * * and all fees that may hereafter be payable by law for any service performed by any officer mentioned in this section (the governor, secretary of state, auditor, treasurer, attorney-general, judges of the supreme court, judges of the circuit court, commissioner of state land, and prosecuting attorney), except prosecuting attorneys, shall be paid in advance into the state treasury. * * *

SEC. 27. Nothing in this constitution shall be so construed as to prohibit the general assembly from authorizing assessments on real property for local improvements in towns and cities under such regulations as may be prescribed by law, to be based upon the consent of a majority in value of the property holders owning property adjoining the locality to be affected, but such assessments shall be ad valorem and uniform.

Amendment adopted November, 1898, provides that county courts and justices of peace may levy three-mill tax for county roads.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor, elected for two years, compensated by fees.
(2) The county board of equalization, composed of "three intelligent

citizens, real estate owners, and qualified electors" selected from different parts of the county, and appointed by the governor for two years. Counties having two judicial districts have a board in each.

(3) The sheriff of each county, who is ex officio tax collector.

(4) The clerk of the county court, who acts as county auditor, elected for a term of two years.

(5) The auditor of state, elected for two years.

(6) The state board of railroad commissioners, composed of the governor, the secretary of state, and the auditor of state.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—"All property, whether real or personal, in this state; all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise, of persons residing therein; the property of corporations now existing or hereafter created; and property of all banks or banking companies now existing or hereafter created, and of all bankers and brokers, shall be subject to taxation."

(1) The term "real property and lands" is held to include not only the land itself, with all things contained therein, but also all buildings, structures, and improvements and other fixtures, and all rights and privileges belonging or in any wise appertaining thereto.

Mineral rights may be treated separately.

"Railroad track" is defined as real estate.

(2) The term "investment in bonds" is held to include all moneys invested in bonds of whatever kind, or certificates of indebtedness commonly called "script," whether issued by incorporated or unincorporated companies, towns, cities, townships, counties, states, or other corporations, held by persons residing in this state, either by themselves or by others for them, whether for themselves or as guardians, trustees, or agents.

(3) The term "investment in stocks" is held to include all moneys invested in public stocks of this or any other state, or in any association, corporation, joint-stock company, or otherwise, the stock or capital of which is or may be divided into shares, for the taxation of which no special provision is made, held by persons residing in this state.

(4) The term "personal property" includes, first, every tangible thing being the subject of ownership, whether animate or inanimate, other than money, and not forming a part of any parcel of real estate; second, the capital stock, undivided profits, and all other means not forming part of the capital stock of every company, incorporated or unincorporated, and every share, portion, or interest in such stock, etc., including shares, etc., in every ship, vessel, or boat, used in navigating waters within or bordering on the state, whether such vessel shall be within the state or not.

(5) National bank notes, United States legal tender notes, and all other notes and certificates of the United States payable on demand and circulating, or intended to circulate, as currency, and gold, silver, or other coin, held or owned by any citizen or resident of the state of Arkansas are expressly declared to be taxable.

(6) The term "credit" means the excess of the sum of all legal claims and demands due to the person liable to pay taxes thereon, including deposits in banks when added together, over and above the sum of legal bona fide debts owed by such person. Pensions received from the United States, or from any state, are not held to be annuities.

(7) For exemptions, see constitution, Article XVI, sections 5 and 6; and also Article X, section 3. The statutes add fire apparatus and buildings used exclusively for the safekeeping thereof, whether belonging to any town or to any fire company organized therein. The statutes also provide a method of valuing real estate which exempts growing crops.

b. Assessment.—In general, there is but one assessment and one assessment roll for state, county, and municipal taxes. City and town taxes must be levied on the appraisement of the county assessor as equalized for the levy of state and county taxes. The assessment refers to the first Monday in June and is made on the basis of a sworn list submitted by the taxpayer, and the oath covers the values entered in the list as correct. The valuation must be the fair market value, not that at which the property would sell for at forced sale.

Real estate is assessed once every two years, in the odd numbered years. All other assessments are made annually.

All property, except that of railroads, sleeping or dining car companies, express and telegraph companies, which is assessed by the state board of railroad commissioners, is assessed by the county assessor, who is paid by fees for the various items of assessment.

Every person of full age and sound mind is required to list all property owned or in his possession on the first Monday in June.

Merchants and manufacturers are assessed upon the average value of property in their possession during the year.

Banks are assessed upon the amount of their paid-up capital, undivided profits, moneys which during the year were converted into nontaxable bonds, and term deposits. Shareholders in banks are assessed upon their shares, and if not required to list the shares themselves, the officers of the bank must do so and the bank must pay the taxes.

Sleeping or dining car companies, express companies, and telegraph companies are assessed every second year by the state board of railroad commissioners on that proportion of their aggregate capital stock, at its market value, which the mileage in the state bears to the total mileage. The assessment so made is apportioned among the counties on average mileage basis. Office furniture and other real and personal property is assessed locally.

To aid the assessor in determining the true value of its property, each corporation, including gas, telephone, bridge, street railroad, savings bank, mutual loan, building, transportation, and construction companies, is required to list not only the true value of all tangible property, but the market value (or actual value) of its paid-up capital stock and the total amount of its indebtedness.

The property of railroads is assessed by the state board of railroad commissioners. This board formerly assessed only the "railroad track" and the rolling stock, but since 1899 it has assessed "all property," including railroad track, rolling stock, water and wood stations, passenger and freight depots, offices, furniture, and other such property, both real and personal. Only the rolling stock owned or leased by railroads in this state is assessed. The "railroad track" is assessed without special reference to its relation to the entire system within and without the state, but that proportion only of the total rolling stock is assessed which the mileage in the state bears to the total mileage. The assessment made by the state board is apportioned among the counties on the basis of mileage.

The penalties for failure to make returns to the assessor are: For individuals, $1 as fee to assessor, and delinquency may be treated as a misdemeanor subject to a fine of not to exceed $100, or imprisonment not to exceed three months, or both; for banks and corporations generally, 50 per cent added to assessment; for sleeping car companies for false statement, prosecution of officer for perjury; for officers of railroads, a fine of not less than $1,000 nor more than $10,000.

The assessor is compensated for his services by the following fees: For each name listed, 25 cents; for each list of real property of unknown or nonresident owners, $1; for listing property of those who make no return, one-half of the $1 charged to taxpayer. The assessor has to attend in each precinct for receiving lists.

c. Equalization.—The county board of equalization has power to raise or lower individual assessments, to correct errors, and to add property omitted. In the case of personal property it must do this so as to conform to the true value in money. The same provision applies to real estate, but it may reduce the valuation of any lands which have been returned above their true value "as compared with the average valuation." In this work it is assisted by the clerk of the county court. An appeal from the action of the board lies to the county court.

There is no state equalization board.

2. *Rate—*

The rate for state purposes is limited by the constitution to 1 per cent on the assessed valuation.

The statutes provide 2¼ mills for general fund; 2 mills for public schools; ¾ mill for pension fund; ½ mill for state capitol fund; ¼ mill for sinking fund.

Taxes are extended by the clerk of the county court.

3. *Collection—*

The lien for taxes attaches on the first Monday in June. The sheriff of each county is the tax collector. He or his deputies attend in each election precinct, after the first Monday in January, for the collection of taxes. Taxes on personal property become delinquent after the 10th day of April, those on real estate, after the second Monday in May, and may then be collected by distraint. The penalty for delinquency is 25 per cent.

The collector is paid by commissions, as follows:

For the first $10,000, 5 per cent; for all sums over $10,000 and under $20,000, 3 per cent; for all sums over $20,000, 2 per cent.

II. *Poll tax.*

There is no poll tax for state purposes. (See County poll tax.)

III. *Inheritance tax.*

(Enacted in 1901.)

All property passing by will or the intestate laws of the state, or by deed, grant, sale, or gift made or intended to take effect on possession after the death of the grantor, to any person or corporation in trust or otherwise, except property passing to the father, mother, husband, wife, lineal descendant, adopted child, and the lineal descendants of an adopted child of decedent, is subject to a tax of 5 per cent to be collected by the state treasurer. The court of probate having jurisdiction determines all questions arising in connection with the tax, and no executor or administrator can be discharged until proof of payment is submitted.

IV. *Corporation taxes.*

There are no special corporation taxes in Arkansas, except on insurance companies. All corporations are taxed under the provisions of the general property tax law.

Insurance companies pay a state tax of 2½ per cent per annum on net receipts, which is in lieu of all other taxes, state, county, and municipal.

V. *Business taxes and licenses.*

The following taxes, generally known as "privilege taxes," are levied annually, unless otherwise stated:

Peddlers, $25 for six months or less. Exempt from this tax are: Farm and produce peddlers, indigent or disabled ex-Confederate or United States soldiers or sailors, and blind persons, but such persons may not peddle liquors. Clock peddlers, $100. Lightning rod and stove agents, $100. Sewing machine companies or their general agents, $200, and for each agent in each county $5 additional. Liquor dealers, retail, $300 (also a county tax of $500), 2 per cent thereon as collector's fee and $1 as clerk's fee for issuing license. Wholesale dealers in malt liquors, $50 (also a county tax of $100) unless they hold a retail license. River traders, $100.

B. FEES.

Secretary of state.—For filing charter of private corporation, $25; for filing amendments to preceding, $10. For filing charter of railroad or telegraph company: For a line not exceeding 25 miles, $50; for a line 25 miles to 50 miles, $75; for a line 50 miles to 75 miles, $100; for a line 75 miles to 100 miles, $125; for a line 100 miles to 150 miles, $150; for a line 150 miles to 200 miles, $175; for a line exceeding 200 miles, $200; for filing amendment to foregoing, $25.

Through the insurance bureau in auditor's office.—For filing certified copy of charter, $15; for filing annual statement, $10; for filing certificate of authority to transact business, $2; for filing copies of papers, 25 cents per folio and $1 for certification.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of its assessment and equalization are the same for county taxation as for state.

2. *Rate—*

The county rate is limited by the constitution to one-half of 1 per cent on the assessed valuation and one-half of 1 per cent to pay indebtedness existing in 1874.

The levy is made in October by the county court. The statutes provide that the county court may not levy any higher rates than the constitutional ones.

3. *Collection—*

County taxes are collected by the sheriff as tax collector in the same manner as state taxes.

II. *Poll tax.*

A poll tax of $1 is levied upon all males over 21 years of age. This tax is a prerequisite for the exercise of the electoral franchise. It is collected by the tax collector, paid into the county school fund, and apportioned to the school districts with the rest of the school fund. If not paid before the 10th of April, a penalty of 25 cents is added. If not paid before the Saturday next preceding the first Monday in July, a penalty of $1 is added, 25 cents of which goes to the county clerk for his services in entering the name, and 75 cents into the county general fund.

III and IV. *Inheritance tax and corporation taxes.*

The county does not share in the inheritance tax nor in the taxes on insurance companies, both of which taxes are reserved for the use of the state.

V. *Business taxes and licenses.*

The following taxes are levied annually, unless otherwise stated:

Liquor dealers, retail, $500 and 2 per cent thereon as a collection fee and $1 as clerk's fee. Wholesale dealers in malt liquors, $100 unless they hold retailer's license. Marriage licenses are taxed 50 cents. Peddlers, $25 every six months or less. Circuses and menageries, $100 per day and $50 for each side show. County courts may license and tax exhibitions for profit. Theaters in cities of 20,000 and over where no liquor is sold, $100. Variety theaters are not included. Auctioneers, $10 for six months or less. Agents, owners, or manufacturers traveling and selling lightning rods, steel stove ranges, clocks, pumps, buggies, carriages, and vehicles, $200. River traders, $100. The county court licenses ferries, and may charge a license tax of not less than $1 nor more than $100. Auction duties payable to the county are: (1) On sales of personal property, 1½ per cent; (2) on sales of real estate or leasehold interest in land, one-half of 1 per cent. Nonresident trappers, hunters, and seiners or netters of fish pay a tax of $25 (formerly $10). All the above license taxes are collected by the tax collector, who receives 5 per cent commission, which is paid by the person taxed.

B. FEES.

Each criminal conviction in courts of record, $3; each civil suit in courts of record, $3; each writ of summons and writ of execution, 50 cents; each certificate of record in any recorder's office, except mortgages, 50 cents; each certificate of mortgage, 15 cents.

MUNICIPAL REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are the same for city, town, and school purposes as for the state.

2. *Rate—*

The rate for each school district is determined by popular vote. The levy is made by the county court in October of each year.

The rate for cities and towns shall not exceed 5 mills for general purposes and 5 mills for debt contracted before 1874.

The council of any municipal corporation may make out and certify to the county clerk the rate of taxation levied by such municipal corporation.

3. *Collection—*

Municipal taxes are collected, as are state and county taxes, by the sheriff who is ex officio county collector and paid over by him to the city treasury.

II. *Poll tax.*

There is no special local poll tax. The school districts, however, receive an apportionment of the county poll tax.

III and IV. *Inheritance tax and corporation taxes.*

The municipalities do not share in the inheritance tax nor in the special corporation taxes on insurance companies.

V. *Business taxes and licenses.*

Municipal corporations may license, regulate, tax, or suppress ordinaries, hawkers, peddlers, brokers, pawnbrokers, money changers, intelligence offices, public masquerade balls, street exhibitions, sparring exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors; lock, private, and venereal hospitals; museums and menageries, equestrian performances, horoscopic views, lung testers, muscle developers, magnifying glasses, billiard tables or any other tables or instruments used for gaming; theatrical or other exhibitions, shows, and amusements; tippling houses and dramshops; or any gift enterprises, and may suppress prize fights, dog fights, chicken cockfights, gaming, or gambling houses. But the licensing of saloons is dependent upon a local option law. Municipal corporations also have the power to tax public auctioneers not less than $5 nor more than $100 per annum, and to impose a tax on dogs and other domestic animals not included in the list of taxable property.

SCHOOL REVENUES.

The proceeds of all lands granted by the United States to the state; also all moneys, stocks, bonds, land, and other property belonging to any fund for education at the time of the passage of the act (December, 1875); also the net proceeds of all sales of lands and other property and effects that may accrue to the state by escheat, or from sales of estrays, or from unclaimed dividends, or distributive share of deceased persons; also 10 per cent of the net proceeds of the sale of all state lands; also all grants, gifts, or devises that are made to the state are to be invested in the common school fund.

The per capita tax and the special school levy on property are treated as current revenue for the support of common schools. A tax levy sufficient to run the schools in any district longer than three months must be sanctioned by a vote of the electors in the school district. Such vote may be taken at any lawful meeting at which not less than five electors shall be present. But such tax may not exceed 1 per cent of the assessed valuation.

CALIFORNIA.[1]

California depends almost entirely upon the general property tax for state, county, and municipal revenues.

CONSTITUTIONAL PROVISIONS.

ARTICLE XIII.

SEC. 1. All property in the state not exempt under the laws of the United States shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property" is declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things capable of private ownership: *Provided*, That property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this state, or to any county or municipal corporation within this state shall be exempt from taxation. The legislature may provide, except in case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this state.

SEC. 1½. All buildings and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, shall be free from taxation; provided, that no building so used which may be rented for religious purposes and rent received by the owner therefor shall be exempt from taxation.

SEC. 1¾. All bonds hereafter issued by the state of California or by any county, city and county, municipal corporation, or district (including school, reclamation, and irrigation districts) within said state shall be exempt from taxation.

SEC. 2. Land and the improvements thereon shall be separately assessed. Cultivated and uncultivated land of the same quality and similarly situated shall be assessed at the same value.

SEC. 3. Every tract of land containing more than 640 acres and which has been sectionized by the United States Government shall be assessed for the purposes of taxation by sections or fractions of sections. The legislature shall provide by law for the assessment in small tracts of all lands not sectionized by the United States Government.

SEC. 4. A mortgage, deed of trust, contract, or other obligation by which a debt is secured shall, for the purposes of assessment and taxation, be deemed and treated as an interest in the property affected thereby. Except as to railroad and other quasi public corporations, in case of debt so secured the value of the property affected by such mortgage, deed of trust, contract, or obligation, less the value of such security, shall be assessed and taxed to the owner of the property, and the value of such security shall be assessed and taxed to the owner thereof in the county, city, or district in which the property affected thereby is situate. The taxes so levied shall be a lien upon the property and security, and may be paid by either party to such security; if paid by the owner of the security, the tax so levied upon the property affected thereby shall become a part of the debt so secured; if the owner of the property shall pay the tax so levied upon such security, it shall constitute a payment thereon, and, to the extent of such payment, a full discharge thereof: *Provided*, That if any such security or indebtedness shall be paid by any such debtor or debtors after assessment and before the tax levy, the amount of such levy may likewise be retained by such debtor, and shall be computed according to the tax levy for the preceding year.

SEC. 5. Every contract hereafter made by which a debtor is obligated to pay any tax or assessment on money loaned or on any mortgage, deed of trust, or other lien shall, as to any interest specified therein, and as to such tax or assessment, be null and void.

SEC. 6. The power of taxation shall never be surrendered or suspended by any grant or contract to which the above shall be a party.

SEC. 7. The legislature shall have the power to provide by law for the payment of all taxes on real property by installments.

SEC. 8. The legislature shall by law require each taxpayer in this state to make and deliver to the county assessor annually a statement under oath setting forth specifically all the real and personal property owned by such taxpayer or in his possession or under his control at twelve o'clock meridian on the first Monday of March.

SEC. 9. A state board of equalization consisting of one member from each congressional district in this state, as the same existed in 1879, shall be elected by the qualified electors of their respective districts at the general election to be held in the year 1886 and at each gubernatorial election thereafter, whose term of office shall be four years and whose duty shall be to equalize the valuation of the taxable property in the several counties of the state for the purposes of taxation. The controller of state shall be ex officio a member of the board. The board of supervisors of the several counties of the state shall constitute boards of equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purpose of taxation: *Provided*, That such state and county boards of equalization are hereby authorized and empowered, under such rules of notice as the county boards may prescribe as to county assessments and under such rules of notice as the state board may prescribe as to the action of the state board, to increase or lower the entire assessment roll or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll and make the assessment conform to the true value in money of the property contained in said roll; provided, that no board of equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits above its face value. The legislature has power to redistrict the state into four districts and to provide for the election of members of the state board of equalization.

SEC. 10. All property shall be assessed in the county, city and county, town, township, or district in which it is situated in the manner prescribed by law. The franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in more than one county in this state shall be assessed by the state board of equalization at their actual value, and the same shall be apportioned to the various subdivisions and districts in which such railroads are located in proportion to the number of miles of railway laid therein.

SEC. 11. Income taxes may be assessed to and collected from persons, corporations, joint-stock associations, or companies resident or doing business in this state in such cases and amounts and in such manner as shall be prescribed by law.

SEC. 12. The legislature shall provide for the levy and collection of an annual poll tax of not less than two dollars on every male inhabitant of this state over twenty-one and under sixty years of age, except paupers, idiots, insane persons, and Indians not taxed. Said tax shall be paid into the state school fund.

SEC. 12¾. Fruit and nut bearing trees under the age of four years from the time of planting in orchard form, and grapevines under the age of three years from the time of planting in vineyard form, shall be exempt from taxation, and nothing in this article shall be construed as subjecting such trees and grapevines to taxation.

ARTICLE IX.

SEC. 10. All property held in trust for Leland Stanford Junior University may be exempted by special act from state taxation, and all personal property, the Palo Alto farm, as described in the endowment grant of the trustees of the university, and all other real property so held and used by the university for educational purposes exclusively, may be similarly exempted from county and municipal taxation; provided, that residents of California shall be charged no tuition fees unless such fees be authorized by act of the legislature.

SEC. 11. Property of "The California School of Mechanical Arts," having its school buildings located in the city and county of San Francisco, is made exempt from taxation. The legislature may modify, suspend, and revive at will the exemption from taxation so given.

ARTICLE IV.

SEC. 25. The legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: * * * Tenth, for the assessment or collection of taxes; * * * thirteenth, extending the time for the collection of taxes; * * * twentieth, exempting property from taxation.

ARTICLE XI.

SEC. 10. No county, city, town, or other public or municipal corporation, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 12. The legislature shall have no power to impose taxes upon counties, cities, towns, or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessors, elected for four years.

(2) The county boards of supervisors, who act ex officio as county boards of equalization.

[1] This compilation is based mainly upon The Revenue Laws of the State of California, in force April 1, 1901. Compiled by the Controller, Sacramento, 1901.

(3) The county tax collectors, elected for four years.

(4) The state board of equalization, which assesses certain railroad property and equalizes assessments between counties, and is composed of the state controller and four members elected by districts.

(5) State controller, elected for four years.

Certain cities may elect their own assessors and tax collectors for municipal taxation only, but such assessors are not part of the general administration.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property in the state not exempted by law is subject to taxation.

(1) "Real estate" includes the possession of, claim to, ownership of, or right to the possession of land; all mines and quarries, and all timber belonging to individuals or corporations which are on the land of the United States, and all rights and privileges which appertain thereto; water ditches, and wagon and turnpike toll roads. A mortgage or other lien on land is, for purposes of taxation, deemed an interest in the land.

(2) "Improvements" on land include all buildings and fixtures affixed to land, except telephone and telegraph lines, and all fruit, nut bearing, or ornamental trees and vines not of natural growth, except fruit and nut trees under 4 years and grapevines under 3 years of age.

(3) "Personal property" includes moneys, credits, bonds, stocks, dues, franchises, and everything capable of private ownership not included within the term "real estate." "Credits" are those solvent debts that are unsecured by mortgage owing to the person assessed; but only the excess thereof over debts due bona fide residents of the state is taxable. In California domestic corporations are taxed on their property, and their stocks and bonds are not taxable; but the stocks and bonds of foreign corporations are taxable.

(4) The law exempts from taxation, in addition to public property, fruit trees and nut bearing trees four years from the time of planting in orchard form; growing crops; grapevines under the age of 3 years from the time of planting in vineyard form; free public libraries and museums; churches; and the property of Leland Stanford Junior University, and of the California School of Mechanical Arts.

b. Assessment.—All property, except certain property of railroads, is assessed annually for state and county purposes by the county assessors. The assessment refers to noon of the first Monday in March. It is made on the basis of a sworn statement to be obtained by the assessor from the taxpayers. The assessor makes the valuation of both real and personal property at its true cash value, and none is required from the taxpayer. The penalty for refusal to furnish a sworn statement is the loss of all rights before the county board of equalization.

The assessment of the franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in more than one county is made by the state board of equalization and apportioned among the counties and their subdivisions in proportion to miles of rails laid.

The assessment as above made is the only basis of taxation for the county, school, and road districts; but certain cities and towns may have a separate valuation as the basis of city taxes.

Land and "improvements" are assessed separately. Cultivated and uncultivated land of the same quality and similarly situated are assessed at the same value.

In the case of debts secured by land, except of railroads and other quasi public corporations, the value of the land, less the value of the security, is assessed to the mortgagor, and the value of the security is assessed to the mortgagee.

Lands sold by the state or the United States for which no patent has been issued are assessed the same as other lands, but the owner is entitled to a deduction equal to the amount due.

Lands are assessed in parcels not exceeding 640 acres, and tracts of land surveyed by the United States Government are assessed by sections or fractions of sections.

Water ditches constructed for mining, manufacturing, or irrigating purposes, and wagon and turnpike toll roads are assessed as real estate at a rate per mile for that portion of the property lying within each county.

In assessing solvent credits not secured by mortgage a deduction is made of debts due to bona fide residents of the state.

Deposits in savings and loan corporations are, for purposes of taxation, deemed an interest in the property of the corporation and are not assessed to the depositor.

No assessment is made of shares of stock in any corporation, except national banks. The statute declares that shares of stock possess no intrinsic value over the actual value of the property of the corporation, and to tax them also would be double taxation. Shares of stock in national banks are assessed to the shareholders at the place where the bank is located at a valuation which allows for a deduction from the aggregate capital of the bank of real estate assessed to the bank, and includes only so much of its solvent credits as exceed its debts due bona fide residents of the state.

Telegraph and telephone lines are described in the same manner as real estate, but assessed as personal property by the assessor of the county at a rate per mile for such portion of the property as lies within the county.

There is no special method for the assessment of sleeping car and similar transportation companies.

Vessels that are required to be registered, except ferryboats, are assessed in the county where registered, enrolled, or licensed; vessels which are registered out of the state, but ply in waters within the state and are owned by residents of the state, must be assessed here.

When railroads are operated in more than one county, the state board of equalization assesses that part of the property used in operation which is of a general state character and difficult of localization, as shown above. The county assessors assess the depots, stations, shops, and buildings erected on the space covered by the right of way wherever the same are situated. The assessment made by the state board is apportioned among the counties in proportion to the number of miles of railway laid in each county. The board of supervisors of each county apportions its share of the assessment made by the state board to each city, town, township, school, or road district in the county.

c. Equalization.—The board of equalization of each county equalizes the assessment between individuals and increases or lowers any valuation contained in the roll to make the assessment conform to the true value of the property in money, and in general revises the list for the county.

The state board of equalization increases or lowers the assessment roll of a county as a whole by comparing the roll of each county with the rolls of the others. Individual assessments are not altered, but a percentage is added to or deducted from the valuation of real estate, of improvements, or of personal property for the county.

2. *Rate—*

The state board of equalization determines the rate to be levied for state purposes. It must be such a rate as, after allowing 5 per cent for delinquencies and costs of collection, will raise the specific amount of revenue directed to be raised by the legislature for state purposes.

The assessor who collects the taxes upon personal property unsecured by real estate is governed, in determining the rate of such taxation, by the state as well as by the local rates for the previous year.

3. *Collection—*

Except for certain taxes on personal property, both state and county taxes are collected by the county tax collector. They may be paid in two installments. The first installment includes all taxes on personal property and one-half of the taxes on real property, becomes due the second Monday in October, and delinquent on the last Monday in November. The remaining one-half of the taxes on real property is payable the first Monday in January and delinquent on the last Monday in April. Penalties of 15 per cent are added to the first and of 5 per cent to the second installment for delinquency, with 5 per cent more on the first if not paid when the second is due, and there are further penalties for longer delinquencies.

Taxes on land and improvements are a lien on the property assessed, and taxes on personal property are a lien on all the property, real and personal, of the owner. The liens attach as of the first Monday in March.

Land on which taxes are delinquent is sold to the state by operation of law upon publication of the delinquent list in June. The controller may, instead, bring an action for taxes amounting to over $300. Such lands are redeemable at any time within five years on payment of taxes, penalties, and interest; failing redemption, they may be sold by the state.

Taxes on possessory claims to land and on personal property belonging to persons who own no real estate to secure such taxes are collected by the assessor at the time of making the assessment

All taxes on railroads operated in more than one county are collected by the state controller. All but the state's share is passed into the "railroad tax fund" and thence distributed to the counties.

II. *Poll tax.*

Every male inhabitant of the state over 21 and under 60 years of age, except paupers, insane persons, and Indians not taxed, is liable to a poll tax of $2, to be collected by the assessor, who retains 15 per cent thereof as his commission. It attaches as a lien to any property of the taxpayer on the first Monday in March, and must be collected between that date and the last Monday in December. If not paid before the first Monday in July, the tax becomes $3. If not paid by the last Monday in December, 3½ per cent of $3 is added. After the first Monday in January, if still unpaid, it is collected by the tax collector in the same manner as other delinquent taxes.

III. *Inheritance tax.*

(This law was amended in 1903 and again in 1905. The last amendment was sweeping, and carried with it a direct inheritance tax.)

All property over $500 which passes by will or by the intestate laws of the state, or by transfer made in contemplation of death or intended to take effect after death, is subject to a collateral inheritance tax when the property is situated in the state, or when the decedent was a resident of the state. Property passing to the father, mother, husband, wife, lawful issue, son-in-law, daughter-in-law, adopted child, or any lineal descendant or ancestor is excepted. Charitable, benevolent, and educational societies, though they are not generally exempt from taxation in California, and also societies or institutions that are exempt from taxation, as Stanford University and the Lick School, are excepted. Appraisement of the estate may be ordered by the court when probate proceedings are pending. The rate of tax then is 5 per cent on the market value. The administrator is required to deduct the tax before delivering the property. If paid within six months, 5 per cent discount is allowed; if unpaid for eighteen months, 10 per cent interest is added.

IV. *Corporation taxes.*

Corporations are taxed, under the general property tax, upon all corporate property.

Every insurance company other than life, not incorporated in California, must pay annually a tax of 2 per cent upon the amount of gross premiums received upon its business done in the state, less losses actually paid on its business in the state, reinsurance in domestic companies, and return premiums.

The same tax is laid on a domestic insurance company whose business is controlled or carried on for a foreign company.

Foreign insurance companies doing business in this state must pay the same taxes, licenses, fees, make the same deposits of money or securities, and be subject to such other regulations as are imposed by the state chartering such foreign insurance company upon California insurance companies doing business in such state.

B. FEES.

All fees collected by the secretary of state are paid into the state treasury. Of each monthly return, $2,500 is credited to the state library fund, and the balance is paid into the general fund of the state. The fees are as follows:

Filing articles of incorporation—capital stock, less than $25,000, $15; capital stock, $25,000 to $75,000, $25; capital stock, $75,000 to $200,000, $50; capital stock, $200,000 to $500,000, $75; capital stock, $500,000 to $1,000,000, $100; capital stock, $1,000,000 to $1,500,000, $150. Issuing certificate of incorporation, $3; filing amendments and various certificates, $5; claim to trade-mark, $5; passports, $5; recording miscellaneous papers, per folio, 20 cents; copies of records, per folio, 20 cents.

The commissioner of insurance charges certain fees: For filing articles of incorporation, $30; annual statement, $20, and other papers, $5; for copies, per folio, 20 cents. (These fees are paid into the state treasury.) From every life insurance agent, $1 per year.

The clerk of the supreme court pays the fees collected by him into the state treasury—80 per cent to the general fund and 20 per cent to the supreme court library fund. They are as follows:

Filing transcript on appeal, $10; petition for rehearing, $2.50; motion to dismiss appeal, $2.50; petition for writs, $7.50; certificate of admission to bar, $10.

The register of the state land office or the surveyor-general collects the following fees, which are paid into the general fund of the state treasury:

Certificate of purchase or patent, $3; certifying case to court, $3; copies of papers, per folio, 10 cents; each application for public lands must be accompanied by fee, $5.

C. FINES AND PENALTIES.

Fines for violation of a state law are paid over to the county treasurer, but forfeitures and fines collected for the violation of any city ordinance are paid to the city treasurer, except in cities of the lower grades.

Fines for violation of the game laws are paid into the state treasury to the credit of the game preservation fund.

D. INCOME FROM PUBLIC PROPERTY.

Lands granted to the state for school purposes ("school lands") are sold at the rate of $1.25 per acre, 20 per cent payable down and the balance bearing interest at 7 per cent.

Swamp, overflowed, salt marsh, and tide lands are sold at the rate of $1 per acre on the same terms as school lands.

The county treasurer pays over to the state treasurer all money that he receives from the sale of school lands, but retains all money that arises from the sale of swamp and overflowed lands, which he places to the credit of the "swamp land fund" of the county.

An important item of income from public property is the collection by the state board of harbor commissioners of rent of wharves and fees for anchorage, etc. The funds so collected are paid into the state fund for the improvement of the harbor at San Francisco and all are expended for that purpose.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property subject to taxation and the methods of assessment and of equalization are the same for county taxation as for state.

2. *Rate—*

The board of supervisors of each county fixes annually the rate of county taxes, designating the number of cents on each $100 of property levied for each fund.

There is a limit of 50 cents on each $100 to pay bonded indebtedness.

3. *Collection—*

The method of collection is the same as that for state taxes.

II. *Poll tax.*

The board of supervisors may levy annually, on each male person over 21 and under 55 years of age in each road district, a road poll tax not exceeding $3. It is collected by the county assessor in the same manner as the state poll tax. Thirty-five per cent may be apportioned to the general road fund of the county and the balance to the districts of the county from which collected, to be expended therein. On notice from the road overseer, employers are responsible for road taxes assessed against employees.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance and corporation taxes for the county.

V. *Business taxes and licenses.*

Boards of supervisors of the counties of the state, in the exercise of their police powers, have power to license every kind of business not prohibited by law, and all exhibitions and games carried on in the county.

The supervisors fix the rates of license taxes for the county.

It is the duty of the tax collector to make inquiry as to persons liable to pay any license in his county. He collects $1 fee for each license issued, which goes into the salary fund of the county.

Licenses are classified generally with regard to amount of monthly sales or valuation of the business. The licenses are as follows:

Auctioneers, $25 to $400 per quarter; brokers of notes or bonds, $3 to $100 per quarter; billiard tables and bowling alleys, $5 per quarter; theaters, $200 to $300 per quarter; pawnbrokers, $30 per quarter; merchants, $3 to $150 per quarter; foreign peddlers, $15 to $45 per quarter; animals for propagation, $10 to $75 per annum. ("These entitle the holder to go into any county of the state for purpose of propagation without further license or expense.")

Retail liquor licenses are from $5 to $40 per month for sales in quantities less than one quart.

B. FEES.

The county clerk collects the following fees:

Commencing proceedings in superior court, $5; filing petition for letters of administration, $5; filing appearance of defendant, $2; copies of records, per folio, 10 cents; marriage licenses, $2.

Other fees are collected by the sheriff and recorder.

Salaried county officers are required to pay over to the treasurer all fees collected by them for the performance of official acts. This law has been repealed as respects the percentage (15) which county assessors are authorized to retain from all amounts collected by them as poll taxes.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property subject to taxation for municipal revenues is the same as that for state and county purposes. The assessment made by the county assessor and equalized as above described may be the basis of taxation. But certain cities may elect to have their own assessors and make a separate valuation.

2. *Rate—*

The rate is fixed by the municipal authorities, subject to a general limitation that it may not exceed $2 on each $100, but most city charters fix lower limits.

3. *Collection—*

The collection may be as for state taxes or by local collectors, which is usually the case when a separate assessment is made.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no municipal poll, inheritance, or corporation taxes.

V. *Business taxes and licenses.*

The legislative bodies of incorporated cities and towns have the same power to license all kinds of business and exhibitions as have the supervisors of counties. In addition to the county license, the city license must be procured as required by its ordinance under its charter.

F. SPECIAL ASSESSMENTS.

Whenever the owners of a major part of the property fronting on any street desire to improve such street by paving, constructing sewers, or otherwise, the mayor and council may make such improvement at the expense of all the owners of property on the street, the cost of which is assessed in proportion to the number of feet owned by each. Town trustees may order such improvements in the face of unanimous objection by the abutting property owners.

School Revenues.

The superintendent of schools in each county apportions all state and county school moneys to the various districts. The state school fund may be used for no other purpose than for the payment of salaries of teachers of primary and grammar schools.

The board of supervisors of every county must levy annually a county school tax, the maximum rate of which must not exceed 50 cents on each $100 of taxable property in the county, nor the minimum rate be less than sufficient to raise the amount estimated as necessary by the county superintendent.

The state board of equalization annually, at the time other state taxes are levied, levies a tax of as many cents on each $100 of value of taxable property in the state as will produce a net sum equal to the amount directed by the legislature to be raised by ad valorem tax for school purposes. This is collected as a part of the state tax described above.

All state school moneys are apportioned by the superintendent of public instruction to the several counties in proportion to the number of children shown by the school census.

Every city or incorporated town, unless subdivided by the legislative authority thereof, constitutes a separate school district. School trustees, three in number, are elected annually. In cities they are called boards of education.

The board of school trustees may in any year call an election and submit to the electors of the district the question of the raising of a tax to furnish additional school facilities, or to maintain or build schoolhouses. The board of supervisors then levies the tax upon the district at the time of levying the county taxes.

The maximum rate of tax levied by a district in any one year for building purposes must not exceed 70 cents on each $100, and for other school purposes, 30 cents.

As stated above, the proceeds of the poll tax are paid into the state school fund.

Road Districts.

Road districts may be established by the board of supervisors of a county, and on petition the board may call an election in regard to a special tax. The supervisors compute the levy and collect with the county taxes, the tax so voted.

Reclamation Districts.

The owners of any body of swamp, overflowed, salt marsh, or tide lands may, by petition to the board of supervisors, form a reclamation district, and those owning the greater part of the acreage may adopt bylaws to govern their affairs. A board of three trustees is elected which recommends plans. The board of supervisors appoints three commissioners to assess upon the land situated in the district a charge proportionate to the expense and benefits conferred.

Irrigation districts may be formed and assessments may be made for the completion of irrigation works. The question as to the advisability of levy and the amount of such levy is submitted to a vote of the electors of the district. The assessor of the district prepares a list of all property within the district and this is equalized by the board of directors. The board of directors then levies the assessment. The tax becomes a lien, and property may be sold for delinquent taxes.

COLORADO.[1]

PREFATORY NOTE.—As a result of the legal entanglements in which the revenue laws of Colorado were involved during the collection of the revenues for the fiscal year ending November 30, 1902, to which the census returns apply, there is some doubt as to the provisions in force during that year. The following statement will show the grounds for this doubt:

The general revenue laws of Colorado, dating from April 13, 1891, were extensively revised by an act passed April 5, 1901. One of the most important features of this act was the creation of a new board for the assessment of railroads and other public service corporations, and on account of this provision it was immediately taken into court. Much litigation followed. In the course of this litigation the law was twice declared unconstitutional, although not by any appellate court.[2] A special session of the legislature was called by the governor in January, 1902, and in March of that year a new revenue law was passed, but the provisions of this law did not apply to the collections made in the census year. The assessment made in 1901, beginning in January and ending, save as to equalization, in May, and applying to property as it stood on April 1, 1901, was the basis upon which taxes payable in February and July, 1902, were collected. But on account of the legal entanglements that part of the assessment made under the law of 1901 which applied to the property of railway companies, sleeping, palace, or other car companies, and telegraph and telephone companies, was treated as null and void, and an assessment made on these properties by the state board of equalization revising that of the state board of assessors, under the provisions of the law of 1891 was legalized by the legislature in 1902 as the legal assessment for the year 1901. This assessment was further contested by the companies. The levy on other property assessed under the same law does not appear to have been affected by the litigation.

Hence part of the taxes collected in 1902 were under the law of 1891 and part under that of 1901.

In order to avoid the confusion that would arise from an attempt to show only the provisions in force at the time of the assessment in 1901, the law of 1902 has been followed throughout this analysis. The parts of that law which were new are indicated by the note "since 1902."

Colorado depends mainly upon the general property tax administered for both state and local purposes by county officials, although certain large corporations are assessed by a state board.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

SEC. 5. The public school fund of the state shall consist of the proceeds of such lands as have heretofore been, or may hereafter be, granted to the state by the General Government for educational purposes; all estates that may escheat to the state; also all other grants, gifts, or devises that may be made to this state for educational purposes.

ARTICLE X.

SEC. 2. The general assembly shall provide by law for an annual tax, sufficient, with other resources, to defray the estimated expenses of the state government for each fiscal year.

SEC. 3. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, which shall provide such regulations as shall secure a just valuation for taxation of all property, real and personal: *Provided*, That mines and mining claims bearing gold, silver, and other precious metals (except the net proceeds and surface improvements thereof) shall be exempt from taxation for the period of ten years from the date of the adoption of this constitution, and thereafter may be taxed as provided by law: *And provided further*, That the household goods of every person being the head of a family, to the value of two hundred dollars, shall be exempt from taxation. Ditches, canals, and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed so long as they shall be owned and used exclusively for such purpose. (Amendment adopted 1880.)

SEC. 4. The property, real and personal, of the state, counties, cities, towns, and other municipal corporations, and public libraries, shall be exempt from taxation.

SEC. 5. Lots with buildings thereon, if said buildings are used solely and exclusively for religious worship, for schools, or for strictly charitable purposes, also cemeteries not used or held for private or corporate profit, shall be exempt from taxation, unless otherwise provided by general law.

SEC. 6. All laws exempting from taxation property other than that hereinbefore mentioned shall be void.

SEC. 7. The general assembly shall not impose taxes for the purposes of any county, city, town, or other municipal corporation, but may by law vest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

SEC. 8. No county, city, town, or other municipal corporation, the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for state purposes.

SEC. 9. The power to tax corporations and corporate property, real and personal, shall never be relinquished or suspended.

SEC. 10. All corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, and other purposes, on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

SEC. 11. The rate of taxation on property, for state purposes, shall never exceed six mills on each dollar of valuation, and whenever the taxable property within the state shall amount to one hundred million dollars, the rate shall not exceed four mills on each dollar of valuation; and whenever the taxable property within the state shall amount to three hundred million dollars, the rate shall never thereafter exceed four mills on each dollar of valuation, unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied, be first submitted to a vote of such of the qualified electors of the state as in the year next preceding such election shall have paid a property tax assessed to them within the state, and a majority of those voting thereon shall vote in favor thereof, in such manner as may be provided by law.

SEC. 15. There shall be a state board of equalization, consisting of the governor, state auditor, state treasurer, secretary of state, and attorney-general; also, in each county of this state, a county board of equalization, consisting of the board of county commissioners of said county. The duty of the state board of equalization shall be to adjust and equalize the valuation of real and personal property among the several counties of the state. The duty of the county board of equalization shall be to adjust and equalize the valuation of real and personal property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

[1] This compilation is derived mainly from the following sources:
Mills, Annotated Statutes of Colorado, vols. 1 and 2, being the laws down to 1891; volume 3 (supplement), embracing all changes down to 1896, and volume 3, revised, 1896–1904. Published in Denver, 1891–1904.
Session Laws of 1901, chapter 94.
Taxation in Colorado, a pamphlet published by Prof. J. E. Le Rossignol of the University of Denver.

[2] See 3 Mills (rev.), sec. 3764, editorial note.

ARTICLE XI.

SEC. 4. (Provides a tax for debt purposes.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessors, elected for a term of two years.

(2) The county treasurers, elected for a term of two years, who collect the taxes.

(3) The county commissioners, three in each county (five in Denver), elected for a full term of four years, who act as county board of equalization.

(4) The state board of equalization, composed of the governor, state auditor, state treasurer, secretary of state, and attorney-general.

(5) Under the law of 1901 there was to be a state board of assessors, thirteen in number, chosen by the assessors from among their own number. This board was to make the assessment of certain public service corporations. It was held unconstitutional and not reenacted in the law of 1902

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—**All property not expressly exempt by law is subject to taxation. This is to include tangible and intangible property and the money of nonresidents, kept, used, loaned, and invested within the state for profit.**

(1) "Real estate" includes all lands or interests in land; all mines, minerals, and quarries, and rights and privileges appertaining thereto, also improvements, including buildings, water rights, structures, fixtures, and fences.

(2) "Personal property" includes everything subject to ownership, whether tangible or intangible, not included in real estate.

Debts may be deducted from credits.

(3) Where property is mortgaged it is to be taxed as a unit at the value of the property pledged and the mortgage as such is not to be assessed. (Since 1901.)

(4) The following classes of property, in addition to public property, are exempt: Public libraries; churches, schools, and charity buildings and the land they occupy; cemeteries; household goods to the value of $200; and irrigation works used exclusively for irrigating owners' lands

(5) Special franchises are classed as intangible property. (Enacted 1902.)

(6) Stock in corporations, except banks, which are taxed on their property, is not taxable to the owner

b. Assessment.—Property is assessed by the county assessors, on the basis of returns made by the taxpayers. Under the laws of 1891 and 1901 the assessment referred to the 1st of May; under that of 1902, to the 1st of April. The assessor determines the value and may examine the taxpayer under oath.

Failure to make return, or false return, if it results in evasion of taxes involved, under the law of 1891, incurs a penalty of from $100 to $1,000, to be recovered by the county commissioners in any court of competent jurisdiction. False returns on mines may be prosecuted as for perjury.

Property is listed and valued each year, and is to be assessed at its full cash value.

The average amount of money and average value of merchandise held throughout year is assessed.

Under the old law (1891) the state board of equalization was to ascertain the true value of the property necessary to operation of railway, telegraph, telephone, and sleeping car or other palace car companies, by any method which seemed proper, and to apportion the valuation made, on the basis of mileage. The law of 1901, which was held to be unconstitutional, established the unit rule, added fast freight and express companies to the list, and transferred the assessment to the state board of assessors. The law of 1902 left the unit rule, but restored the assessment to the state board of equalization.

Corporations doing business in more than one county (other than those assessed by the state board of equalization) make their returns to the state auditor and the intangible property is valued by the assessors, and is apportioned among the counties in proportion as their tangible property. (Enacted 1902.) The law of 1901 made a similar provision, but left the assessment and apportionment to the assessor of that county where the majority of the tangible property was located, an unconstitutional proceeding.

Bank deposits are assessed as credits, but are not to be assessed at the value on April 1, but at the average amount within and without the state during the year. (Enacted in 1901; reenacted in 1902.)

Building and loan associations are assessed on surplus of property and credits over debts and shares. (All laws.)

By a procedure inaugurated in 1899 and continued with modifications in the laws of 1901 and 1902 mines are divided into two classes, producing and nonproducing. In the law of 1902 a producing mine is defined as one yielding $5,000 or more gross per annum. Such mines when yielding gold, silver, lead, copper, or other precious metals are assessed at one-fourth the gross product unless that be less than the net product, in which case the latter rules; but surface improvements and machinery are assessed separately. Mines of iron, coal, and asphaltum, and quarries are assessed as other property. Nonproducing mines are not to be assessed at a higher rate per acre than the lowest producing mine in the same location.

Shares of capital stock in banks (including national banks) are assessed where the bank is located and the bank is made the agent of the stockholders for the payment of the tax, returns of assessments, etc.

Migrating cattle may be assessed at any time of year.

c. Equalization.—Under the old law the county board of equalization received the roll from the assessor and settled complaints as to individual assessment. The state board of equalization adjusted inequalities between counties. The essential modification made by the laws of 1901 and 1902 was the establishment of an annual meeting of the assessors at the state capitol to compare and correct assessments. The duty of the state board is mainly the hearing of complaints, and the county board has been limited in its powers to abating excess valuations in "one or more instances in a given class."

Elaborate procedure is established for the adjustment of grievances. If the assessed valuation exceeds $7,500, an appeal may be carried up to the district court.

2. *Rate*—

The rate for state purposes is determined by the state board of equalization; it is, however, fixed by statute at 4 mills on the dollar, when no lower rate is prescribed. The practice prevails of levying

special rates for specific purposes, state institutions, and the like, within the 4-mill limit.

3. *Collection*—

Taxes are paid to the county treasurers, who are the tax collectors. No demand is necessary. They are, by the law of 1902, payable as formerly in two installments: one-half on or before the last day of February, and the remainder on or before the last day of July in the year following the assessment. The penalty for delinquency on the first installment is interest at 1 per cent per month up to August 1, when the penalty on all overdue taxes becomes interest at the rate of 15 per cent per annum. All taxes are a permanent lien on the property upon which they are assessed until paid, and may be collected by distraint and sale.

Each county is held responsible for the full amount of taxes due the state.

II. *Poll tax.*

There is a state poll tax of $1 per annum on each male inhabitant over 21, except active members of the militia. If not paid prior to August 1, it becomes delinquent and bears interest at the rate of 15 per cent per annum up to December 30, when it may be collected by distraint. It is levied by the county commissioners at the time of making the general tax levy.

III. *Inheritance tax.*

(Introduced by the revenue law of 1902.)

All property, real, personal, or mixed, belonging to a resident or within the state, which shall pass by will or by the intestate laws of the state to: (1) Father, mother, husband, wife, child, brother, sister, wife or widow of a son, husband of a daughter, or any child or adopted child, is taxed 2 per cent of each share,[1] provided, that $10,000 of any such estate be exempt; (2) uncle, aunt, niece, nephew, or any lineal descendant, 3 per cent of the clear market value of each share; (3) others, all shares[1] of less than $500 are exempt; shares[1] of $10,000 and less are taxed 3 per cent; of $10,000 to $25,000, 4 per cent; of $25,000 to $50,000, 5 per cent; of over $50,000, 6 per cent. Life estates are exempt.

IV. *Corporation taxes.*

There are no corporation taxes proper in Colorado.

But insurance companies pay 2 per cent on gross premiums.

The corporations are all taxed on their property under the general property tax.

An annual license tax on corporations was established in 1902, but on account of the insignificant rates charged this has been classed under business licenses.

[1] The statute reads "estates," but has been interpreted by the courts to mean "shares." Burns v. Elder, 77, page 853.

V. *Business taxes and licenses.*

Every person, company, or corporation selling any malt, vinous, or spirituous liquors shall pay a license fee of $25 per annum in advance for each saloon, restaurant, hotel, club, drug store, liquor store, or other place where any such liquors shall be sold. This fee shall be paid to the state treasurer and enforced by all constables, sheriffs, and police officers. (Enacted in 1902.)

Domestic corporations having capital stock valued at over $25,000 shall pay to the state auditor an annual license tax amounting to 2 cents on each $1,000 of capital stock (after January 1, 1905, to be paid to secretary of state). (Since 1902; in 1901, 5 cents.)

Foreign corporations doing business in Colorado: 4 cents per $1,000 of capital stock, but if par value of each share is less than $1, 2½ cents per 1,000 shares; payable to state auditor until January 1, 1905, then to secretary of state. (Since 1902.)

Insurance companies, not capitalized, pay a tax of $1 per $1,000 on gross premiums collected in the state. (Since 1902.)

B. FEES.

For filing articles of incorporation, payable to secretary of state: Domestic corporations.—Capital stock not exceeding $50,000, $20, and 20 cents for each thousand in excess and for each thousand increase; filing amendments to charter, $5. Foreign corporations.—As above, but $30, and 30 cents in place of $20 and 20 cents. Foreign corporations not American.—Filing copy of foreign law, $5. For filing annual reports, $5; but ditch companies pay only $1; corporations not for profit, $1; corporations with capital stock less than $10,000, $1. A fee of $5 is paid to the state board of pharmacy for becoming a registered pharmacist; renewal, $2.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county taxation as for state.

2. *Rate*—

The rate for the counties of each class is determined by the county commissioners within the following limits:

In class 1 the limit for general purposes is 3 mills; in class 2, 6 mills; in class 3, 7½ mills; in class 4, 8½ mills; in class 5, 10½ mills; in class 6, 12 mills; in class 7, 15 mills; in class 8, 16 mills; in class 9, 20 mills; in class 10, 25 mills.

But any county may levy such rate as it may see fit for the erecting, maintaining, repairing, leasing, or renting of county buildings, for roads and bridges, for bonds and interest thereon or judgment bonds and interest thereon, and for school purposes.

County commissioners are to include in their annual tax levy a levy for schools within the county of at least 2 and not over 5 mills.

3. *Collection*—

County taxes are collected, as are state taxes, by the county treasurers.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

Counties receive no revenue from poll taxes, inheritance taxes, or corporation taxes.

V. *Business taxes and licenses.*

The county commissioners are permitted to issue certain licenses and establish an annual fee therefor for specified occupations and for fees within prescribed limits, as follows:

Auctioneers, peddlers, and storekeepers, $5 to $100; hotels, saloons, and grocers selling intoxicating liquors, $25 to $300.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for municipal as for state taxation.

2. *Rate*—

The rate is fixed by the city council or board of trustees in cities. In school districts it is certified by the school board of each district to the county commissioners and levied by them as a special school district tax. The same applies to irrigation districts and road districts. In the latter the rate shall not exceed $1 on each $100.

3. *Collection*—

Municipal taxes are collected in the same manner as state and county taxes.

II. *Poll tax.*

Every able-bodied male between the ages of 21 and 45 years shall pay to the road overseer of his district a road tax of $2 (annually), or, in lieu thereof, perform two days' work, of eight hours each, or eight hours work with team, on the public highways of his road district. The tax is collected by the road overseer, who receives 10 per cent commission.

III and IV. *Inheritance tax and corporation taxes.*

Municipalities receive no revenues from inheritance taxes or corporation taxes.

V. *Business taxes and licenses.*

City councils in cities of the first class have power to license, regulate, and tax any or all lawful occupations, business places, amusements, or places of amusement.

Auctioneers, peddlers, bowling alleys, billiard tables, and stock and other brokers must obtain licenses.

School Revenues.

The school funds are administered through the superintendent of public instruction and the school districts.

The state levies no annual tax for general school purposes, but the proceeds of the permanent school fund (interest on accumulations from the sale of lands) are apportioned among the counties. The counties, however, levy a general tax for school purposes, and special or school district taxes in each district. A large number of fines, penalties, and forfeitures for violation of different laws, including those concerning revenue, courts, penal laws, escheats, dairying, the "bounty act," game laws, those regulating insurance, and others are paid into the school fund.

CONNECTICUT.[1]

Connecticut makes an entire separation of state and local revenues. The general property and poll taxes are town taxes. The state and county, however, may have recourse to them for the sums which they may apportion to the towns on their lists. State revenues are in general derived from special taxes, or special applications of the general property tax, principally from railroads and various corporations. There are also heavy incorporation fees, direct and collateral inheritance taxes, poll or military commutation taxes, fees, and licenses, and a special tax on investments.

There is great complexity of local taxation caused by the intermingling of town and city areas, dual powers being exercised by towns, cities, and boroughs included therein. The assessment and collection of taxes throughout the state are matters concerning town governments; the appropriation of public moneys and the fixing of the tax rates, moreover, are concerns of the school districts and especially of the city governments.

[1] This compilation is derived mainly from the General Statutes of Connecticut, revision of 1902, in force July 1, 1902, published by authority of the state: Case, Lockwood & Brainard Company, Hartford, 1902.

Districts with powers of taxation similar to school districts may be established by towns for fire protection, street sprinkling, street lighting, tree planting, construction of sidewalks, and drains and sewers.

CONSTITUTIONAL PROVISIONS.

There are no constitutional limitations or provisions as to the power of taxation in Connecticut.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The town assessors, not less than two nor more than five, elected at the annual town meeting. Assessors in the towns of Hartford, East Hartford, and Waterbury hold office for three years; in other towns, for one year. Any town neglecting to elect its assessors or failing to make an assessment is to forfeit a sum equal to double its state tax last paid.

(2) The collector of town taxes elected at the annual town meeting, usually for one year; in Middletown, for two years.

(3) The town board of relief, consisting of not less than two nor more than five members, elected at the annual town meeting.

(4) The state board of equalization, composed of the treasurer, comptroller, and tax commissioner.

State Revenues.

A. TAXES.

I. *The general property tax.*

The general property tax is primarily a town tax, but the state may have recourse thereto by vote of the general assembly. No property taxes for state purposes were so levied in the fiscal year 1902.

1. *Base—*

(See II Poll taxes, and Municipal revenues, A I.)

The property included and the assessment are the same for state taxation as for town. The general list of the state is made up of the assessment lists of the towns, as equalized by the state board of equalization, and upon this list state and county taxes may be imposed.

The state levies a tax on shellfish grounds not included in the territory of any town.

2. *Rate—*

The rate for state purposes is determined by apportionment upon the towns. It is the duty of the selectmen to levy the amount of taxes due therefrom upon the town list.

The rate on shellfish grounds is 1½ per cent.

3. *Collection—*

Collection is made by the town collector as for the town taxes. If any town fails to pay its portion of the state tax by the 10th day of November, execution is to issue against the estate of its selectmen for the sum due, and, if returned unsatisfied, then against the inhabitants of the town, who are to be reimbursed by the town.

The tax on shellfish grounds is collected by the shellfish grounds commissioner.

II. *Poll tax.*

a. General.—The state levies a poll tax of $1 against the towns for every male person resident therein between the ages of 21 and 70 years. Towns collect this either as a poll tax or in some other way. They must, however, raise and pay this amount. Students, firemen, militiamen, those who have served in the army or navy of the United States, and those who pay the military tax are exempt.

b. Military.—An annual tax of $2 in commutation of military duty is imposed on every male citizen between the ages of 18 and 45 years who is enrolled as fit for military duty.

The town receipts from these taxes are never equal to the state levies. In practice the taxes accrue to the benefit of the town, and the levies of the state become general property taxes apportioned on the basis of the number of the two specified classes of polls.

III. *Inheritance tax.*

The balance over $10,000 of the estate of every deceased person, when the property is within the jurisdiction of the state whether belonging to parties in the state or not, and passing by will or by the inheritance law thereof, is subject to the succession tax. All transfers and alienations to take effect upon the death of the grantor are testamentary gifts for purposes of this tax. Gifts of paintings, curios, and collections of articles of beauty or interest made to institutions in the state for free exhibition or for preservation for public benefit are exempt. On such estates passing to a parent, husband, wife, lineal descendant, or legally adopted child of the deceased, the tax is one-half of 1 per cent of its value for the use of the state; and on any such estate or interest therein passing to collateral kindred or strangers to the blood, the tax is 3 per cent.

The tax is to be paid to the treasurer of the state by the executor or administrator within one year after his qualification.

IV. *Corporation taxes.*

Corporate property of domestic and foreign corporations, whose stock is not subject to taxation and which are not required to pay a direct tax to the state in lieu of other taxes, is listed for taxation in the towns, as is the property of individuals.

Railroads.—Railroad companies are taxed for state purposes upon the value of their capital stock and funded and floating indebtedness, as determined by the state board of equalization, made on the basis of statement by the company. This valuation is taken as "the measure of value of such railroad, its rights, franchises, and property," and is in lieu of all other taxes, except taxes on real estate not used for railroad purposes, which are deducted from the taxes calculated on the stock and debt valuation. In the assessment where part of the funded and floating debt was occasioned by, or stock was issued for, any part of the railroad in another state, or steamboat line in connection with the railroad, that amount is deducted from the valuation. When only part of the railroad lies in the state, the company pays on such proportion of the valuation as the length of its road lying in the state bears to the entire length of road. In fixing the valuation and length of line in the state, any branch in the state which is of less than one-fourth the average value per mile of the trunk line is not included but is estimated separately at its true and just value and taxed at the rate of 1 per cent thereon. The amount of any bonds or other obligations of the company held in trust as part of any sinking fund of the company is deducted from the valuation of the road. The statute prescribes the rate at 1 per cent upon the above valuation, to be paid by the 25th of November, under penalty of forfeiture of twice the amount required.

Street railways of every description are subject to the same taxation as railroads.

Express companies.—Express companies are required to pay a tax to the state upon the gross receipts within the state for the year preceding the 1st of July at the rate of 5 per cent of such receipts. This tax is in lieu of all other taxes upon the property of the company used exclusively in the express business. It is payable by the 20th of October. When any company fails to make the sworn statement of gross receipts required, the treasurer may accept $10,000 in lieu of the 5 per cent tax on receipts; otherwise, there is a forfeiture of $500 to the state, and for nonpayment a forfeiture of double the amount of the tax.

Telegraph and telephone companies.—Telegraph companies are required to pay to the state a tax of 25 cents on each mile of wire operated within the state on July 1. Telephone companies are required to pay to the state a tax of 70 cents on each telephone transmitter, and a further tax of 25 cents on each mile of wire operated within the state on July 1.

These taxes are in lieu of all other taxes upon property used in the business, but any real estate is liable to taxation in the town in which it is situated.

Savings banks.—Savings banks are required to pay to the state a franchise tax on the balance of their deposits, exclusive of surplus over $50,000, and over the amount invested in bonds of the state or any town or city thereof in aid of the construction of any railroad, which is exempt from taxation, and also the amount invested in stocks of banks, national banks, and trust, insurance, investment, and bridge companies; the rate of semiannual tax equals one-eighth of 1 per cent of the amount of its deposits remaining, less the amount of local taxes on real estate in Connecticut. The tax is payable by the 20th of January and the 20th of July. This tax is in lieu of all other taxes upon savings banks, their deposits and surplus.

Insurance companies:

Domestic mutual fire insurance companies are required to pay to the state a franchise tax of three-fourths of 1 per cent upon the balance of the total amount of assets over unpaid losses, real estate, and bonds of the state or any town or city thereof in aid of the construction of railroads which are exempt by law.

Domestic mutual life insurance companies are required to pay a similar franchise tax of one-fourth of 1 per cent on the total amount of their premiums, notes, and on the market value of all their other assets, deducting, however, the same amounts as in the case of fire insurance companies above mentioned, and if in part a stock company taxable on the stock, the market value of the assets belonging to the stock department. Taxes are payable by fire insurance companies by the 30th of January and by life insurance companies by the 25th of February, and are in lieu of all other taxes upon assets, except taxes upon real estate or on taxable stock. There is a forfeit of $5,000 for failure to return a statement of assets and of double the amount of the tax for nonpayment within the time limited.

Foreign insurance companies.—Insurance companies of other states doing business in Connecticut are required to pay retaliatory fees and taxes, or the same imposed by such other states on Connecticut companies. These are payable by January 30.

Agents of insurance companies organized under the laws of foreign governments and licensed to transact business in the state are required to pay a tax of 2 per cent on the gross amount of premiums received from such business. This tax is payable by January 30.

Shares of capital stock of every bank, national bank, and trust, insurance, investment, and bridge company are taxed 1 per cent on the market value of said shares to the owner on October 1 on the basis of statements by the corporation. The tax is payable before the last day of February by the corporation to the state treasurer.

The amount of taxes paid by the corporation on its real estate in Connecticut is deducted. The corporation has a lien on the shares of the stockholders for the payment of these taxes.

The state remits to the taxing districts in which the stockholders are resident, the tax on resident stock. Nonresident national bank stock taxes are remitted to the town in which the bank is located. Taxes on other nonresident stock are kept by the state.

V. *Business taxes and licenses.*

The following taxes are levied annually unless otherwise stated:

Insurance brokers, $10; itinerant vendors, state fee, $100; barbers, certificate of registration, $2; insane asylums, $50 first year, $25 per year thereafter; oyster vessels, under 5 tons, $2; each ton over 5 tons, 50 cents; dental license, $25; osteopath, $25; medical registration, $2.

VI. *Investment tax (or the "4-mill tax").*

Choses in action, bonds, and notes may be exempted from further taxation by the payment to the state treasurer of a tax of 2 per cent on the face value thereof for five years, or for a greater or less period at the same rate (4 mills per annum), and a certificate is given exempting such choses in action from all taxation in the state during that period.

Corporations and brokers engaged in negotiating choses in action secured by mortgages on real estate situated in other states are required to pay a tax of 1 per cent on the aggregate amount of all such investments made in the state during the preceding year to January 1, deducting the amount of bonds exempted by payment of the 4-mill tax. Corporations pay this tax January 20; brokers, February 20. This tax is regarded as in the nature of a penalty for nonpayment of the 4-mill tax.

B. FEES.

Charter fees from corporations.—Fifty cents on every thousand dollars of authorized capital stock up to $5,000,000 and 10 cents on every thousand in excess of $5,000,000 for all corporations under general laws. Corporations organized under special laws pay $100 for their charter and a tax of $1 on each thousand of capital stock, but in no case less than $50.

For copies of private bills there is a charge of $5 per legal page.

The secretary of state collects: For filing copy of charter of foreign corporation, $10; for filing statement of foreign corporation, $5; certificate of organization of corporation without capital stock, $10; filing and recording documents, 2 pages, $1; each additional page, 50 cents.

The insurance commissioner collects: Annual fees, $10; annual reports, $10; valuation of policies of domestic life companies, per thousand dollars, 1 cent; valuation of policies of foreign life companies, retaliatory rates; certificates of valuations to be filed in other states, $5; filing copy of charter, $10; certificate of authority, $5.

C. FINES AND PENALTIES.

All fines, forfeitures, and penalties belong to the state, unless otherwise disposed of by law, except that fines imposed by a justice of the peace go to the town.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization are the same for county as for the town taxes.

2. *Rate—*

The county tax is imposed upon the towns in proportion to their assessment lists by the representatives chosen to the general assembly from all the towns in the county, and the senators resident in the county, at a meeting to be called by the county commissioners. For repairs on a courthouse or jail, not to exceed $600, the county commissioners may apportion the amount among the towns.

3. *Collection—*

Collection of the county tax, as of town taxes, is made by the town. If any town neglects to pay its county tax, the county treasurer may issue execution against the goods and estate of the inhabitants.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

The county does not share in the poll, the inheritance, nor the corporation taxes.

V. *Business taxes and licenses.*

Five per cent of the moneys collected by the county commissioners on town liquor licenses is to be paid over to the county for county expenses. The remainder is to be paid to the treasurers of the respective towns.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

The town is the unit of assessment and taxation, and property assessed for towns includes that of every village, borough, or city embraced within the town limits.

1. *Base—*

a. The property included and exempt.—All property, both real and personal, not expressly exempt, is subject to this tax.

(1) "Real estate" includes all such property not exempted, as follows: Land and buildings, fisheries, quarries, mines, and ore beds.

(2) "Personal property" includes all notes, bonds, and stocks not issued by the United States; moneys; credits; choses in action; vessels, except registered and enrolled sailing vessels; barges engaged in trade between this and other states, and registered vessels which are actually engaged in foreign commerce; goods, chattels, and effects, or any interest therein belonging to any resident in this state.

Mortgages on real estate in this state, where there is no agreement that the borrower shall pay the tax, are to be taxed only in the town in which the real estate is situated. Bonds secured by mortgage on real estate in another state are taxable.

Property situated in another state and taxed there need not be listed for taxation in this state, but this provision does not apply to loans by residents to nonresidents, nor to foreign railroad bonds owned by residents. Stocks of foreign corporations are presumed to be taxed in the state in which such corporations are located. Money or property invested in merchandising or manufacturing outside the state need not be listed.

The property of certain corporations which pay a direct tax to the state in lieu of other taxes is not subject to the general property tax, and the shares of stock in corporations which are taxed on the corporate property are not taxed to the stockholders individually.

The whole property of every corporation organized under the law of the state whose stock is not liable to taxation, and which is not required to pay a direct tax to the state in lieu of other taxes, and the whole property in the state of foreign corporations is liable to taxation the same as the property of individuals.

So much of the deposits of any savings bank as are invested in the shares of capital stock of any bank, national bank trust, insurance, investment, and bridge company are not taxed.

(3) Exemptions in addition to public property are: Churches; parsonages to the value of $5,000; college buildings; academies; public schoolhouses; infirmaries; buildings of scientific, literary, benevolent, or ecclesiastical societies; cemeteries; property of pensioners, soldiers, sailors, and marines disabled in service to the value of $3,000; of blind persons in like amount; property to the value of $1,000 of every resident who served in the army, navy, or marine service of the United States in time of war; widows and mothers of such persons deceased in like amount; also of pensioned widows, fathers, and mothers; clothing and furniture of every person and family, not including jewelry, to the value of $500; farm tools to the value of $200; produce held by the producer from the preceding season, colts, calves, and lambs, and fuel and provisions for the use of one family; swine to the value of $50; poultry to the value of $25; sheep to the value of $100; cash not exceeding $100; private libraries and books not exceeding $200 in value; musical instruments to the value of $25; all public libraries; fire engines and fire houses; tools of a mechanic to the value of $200; fishing apparatus to the value of $200; stock and property of agricultural and ecclesiastical societies; hospitals supported by the state; property of Grand Army posts; state bonds and municipal bonds in aid of construction of certain railroads.

Mortgages.—Money loaned on interest with an agreement that the mortgagor shall pay the taxes is, to an amount equal to the assessed value of the mortgaged land, exempt from taxation, but the excess of the loan over such valuation is to be taxed to the lender.

Tree plantations, in land not exceeding $25 per acre, not less than 1,200 trees to the acre, when the trees have grown to an average of 6 feet, are exempt for a period of twenty years.

College property is exempt, but not real estate in this state affording an annual income of more than $6,000; also property of churches and ecclesiastical societies not exceeding $10,000 in value.

Land for municipal water supply is exempt when the inhabitants of the town in which the land is situated have the same privileges as the municipality supplied.

Bonds, notes, and other choses in action may be exempted from local taxation by payment of the 4-mill tax to the state treasurer.

b. Assessment.—The town assessment serves for state and county taxes as well. While inhabitants of cities and boroughs are taxed for town purposes, they may also have, under their charters, an independent assessment and tax list for purely municipal purposes. In some cases this local list is made from the grand list of the town in which the borough or city is situated; in some the municipal assessors make new and different lists; in others town and city are consolidated. But in all cases the town assessment, or what corresponds to that, is complete, and the town lists taken together make up the list for state purposes of all the property taxable therein. The town assessment is made by the town assessors with reference to October 1. Each resident of the town must furnish the assessor with a verified list of all his taxable property at its present, true, and actual valuation. If the taxpayer fails to make out his list, the assessors are to do it for him, adding 10 per cent as a penalty. Persons not returning lists are to be examined by the assessors, and for refusal to appear may be fined an amount not exceeding $1,000. Taxable property is to be assessed at its full and actual market value except certain vessels, which are assessed at a valuation equal to their net earnings for the year preceding, and lands and separate lots, which are to be set in the lists at their average present and actual valuation by the acre.

Traders and manufacturers are assessed in the town in which their business is carried on upon the average amount of goods on hand during the year. Merchants are assessed also on accounts receivable.

Indebtedness of a resident of the state to another resident, not secured by mortgage on land in this state, may be deducted from the listed property of the debtor. This deduction must be made by the board of relief, and only in case the list was duly given in, and only to the extent of the assessed valuation of the property for which the indebtedness was contracted.

Railroads, savings banks, telegraph and telephone companies, insurance companies, investment companies and brokers, and express companies are assessed by the state board of equalization for purposes of taxation on property used in the business, which is accordingly not assessed nor taxed locally.

Corporations, domestic and foreign, which do not pay taxes to the state in lieu of other taxation, are assessed on their property as are individuals. Stockholders of a corporation, the whole property of which is assessed in its name, are not to be assessed on their shares.

Waterpower is assessed as incidental to the machinery which is operated by it.

Mortgages.—Money loaned on interest, secured by a mortgage on real estate in the state, with an agreement that the borrower shall pay the taxes, is not taxed (on the credit) to the extent of the assessed value of the mortgaged land. But the excess of the loan is taxed where the lender resides; where there is no agreement for the borrower to pay the tax, the credit is assessed only where the real estate is situated. Mortgages on real estate in other states are taxed as personal property to resident holders.

Shellfish grounds under state jurisdiction and not under any town are assessed by the shellfish grounds commissioners and may be taxed by them 1½ per cent of the valuation.

c. Equalization.—The board of relief in each town hears appeals from the valuations of the assessors and equalizes and adjusts the valuations on the assessment list of the town; it may increase valuations and assess persons and property omitted by the assessors. It may also reduce the list and make certain deductions for indebtedness where lists have been duly given in. It may also abate the polls of indigent and infirm persons not exceeding one-tenth of the taxable polls. An appeal lies from the board of relief to the superior court of the county.

The state board of equalization equalizes between the towns to make up the general list of the state.

2. *Rate—*

The amount of taxes to be raised is determined in the annual town meeting, and the selectmen of the town make out rate bills with the proportion which each individual is to pay according to the assessment list. When any town neglects to vote the necessary taxes, its selectmen may make a rate bill for the same.

3. *Collection—*

Town taxes are payable within one year after they are laid, and are collected by the town collectors. Collectors may, if necessary, levy on chattels, realty, or attach the body of delinquents. The lien on real estate attaches from October 1 in the year previous to that in which the taxes become due.

II. *Poll tax.*

Every male person between the ages of 21 and 70 years, unless specially exempt, is liable to a poll tax. The state levies in each town an amount equal to $1 per person subject to this tax. The town pays this to the state and recoups itself by collecting from individuals so far as it cares to do so. Students in colleges and academies, active members in fire companies, members of the state militia still active, and those who have served five years, persons who pay a military commutation tax, and those who have served in the army or navy of the United States are exempt. (The military commutation tax collected by the town is paid over to the state.) (See, also, page 670.)

III. *Inheritance tax.*

The towns and cities do not share in the inheritance tax.

IV. *Corporation tax.*

The state remits taxes collected on shares of stock in banks, national banks, and trust, insurance, investment, and bridge companies to those towns and to those cities which are consolidated with the town governments in which the owners reside. The state also remits taxes on nonresident stock of national banks to the town in which the bank is located. (See State revenues, A, IV, last paragraph, above.)

V. *Business taxes and licenses.*

The following are collected annually:

Lodging houses, $10; auctioneers, discretionary with town; pawnbrokers, $10 to $50; exhibitions, discretionary with town; junk shops, $2 to $10; itinerant vendors, local license, $25; maternity hospitals, rate to be determined by town; bicycle side paths, 50 cents to $1; dogs—for each male or spayed female, $1.15; for each unspayed female, $5.15; kennel license, $50; license to collect birds for scientific purposes, $1; secondhand stores, $2 to $10; liquor licenses—sale of spirituous liquors, towns of over 3,000 inhabitants, $450; other towns, $250; ale, beer, and wine only, $200; reputable hotels and wholesale grocers, not less than $250; druggists—towns over 5,000, $12; towns less than 5,000, $10; distilled liquors and alcohol, $50.

These taxes are paid to the county commissioners for licenses in towns and cities which vote in favor of such licenses. License fees are paid over to the town with a deduction of 5 per cent for county purposes.

School Revenues.

Towns may form school districts which have power to levy taxes for various school purposes upon the property in the district. Polls are set in the list at $100 each. District taxes are laid on the assessment list of the town as corrected for the purpose by the town assessors. There are no restrictions on the rate of school levy, except in towns including within their limits cities that provide for schools.

The state comptroller distributes the income of the school fund to the town treasurers at the rate of $2.25 for each child between 4 and 16 years of age.

The "town deposit fund" of money derived from the United States is deposited with the towns and the income applied to public schools.

DELAWARE.[1]

Although the revenue system of Delaware as outlined in the more general laws is simple and logical, its operation is greatly modified by what would be regarded in other states as special legislation. The general assembly not only makes special provisions for different counties and cities by name, but imposes special taxes on railroad companies and banks by name. As these special provisions are so numerous as to defy classification or condensation, only the main features of the system can be given. The attempt has been made, however, to insert a few of the more striking instances of special legislation in order to show how they modify the system. Although the constitution of Delaware, adopted in 1897, provides that taxes shall be uniform, the general assembly continues to pass laws imposing special taxes on different railroads by name.

The state derives its revenues from corporation taxes and from fees and licenses on various occupations. There is no state levy on general property.

The counties, cities, and hundreds depend upon the general property tax. The type of this tax is an old one, including, as it still does, a valuation of ground rentals and an assessment of certain classes of property at statutory values. Only recently has the poll tax been changed from one on polls at a fixed value, as if property, to one of uniform rate per poll.

Delaware has practically complete separation of state and local taxation.

CONSTITUTIONAL PROVISIONS.

Prior to 1897 there were no provisions in the constitution of Delaware relating to taxation, but in the new constitution adopted in that year the following were introduced:

ARTICLE VIII.

SEC. 1. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, but the general assembly may by general laws exempt from taxation such property as in the opinion of the general assembly will best promote the public welfare.

SEC. 5. The general assembly shall provide for levying and collecting a capitation tax from every male citizen of the state of the age of 21 years or upward; but such tax to be collected in any county shall be uniform throughout that county, and such capitation tax shall be used exclusively in the county in which it is collected.

SEC. 7. In all assessments of the value of real estate from taxation, the value of the land and the value of the buildings and improvements thereon shall be included. And in all assessments of the rental value of real estate for taxation, the rental value of the land and the rental value of the buildings and the improvements thereon shall be included. The foregoing provisions of this section shall apply to all assessments of the value of real estate or the rental value thereof for taxation for state, county, hundred, school, municipal, or other public purposes.

ARTICLE X.

SEC. 3. *Provided*, That * * * all real and personal property used for school purposes, where the tuition is free, shall be exempt from taxation and assessment for public purposes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The state treasurer, elected for two years, who collects most of the specific taxes.

(2) The clerks of the peace, elected in each county for a term of four years, who collect licenses for the state.

(3) The levy court, composed of commissioners of a varying number in each county, elected usually by the hundreds for a term of four years, supervises the work of assessment.

(4) The assessors, one elected in each hundred for a term of two years. Wilmington hundred has three assessors.

(5) The collectors, one in each hundred, appointed annually by the levy court.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

Although the state has apparently not surrendered formally its right to use this tax, it is not used at present. (See County revenues.)

II. *Poll tax.*

Not used for state purposes. (See County revenues.)

III. *Inheritance tax.*

This tax of 5 per cent is levied on all estates, real and personal, passing to strangers in blood, excepting estates of $500 or less, which are exempt, and is collected for the state by the register of wills on commission of one-half of 1 per cent. Legacies for religious, charitable, and educational purposes are exempt.

IV. *Corporation taxes.*

(1) Specific.—The Farmers' Bank, one-fourth of 1 per cent per annum on paid-up capital. The Bank of Delaware, one-fourth of 1 per cent per annum on paid-up capital, and on surplus over 25 per cent of paid-up capital. The Bank of Wilmington and Brandywine, one-fourth of 1 per cent per annum on paid-up capital. The Bank of Smyrna, one-fourth of 1 per cent per annum on paid-up capital. The Union Bank of Delaware, one-fourth of 1 per cent per annum on paid-up capital. The Delaware City Bank, one-fourth of 1 per cent per annum on paid-up capital. The Bank of Milford, one-fourth of 1 per cent per annum on paid-up capital. The Philadelphia, Wilmington, and Baltimore Railroad, one-fourth of 1 per cent per annum on paid-up capital.

(2) Railroad and steamboat passenger tax.—Every person, corporation, etc., engaged in carrying passengers by steampower on land or water is required to pay a state tax at the rate of 10 cents per passenger, soldiers and sailors not included. Companies are required to report the number of passengers carried. The Wilmington City Railway Company is exempt. All railroads other than the Philadelphia, Wilmington, and Baltimore Railroad Company, which is allowed to commute this tax by an annual payment of $13,000, may likewise commute the tax by an annual payment bearing the same ratio to their gross receipts from passenger traffic which $13,000 does to that of the Philadelphia, Wilmington, and Baltimore Railroad Company.

(3) Net earnings tax.—All railroads and canal companies, domestic, doing business in Delaware, are required to pay 10 per cent on the net earnings in Delaware, this amount being that proportion of the total net earnings which the mileage in Delaware is of the total mileage.

(4) Railroad companies taxed under (3) pay annually also for each locomotive, $100; passenger car, $25; freight car, $10.

(5) Railroad and canal companies taxed under (3) pay also an annual tax of one-half of 1 per cent on the actual cash value of every share of capital stock. The Philadelphia, Wilmington, and Baltimore Railroad Company may commute the above taxes (3), (4), and (5) by paying $27,000 annually. The Delaware Railroad Company may commute the taxes under (2), (3), (4), and (5) for $1,500 annually. In 1901 it was enacted that this company might commute all taxes for $10,000 annually.

(6) Banks, state and national.—There is a tax of one-fourth of 1 per cent per annum on the cash value of all bank shares, paid by the bank, which has a lien on the dividends and shares to secure it.

(7) Insurance companies.—All insurance companies, one-half of 1 per cent per annum on gross premiums. All fire insurance companies, three-fourths of 1 per cent on gross premiums. All domestic insurance companies, $100 annually. Delaware State Grange Mutual Fire Insurance Company is exempt. Foreign guarantee and casualty companies, 1½ per cent per annum on premiums. All payable to insurance commissioner for use of state.

(8) Telegraph companies.—Sixty cents per mile for the longest wire in the state, annually; 30 cents per mile for the next longest wire in the state, annually; 20 cents per mile for each other wire in the state, annually. (N. B.—The compiler assumes that this tax was repealed by chapter 166 of Volume XXI, Part H, Session Laws of 1899, but there is no distinct statement to that effect.)

(9) Express companies.—Five per cent of gross earnings in the state. (N. B.—Same statement as under (8).)

(10) Other companies.—Every telegraph, telephone, cable, or electric light company; or company organized for the distribution of electricity, heat, or power; or organized for the purpose of producing or distributing steam, heat, or power; every express company not owned by a railroad company and not otherwise taxed; every company organized for the production, distribution, or sale of gas; every parlor, palace, or sleeping car company; every oil or pipe-line company; every life insurance company; every fire, marine, live stock, casualty, or accident insurance company, except mutual fire insurance companies which do not issue policies on the stock plan, hereafter incorporated under the laws of this state shall pay an annual tax for the use of the state by way of a license for its corporate franchise. This tax is based on a report made to the secretary of state showing, among other things, the receipts within the state. The rate is 1 per cent of the gross receipts in the state for telephone, telegraph, cable, and express companies; two-fifths of 1 per cent of gross earnings for electric heat companies, etc., together with 4 per cent on all dividends in excess of 4 per cent; three-fifths of 1 per cent of gross earnings for pipe lines; three-fourths of 1 per cent of gross premiums for insurance companies other than life; three-fourths of 1 per cent on surplus of life insurance companies, together with a franchise tax of thirty-one one-hundredths of 1 per cent on gross premiums; 1½ per cent on gross receipts of parlor car companies. All other corporations incorporated under the laws of this state pay annually one-twentieth of 1 per cent on all amounts of capital stock issued and outstanding up to $3,000,000; $3,000,000 to $5,000,000, one-fortieth of 1 per cent; and any further sum, $30 per million.

These corporation taxes do not apply to railroad, canal, or banking corporations; purely charitable or educational associations; savings banks; cemetery or religious corporations; manufacturing or mining corporations. These taxes are collected by the state treasurer on the basis of a report filed with the secretary of state. There is also a general retaliatory tax against all foreign corporations, United States or other.

V. *Business taxes and licenses.*

(1) Auctioneers, $10 annually; stallions or jacks for use of mares, $10 annually; stallions or jacks, nonresident, $20 annually; eating houses, $25 annually; photographer, $20 annually; broker, $100 annually; real estate agent, $50 annually; juggler, $25 annually; circus, $100 annually; lawyer, $10 annually; physician, $10 annually; dentist, $10 annually; conveyancer, $10 annually; private banker, $100 annually; merry-go-rounds, switch backs, etc., $25, $50, or $75 annually. Collected by clerk of the peace in any county.

(2) Insurance agents of foreign life companies, $25 annually; insurance agents of foreign fire companies, $25 annually; insurance agents of other foreign insurance companies, $25 annually. Agencies of the last-named companies may, however, be carried on without special license if other license be held. Collected by insurance commissioner.

(3) All manufacturers, $5 per annum; and $1 per annum on first $1,000 or less of cost of raw material, and 10 cents per $100 on all over $1,000. Millers are exempt on custom work. Collected by the clerk of the peace in each county for the benefit of the state.

(4) Oyster catchers pay to the collector of oyster revenue $5 per annum. In certain places the license is $20.

(5) Hotels and saloons selling intoxicating liquors by the drink, in towns and cities having a population over 10,000, annually $300; in other towns and cities, $200. Hotels and saloons selling intoxicating liquors in quantities less than one quart, to be drunk off the premises, in addition to the above, $25; wholesale liquor dealers, $100. Druggists selling intoxicating liquors for medicinal purposes, $20; for the manufacture of spirituous or alcoholic liquors for sale, annually $200. If such manufacturers desire to operate for only portions of the year, monthly licenses at the rate of $20 per month.

B. FEES.

Commissions by the governor.—Prothonotaries, $50; recorder of deeds, $50; register of wills, $50; clerk of peace, $50; clerk of orphans' courts, $25; sheriff, $50. Impressions of the great seal, $1. By secretary of state.—For commission to attorney-general, coroner, justice of peace, and register of chancery, $10. For commission to notary public and commissioner of deeds, each, $10; constable, when appointed by the governor, $5. Insurance commissioner, fee for agent's license, 50 cents.

Secretary of state.—Fees for incorporation (known as "private laws") when the capital stock does not exceed $50,000, $20; and for each additional sum 20 cents per thousand dollars. Fees for certifying to divorce acts, $10, and all other private laws, $20.

D. INCOME FROM PUBLIC PROPERTY.

Investments in certain bank shares.

Interest on a loan of $5,000 to Suffolk county.

COUNTY REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All real and personal property not specially exempt is subject to taxation. Ground rents are included, and, until 1899, polls also.

None of these terms, however, are defined for purposes of taxation.

[1] This compilation is derived mainly from the following sources:
The Revised Statutes of the State of Delaware. Edition of 1893. Known as the Revised Code of 1893: Wilmington, Del., 1893.
The Constitution of Delaware, adopted in convention, June 4, 1897: Wilmington, Del., 1897.
The Laws of Delaware, Vols. XX, XXI, and XXII, being the session laws since 1893.

Exemptions, in addition to public property, are: The property of churches, religious societies, colleges, and charitable corporations; provisions necessary for the use and consumption of the owner and his family for a year (not including live stock); farming utensils; the working tools of mechanics or manufacturers; the implements of a person's trade or profession; stock on hand of a manufacturer or tradesman; household furniture other than plate; grain and the produce of land; wearing apparel; ready money; goods, wares, and merchandise imported; and vessels trading from any part of the state.

Railroad property within the right of way is technically exempt, as railroads are taxed in other ways for state purposes.

b. Assessment.—The assessment is made by the local or "hundred" assessors on information, but they may require statements from the owners of property. Fraudulent returns are subject to a penalty of $40; and refusal to make returns, a penalty of $10 and the doubling of the assessment. Evasion after assessment is punishable by a fine of $30 and the doubling of the assessment.

The assessment, which is made every fourth year, must be completed by January 1. The last one was in 1901.

Lands and buildings thereon are assessed by the assessors in each hundred at their true value in money once every four years. Homes and lots in cities, etc., are assessed on the basis of annual rental at $100 for every $12 rental plus any excess of true value thereover. Rents are assessed by the assessor in each hundred at the rate of $100 for each $8 received, and are assessed to the persons receiving the same. Tenants may pay the taxes on rents and deduct the same from rents due.

Personal property is assessed once every four years by the assessors of the hundreds, and the roll is corrected annually to include new arrivals, new acquisitions of property, and persons who have come of age, with corresponding deductions. Silver plate is valued at $1.10 per ounce. In practice but very little personal property is assessed for the general property tax. (See Municipal revenues.)

Every freeman over 21 years of age was formerly rated on his poll at not less than $140 nor more than $2,700, as of personal property. In 1898 a regular per capita tax was established, and in 1899 the above tax on polls was repealed.

In 1898 assessors were instructed to assess investments in money at three-fourths their true value. The rate was to be 30 cents on each $100 and one-fourth of the proceeds was to be paid to the state and three-fourths to the county. (Declared unconstitutional in 1901.)

The assessor is paid by fees allowed by the levy court.

c. Equalization.—The levy court revises and corrects the assessment list and equalizes all assessments.

2. *Rate*—

The levy court shall every year calculate and settle the amount of the road tax, the poor tax, and the county tax and apportion the same on the hundreds at a certain rate per $100 of assessments.

3. *Collection*—

Taxes are collected by the collectors in each hundred, under warrant of the levy court. They are payable on demand after the second Tuesday in October, and if not paid within ten days after demand, may be collected by distress and sale of personal property. If there be no personal property sufficient, they revert on real estate and tenements, and if that fail, the body may be imprisoned.

On all taxes paid before the 1st day of October there is an abatement of 5 per cent; before December 1, 3 per cent; and on all taxes unpaid on the 1st day of January, 5 per cent penalty is added.

The collector is paid by fees allowed by the levy court, not to exceed 8 per cent of collection.

II. *Poll tax.*

Polls were formerly assessed as if property (see above), and the payment was a prerequisite to the exercise of the electoral franchise. In 1898 a law was passed establishing a regular capitation tax, to be levied by the levy court at not to exceed $1.25 nor to be less than 25 cents, and to be uniform throughout the county in which it was levied. In 1899 the old tax on polls, at a valuation as if property, was repealed.

III, IV, and V. *Inheritance tax, corporation taxes, and business taxes and licenses.*

The inheritance and corporation taxes, as well as most of the business taxes and licenses, are reserved for the state.

Municipal Revenues.

The revenue system of the cities is in general similar to that for the counties, and requires no special description. In many cities, however, horses and mules are subject to a per capita tax. Local laws and customs which authorize this and other special taxes contribute to make the general property tax almost wholly one of realty.

School Revenues.

The schools are supported by the state school fund, which is made up of money derived from the United States deposits of 1836 and an appropriation from the state treasury, as well as by a county levy and by special school district levies.

DISTRICT OF COLUMBIA.[1]

The District of Columbia is a municipal corporation, governed by a board of three commissioners appointed by the President of the United States. The District draws its revenues from the general property tax, from taxes upon the gross receipts of certain corporations, and also from an elaborate system of license taxes on various businesses. There are no poll or inheritance taxes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessor of the District.

(2) Board of assistant assessors, composed of five members, appointed as a permanent board by the commissioners of the District.

(3) Excise board, composed of three members of the permanent board of assistant assessors, selected by the assessor of the District, for the assessment of real estate.

(4) Board of personal tax appraisers, composed of the two assistant assessors not on the excise board, who assess personal property.

(5) Board of equalization and review of real estate assessments and board of personal tax appeals, composed of the board of assistant assessors, with the assessor of the District as chairman.

(6) Collector of taxes of the District of Columbia.

[1] This compilation is derived mainly from the following sources:
Act of Congress of August 14, 1894, chapter 287, Fifty-third Congress, Rev. Stat., page 240, chapter 287.
Act of February 14, 1902.
Act of Congress of July 1, 1902, to provide for expenses of the fiscal year ending June 30, 1903. Public Laws of the United States, Fifty-first Congress, 1901–1902.

District Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—Property, real and personal, is subject to taxation except as specially exempted. There is no definition of real and personal property for purposes of taxation.

Exemptions, in addition to public property, are: Churches, cemeteries, libraries, schools, benevolent and charitable institutions, personal property of scientific institutions, property used for educational purposes, private libraries, schoolbooks, wearing apparel, articles of personal adornment, family portraits, household effects to $1,000, the Corcoran Art Building, and the Soldiers' Home and grounds.

b. Assessment.—The assessment of real estate is made by three members of the board of assistant assessors, called the real estate and excise board.

Real estate, including improvements, is to be assessed at not less than two-thirds of the true value. The assessment was to be made in 1896 and every third year thereafter; the value of the improvements to be separately estimated. Annually, improvements of over $500 in value are to be added or damages to that extent to be deducted.

Personal property is assessed annually by "the board of personal tax appraisers." Every person or corporation is required to fill out, under oath, a schedule of personal property, the fair cash value of which is to be entered by the assessors. A penalty of 20 per cent is imposed for failure to make returns.

Dealers in general merchandise are assessed on the average stock in trade during the year.

c. Equalization.—The valuation of personal property is equalized by the board of personal tax appeals.

Real estate values are equalized by the board of equalization and review in every third year when the assessment is made.

2. *Rate*—

Real estate and improvements thereon are to be taxed at 1½ per cent upon the assessed valuation thereof, which is to be not less than two-thirds of the true value. Personal property is taxed at the same rate, but upon the fair cash value.

3. *Collection*—

Taxes are collected by the collector of the District. If taxes on personal property are not paid by June 1, they may be collected by distraint. If goods and chattels are lacking, the collector may levy on real property. The whole tax on real and personal property is payable in May of each year, but one-half may be paid in November. The penalty for delinquency, which is 1 per cent a month, begins to accrue June 1. Advances, with interest at 2 per cent, are made to the District from the Treasury of the United States for the expenses of the District.

II and III. *Poll tax and inheritance tax.*

There are no poll or inheritance taxes.

IV. *Corporation taxes.*

Corporations, other than those mentioned later as taxed on gross earnings, are taxed upon their capital stock, which is to be appraised in bulk by the board of personal tax appraisers, at the rate of 1½ per cent of the assessed valuation. Since 1904 business corporations having no special franchises are taxed as individuals. The value of the real estate of the corporations in the District is to be deducted.

Newspapers, real estate, and mercantile companies are to be assessed and taxed as individuals. Building associations are required to pay 4 per cent per annum on their gross earnings. In 1904 this was made 2 per cent on entire gross earnings. Savings banks, without capital stock, pay 1½ per cent per annum upon surplus and undivided profits. In 1904 this was made 4 per cent, less amount paid as interest to depositors. As trustees for their stockholders, all national banks, all other banks, and trust companies in the District, and all gas, electric lighting, and telephone companies are required to make report to the personal tax appraisers of gross earnings and pay taxes as follows:

Banks and trust companies, 6 per cent per annum; gas companies, 5 per cent per annum; electric light and telephone companies, 4 per cent per annum; street railroad companies, 4 per cent per annum; insurance companies, 1½ per cent per annum; fidelity companies, 1½ per cent per annum; since 1904 title companies, 1½ per cent per annum. Real estate is also taxed as other real estate.

V. *Business taxes and licenses.*

Licenses are required for businesses, trades, and professions as follows:

Apothecaries, $6 per annum; auctioneers, $100 per annum; commission merchants, $40 per annum; cattle dealers, $15 per annum; passenger vehicles for hire—one horse, $6 per annum; others, $9 per annum; driver's badge, 50 cents per annum; livery stables—10 stalls, $25 per annum ($2 for each one additional); garage for autovehicles—ten vehicles, $25 per annum ($2 for each one additional); coach lines—vehicles with capacity of ten passengers, $6 per annum; over ten passengers, $12 per annum; real estate brokers, $50 per annum; guarantee companies, $100 per annum; ticket brokers, $25 per annum; hotels, $1 per room (minimum), $30 per annum; restaurants, $18 per annum; theaters and halls, $100 per annum; exhibitions, $100 per annum, $10 per week first, $5 thereafter, $3 per day; conductors of concerts, $3 per day; circuses, $200 per day; athletic grounds (admission charged), $20 per week; picnic resorts (admission), per annum, $100; per week, $10, and $5 after the first week; skating rinks, etc., per day, $3; shooting galleries, fencing schools, etc., $12 per annum; merry-go-rounds, $12 first week, $10 subsequent weeks, $3 per day; slot machines, $2 per annum; Turkish baths, $25 per annum; massage establishments, $25 per annum; fortune tellers, $25 per annum; hucksters and produce dealers, per vehicle, $12 per annum; fuel hucksters, $5 per annum;

peddlers, $25 per annum; private banks or bankers not incorporated, $250 per annum; general brokers, $250 per annum; Washington Stock Exchange (for all members), $500 per annum; members of other exchanges, $100 per annum; note brokers, $100 per annum; brewers and brewers' agents, $250 per annum; distillers or rectifiers of spirits, $250 per annum; wholesale license, $300 per annum; barroom, $800 per annum; billposters, $20 per annum; inflammable oil tanks, $10 per annum; laundries, steam, $20 per annum; laundries, hand, $10 per annum; employment offices, $10 per annum; secondhand dealers, $40 per annum; pawnbrokers, $100 per annum; boarding houses (public), per room, $5 per annum; claim agents, $25 per annum; contractors, $25 per annum; cigar dealers, $12 per annum; confectionery establishments, $12 per annum; dealers in the several markets, $5 per annum; florists, $15 per annum; land and improvement companies, $50 per annum; undertakers, $25 per annum.

FLORIDA.[1]

The revenues of Florida are about evenly divided between the general property tax and a long series of general and special license taxes. There are no corporation taxes of importance, and there is no inheritance tax.

CONSTITUTIONAL PROVISIONS.

ARTICLE III.

SEC. 20. The legislature shall not pass special or local laws in any of the following enumerated cases: * * * for assessment and collection of taxes for state and county purposes.

ARTICLE IX.

SEC. 1. The legislature shall provide for a uniform and equal rate of taxation, and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal, excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes.

SEC. 2. The legislature shall provide for raising revenue sufficient to defray the expenses of the state for each fiscal year, and also a sufficient sum to pay the principal and interest of the existing indebtedness of the state.

SEC. 3. No tax shall be levied except in pursuance of law.

SEC. 5. The legislature shall authorize the several counties and incorporated cities or towns in the state to assess and impose taxes for county and municipal purposes, and for no other purposes, and all property shall be taxed upon the principles established for state taxation. But the cities and incorporated towns shall make their own assessments for municipal purposes upon the property within their limits. The legislature may also provide for levying a special capitation tax and a tax on licenses. But the capitation tax shall not exceed one dollar a year and shall be applied exclusively to common school purposes. (Article VI, section 8, permits the legislature to make payment of this tax a prerequisite for exercise of the suffrage.)

SEC. 8. No person or corporation shall be relieved by any court from the payment of any tax that may be illegal or illegally or irregularly assessed until he or it shall have paid such proportion of his or its taxes as may be legal, and legally and regularly assessed.

SEC. 9. There shall be exempt from taxation property to the value of two hundred dollars to every widow that has a family dependent on her for support, and to every person that has lost a limb or been disabled in war or by misfortune.

ARTICLE XII.

SEC. 6. A special tax of one mill on the dollar of all taxable property in the state, in addition to the other means provided, shall be levied and apportioned annually for the support and maintenance of public free schools.

SEC. 8. Each county shall be required to assess and collect annually for the support of public free schools therein, a tax of not less than three mills nor more than five mills on the dollar of all taxable property in the same.

SEC. 9. The county school fund shall consist, in addition to the tax provided for in section 8 of this article, of the proportion of the interest of the state school fund and of the one mill state tax apportioned to the county; the net proceeds of all fines collected under the penal laws of the state within the county; all capitation taxes collected within the county; and shall be disbursed by the county board of public instruction solely for the maintenance and support of public free schools.

SEC. 10. The legislature may provide for the division of any county or counties into convenient school districts; * * * and for the levying and collection of a district school tax, for the exclusive use of public free schools within the district, whenever a majority of the qualified electors thereof that pay a tax on real or personal property shall vote in favor of such levy: *Provided*, That any tax authorized by this section shall not exceed three mills on the dollar in any one year on the taxable property of the district.

ARTICLE VIII.

SEC. 7. (Provides for division of counties by county commissioners into taxation districts and the appointment of an assistant assessor of taxes.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor of taxes elected for a term of two years.
(2) The county tax collector elected for a term of two years.
(3) The board of county commissioners, of five members, elected for a term of two years, which reviews and equalizes the assessments.
(4) The comptroller, elected for four years.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property, real and personal, in the state, not expressly exempt, is subject to this tax.

(1) "Real property" includes land and buildings, fixtures and improvements.

(2) "Personal property" includes goods and chattels; moneys and effects; all boats and vessels; all debts due, or to become due from solvent debtors, whether on account, contract, note, or otherwise; and all public stocks or shares in all incorporated or unincorporated companies.

(3) Exempt besides all public property are: The property of fire companies; the property of literary, educational, benevolent, charitable, and scientific institutions; all houses of public worship, the lots on which they stand, and the furnishings; parsonages burying grounds; public libraries; agricultural societies; and $200 to every widow dependent on her own exertions, and to every person who has lost a limb or been disabled in war or by misfortune. By construction, nonbearing fruit trees are exempt.

b. Assessment.—The assessment is made by the county assessors and their assistants. It refers to the first day of January and the roll is to be made up between that date and the first day of July. Property in general is assessed where located. The assessor makes up the list on the basis of returns by the owners and "shall require any person to make oath to the correctness of the list." Any person refusing to take such an oath loses the right to a reduction of valuation. But the assessor alone determines the values. Assessment is required to be at "true value."

Railroad companies, including street railroads, and also telegraph and telephone companies, are assessed on their property by the comptroller, assisted and advised by the attorney-general and the treasurer of the state; the track and other real property used in the business is assessed where located; the rolling stock and the like is assessed as a whole and apportioned to each county and city on a mileage basis. In the case of telegraph companies the franchise is to be included.

A peculiarity in the assessment of real estate is that the assessor must begin with the lowest numbered section in each township, or the lowest numbered block or lot in other surveys and proceed consecutively. Lands which have escaped taxation may be assessed for back taxes for three years.

National bank shares are assessed at the place where the bank is located. The bank is made the agent of the stockholders for the payment of the tax, which may be retained from dividends.

Assessors are paid by commissions paid by the state and county: On the first $2,000, 10 per cent; on the next $2,000, 5 per cent; and on the balance, 2 per cent.

c. Equalization.—The board of county commissioners reviews and revises the assessments and equalizes the assessment of real estate by raising or lowering the value of any piece of real estate, but it may not raise or lower the assessment of the county as a whole. It appears to have no power to equalize the assessment of personal property.

There is no equalization between counties.

2. *Rate—*

It is customary for the legislature to determine the rate and to make a direct levy for each year by statute, specifying the rate for each general purpose. The constitution requires a levy of 1 mill on the dollar of assessed valuation for school purposes. It is also customary to give the governor power to lower the rate if "he discovers from the aggregate assessment and from other sources of revenue" that a reduction is justified.

The chief items recognized by special rates are: For the general fund, usually, 3 mills; for the state school fund fixed by constitution, 1 mill; for the state board of health, ½ mill; for the state pension fund, 2 mills.

3. *Collection—*

State, county, and school district taxes, together with any special taxes authorized by the county commissioners, are collected on one roll by the county tax collector. The extensions are made by the assessor.

Taxes are a lien on any property of the taxpayer, and may be collected by distress. They are due on the first Monday in November and become delinquent on the first Monday in April. The delinquency penalties take the form of extra fees to the collector. On amounts less than $5 in taxes the fee is 50 cents; $5 to $10, 75 cents; over $10, $1. On executions the same fees are allowed as to the sheriff. On sales of land, 5 per cent.

The tax collector is paid by commissions borne by the state and county: On the first $2,000 collected, 10 per cent; on the second $2,000 collected, 5 per cent; on the balance, 2 per cent.

II. *Poll tax.*

The poll tax is a general tax, but is payable into the county school fund. (See County revenues, general poll tax.)

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

In general, in matters of taxation, corporations are not treated differently from individuals; they pay their general property taxes and licenses. Railroad, telegraph, and telephone companies are assessed on their property by a state board. There was a license tax on telegraph and telephone companies in 1891; this disappeared, however, in the revised statutes of 1892 and is presumably obsolete.

The following are the only cases analogous to corporation taxes:

Insurance companies, except life, on gross premiums, 1 per cent per annum; insurance companies, life, fidelity, and accident, on gross premiums, 2 per cent per annum; sleeping car companies are taxed upon their gross receipts in the state at the rate of $1.50 on each $100. The Southern Express Company pays a special tax of $2,500 per annum.

V. *Business taxes and licenses.*

Keepers of hotels or boarding houses—200 or more lodgers, annually, $150; 100 to 200 lodgers, annually, $100; 75 to 100 lodgers, annually, $50; 50 to 75 lodgers, annually, $25; 25 to 50 lodgers, annually, $15; 10 to 25 lodgers, annually, $10. Restaurants seating over 20 persons, annually, $15; restaurants seating less than 20 persons, annually, $5; billiard tables, etc., annually, $25; bowling alleys, skating rinks, and shooting galleries, annually, $15; billiard table not connected with saloon, annually, $10; dealers in spirituous, vinous, or malt liquors, in each county, no fraction of a year being recognized, annually, $500 (drummers [illegible] dealers); distillers and brewers, each county, annually, $100; merchants, storekeepers, and druggists with a capital stock less than $1,000, in each county, annually, $3; up to $10,000, for each $1,000, annually, $3; over $10,000, for each $1,000, annually, $1; dealers in cigars, cigarettes, and tobacco, annually, $5; manufacturers of cigars, for each workman employed, annually, 25 cents; sewing machine and lightning rod agents, for each county, annually, $10; insurance companies of all kinds except plate glass, annually, $200; insurance companies for plate glass, annually, $50; insurance agents paid by companies, for each company, annually, $5; insurance agents, traveling, paid by companies, for each company, annually, $25; agents for building and loan associations, annually, $10; land agents, annually, $10; auctioneers selling land in towns of 1,500 inhabitants or over, annually, $10, and on gross sales ½ per cent; auctioneers of horses and mules, annually, $60; auction sales of personal property, gross, 5 per cent; livery stables, less than 4 mules or horses, annually, $5;

[1] The following compilation is derived mainly from the following sources:
The Revised Statutes of Florida, 1892.
The Session Laws since 1892.
A compilation of the Laws for the Assessment and Collection of Revenue, etc., by A. C. Croom, comptroller. State Printer, Tallahassee, Fla., 1903.

4 to 8 mules or horses, annually, $10; 8 to 12 mules or horses, annually, $15; 12 to 20 mules or horses, annually, $25; 20 to 40 mules or horses, annually, $35; 40 to 75 mules or horses, annually, $50; keeper of stallion or jack, annually, $5; circuses, annually, $200; theatrical shows, etc., traveling, in each county, per day, $5; in fitted theaters, in cities of 20,000 inhabitants or more, annually, $250; in cities of 15,000 to 20,000, annually, $200; in cities of 10,000 to 15,000, annually, $150; in cities, under 10,000, annually, $100; in cities under 5,000, annually, $25; variety shows in which females are employed as waitresses, for each performance, $50; hobby horses, etc., each county, $10; hawkers or street vendors of medicines, each city or town, for each day, $100; pawnbrokers, annually, $100; itinerant vendors, drugs and medicines, annually, $500; boats for peddling, under 20 tons, annually, $10; boats for peddling, over 20 tons, annually, $30; book and picture agents, annually, $10; hawkers and peddlers, general, annually, $300; itinerant vendors, general, in each county, annually, $50 (cripples as peddlers and newsboys are exempt); banks and bankers, brokers, also water companies, gas, electricity, or telephone companies, incorporated, when capital stock is $100,000 or over, annually, $100; when $50,000 to $100,000, annually, $50; when $25,000 to $50,000, annually, $30; when less than $25,000, annually, $20; when less than $10,000, annually, $10; but banks paying tax on capital stock are exempt. Express companies in cities of 15,000 inhabitants or over, annually, $200; in cities of 10,000 to 15,000 inhabitants, annually, $100; in cities of 5,000 to 10,000 inhabitants, annually, $75; in cities of 3,000 to 5,000 inhabitants, annually, $50; in cities of 1,000 to 3,000 inhabitants, annually, $25; in villages under 1,000 inhabitants, annually, $10. In 1899 express companies were allowed to commute these taxes for an annual payment to the state of $2,500, which in 1900 was raised to $3,750. This applies to the Southern Express Company. Steamboats, $1 per registered ton, not to exceed annually $100, no license to be less than $10, and steamers assessed as property and so taxed are to be exempt. Dealers in firearms, bowie knives, etc., annually, $10; dentists, lawyers, pension agents, etc., annually, $10.

(N. B.—According to the law of June 1, 1895; these were revised in 1903.)

All license taxes are collected by the county tax collector; blanks are issued through and under seal of the county judge, who practically audits the collections. The tax collector is paid by fees (see State revenues, collection, above).

B. FEES.

Collected by secretary of state.—Charters of corporations, $2 per $1,000 of capital, minimum $5, maximum $250; certificate, under seal, $1. Special fee for corporations, $1.

Collected by state treasurer.—For examination of statements required to be returned by life insurance companies, and the issuance of certificate relating thereto, $5. A so-called commission tax is collected by the state treasurer from all officials who by law are required to give bond. This tax must be paid before any such official can enter upon the duties of his office. The commission tax is collected from officers as follows: Chief justice, $75; associate justice, $70; circuit judge, $60; cabinet officer, $50; state attorney, $30; clerk of circuit court, $10; sheriff, $10; assessor of taxes, $5; collector of revenue, $5; all other officers, $1.

All persons or corporations engaged in the manufacture or sale of fertilizer or commercial manure are to pay the state treasurer, through the inspector of fertilizers, an inspection tax or fee of 25 cents per ton.

C. INCOME FROM STATE PROPERTY AND SIMILAR ITEMS.

Convicts are let out to labor under contract by the commissioner of agriculture.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are the same for county as for state purposes.

2. *Rate—*

The rate is determined by the county commissioners, who are usually authorized to do so by the regular tax levy law passed at each session.

The usual limit is 5 mills on the dollar for county purposes, but 3 mills in addition may be levied for road purposes.

3. *Collection—*

By the county tax collector in essentially the same manner as of state taxes. The collector is allowed the same commissions as on state taxes.

II. *Poll tax.*

a. General.—Every male over 21 and under 55 years of age, except persons who have lost a limb in battle, is liable to a poll tax of $1. It is collected by the tax collector for school purposes.

b. Road.—There is a road poll tax in each county on all able-bodied persons over 21 and under 45 years of age, resident in the county over thirty days, except ministers of the gospel in charge of congregations. This tax is payable in labor, the rate being not over three days of eight hours each, but may be commuted at the rate of $1 per day. It is collected by the contractor of the road district.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes used by the counties.

V. *Business taxes and licenses.*

Counties may impose license taxes on the same subjects as are so taxed by the state, but such license taxes may not exceed 50 per cent of the amount levied by the state.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included is the same as for state taxes. Cities may, however, make their own assessment of property for taxation, but the valuation must not exceed the last valuation thereof for state taxation.

2. *Rate—*

The rate is fixed by the municipal authorities, but may not exceed 1 per cent on the state valuation except for debt charges.

3. *Collection—*

Essentially the same as for state taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no inheritance or special corporation taxes used by the municipalities.

V. *Business taxes and licenses.*

Municipalities may levy license taxes on the same class of subjects as are taxed in this way by the state, but the rate shall not exceed 50 per cent of the state rates.

School Revenues.

Each county levies for its school fund not less than 3 nor more than 5 mills on the dollar, and, by vote of the people, a special school tax may be levied in subdistricts.

The state school fund consists of the principal derived from the sale of lands, the interest on which is paid to the support of schools.

Hunting licenses, of $25 each, are paid into the state school fund.

All fines and forfeitures and all poll taxes are paid into the county school fund. There is besides a special constitutional tax of 1 mill levied for the support of schools.

GEORGIA.[1]

The revenue system of Georgia is, like the revenue systems of other Southern states, one which combines a general property tax with a series of license taxes, but, unlike some of the other Southern states, the system of license taxes is not very extensive. The licenses yielded in 1902 less than a quarter of a million dollars in a total of over three and three-quarter millions, or one-fifteenth.

Only the machinery for the levy and collection of taxes is permanent. At each session of the general assembly it is customary to pass a "general tax act," which indicates the subjects of taxation and the rates levied upon each. Of these the code compiler said in 1901: "I have not attempted to set out the general tax acts, * * * for, while these laws are of a public and general nature, they are not of a permanent character, but their provisions are ever varying with each recurring legislature."

There are certain peculiarities in the use of terms in Georgia, which may cause confusion if not noted. The term "assessment" implies what is elsewhere known as the levy and the fixing of the rate; the valuation of property is not spoken of as the assessment. The officer who corresponds to the assessor in other states is usually called the tax receiver or receiver of tax returns; only in cities is he called assessor. He makes up a "digest" of the lists returned by the taxpayers, which is made up in triplicate and is not known either as the "grand list" or the "duplicate," as in other states. The term "assessor" is applied to a member of a special board called to appraise the property when there is a dispute between the taxpayer and receiver. A person who fails to make return or list his property is a "defaulter," and he who fails to pay his tax is an "insolvent," not a "delinquent."

Georgia regularly passes many special and local acts relating to the municipalities, etc., and the provisions of these laws often modify materially the operation of the general laws, so far as the localities affected are concerned. The provisions of these laws are so heterogeneous that they could not be compiled within a reasonable space.

[1] This compilation is derived primarily from the following sources:
The Code of the State of Georgia, adopted December 15, 1895, in three volumes.
The Session Laws of 1900.
Van Eppe's Supplement to the Code of the State of Georgia, 1901.

CONSTITUTIONAL PROVISIONS.

ARTICLE IV.

Sec. 1. Par. 1. The right of taxation is a sovereign right, inalienable, indestructible, is the life of the state, and rightfully belongs to the people in all republican governments, and neither the general assembly nor any nor all other departments of the government established by this constitution shall ever have the authority to irrevocably give, grant, limit, or restrain this right; and all laws, grants, contracts, and all other acts whatsoever by said government or any department thereof to effect any of these purposes shall be, and are hereby, declared to be null and void for every purpose whatsoever, and said right of taxation shall always be under the complete control of, and revocable by, the state, notwithstanding any gift, grant, or contract whatsoever by the general assembly.

ARTICLE VII.

Sec. 1. Par. 1. (Enumerates the purposes for which alone the general assembly may exercise the powers of taxation.)

Sec. 2. Par. 1. All taxation shall be uniform upon the same class of subjects, and ad valorem on all property subject to be taxed within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. The general assembly may, however, impose a tax upon such domestic animals as, from their nature and habits, are destructive of property.

Par. 2. The general assembly may by law exempt from taxation all public property; all places of religious worship or burial; all institutions of purely public charity; all buildings erected for and used as a college, incorporated academy, or other seminary of learning; the real and personal estate of any public library, and that of any other literary association used by or connected with such library; all books and philosophical apparatus; and all paintings and statuary of any company or association kept in a public hall and not held as merchandise or for purposes of sale or gain: *Provided*, That the property so exempted be not used for purposes of private or corporate profit or income.

Par. 3. No poll tax shall be levied except for educational purposes, and such tax shall not exceed one dollar annually upon each poll.

Par. 4. All laws exempting property from taxation, other than the property herein enumerated, shall be void.

Par. 5. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

SEC. 7. The general assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes in instructing children in the elementary branches of an English education only; to build and repair the public buildings and bridges; to maintain and support prisoners; to pay juries and coroners, and for litigation, quarantine, roads, and expenses of courts; to support paupers, and pay debts heretofore existing.

ARTICLE VIII.

SEC. 4. Par. 1. (The general assembly may authorize county school tax.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The "tax receivers" or "receivers of returns of taxable property," elected biennially, one in each county. (This officer corresponds to the assessor of other states.)
(2) The tax assessors in cities, three in number.
(3) The tax collectors, elected biennially, one in each county.
(4) The ordinary of each county, who acts as auditor.
(5) The comptroller-general, elected for two years.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property, whether owned by individuals or corporations, resident or nonresident, is liable to taxation.

Real property and personal property are not specially defined for purposes of taxation, and the general definitions prevail. Interest in land less than fee is regarded as real estate.

There are no special provisions defining the classes of property subject to taxation.

Mortgages are taxed as personal property without special provision.

For exemption, see Constitution, Article VII, section 1, paragraph 2, quoted above.

b. Assessment.—The code of Georgia uses the term "assessment" to signify the determination by the governor, to whom this power is expressly delegated, of the tax rate and the levy of such rate upon the valuation as previously determined. In this usage, "assessment" is very nearly identical with "levy." This subdivision, however, deals with valuation, and the levy or assessment in the sense in which that term is used in Georgia is to be found below, under State revenues, A, I, 2.

In general, the taxpayer is required to furnish a sworn statement of his property and its valuation to the tax receiver. The tax receiver, however, may fix a different valuation, which must be at "the fair market value." The assessment refers to the first day of April, and the lists must be returned by the first day of July. Persons who fail to return lists are called defaulters and are penalized by double taxation, while defaulting corporations are subject to heavy fines.

The tax receiver makes up from the lists furnished by the taxpayers a digest made in triplicate, one copy going to the comptroller-general, one to the ordinary of the county, and one to the tax collector.

Back taxes not assessed nor collected in previous years may be assessed and collected in any year.

Tax receivers are compensated by fees at the rate of one-half those paid to the tax collector.

Railroad property, including that of street railroads, dummy and electric roads, is assessed by the comptroller-general. Railroads operating in more than one state are assessed on that proportion of their rolling stock which the mileage in Georgia bears to the total mileage. That is, the unit rule is applied to rolling stock only. The fixed property in each county is assessed where located, and the rolling stock is assessed as a whole and apportioned among the counties in proportion to the value of the fixed property in each. Until 1902 no special consideration was given to the franchise, but in that year, to take effect in 1903, a law was passed similar in character to the New York special franchise tax law.

Express, telephone, and telegraph companies are also assessed upon their property, including the franchise, by the comptroller-general; but if the taxes assessed in this manner do not amount to 2½ per cent of the gross earnings in Georgia, their gross earnings are assessed.

Sleeping car companies, etc., are assessed upon their cars, the number assessable in Georgia being determined by the unit rule on basis of mileage.

Other railroad equipment companies are taxed as are sleeping-car companies.

Banks are not assessed upon their capital, but the shares of stock are assessed to the owners in the county where the bank is located. The bank returns the shares and pays the taxes.

c. Equalization.—There is no equalization properly so called.

d. Arbitration.—Whenever there is a disagreement between the tax receiver and the taxpayer as to the valuation of property, each appoints an arbitrator; these choose a third to act as umpire; and the three determine the value of the property. The grand jury in each county inspects and corrects the returns.

The same procedure applies in the case of corporations making returns to the comptroller-general.

2. *Rate—*

It is the general custom for the legislature at each regular session to pass a general tax act for the two succeeding years, authorizing the governor, with the assistance of the comptroller-general, to assess and levy a tax on the taxable property at rates specified in the act. The levy is completed when the comptroller-general sends notices to the tax collectors. The constitution specifies the purposes for which alone taxes may be levied, but it is not uncommon for the statutes to exceed these purposes and levy for others.

The rates fixed in 1901–1902 were: General tax, $3\frac{1}{10}$ mills; school tax, $2\frac{1}{10}$ mills; and a rate sufficient to raise $100,000 each year for debt charges.

3. *Collection—*

Taxes in general are collected by the county tax collectors, those on certain corporations only being collected by the comptroller-general. They must be paid between the 1st day of October and the 20th day of December in each year. Delinquent taxpayers are called insolvents, and the taxes of such persons may be collected by execution. In certain cases the tax collector is made ex officio sheriff for the purpose of enforcing collection. Insolvent taxes bear interest at 7 per cent.

Collectors are paid by fees, as follows:

On the first $1,000, 6 per cent; on the second $1,000, 4 per cent; on the third $1,000, 3 per cent; on the fourth $1,000, 2¾ per cent; on the fifth and sixth $1,000, 2½ per cent; on the seventh and eighth $1,000, 2¼ per cent; on the ninth to twelfth $1,000, 2 per cent; on the thirteenth to eighteenth $1,000, 1¾ per cent; on the nineteenth to thirty-sixth $1,000, 1½ per cent; on all over $36,000, 1¼ per cent.

II. *Poll tax.*

Every male person between the ages of 21 and 60 years shall pay an annual poll tax of $1, collected as other taxes by the tax collector. Exempt are all persons who have lost a limb or limbs, or the use of the same, while actually engaged in military service of the Confederacy.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Corporations are generally taxed in the same manner as individuals on the general property. (See under General property tax, above.)

Insurance companies of every sort, except life and assessment companies, pay 1 per cent annually on the net premiums.

Express, telephone, and telegraph companies are assessed upon their property, but if the taxes so assessed do not amount to 2½ per cent of the gross earnings they are to pay that amount on gross earnings.

V. *Business taxes and licenses.*

Special tax for liquor dealers, including dispensaries operated by county or municipal authorities, steamboats, dining cars, etc., $200 for each place of business in each county, which tax is collected by the county tax collector and sent to the comptroller-general. Steamboats and dining cars, however, pay but one license tax.

Practitioners of law, medicine, and dentistry, architects, presidents of express, telegraph, railroad, street railroad, steamboat, telephone, electric light, sleeping and parlor car companies, banks, building and loan associations, and gas companies, or superintendents or agents of such companies, per annum, $10.

Artists, photographic, etc., state, per annum, $10; loan agents in each county, per annum, $10; auctioneers, in each county, per annum, $25; billiard tables, etc., per annum, $25; game tables, flying horses, etc., per annum, $25; bowling alleys, shooting galleries, etc., per annum, $25; peddlers of nostrums, jewelry, soap, etc., in each county, per annum, $50; insurance agents and brokers, in each county, per annum, $10; matrimonial agents, in each county, per annum, $100; traveling insurance agents, state, per annum, $50; emigrant agent, in each county, per annum, $500; peddlers in boats, in each county, per annum, $50; lightning rod agents, in each county, per annum, $50.

All shows and exhibitions—in cities or towns of 5,000 inhabitants, per exhibition, $50; in cities or towns of 4,000 to 5,000, per exhibition, $40; in cities or towns of less than 4,000, per exhibition, $30. Circuses—cities of 20,000 or more, each day, $500; in cities of 5,000 to 20,000, each day, $200; in cities of 4,000 to 5,000, each day, $150; in cities of less than 4,000, each day, $100. Dog or horse shows, when admission fee is 25 cents, per day, $30; when admission fee is less than 25 cents, per day, $10.

Liquor licenses (see first item of this list); dealers in pistols and arms, per annum, $25; dealers in futures, for each place of business, per annum, $1,000; peddlers of stoves, in each county, per annum, $200; peddlers of patent churns and patent fences, in each county, per annum, $25; agents of packing houses, in each county, per annum, $200; dealers in billiard tables, in each county, per annum, $100; peddlers of clocks and smoothing irons, in each county, per annum, $100; itinerant specialists, in each county, per annum, $10; brewing companies, per annum, $300; sellers of beer not holding liquor license, in each county, per annum, $200; pawnbrokers, each place of business, per annum, $50; mercantile, collecting, and commercial agencies, in each county, per annum, $50; dealers and peddlers in agricultural implements or patented articles, not having a fixed place of business, in each county, per annum, $25; detective agencies, each, per annum, $50; cigarette dealers, per annum, $10. Playgrounds, ball parks, etc.—in cities of over 10,000, per annum, $50; in places of less than 10,000, per annum, $25; railroad ticket brokers, scalpers, per annum, $50. Abstract companies—in towns of 20,000, per annum, $25; in towns of 10,000 to 20,000, per annum, $10; in towns of less than 10,000, per annum, $5. Gypsies, each company, in each county, per annum, $25; bicycle dealers, each place of business, per annum, $10.

B. FEES.

By secretaries to the governor, for land grants, according to area, $1 to $4.

By the secretary of the state: For ordinary papers and seal, $1 to $2; for charter to railroad company, $100; for charter to insurance company, $100; for charter to banking company, $50; for charter to express company, $100; for charter to canal company, $100; for charter to telegraph company, $100; for charter to navigation company, $100; for renewals, the same rates; for amending charters, $25; for street railroad charters, $50; for renewal, $25.

By the treasurer for documents, small fees.

By the surveyor-general, 50 cents to $10.

By the inspector of fertilizers, 10 cents per ton.

By the inspector of oils: Lots of 400 gallons and upward, ½ cent per gallon; lots of 200 to 400 gallons, 1 cent per gallon; lots of less than 200 gallons, 1½ cents per gallon.

D. INCOME FROM PUBLIC PROPERTY.

Georgia owns the Western and Atlantic Railroad, which was rented in 1902 for $420,012. It owns bank stock and stock of the Main Trunk Railroad, paying dividends in 1902 of $2,596 and $3,745. Convicts are let out for hire; proceeds, in 1902, $202,329.25. State funds are deposited in banks at interest, $15,769.91.

COUNTY REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are the same for county as for state taxation.

2. *Rate—*

The rate for county purposes for specified objects is levied by the ordinary, who may levy an additional tax, if two-thirds of the grand jury recommend it, not to exceed 50 per cent of the amount of the state tax.

3. *Collection—*

County taxes are collected in the same general manner as state taxes.

II. *Poll tax.*

The constitution forbids the collection of poll taxes other than for educational purposes and to a greater amount than one dollar annually. But the state courts have decided that this constitutional provision does not prevent the enforcement of laws requiring all able-bodied males to work on the roads of the counties and streets of the cities not to exceed fifteen days per year. The "road work" in the counties averages about three dollars per capita per annum.

III and IV. *Inheritance tax and corporation taxes.*

These taxes are not used by the county.

V. *Business taxes and licenses.*

County licenses are: To sell liquors, $25 per annum; to peddle, $50 per annum; to exhibit shows with horses, $10 per annum; to exhibit animals, beasts, and the like, $10 per annum; to exhibit any pictures or figures, $5 per annum; to exhibit any other show, $5 to $25 per annum; theatrical or musical exhibitions, not over $5 per annum.

Municipal Revenues.

Note.—Provisions concerning taxation in the cities, etc., are made in the numerous "local acts," each applicable to a single community. The provisions here abstracted are those only which are found in general laws.

A. Taxes.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—The property included is the same for municipal as for state and county taxation.

b. Assessment.—The assessment is made by appointed assessors and not by the tax receivers. It is specially provided that cities may tax railroad property as other property and not as the state and counties do.

c. Equalization.—Persons aggrieved may appear before the assessors and produce testimony as to the value of property. The decision of the assessors is final.

2. *Rate—*

No municipal corporation shall levy or collect for the ordinary current expenses, except as hereinafter provided, any ad valorem tax upon the property within said corporation, exceeding one-half of 1 per cent upon the value of said property. The "hereinafter provided" refers to special assessments for street improvements and the like.

3. *Collection—*

City taxes are collected generally by the treasurer. There may be a city tax collector, who is ordinarily not the same as the county tax collector.

II. *Poll tax.*

Cities may assess a poll tax for street work only, and then only after an opportunity to work on the streets has been given. When levied in labor, this tax is generally commutable. (See also Poll tax, under County revenues.)

III and IV. *Inheritance tax and corporation taxes.*

Not used by the cities, except that cities may collect a tax on insurance companies at a certain percentage on gross premium receipts.

V. *Business taxes and licenses.*

Municipal authorities may license pawnbrokers; sellers of domestic wine, not producers; and sellers of liquors.

School Revenues.

The state school fund, composed of the poll tax and specific taxes levied for that purpose, including certain of the licenses, is apportioned by the state school commissioner, the comptroller-general, and the treasurer, in proportion to school population.

The counties and certain cities constitute the school districts.

Some of the counties have local school laws by which funds are raised. Counties generally and municipal corporations may by a vote of two-thirds of the legal voters levy a tax for school purposes. The county school tax is not to exceed one-fourth of 1 per cent ad valorem.

HAWAII.[1]

Hawaii draws her revenues from ad valorem and specific taxes on property and from other sources. There is also a poll tax, devoted largely to school and road purposes; a collateral inheritance tax; and special corporation taxes on insurance companies. There is a system of license taxes, but especially notable is the system of stamp duties on deeds, contracts, and instruments of various kinds. There is an income tax on persons and corporations.

For taxation purposes the islands comprising the territory of Hawaii are divided into four divisions. These divisions are subdivided into districts, five to nine in number, for taxation, judicial, and educational purposes. Taxation seems to be administered by districts and divisions, and no provision is made in the statutes for counties and municipalities.

In 1905 the legislature divided the territory into five counties and provided that 50 per cent of the total amount of poll taxes and school taxes on property and incomes collected in each county should be paid by the treasurer of the territory to the treasurer of the county, there being no provision for the collection of taxes by the counties themselves.

[1] This compilation is derived mainly from the following sources:
Civil Laws of the Hawaiian Islands, 1897. Honolulu, 1897.
Laws of the Republic of Hawaii, 1898.
Laws of the Territory of Hawaii, 1901.
Revised Laws of Hawaii, 1905, official edition. Honolulu Gazette Company, Honolulu, H. I., 1905.

Constitutional provisions.

The organic act providing a government for the territory of Hawaii (1900) makes no specific provision in regard to taxation, but confers legislative power as to all rightful subjects of legislation not inconsistent with the Constitution and laws of the United States.

Officers.

The officers most directly concerned with taxation are:

(1) The assessor and collector of taxes for each taxation division of the territory (four), called "assessor," appointed by the treasurer with the approval of the governor. The assessor may appoint as many deputies as are required for assessing and collecting the taxes.

(2) A board of equalization, composed of the several assessors with the treasurer as chairman.

(3) An appeal court or tax court, composed of three persons appointed by the governor for each judicial circuit, to hold office for one year.

Territorial Revenues.

A. Taxes.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property within the territory is subject to taxation, except as specially exempted.

(1) "Real property" includes all lands and lots, with the buildings, structures, fences, wharves, and improvements affixed to the same.

(2) "Personal property" includes all goods and chattels, machinery, Hawaiian ships or vessels, leasehold and chattel interests in land, franchises, patents, growing crops, and all animals not specifically taxed.

(3) Exemptions, in addition to public property, are: Property of incorporated or private schools; of the Queen's Hospital, of the Kapiolani Maternity Home, of religious societies with their church sites and burying grounds, of public charities; and all property up to $300 of each taxpayer, except that of corporations, companies, or estates of deceased persons or nonresidents; forest land, fenced to protect springs or streams of water, of which no other use is made, and property of all lepers on the island of Molokai. (1903. Property in certain industries and Kona-Kau Railway.)

Certain railroad property is exempt by legislative contract, as are Government bonds, and for a period of ten years, from various dates, pineapple canneries and manufacturers of jams, jellies, etc., coffee, ramie, and all fiber crops.

(Amended in 1905.)

b. Assessment.—The assessment is made by the district assessors as of the 1st day of January. Taxpayers are required to fill out, under oath, assessment schedules with description of the land and value of improvements and of personal property and the value thereof. Growing rice is assessed as of the 1st day of May.

The penalty for failure to make return is denial of the right of appeal from the assessors' valuation. A false return is a misdemeanor and subject to a fine of $500.

Each item of real and personal property is to be assessed separately at its full cash value. But where real and personal property, or several kinds, classes, or parcels of real or personal property are combined and made the basis of an enterprise for profit, the combined property is to be assessed as a whole upon its fair and reasonable aggregate value. Net profit, gross receipts and running expenses, and market value of stock are to be considered. The value of shares held in other Hawaiian corporations and all property on which specific taxes are levied are to be excluded. All these data are to be set forth in the statement or return of the taxpayer.

Mortgages.—The mortgagor is liable to taxation only on the difference between the value of the property mortgaged and the amount owing, provided he reports the name of the mortgagee and the amount of the mortgage. He may also pay the tax on the money owing, which is a credit on the debt.

Corporations.—Corporations are assessed on their property, but the individual stockholders are not assessed on their shares.

I, *b. Specific property taxes.*

Cart and dray tax.—All carts, drays, wagons, and other vehicles used for freight or merchandise are subject to an annual tax of $2 each.

Carriage tax.—All carriages, wagons, omnibuses, hearses, and automobiles used for persons are subject to an annual tax of $5 each. (Bicycle tax, $1 each, 1903, c. 54.)

These taxes are to be expended on the roads in the district where collected.

These rates were changed in 1905.

All dogs are subject to an annual tax of $1, to be paid by the owner.

The above specific property taxes are treated locally as licenses.

c. Equalization.—The board of equalization equalizes the assessment of property throughout the territory.

There is a special court for tax appeals, to which any person may appeal who feels himself aggrieved by any change made by the assessor in valuations returned or in claims of exemption.

2. *Rate—*

The rate of territorial taxation prescribed by statute is 1 per cent.

3. *Collection—*

Each assessor collects all the taxes in his division according to the tax lists. All personal taxes and dog taxes are due and payable on and after January 1 in the year in which they are assessed; and all other taxes, on and after September 1 in each year. If any personal taxes or dog taxes remain unpaid after March 31, 10 per cent is added for delinquency. Property taxes are delinquent after November 15, and 10 per cent is then added. Every tax due upon property is a lien on the property assessed and attaches as of September 1 and continues two years. These dates were changed in 1905.

Delinquent lists are published after December 1 of each year. Payment may be enforced by distress of goods and chattels or by suit in which execution may be levied on real or personal property. Garnishment may be employed for personal taxes.

II. *Poll tax.*

An annual tax of $1 is levied on every male inhabitant between 21 and 60 years of age, except as specially exempt. In addition thereto there is a school tax of $2 per poll and a road tax of $2 per poll.

These taxes may be worked out on the roads of the district where the taxpayer resides, at the rate of 50 cents per day.

The exemptions from poll taxes are: Clergymen of Christian denominations, members of Hilo fire department, all officers and soldiers of the National Guard; also, at the discretion of assessors, indigent and infirm persons, and all lepers in the island of Molokai.

III. *Inheritance tax.*

Estates of over $500 passing by will, descent, or transfer made in contemplation of death, where the property is that of a resident, or is situated in the territory, is subject to a tax of $5 on every $100 of clear market value. But property passing to the decedent's father, mother, husband, wife, child, adopted child, grandchild, or to schools exempted from taxation, is not subject to the tax, and estates valued at less than $500 are exempt.

The tax is to be paid to the treasurer for the use of the territory.

IV. *Corporation taxes.*

Foreign fire and marine insurance companies are required to pay $1 on every $100 received for gross premiums during the year from business transacted in the territory.

(1903. All insurance companies pay 2 per cent on net profits or income.)

V. *Business taxes and licenses.*

Licenses are issued by the treasurer of the territory for one year.

Alcohol, sale of, $50; awa, license sold at auction in each taxation district, upset price, $100 to $1,000; auctioneer, Honolulu, $600; other districts, $15; banking license, $750; billiards and bowling alleys, per table or alley, $25; boatmen for hire, $1; butcher, beef, slaughter and sale, in Honolulu, $100; other districts, $20; sale of beef, $10; butcher, pork, slaughter and sale, Honolulu, $40; other districts, $20; sale, $10. Firearms, to hunt in Oahu, $5; steam laundries, Honolulu, $50; livery stables, Honolulu, $50; others, $25; lodging houses, $2; hotels, boarding houses, and restaurants, $50; milk, $2.50; notaries public, in Honolulu, $10, other districts, $5; pawnbroker, $150; peddlers of cakes, $25; poisonous drugs, $50; public shows, per performance, $5; salmon, sale of, $10; stock, share business, $100; tobacco, cigars, etc., sale of, $10; vehicles and drivers—freight or baggage, $2.50; drivers, $1; passengers, per seat, individual, $1; street cars, $10; liquors—distiller, $250; brewer, $250; wholesale dealer, $500; retail dealer, $1,000; retailer of wines, beers, and ales, $200.

These rates were changed in 1905.

VI. *Income tax.*

Every person is required to pay 2 per cent upon gains, profits, and income over $1,000 derived from property owned, and business, trade, and professions carried on, in the territory. The abatement of $1,000 is allowed from the income of the family as a whole.

Corporations are required to pay a tax of 2 per cent on the net profit or income above actual operating expenses from all property owned, and every business, trade, employment, or vocation carried on, in the territory. Exemptions are corporations for charitable, religious, educational, or scientific purposes, insurance companies taxed on premiums, and fraternal benefit societies.

All persons having an income over $600 and all corporations are required to render a list of the amount of their income, which includes all interest, except on bonds of the territory and its municipalities, profits from sales, dividends, and the value of all personal property acquired by gift or inheritance, and all other income. Necessary expenses in carrying on the business, or in managing property, all interest on existing debts, all taxes and license fees, and all losses actually suffered not covered by insurance are to be deducted; but permanent improvements and personal and family expenses are not.

The income tax is due and payable by the 15th of November of each year, after which 10 per cent is added and interest at 9 per cent.

Appeals from assessment lie to the tax appeal court.

The collection is the same as for other taxes.

VII. *Stamp duties on certain deeds, documents, and instruments.*

Agreement, $1; annuity, for each $500 of consideration, $1; articles of copartnership, $5; articles of adoption, $1; assignment of property, real or personal, $1; bill of sale of ships (if absolute, same as conveyance; if for security, same as mortgage); bond * * * same as mortgage, if security; other bonds, * * * $1; charter party, $10; charters or articles of association, public or private, $25; contracts, masters and servants (for each year, to be paid by master), $1. Conveyance, real or personal—consideration up to $500, $1; $500 to $1,000, $2; $1,000 to $10,000, per $1,000, $3; $10,000 to $50,000, per $1,000, $4; over $50,000, per $1,000, $5. Duplicates, $1; exchange (if no bonus), $1; lease, where premium paid, ad valorem duty as on conveyance; where rent $500, $1; where over $500, per $500, $1; letters of license, creditor or debtor, $10; letters, testamentary or guardianship, $1. Licenses—Fee $20, 50 cents; $20 to $50, $1; $50 to $100, $2; over $100, per $50, $1. Mortgages—$1,000, $1; $1,000 to $10,000, per $1,000, $2; over $10,000, per $1,000, $3. Partition deeds—Bonus over $1,000, ad valorem duty as on sale; patents for land, $1; policy, marine insurance, per $1,000, according to voyage, 25 cents to $1; power of attorney, $1; process in courts of record, $2; release of mortgage, $1; marriage settlement, $5; renunciation or disclaimer of any right to property, $2.

B. FEES.

Foreign corporations—Annual license (amended 1903, $50 at least), $50. Insurance, 1903—Filing articles, $25; annual statements, $10; certificate of authority, $10; agents' license, $2.

D. INCOME FROM PUBLIC PROPERTY.

Franchises for electric light or electric power are to be sold at public auction to the highest bidder, the upset price being 2½ per cent of the gross receipts after the first two years.

IDAHO.[1]

Idaho depends for revenues almost entirely upon the general property tax. There are no taxes on inheritance or special taxes on corporations.

CONSTITUTIONAL PROVISIONS.

ARTICLE III.

SEC. 19. The legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: * * * For the assessment and collection of taxes. * * * Exempting property from taxation. * * * Remitting fines, penalties, and forfeitures.

ARTICLE VII.

SEC. 2. The legislature shall provide such revenue as may be needful, by levying a tax by valuation, so that every person or corporation shall pay a tax in proportion to the value of his, her, or its property, except as in this article hereinafter otherwise provided. The legislature may also impose a license tax (both upon natural persons and upon corporations, other than municipal, doing business in this state); also a per capita tax: *Provided*, That the legislature may exempt a limited amount of improvements upon land from taxation.

SEC. 3. The word "property" as herein used shall be defined and classified by law.

SEC. 4. The property of the United States, the state, counties, towns, cities, and other municipal corporations and public libraries shall be exempt from taxation.

SEC. 5. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, which shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal: *Provided*, That the legislature may allow such exemptions from taxation from time to time as shall seem necessary and just, and all existing exemptions provided by the laws of the territory shall continue until changed by the legislature of the state: *Provided further*, That duplicate taxation of property for the same purpose during the same year is hereby prohibited.

SEC. 6. The legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may by law invest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

SEC. 7. All taxes levied for state purposes shall be paid into the state treasury, and no county, city, town, or other municipal corporation, the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for state purposes.

SEC. 8. The power to tax corporations or corporate property, both real and personal, shall never be relinquished or suspended, and all corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, and other purposes, on real and personal property owned or used by them, and not by this constitution exempted from taxation within the territorial limits of the authority levying the tax.

SEC. 9. The rate of taxation of real and personal property for state purposes shall never exceed ten (10) mills on each dollar of assessed valuation, and if the taxable property in the state shall amount to fifty million (50,000,000) dollars, the rate shall not exceed five (5) mills on each dollar of valuation; and whenever the taxable property in the state shall amount to one hundred million (100,000,000) dollars, the rate shall not exceed three (3) mills on each dollar of valuation; and whenever the taxable property of the state shall amount to three hundred million (300,000,000) dollars, the rate shall never, thereafter, exceed one and one-half (1½) mills on each dollar of valuation, unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied, shall have been submitted to the people at a general election, and shall have received a majority of all the votes cast for and against it at such election.

SEC. 11. (Provides that each year's expenditures, except for insurrection or war, must be kept within the above rate.)

SEC. 12. There shall be a state board of equalization, consisting of the governor, secretary of state, attorney-general, state auditor, and state treasurer, whose duties shall be prescribed by law. The board of county commissioners for the several counties of the state, shall constitute boards of equalization for their respective counties, whose duties it shall be to equalize the valuation of the taxable property in the county, under such rules and regulations as shall be prescribed by law.

SEC. 15. The legislature shall provide by law such a system of county finance as shall cause the business of the several counties to be conducted on a cash basis. It shall also provide that whenever any county shall have any warrants outstanding and unpaid, for the payment of which there are no funds in the county treasury, the county commissioners, in addition to other taxes provided by law, shall levy a special tax, not to exceed ten (10) mills on the dollar of taxable property, as shown by the last preceding assessment, for the creation of a special fund for the redemption of said warrants; and after the levy of such special tax all warrants issued before such levy shall be paid exclusively out of said fund. All moneys in the county treasury at the end of each fiscal year not needed for current expenses shall be transferred to said redemption fund.

ARTICLE XVIII.

SEC. 7 (the fifth amendment). (County officers are to be paid by salaries and are to turn all fees into the county treasury.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessors, who are ex officio tax collectors, elected biennially in each county.

(2) The county commissioners, who form the county board of equalization.

(3) The state board of equalization, composed of the governor, secretary of state, attorney-general, state auditor, and state treasurer.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property in the state, not exempt by law, including interests in state lands, is subject to this tax.

(1) "Real estate" includes the possession of, claim to, ownership of, or right to the possession of land (but possessory claims are exempt), mines, minerals, and quarries.

"Improvements" includes buildings, structures, and the like, fruit, nut bearing, or ornamental trees or vines.

(2) "Personal property" includes everything subject to ownership, not included above. Shares of stock in Idaho corporations are not ordinarily taxed, but property of the corporation is taxed.

(3) The exemptions are, in addition to public property, all property used for school purposes; churches, chapels, and other buildings belonging to any church organization; hospitals; public cemeteries; buildings owned and used by the Masons or Odd Fellows, or other benevolent or charitable societies; property of widows and orphans to

[1] This compilation is derived mainly from the Code of Idaho, 1901; official compilation. Published by the Capital News Printing Co., Boise, Idaho.

$1,000, when total assessment does not exceed $5,000; growing crops; public and private libraries; tools, household goods, farming implements and machinery to $400; possessory right to public lands; mortgages; mining claims not patented; irrigating canals and ditches, when used by owner on his land.

Debts may be deducted from credits only.

b. Assessment.—Property in general is assessed by the county assessors at its full cash value, land and improvements being considered separately. The assessment refers to the second Monday in January, and the rolls are to be completed by the 1st day of July. The assessment is made on the basis of a list of property to be furnished and sworn to by the taxpayer. Values given by taxpayers, however, are not binding on the assessor. Refusal to make a statement deprives the taxpayer of all rights before the board of equalization.

In assessing solvent credits, debts due bona fide residents of the state may be deducted.

Water ditches and toll roads are assessed as real estate at a rate per mile.

Telegraph and telephone lines, "railroad track" and "rolling stock," and the franchises of all such companies are assessed by the state board of equalization. This assessment covers all property necessary to the operation of the road, etc. Other property is assessed by the local assessors, and the assessment so made is apportioned among the counties on the basis of mileage.

Stock in corporations, which are assessed on their property, is not taxable to holder.

Shares of stock in national banks are assessed to the owners where the bank is located. Taxes thereon may be paid by the bank.

c. Equalization.—The board of county commissioners equalizes the assessment between individuals. It also hears and adjudicates complaints.

The state board of equalization equalizes the valuation of property between the counties. It may increase or decrease the valuation by classes of property in any county. But it may not increase or decrease by more than 15 per cent the total valuations of the state as returned by the assessor.

2. *Rate*—

There is no state rate, strictly speaking, for the law requires that the amount to be raised by ad valorem taxes for state purposes shall be apportioned to the counties on the basis of the assessed valuation, and the share of each county levied by the county authorities with and as if a part of the county taxes. The apportionment is made by the state board of equalization.

3. *Collection*—

Taxes are collected by the assessor, who is ex officio tax collector. They become a lien on the property of the taxpayer on the second Monday in January, are due ten days after the second Monday in September, and become delinquent the first Monday in January, when 10 per cent penalty is added. The delinquent list is published on the fourth Monday in May, and taxes thereon may be collected by seizure and sale.

II. *Poll tax.*

The poll tax is a county tax.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Corporations, except insurance companies, are taxed solely under the general property tax.

All insurance companies, except mutual, pay a tax of 2 per cent on gross premiums received in Idaho less losses paid in the state.

V. *Business taxes and licenses.*

The state receives 10 per cent of the following licenses which are issued by the counties:

Auctioneers, $5 per month or $20 per annum; toll bridges and ferries, rate fixed by commissioners; bankers—business aggregating $250,000 per quarter, $100 per quarter; $200,000 to $250,000 per quarter, $80 per quarter; $100,000 to $200,000 per quarter, $50 per quarter; $50,000 to $100,000 per quarter, $40 per quarter; less than $50,000 per quarter, $30 per quarter. Billiards, etc., $15 per quarter; bowling alley, $5 per quarter; exhibition of caravan, menagerie, circus, etc., each exhibition, $10; other shows, per day, $5; pawnbrokers, $50 per quarter; peddlers—with a pack and on foot, $100 annually; with a wagon, one horse, $150 annually; with a wagon, two horses, $250 annually; with other conveyances, $300 annually; peddlers or solicitors for mercantile establishments, $75 to $125 annually. Liquor dealers—in towns or cities, where total vote exceeded 150, $500 annually; in other towns or cities, $300 annually; hotels and restaurants, 3 miles outside a city, $100 annually. The state receives from the insurance commissioner all the proceeds of the following licenses: Insurance companies, $50 annually; insurance agents, $3 annually.

B. FEES.

To secretary of state.—For filing articles of incorporation—when capital stock does not exceed $25,000, $5; when capital stock is from $25,000 to $100,000, $10; from $100,000 to $500,000, $20; over $500,000, $25.

To insurance commissioner.—For filing articles of incorporation, $10; for filing annual statement, $10; for each agent's certificate, fire, etc., $3; for each agent's certificate, life, $5.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county as for state purposes.

2. *Rate*—

The board of county commissioners annually ascertains the necessary rate to be levied on each $100 of taxable property for state taxes, and the amount necessary to pay outstanding warrants. The rate is limited to 10 mills on the dollar. The rate may not exceed $1.50 per $100 for general county purposes and an additional 25 cents for bridges.

3. *Collection*—

County taxes are collected in substantially the same manner as state taxes.

II. *Poll tax.*

Every male over 21 and under 50 years of age, except paupers, insane persons, Indians not taxed, Government prisoners, active members of volunteer fire companies, and persons permanently disabled so as to be unable to perform manual labor, and honorably discharged soldiers in the volunteer service of the United States, must pay an annual poll tax of $2. If not paid before the second Monday in January, the tax becomes $2.50. This is collected by the tax collector.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

All corporations are taxed under the general property tax.

V. *Business taxes and licenses.*

The county receives 40 per cent of the moneys collected for licenses. (See State licenses for description.)

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the method of assessment and of equalization are substantially the same for municipal as for state and county purposes. Cities can not make a separate assessment.

2. *Rate*—

The council or trustees of each city or village certify the rate to the tax collector of the county. The limit is 10 mills for general expenses, but other taxes may be levied.

3. *Collection*—

By the county tax collector in substantially the same manner as the state and county taxes. The county receives 5 per cent for collection.

II. *Poll tax.*

Each city and village is empowered to require every able-bodied male to work two days on the streets or highways, or to provide a substitute. Each delinquent shall forfeit not to exceed $1 per day. There is a poll tax for road districts outside the cities payable in labor or commutable at $4.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes for municipalities.

V. *Business taxes and licenses.*

School districts, and cities when they are such, receive 50 per cent of the licenses imposed under general state laws. (See State licenses.) Cities and villages may impose a license upon any occupation or business. Dealers in liquor must secure a city license.

Cities may impose a license tax of not less than $3 nor more than $10 upon owners or harborers of dogs.

School Revenues.

The school revenues consist of interest on the public school fund, the principal of which is derived from proceeds of the sale of lands and from escheats; an annual county tax of not less than 5 mills nor more than 10 mills per dollar, also fines and forfeitures; 50 per cent of licenses; and special school district taxes, voted by the school districts, of not to exceed 10 mills.

ILLINOIS.[1]

The constitution prescribes a general property tax for state, county, and municipal purposes, but also authorizes the taxation of certain occupations, franchises, and privileges. A marked peculiarity of the Illinois system, and one which changes the ordinary significance of the tax rates, etc., is the definition of "assessed value" as one-fifth of the "full value" or "fair cash value;" a rate of 5 per cent on the assessed valuation is therefore the equivalent of a tax rate of 1 per cent on the full valuation.

Corporations are generally taxed in the same manner as individuals. But domestic corporations are also taxed on the excess of their capital stock above the value of their tangible property. All such corporations except manufacturing, coal mining, newspaper publishing, and stock breeding corporations are assessed on the excess by the state board of equalization. Those excepted are assessed by the local assessors.

The poll tax is used solely for road district purposes.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

SEC. 1. The general assembly shall provide such revenue as may be needful by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property—such value to be ascertained by some person or persons to be elected or appointed in such manner as the general assembly shall direct, and not otherwise; but the general assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, innkeepers, grocery keepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, and persons or corporations owning or leasing franchises and privileges, in such manner as it shall from time to time direct by general law, uniform as to the class upon which it operates.

[1] This compilation is derived mainly from the following sources:
Revenue Laws of the State of Illinois. Auditor's edition, 1898. Compiled and published under the direction of James S. McCulloch, auditor of public accounts, Springfield, Ill., 1898.
The Revised Statutes of the State of Illinois, 1903. Being all the general statutes of the state in force on January 1, 1904. By Harvey B. Hurd, Chicago, 1904.

SEC. 2. The specification of the objects and subjects of taxation shall not deprive the general assembly of the power to require other subjects or objects to be taxed in such manner as may be consistent with the principles of taxation fixed in this constitution.

SEC. 3. The property of the state, counties, and other municipal corporations, both real and personal, and such other property as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, may be exempted from taxation by general law. In the assessment of real estate encumbered by a public easement any depreciation occasioned by such easement may be deducted from the valuation of such property.

SEC. 4. The general assembly shall provide, in all cases where it may be necessary to sell real estate for the nonpayment of taxes or special assessments for state, county, municipal, or other purposes, that a return of such unpaid taxes or assessment shall be made to some general officer of the county having authority to receive state and county taxes; and there shall be no sale of said property for any of said taxes or assessments but by said officer upon the order or judgment of some court of record.

SEC. 6. The general assembly shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or the property therein, from their proportionate share of the taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 7. All taxes levied for state purposes shall be paid into the state treasury.

SEC. 8. County authorities shall never assess taxes, the aggregate of which shall exceed 75 cents per $100 valuation, except for the payment of indebtedness existing at the adoption of this constitution, unless authorized by a vote of the people of the county.

SEC. 9. The general assembly may vest the corporate authorities of cities, towns, and villages with power to make local improvements by special assessment, or by special taxation of contiguous property, or otherwise. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform in respect to persons and property, within the jurisdiction of the body imposing the same.

SEC. 10. The general assembly shall not impose taxes upon municipal corporations or the inhabitants or property thereof for corporate purposes, but shall require that all taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law, such taxes to be uniform in respect to persons and property, within the jurisdiction of the body imposing the same. Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations.

ARTICLE XIV.

Separate sections, Illinois Central Railroad.—No contract, obligation, or liability whatever, of the Illinois Central Railroad Company, to pay any money into the state treasury, nor any lien of the state upon, or right to tax property of said company in accordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord eighteen hundred and fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from said company, after payment of the state debt, shall be appropriated and set apart for the payment of the ordinary expenses of the state government and for no other purposes whatever.

OFFICERS.

The officers most directly concerned with taxation are:

A. In counties not under township organization:

(1) The county treasurer, elected for four years, who is ex officio county assessor.

(2) The board of county commissioners, which completes the assessment, equalizes between individuals, and hears complaints.

(3) The sheriff, who is ex officio tax collector.

(4) The county clerk, who acts as county auditor.

B. In counties under township organization having less than 125,000 inhabitants (Cook county, which contains the city of Chicago, is the only county over 125,000):

(1) Township assessors, elected for one year.

(2) The county treasurer, who is ex officio supervisor of assessments and controls and directs the township assessors in their work.

(3) The county board of review, composed of the clerk of the county court, the chairman of the county board of supervisors, and one citizen appointed by the county judge, which reviews the assessment, equalizes between taxpayers and townships, and hears complaints.

(4) The township collectors, elected for one year.

(5) The county clerk, who acts as auditor.

(6) The county treasurer, who is ex officio county tax collector, and as such completes the work of the township collectors.

C. In counties over 125,000 (Cook county only; see note under B, immediately above):

(1) The board of assessors, composed of five members elected for a full term of six years, retiring in three groups, two of two members each and one of one member, one group retiring every two years. The board does its work through deputies appointed by itself, except that the township assessors in districts outside of Chicago are by law made deputies of the board.

(2) The board of review, composed of three members, elected for a full term of six years, one retiring every two years, which reviews the assessment, equalizes between taxpayers, townships, and districts, and hears complaints.

(3) The county clerk, who acts as auditor.

(4) The county treasurer, who is ex officio the county tax collector.

D. In state at large:

(1) The state board of equalization, one member from each congressional district, elected for four years, together with the auditor of public accounts.

(2) The auditor of public accounts.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—The following classes of property are included and exempt:

(1) and (2) All real and personal property in the state.

All moneys, credits, bonds or stocks, and other investments, the shares of stock of incorporated companies and associations, other personal property, including property in transitu to or from this state, used, held, owned, or controlled by persons residing in this state.

Shares or capital stock of banking companies doing business in this state.

Capital stock of domestic companies.

The net receipts of foreign fire, marine and inland navigation insurance companies are taxed as property is taxed.

(3) Exemptions, in addition to all public property, are: All property of institutions of learning or of purely public charity; all church property, cemeteries, and free public libraries; all property used by societies for agricultural, horticultural, mechanical, and philosophical purposes and not used for pecuniary profit.

b. Assessment.—In general, there is but one assessment for state, county, and municipal purposes, and that is made by the town and district assessors, or in counties not under township organization, by the county assessor; or when made by any other body, as, in a few instances, by the state board of equalization, it is apportioned to the towns and districts as

if so made. This assessment depends very largely upon the sworn statement or list made by the taxpayer, who is required to list his property at its full cash value. But the "assessed value" fixed by the assessor is only one-fifth of the full value. Property is assessed as of the 1st day of April (until 1898 it was the 1st day of May). A law passed in 1898 provided that real estate should be assessed once in four years only, beginning in 1899. But the "general assessment" so made is corrected annually for changes prior to April 1. Real estate is "assessed" at one-fifth its full value. The sum secured by a mortgage is taxable as a credit of the mortgagee. Personal property is assessed annually at one-fifth its value.

Owners of real estate are required to list their property, but the value is determined by the assessor on "actual view."

Owners of personal property are required to list the same at its fair cash value and swear to the list and value, but the law further requires that the assessor shall determine the fair cash value, of which one-fifth of the full value is assessed. With certain exceptions, personal property is assessed in the town, city, village, district, or county where the owner resides. The penalty for refusal to make out a list or answer to it is a fine of not less than $100 nor more than $5,000, and the assessed value is increased 50 per cent.

Government lands located prior to May 1 are taxable for that year as real estate.

All corporations organized under the laws of the state, except companies for purely manufacturing purposes, or for the mining and sale of coal, or for printing, or for publication of newspapers, or for the improving or breeding of stock, which excepted companies are assessed only on their property by the local assessors in the same manner as individuals, and except the Illinois Central Railroad Company, not subject to the general property tax (see Corporation tax), and railroad, telegraph, and telephone companies assessed by the state board of equalization, and banks and insurance companies generally, whose assessment is described below, are assessed as follows: First, by the local assessors on the value of their tangible property; second, by the state board of equalization on the excess in the value of their capital stock, including the franchise, over that of their tangible property, and the excess so assessed is certified to the local assessors where the company is located.

Railroads (except the Illinois Central Railroad) are assessed by the state board of equalization and the local assessors. The latter assess all real estate not included in right of way or "railroad track" and the tools and materials for repairs, and all other personalty, except "rolling stock." The former assesses the "railroad track" and the "rolling stock," apportioning the value of the "main track" and "rolling stock" by a unit rule among the counties, where it is reapportioned by the county clerk among the townships, etc.; but the "side track" is assessed, where it is situated, by the state board and is not so apportioned. The railroads are required to assist in the assessment by listing their property in each county with the county clerks and in the state as a whole with the auditor of public accounts. The state board is also required to assess the excess value of capital stock over the value of tangible property as assessed, if there be any such excess.

Telegraph and telephone companies.—The state board of equalization assesses the capital stock of such companies, deducting the assessed value of property locally taxed, and apportions the amount among the several counties as railroad assessments are apportioned.

Mortgages.—Where a deed for real estate is held for the payment of a sum of money, such sum so secured is held to be personal property and must be listed as credits by the mortgagee.

Shares of stock of foreign corporations are assessed to the shareholder at his residence. Shares in state and national banks are assessed to the shareholder where the bank is located. No deduction is allowed for real estate and assets assessed to the bank.

Mutual building and loan association stock is assessed to the stockholders. In determining the value of the stock the value of the real estate is first deducted.

Property of banks.—Banks other than state or national are taxed on their moneys, personal property, credits, bonds, and stocks, less deposits and other accounts payable.

Money and credits.—From the gross amount of credits the taxpayer may deduct from his list the amount of all bona fide debts owing by him. These deductions must be verified by oath.

Pawnbrokers are assessed on the value of the property pledged and held by them.

Franchises granted by the state are to be listed as personal property.

Insurance agencies are assessed upon their net receipts as property.

c. Equalization.—In counties not under township organization, the board of county commissioners equalizes between taxpayers, townships, and districts, and may increase or lower the total assessment of each of the several classes of property.

In counties under township organization, excepting Cook county, the same powers rest in the county board of review.

In Cook county there is a specially constituted board of review for this work.

State board of equalization equalizes between the several counties, considering various classes of property separately. It may lower or raise the total assessed value of property in any county, but the total of such decrease or increase may not exceed 10 per cent of the total assessed value of all the property in the state.

2. *Rate*—

The rate per cent required to produce the amount of taxes levied by the general assembly is to be ascertained annually by the governor, auditor, and treasurer. The amount of taxes is extended by the county clerk on the assessed value of property as equalized by the state board of equalization. Separate rates are certified for the "revenue fund," the "interest fund," "state school fund," and other taxes.

By an act of May 9, 1901, the rate per cent is limited not to exceed 5 per cent of the assessed valuation.

3. *Collection*—

In general, all taxes—state, county, and municipal—are collected by the same collectors. In counties having township organization, except Cook county, this is done by the township collectors; in other counties by the county collectors, except that in counties under township organization railroad taxes are paid directly to the county treasurer, who is made ex officio tax collector for that purpose. Personal property taxes may be collected by distress and sale of goods and chattels. Taxes on personal property not sufficiently secured by such personal property may become a lien on the real estate of the taxpayer. They are due and payable when demanded by the collector who receives warrant for their collection and the collection of taxes on real property on or before December 21. Taxes on real estate become delinquent March 10 in the year succeeding assessment and the land may be sold for taxes after publication of the proper notice any time

after one year from April 1, following. Taxes become a lien upon real property May 1 of the year in which the taxes are levied. There are no special penalties for delinquency, but interest is charged from May 1, after the taxes become delinquent.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

All property passing by will, descent, or transfer taking effect after death is subject to this tax. The rate for property passing to the father, mother, husband, wife, brother, sister, wife or widow of the son or husband of the daughter, adopted child or any legitimate lineal descendant, is 1 per cent on the excess over $20,000; passing to any uncle, aunt, niece, nephew, or lineal descendant thereof, 2 per cent on the excess over $2,000. In all other cases, 3 per cent on estates under $10,000; 4 per cent, $10,000 to $20,000; 5 per cent, $20,000 to $50,000; 6 per cent, over $50,000. The tax is collected by the county treasurer for the benefit of the state. By an act of 1901, property passing for religious, educational, or charitable purposes is exempted from the tax.

IV. *Corporation taxes.*

Corporations are, for the most part, taxed under the general property tax. The slight differences in the method of assessment applied to corporate property have been described above. In the following cases the principles of the general property tax are departed from:

(1) The Illinois Central Railroad pays 7 per cent on its gross earnings, made up as follows: Five per cent on gross earnings paid semi-annually; a tax not to exceed three-fourths of 1 per cent on assessed valuation of property; enough more to bring the total up to 7 per cent of gross earnings. This tax is paid to the state.

(2) Foreign insurance companies, other than life, are required to pay 2 per cent of the gross amount of premiums received for business done in the state. This tax is in lieu of all taxes, state and local, except on real estate and except reciprocal taxes, and the tax is collected by the insurance superintendent. All burglary and casualty insurance companies, domestic and foreign, doing business in the state on the mutual plan are required to pay 2 per cent on cash collected as premiums from policy holders residing in Illinois in lieu of other municipal or state taxes.

V. *Business taxes and licenses.*

Insurance superintendent's certificate of authority to agent of foreign insurance company, $2; license to agents to procure fire policies in unauthorized companies, $200, counties having less than 100,000 inhabitants, $25; commission merchants, $25; itinerant vendors of drugs, per month, $100.

B. FEES.

The fees are payable to state officials and are to be paid into the state treasury, as revenue:

By secretary of state.—Incorporation, capital up to $2,500, $30; capital $2,500 to $5,000, $50; over $5,000, for each additional $1,000 capital, $1; for various certificates and filings, $1.

By clerk of the supreme court.—Various fees.

By superintendent of insurance.—Application for certificate of authority, $30; filing annual statement, $10; agent, certificate of authority, $2.

By the several boards.—Practice of medicine, examination, and certificate, $15; practice of pharmacy, annual registration, $1; practice of dentistry, examination, $10.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included is the same for the county tax as for the state. The taxes are extended upon the valuation ascertained by the equalization and assessment of property by the county board of review, and all property originally assessed by the state board of equalization.

2. *Rate—*

The county board of the respective counties determines the amount to be raised for county purposes, which is not to exceed 75 cents on each $100 valuation of property, unless otherwise authorized by vote of the county.

3. *Collection—*

Collection is made as of state taxes by the town and district collectors, who make settlement with the county collectors.

II, III, IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no county poll, inheritance, or corporation taxes.

V. *Business taxes and licenses.*

Dogs (in counties not under township organization license fees are kept by county), $1.

County boards in counties under township organization, and county commissioners in others, may issue licenses for the sale of liquor at not less than $500 per annum. Malt liquor only, $150 per annum.

These licenses become part of the general revenue of the county.

B. FEES.

The following county officials are required to pay over to the county treasurer the fees of their offices: Clerks of circuit court; recorder of deeds; county clerk; sheriff; and masters in chancery.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are as described under the state and county taxes.

2. *Rate—*

The proper authorities of towns, townships, districts, and incorporated cities, towns, and villages

certify to the county clerk the amounts to be raised by taxation, and such clerk determines the rate per cent upon the valuation that will produce the net amount.

3. *Collection—*

Collection is in general the same as for state taxes and is made by the town or district collectors.

II. *Poll tax.*

Not generally collected by cities, but Alton collects $1.50 in lieu of two days' work on streets.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Foreign fire insurance companies are to pay, for the benefit of the fire department, 2 per cent of the gross receipts received by their agency in any city, town, or village.

V. *Business taxes and licenses.*

The city council in cities and the board of trustees in villages fix the amount and terms of licenses, including liquor licenses.

Liquor licenses are to be not less than $500 per annum; malt liquors only $150 per annum.

School Revenues.

Cities, villages, and school districts have authority to levy a tax up to 2½ per cent on the last assessment for state and county taxes.

The common school fund of the state consists of the proceeds of a 2-mill tax levied in the state assessment list annually, the interest on the school fund proper, being 3 per cent upon the proceeds of the sales of public land, and the interest on the surplus revenue fund. This fund is apportioned to each county in proportion to the number of children.

The township and county school fund consists of the interest on the proceeds of the sale of the sixteenth section of common school lands.

Road Revenues.

Road commissioners are to make a list of the able-bodied men in their town between the ages of 21 and 50 years and assess not less than $1 nor more than $2 as a poll tax for highway purposes. This list is not to include persons within the limits of cities or incorporated villages. Towns may abolish the poll tax by vote, or may by vote adopt the "labor system" for payment of the district road tax.

INDIAN TERRITORY.[1]

The Curtis bill, chapter 517 of the act of Congress, June 28, 1898, provides:

Any city or town in Indian Territory having two hundred or more residents may become incorporated. "Such city or town governments shall in no case have any authority to impose upon or levy any tax against any lands in said cities or towns until after title is secured from the tribe; but all other property, including all improvements or town lots, which for the purposes of this act shall be deemed and considered personal property, together with all occupations and privileges, shall be subject to taxation * * * and the councils of such cities and towns, for the support of the same and for school and other public purposes, may provide by ordinance for the assessment, levy, and collection annually of a tax upon such property, not to exceed in the aggregate two per centum of the assessed value thereof, in the manner provided in chapter 129 of said digest, entitled 'revenue,' and for such purposes may also impose a tax upon occupations and privileges." (The digest referred to in the Curtis bill is Mansfield's Digest of the Statutes of Arkansas, 1884.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor, elected for two years.

(2) The county board of equalization, composed of three citizens appointed by the governor.

(3) The sheriff of each county, who is ex officio tax collector.

(4) The clerk of the county court, who acts as county auditor.

[1] This compilation is derived mainly from the following sources: Act of Congress, June 28, 1898, chap. 517, known as the Curtis bill. Mansfield's Digest of the Statutes of Arkansas, 1884. Annotated Statutes of the Indian Territory. Dorset Carter. West Pub. Co., St. Paul, Minn., 1899.

Territorial Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property, except that of Indians or Indian tribes, whether real or personal, in the territory, all moneys, credits, investments of persons residing therein, unless exempted, is subject to taxation.

(1) "Real property" includes not only the land itself, but all buildings, structures, rights and privileges belonging thereto.

(2) "Personal property" includes chattels, credits, and everything not part of any parcel of real property.

(3) Exemptions, in addition to public property, are: Churches, colleges, and public institutions of learning not managed with a view to profit; cemeteries; and institutions of purely public charity.

b. Assessment.—The assessment is made by the county assessor. Every person is required to list his real as well as his personal property, and the list must be sworn to and show the value of the real items. Real property is to be assessed in the odd years as of the first Monday in June and at its true value, buildings being valued separately; and personal property, as of the first Monday in February of each year. Refusal to furnish the list is a misdemeanor punishable by fine or imprisonment.

Gas, telephone, bridge, street railroad, savings bank, mutual loan, and all other corporations are assessed on the basis of special lists showing

the value of tangible and intangible property. Railroads are assessed in every second year by the railroad commissioners, composed of the governor, secretary of state, and auditor of public accounts. The secretary of state is to certify to the assessor of each county so much of the value of the railroad track as is located in the county, or in any city or town, as real estate. Rolling stock is apportioned by mileage. Property other than rolling stock and railroad track is to be assessed on the 1st of March in each year by the county assessors.

Merchants are to be assessed on the average value of their stock in trade. Manufacturers are likewise assessed on the average value of materials received for manufacture.

Banks are assessed on the amount of capital paid in, undivided profits, credits, and amounts deposited. Taxes on shares in banks are to be paid by the banks as agents of the shareholders.

Pawnbrokers are to be assessed on property pledged.

Express and telegraph companies are to be assessed on gross receipts as personal property, and their real and personal property is also assessed.

c. Equalization.—The county court hears objections to the levy of taxes, and an appeal lies to the circuit court.

The county board of equalization, composed of three citizens appointed by the governor, equalizes the assessment of real and personal property.

2. *Rate*—

The rate of taxation for state purposes is:

General expenses, one-half of 1 mill on the dollar; sinking fund and interest, 4 mills on the dollar; public schools, 2 mills on the dollar.

3. *Collection*—

Taxes are collected by the sheriff of the county, who is ex officio collector, and are due and payable between the first Monday in November and the 10th of February. Taxes on real and personal property are a lien on such property from the first Monday in February. After the 10th day of February taxes may be collected by distraint of personal property—garnishment. Sale of lands for delinquent taxes is made after the second Monday in April.

II. *Poll tax.*

For common school purposes $1 per capita is to be levied annually on every male inhabitant over 21 years of age.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes.

V. *Business taxes and licenses.*

Privileges subject to taxation for state purposes are:

Hawkers and peddlers, each six months, $25; clock peddlers, lightning rod, and stove agents, per year, $100; sewing machine agents, per year, $200; traveling insurance agents, matrimonial, and nuptial associations, per year, $100; vendors of liquors, per year, $300.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the assessment and equalization are the same for county taxes as for state.

2. *Rate*—

For county purposes, indebtedness, and public schools, each, 5 mills on the dollar.

3. *Collection*—

Same as for state.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no county poll, inheritance or corporation taxes.

V. *Business taxes and licenses.*

Privileges subject to taxation for county purposes:

Hawkers and peddlers, each six months, $25; circus, menagerie, per day, $100; side shows, per day, $50; public exhibitions, per day, $5; auctioneers, per year, $10; vendors of liquors, per year, $400; criminal conviction, courts of record, $3; civil suits, each, $3; writs of summons and execution, and records, each, 50 cents.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

All levies of taxes in cities and towns are to be based upon the appraisement of the county assessor, as equalized for the levy of state and county taxes.

2. *Rate*—

The rate is limited to 2 per cent upon the assessed value.

3. *Collection*—

Same as for county taxes.

Note.—Owing to the fact that prior to 1902 no territorial or county governments had been organized in Indian Territory, the greater part of the Arkansas laws given above were at that time practically inoperative. The civilized Indian nations collected small amounts of special taxes on live stock and the incorporated cities and towns made their own assessments and collected revenue under the provisions of the Curtis bill, referred to above.

INDIANA.[1]

Indiana depends mainly upon the general property tax. This tax has substantially the same form as in other states; but there are radical differences in the administration which distinguish the so-called "Indiana system" from that of other states. These distinguishing features are: (1) A state tax commission, with full directive and supervisory powers over the local assessors; (2) a county assessor in each county, responsible to the tax commissioners, exercising supervisory authority over the township assessors and with power to make assessments where the local assessors fail to do so; (3) a regular system of conferences, at which assessment officers agree upon the policy to be followed.

The provisions of the law are minute and detailed in the extreme, and it is in the attention to detail rather than in any difference in principle that the

[1] This compilation is derived mainly from Burns's Annotated Indiana Statutes, 1901, three volumes and an index: Indianapolis, The Bowen-Merrill Company, 1901.

characteristics of the system are to be found. But these details do not lend themselves to classification and can not be shown in the following abstracts.

There is no inheritance tax and practically nothing in the way of special taxes on corporations.

Another feature of the Indiana system is that it places the collection of all taxes—state, county, and municipal—in the hands of one person—the county tax collector—thus bringing all the taxes levied on one person together as one bill or at least into one payment.

CONSTITUTIONAL PROVISIONS.

ARTICLE IV.

Sec. 22 (§ 118). The general assembly shall not pass local or special laws in any of the following enumerated cases, * * * for the assessment and collection of taxes for state, county, township, or road purposes.

ARTICLE X.

Sec. 1 (§ 193). The general assembly shall provide, by law, for a uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious, or charitable purposes as may be specially exempted by law.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The township assessors, one in each township, elected every four years.

(2) The county assessors, one in each county, elected every four years.

(3) The state board of tax commissioners, two persons, appointed by the governor for a term of four years, together with the secretary of state, the auditor of state, and the governor, ex officio.

(4) The county auditors, one in each county, elected every four years.

(5) The county board of review, composed in each county of the county assessor, county auditor, and county treasurer, and two freeholders, to be appointed by the judge of the circuit court.

(6) The county treasurers are county tax collectors, and are elected for four years.

N. B.—City assessments are made by township assessors.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property within the jurisdiction of the state not expressly exempted is subject to taxation. Property is classified for purposes of taxation as follows:

(1) Real property, which includes all land within the state, and all buildings and fixtures; "railroad track," including the right of way, stations, and improvements, except machinery, stationary engines, and other fixtures, which are considered personal property. Possessory claims are treated as personal property.

(2) Personal property, which includes all goods and chattels within the state; all ships and vessels at home or abroad owned in the state; all goods, etc., outside the state but owned by the inhabitants, except property permanently invested in another state; all credits less debts; all shares in corporations, not exempt, unless the corporation is itself taxed on all its property; shares in national banks, less the value of real estate taxed to the bank; all shares in foreign corporations except national banks; all moneys; all annuities and royalties; all interests owned by individuals in lands the fee of which is in the United States; railroad rolling stock; franchises granted by the law of the state and used by any person or corporation; the mains, pipes, and wires of gas, electric light, and waterworks companies.

Any person owning real estate subject to a mortgage not exceeding $700 nor half the value of the property may, by reporting the fact, have the mortgage assessed to the mortgagee and enjoy a deduction of that amount from the assessed valuation of the land.

(3) Exemptions from taxation include the personal and real property of every manual labor school or college incorporated in the state, such real estate not to exceed 320 acres; every building used for educational, literary, scientific, or charitable purposes and the land thereof not exceeding 40 acres; also the personal property, endowment, and income belonging to any such institution, churches, and cemeteries.

b. Assessment.—In general there is but one assessment for the property tax for state, county, and municipal purposes. Most property is assessed by the township assessors, who work under the immediate supervision of the county assessors, who have power to list property omitted, and the county assessors in turn are under the direction of the state board of tax commissioners. This arrangement, giving, as it does, direct administrative control from the top down, is peculiar to the so-called "Indiana system."

In general, property is assessed on the basis of sworn statements returned to the assessors by the taxpayers, but the property of railroad, telegraph, and certain other large corporations is assessed by the state board of tax commissioners and the result is apportioned among the counties. Very heavy penalties, ranging from $10 to $5,000, or six months in jail and 50 per cent increased assessment, are provided for returning false lists or for refusal to swear to lists.

Real estate is assessed but once every four years, the last assessments being in 1899 and 1903, and the assessment is revised annually for improvements and other changes. All other property is assessed annually. The assessment formerly referred to the 1st of April, but in 1903 this date was changed to the 1st of March.

Personal property is generally assessed where actually located, and not where the owner resides.

Land is to be valued by the assessor at the price it would bring at private sale, and not at a forced or sheriff sale. The same rule applies to personal property.

Mortgaged real estate is assessed to the mortgagor at full value, except that the owner may deduct from such value the amount of any mortgage not exceeding $700 nor exceeding one-half the assessed value of the property, provided he reports the name and address of the mortgagee, who is then taxed upon the mortgage.

All interests in lands the fee to which is still in the state or the United States are to be assessed as personal property, but lands sold by the state and not conveyed are to be taxed as if conveyed.

Private bankers and brokers are assessed upon their real estate and the excess of their credits over their debts and deposits.

State and national banks, except savings banks, are assessed upon their real estate, only the shares being taxable at market value, or if there is no market value, at book value, less the value of the real estate. The assessment is made to the shareholders at the place where the bank is located, and the bank officers are required to furnish the names and residences of the stockholders.

Corporations in general are assessed the same as individuals on all corporate property, including corporate stock and franchises. Corporate taxation is thus a part of the general property tax system of the state. Shares in corporations, all the property of which is taxable, are not assessed to the shareholder. Every franchise is to be listed and assessed as personal property. The county board of review values and assesses the capital stock and all franchises and privileges of domestic corporations, unless otherwise provided. The capital stock is listed for taxation at its excess of value over franchises and tangible property.

Telegraph, telephone, express, sleeping car, freight car, and pipe-line companies are assessed by the state board of tax commissioners, except upon the real estate not necessarily used in the conduct of the business of such companies. This assessment is made by the unit rule, the value of the entire property of each such company being ascertained from the market value of the stocks, plus the par value of the bonds, and the portion used in Indiana being determined on a mileage basis. The assessment so made is then apportioned among the counties, etc., also on a mileage basis.

In the case of railroads (including street railroads) the "railroad track" and "rolling stock" are assessed by the state board of tax commissioners in the same manner as the property of corporations named above, proper allowance being made for the value of property assessed locally.

Dogs are entered in the list of property but not valued. (See Rate.)

Foreign bridge companies are assessed upon their gross receipts as if property, as well as upon their tangible property.

c. Equalization.—The county board of review annually equalizes the valuation of real and personal property assessed in each county. The board passes upon each individual valuation and revises the assessment list. It also equalizes as between townships or divisions of townships and determines a rate per cent to be added or deducted from the various classes of property throughout the township. If necessary, the board may set aside the assessment of the whole county and order a new one, but it has no power to depart from the true cash value in fixing assessments.

A feature of equalization in practice is the annual meeting of the county assessors of the state, called by the state board of tax commissioners for purposes of conference.

The state board of tax commissioners hears appeals from the county board of review. It equalizes its own assessments of railroad property. In the years that real estate is assessed it equalizes real property assessments. It also equalizes the assessment lists between the several counties, adding or deducting a rate per cent according to classes of property considered separately.

The state board of tax commissioners also has certain powers which work effectual equalization, though not so called. It has powers of supervision and examination over the county and township assessors. Each county is to be visited once in each year by the state board. Because of the close relationship of the assessment officials, from the township assessors to the state tax commissioners, a complete and uniform assessment of all property at its actual cash value is secured, and an equality of taxation is attained.

2. *Rate*—

The rate for state taxation, expressed in cents upon each $100 valuation for state expenditures, is fixed by the legislature.

The rate on dogs is $1 for a male, $2 for a female, and $2 for each additional dog.

3. *Collection*—

All taxes on property, whether for state, county, school, road, or other purposes, are collected by the county treasurer. One-half the taxes, including all the road tax, is to be paid on or before the first Monday in May, the remainder by the first Monday in November. Taxes become a lien on all real estate from the 1st of March, and such lien is a state lien and is for all taxes, state, county, school, road, or township. The penalty for delinquency is 10 per cent on the first and 6 per cent on the second installment. The county treasurer may collect by levy and sale.

II. *Poll tax.*

The poll tax is assessed on every male inhabitant of the state between the ages of 21 and 50 years. Every person is listed for his poll tax in the county of his residence. The amount to be charged on each poll is fixed by the general assembly for state purposes and for schools. Collection is made by the county treasurer.

III. *Inheritance tax.*

There is no inheritance tax. The property in the decedent's estate in the hands of the administrator or executor is subject to the general property tax, and penalties are imposed on such officer personally for delinquency. The administrator or executor is also liable for back taxes unpaid during the life of decedent.

In the case of a legacy to any literary, scientific, or charitable institution, that portion of the estate is exempt.

IV. *Corporation taxes.*

All corporations are taxed under the general property tax.

Foreign insurance companies pay a tax of $3 on each $100 excess of premiums received over losses paid in the state. (This is an exception to the system of the state.)

In addition to the general property tax domestic corporations are also taxed upon the excess of the cash value of their capital stock over the assessed value of their property.

Foreign bridge companies are taxed on their gross earnings as on property.

V. *Business taxes and licenses.*

Collected by county treasurer mainly for the benefit of state school fund.—To keep a ferry, $3 to $50; in each county from traveling merchants and peddlers not residents and selling foreign merchandise when capital is not over $1,000, $5; capital $1,000 to $2,000, $7.50; capital $2,000 to $5,000, $10; capital over $5,000, $20. (Peddlers of tea and coffee are exempt.) Exhibitions and shows, for each performance, $5 to $25. (The above go to the county agricultural society.) Brokers, per annum, $100; liquor licenses, $100. The secretary of state is authorized to issue a license to sell prison made goods, per annum, $500.

B. FEES.

By secretary of state.—Commission of notary, $1; commission of commissioner of deeds, $5; seal, 50 cents; filing charters, 200 words, $1; articles of incorporation, stock $10,000 or less, $10; stock over $10,000, one-tenth of 1 per cent; for increase of stock, same fees. Mutual insurance companies' charters, $25; religious and other corporations' charters, $5; building and loan associations, stock $50,000 or less, $10; building and loan associations, stock over $50,000, one twenty-fifth of 1 per cent; reduction of stock, $5; decree of court changing name of corporation, $5; amendments to charter, 20 cents per 100 words, not less than $5; filing certificate of incorporation, insurance company, $2; insurance company, for live stock charter $10.

By the auditor.—Examination of statement of insurance company, $5; filing statement of subscription, live stock insurance company, $10.

By the board of dental examiners.—For examination, $20; for reexamination, $10; for issuance of certificate on diploma, $6; for license fee, 50 cents.

By the board of pharmacy.—For registration and certificate, $2; for examination, $3; for registration, $1; for assistants, as above, $1, $2, 50 cents.

By the medical board.—For applicants with diploma, $10, with license fee of $1; for examination, $25, with license fee of 50 cents.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property subject to taxation and the methods of assessment and of equalization are substantially the same for county as for state taxation.

2. *Rate*—

The rate is determined by the county commissioners. There are various limits, the most general one being 33 cents per $100 of assessed valuation, but extra rates are allowed under varying circumstances.

3. *Collection*—

Substantially the same as for state taxes.

II. *Poll tax.*

The amount to be charged on each poll for county expenditures is determined by the board of county commissioners.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance taxes, or special corporation taxes for the counties. Licenses levied by the county authorities accrue to the state school fund.

V. *Business taxes and licenses:*

Counties are authorized to grant a number of licenses and to charge therefor the following fees:

To keep a ferry, per annum, $2.50; transient merchants, $10 to $25 a day, according to size of the largest city in the county for which the license is granted; foot peddlers, per annum, $25; wagon peddlers, per annum, $50. Soldiers and sailors are given licenses for the payment of a fee. The foregoing license fees are paid to the school fund. Expositions and shows, for each performance, $5 to $25. The above goes to the county or district agricultural association fund. To keep a stallion, per annum, 50 cents. Liquor license, $100.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the method of assessment and of equalization are substantially the same for municipal purposes as for state and county.

2. *Rate*—

The rate is determined by municipal legislative authorities. For general municipal purposes in cities the maximum rate is 90 cents on $100. For school districts the maximum rate is 22 cents on $100. But many special rates are allowed, and the rates vary in different classes of cities.

3. *Collection*—

Municipal taxes are collected by the county treasurer in substantially the same manner as state and county taxes.

II. *Poll tax.*

a. General.—Cities may levy a poll tax at not to exceed 50 cents.

b. Road.—Able-bodied men between 21 and 50 years of age may be called upon for from two to four days' labor in April. The labor tax may be commuted for $1.25 per day.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes for municipalities.

V. *Business taxes and licenses.*

Cities and towns may license pawnbrokers, per annum, $10 to $100; merchants and peddlers, same rate as county, and in addition thereto; liquor license, in addition to county license—cities, $250; incorporated towns, $150.

School Revenues.

State tax, 16 cents per $100 of assessed valuation and 50 cents on polls.

Township, town, and city special tax for equipment, not to exceed 50 cents per $100 of assessed valuation; local tax for tuition, not to exceed 25 cents; and special tax to pay debts, not to exceed 25 cents.

The proceeds of the sale of public lands form a permanent school fund, the interest only being paid to the current school fund.

IOWA.[1]

Iowa depends almost entirely upon the general property tax for state, county, and municipal revenues. There is an inheritance tax, but no special corporation taxes, except on foreign insurance companies. Corporations generally are assessed by local assessors. A few are assessed on their property by the state executive council. Changes of late years have been from taxes on gross revenue to those on property.

CONSTITUTIONAL PROVISIONS.

ARTICLE III.

SEC. 30. The general assembly shall not pass local or special laws in the following cases:

For the assessment and collection of taxes for state, county, or road purposes.

ARTICLE VIII.

SEC. 2. The property of all corporations for pecuniary profit shall be subject to taxation the same as that of individuals.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The township and city assessors, elected biennially, one in each township and city.

(2) The township trustees and city councils, which act as boards of review.

(3) The county boards of supervisors, which act as county boards of review and equalization.

(4) The state executive council, composed of the governor, secretary, auditor, and treasurer of state, which constitutes the state board of review, and acts as a state board of equalization, and also as an assessment board for certain classes of property.

(5) The county treasurers, who are the tax collectors.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property not specially exempt is subject to this tax.

(1) and (2) There are no special definitions of real and personal property for purposes of taxation. Ferry franchises and toll bridges are defined as real estate.

Mortgages are taxable, and no deduction is allowed on that account from the assessed value of the land.

Credits, moneys, annuities, bank notes, and shares of stock incorporations are all taxable.

Debts may be deducted from the total of moneys and credits.

(3) The exemptions, in addition to public property, are: Cemeteries; crematoriums; fire engines, etc., with houses and grounds; grounds and buildings for public libraries, for literary, scientific, charitable, benevolent, agricultural, and religious institutions and societies, not exceeding 160 acres; personal property and investments of such institutions; farm produce and wool of the harvest or shearing of previous year; all poultry, 10 stands of bees, all swine and sheep under 6 months of age and all other domestic animals under 1 year; private libraries and professional libraries up to $300; family pictures; household furniture to $300, and kitchen furniture; beds and bedding; all wearing apparel in use; all food provided for the family; estates of persons who, by reason of age or infirmity, are unable to contribute; farming utensils, the team, wagon, and harness of teamsters and draymen, and the tools of a mechanic, all up to $300; Government land entered and purchased, for one year; the homestead up to $800 of the widow of any Union soldier or sailor, also of any honorably discharged Union soldier or sailor unable to perform labor and dependent. In the assessment of farm lands a reduction that is called an exemption is made from the valuation of the farms equal and proportionate to the area of roads adjacent to such lands. (Modified in 1904.)

Until 1910 sugar mills, with machinery, tools, and appliances, and not to exceed 10 acres of land, are to be exempt.

b. Assessment. Every person of full age and sound mind is required to furnish the assessor with a sworn statement of the property owned by him on the 1st day of January. Refusal to furnish such a statement results in double assessment, while making a false statement is punishable as perjury. Valuations are fixed by the assessor at the actual cash value, and the assessment is at 25 per cent of such value. The assessment rolls are to be completed by the assessor by April 1.

Real estate is assessed only once every two years.

Moneys, credits, etc., in general, are assessed where the owner resides.

Merchants and manufacturers are assessed upon the average amount of stock held during the year.

When corporations are taxed on their property, the shares of stock are exempt. Shares of stock in national banks are assessed to the shareholders where the bank is located. Shares of stock in state and savings banks are assessed to the banks. Bank stock is assessed on the basis of capital, surplus, and undivided profits, less the value of real estate, which is assessed separately. Shares of stock in corporations generally are assessed to the corporations, less the value of real estate.

The following items are assessed by the executive council:

Telegraph and telephone companies, by the unit rule; the assessment so made is apportioned on a basis of mileage and taxed as other property.

Railroads—the right of way, roadbed, bridges, culverts, rolling stock, depots, station grounds, sidings, buildings, gravel beds, and all other property exclusively used in the operation and maintenance of the railway; but not lands outside, nor the railway bridges across the Mississippi and Missouri rivers, nor grain elevators, which are assessed by the local assessors. In assessing such property the council takes into consideration the gross earnings, etc., and proceeds generally upon the unit rule. The assessment so made is apportioned among the counties on a mileage basis.

Railways report also the number of cars run by them but belonging to other companies, and these are similarly assessed by the executive council.

Express companies are assessed upon their property, including their shares of stock, by a unit rule, and this assessment is apportioned among the counties and townships on a mileage basis.

c. Equalization.—The township trustees act as a local board of review and adjust assessments between individuals; they also hear appeals. Appeals from their decisions lie to the district court.

The board of supervisors of each county constitutes a county board of review and adjusts the assessments between the several townships, cities, and towns of the county.

The executive council acts as state board of review and equalizes the assessments between the several counties, adding to or deducting from the valuation of each kind or class of property, so as to make the assessments equal.

2. *Rate—*

The general assembly fixes the total amount to be raised for state purposes. The executive council annually determines the rate per cent on the valuation of the taxable property necessary to raise the amount fixed by the general assembly.

3. *Collection—*

Taxes are collected by the county treasurers, and are payable at any time between the first Monday in January and the 1st day of March; or one-half may be paid before March and the remaining half before the 1st day of September. If at least half is not paid before the 1st day of April, the whole amount becomes delinquent as of March 1. In case the second installment is not paid before the 1st day of October, it becomes delinquent as of the 1st day of September. Delinquent taxes draw interest at 1 per cent a month.

Taxes are a lien on the property on which they are levied, and may be collected by distress and sale.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

All property passing by will or inheritance, or by gift intended to take effect after death, except to the father, mother, husband, wife, lineal descendant, adopted child, or to charitable, educational, or religious societies or institutions, is subject to a tax of 5 per cent on estates of $1,000 or more; in 1904, if inherited by brothers and sisters who are aliens, 10 per cent; by other aliens, 20 per cent.

The tax is paid to the state treasurer by the executors, etc.

IV. *Corporation taxes.*

In general, corporations are taxed under the general property tax, but a few are assessed by a state board on part of their property. The following, however, are differently taxed:

Insurance companies, other than fraternal, beneficiary, and county mutual companies, are taxed upon their annual gross receipts at the following rates: Foreign companies incorporated or owned outside of the United States, 3½ per cent (since 1902, 2½ per cent); foreign companies, United States, 2½ per cent. Domestic insurance companies are taxed on their property as other corporations. (In 1900 a law imposing a 1 per cent tax on premiums was repealed and in 1902 reenacted with rate of 1½ per cent).

V. *Business taxes and licenses.*

The state derives no revenue from licenses for the sale or manufacture of intoxicating liquors, or from the "mulct tax" on such sale or manufacture. (See also County revenues.)

Itinerant physicians, $250 per annum; itinerant vendors of drugs, $100 per annum.

B. FEES.

By state board of medical examiners.—For examination, $20; for certificate on diploma, $5.

By state board of pharmacy.—For examination, $5; for certificate, $2; for renewal of certificate, $1.

By state board of dentistry.—For examination, $10; for certificate, $2; for renewal, $1.

By the secretary of state.—For articles of incorporation, $25, and on each $1,000 over $10,000 capital, $1; increase of capital stock per $1,000, $1, no fee to exceed $350. (The same fees are required of foreign corporations.)

By the auditor of state, from insurance companies.—For filing application, etc., domestic companies, $10, foreign companies, $25; for permission to foreign companies, $2; for filing annual statement, etc., domestic companies, $3, foreign companies, $20; for certificate of authority to agent, domestic companies, 50 cents, foreign companies, $2.

COUNTY REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are substantially the same for county as for state taxation.

2. *Rate—*

The rates for various purposes are determined by the county board of supervisors. The levy may, in some instances, be submitted to a popular vote.

3. *Collection—*

County taxes are collected in substantially the same manner as are state taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no county poll, inheritance, or special corporation taxes.

V. *Business taxes and licenses.*

The constitution forbids the issue of licenses for the sale or manufacture of intoxicating liquors in the state. Such manufacture or sale is regulated under what is known as the "mulct tax" law, by the terms of which $600 are annually collected in installments from all dealers in intoxicating liquors. The receipts are apportioned equally between the county and municipality within which the place of business is located.

Peddlers outside of a city, $1 to $50; circuses and traveling shows, for each place, not to exceed $100.

MUNICIPAL REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of equalization are the same as for state and county taxes.

[1] This compilation is derived mainly from the following sources:
The Annotated Code of Iowa, 1897.
The Revenue Laws of the State of Iowa, compiled by Frank F. Merriam, auditor of state, 1901.
The Supplement to the Code of Iowa, 1902.

Cities are assessment areas excluded from the township and county assessment areas, but are, practically, districts coordinate with townships. They provide their own assessors, whose duties are substantially the same as those of township assessors, and may or may not use the assessment employed for state and county taxation.

2. *Rate*—

Fixed by the city council.

3. *Collection*—

Municipal taxes are collected by the county treasurer.

II. *Poll tax.*

Cities and towns have power to provide that all able-bodied male residents between the ages of 21 and 45 years shall, by themselves or by substitutes, perform two days' labor of eight hours each upon the streets, avenues, alleys, highways, or public grounds, commutable at not over $1.50 per day. For failure either to perform the work or to make such commutation payment, a penalty not to exceed $2 per day, or $4, may be required.

In road districts the supervisor is to require two days' labor on the roads of all able-bodied males between 21 and 45 years of age. The penalty for failure to work is $3 per day.

Members of the Iowa National Guard and of fire companies are exempt from these taxes.

III and IV. *Inheritance tax and corporation taxes.*

Municipalities do not participate in the inheritance tax and have no special taxes on corporations.

V. *Business taxes and licenses.*

(See under County revenues for provisions relating to tax on the sale of intoxicating liquors.)

Cities generally have power to license and tax hotels, restaurants, and eating houses, auctioneers, peddlers, plumbers, billposters, itinerant doctors, junk dealers, scavengers, pawnbrokers, billiard saloons, billiard and pool tables, bowling alleys and shooting galleries, circuses, menageries, theaters, and shows.

School Revenues.

The state school funds are derived from two sources:

The permanent fund from proceeds of sale of lands, etc., of which only the interest is used.

The temporary fund from forfeitures, fines, escheats, and estrays.

The county supports the high schools by a maximum tax levy of 5 mills; for current expenses only, 2 mills.

The remainder of the school revenues are raised by the school districts. The amount to be raised is determined by the school board, or by vote of the district, and levied by the county supervisors.

KANSAS.[1]

Kansas depends almost entirely upon the general property tax for state, county, and municipal revenues. The poll tax is for local road purposes only. There are no inheritance or special corporation taxes, except on insurance companies. Railroad, telegraph, and telephone companies are the only corporations assessed by a state board.

CONSTITUTIONAL PROVISIONS.

ARTICLE XI.

Sec. 1. The legislature shall provide for a uniform and equal rate of assessment and taxation; but all property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent, and charitable purposes, and personal property to the amount of at least two hundred dollars for each family, shall be exempted from taxation.

Sec. 2. The legislature shall provide for taxing the notes and bills discounted or purchased, moneys loaned, and other property, effects, or dues of every description (without deduction), of all banks now existing, or hereafter to be created, and of all bankers; so that all property employed in banking shall always bear a burden of taxation equal to that imposed upon the property of individuals.

Sec. 3. (As amended in 1875.) The legislature shall provide, at each regular session, for raising sufficient revenue to defray the current expenses of the state for two years.

Sec. 4. No tax shall be levied except in pursuance of a law which shall distinctly state the object of the same; to which object only such tax shall be applied.

Sec. 5. (Provides for public debts and an annual tax to pay the interest and principal.)

ARTICLE VI.

Sec. 3. The proceeds of all lands that have been, or may be, granted by the United States to the state, for the support of schools, and the five hundred thousand acres of land granted to the new states, under an act of Congress distributing the proceeds of public lands among the several states of the Union, approved September 4, A. D. 1841, and all estates of persons dying without heir or will, and such per cent as may be granted by Congress, on the sale of lands in this state, shall be the common property of the state, and shall be a perpetual school fund, which shall not be diminished, but the interest of which, together with all the rents of the lands, and such other means as the legislature may provide, by tax or otherwise, shall be inviolably appropriated to the support of common schools.

Sec. 7. (Fixes the university fund.)

ARTICLE IX.

Sec. 3. (Fixes the term of county officers at two years, except county commissioners, three years.)

Sec. 4. (Fixes the term of township officers at one year.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The trustee of each township, elected for one year, now elected biennially, who acts as assessor for the township.

(2) The city assessor, appointed annually by the mayor and common council of all cities of the first and second classes.

(3) The county clerk, elected for two years, who acts as county auditor and makes up the assessment roll for the county.

(4) The county board of equalization, composed of the board of county commissioners.

(5) The state auditor.

[1] This compilation is derived mainly from the General Statutes of Kansas, 1901, by C. F. W. Dassler: Topeka, Kans., 1901.

(6) The state board of equalization, composed of the secretary of state, state auditor, and state treasurer.

(7) The state board of railroad assessors, composed of the auditor of the state, lieutenant governor, secretary of state, attorney-general, and state treasurer.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property in the state, real and personal, not expressly exempt, is subject to taxation.

(1) "Real property," besides the land and improvements, includes mines, minerals, quarries, mineral springs, and wells, rights and privileges appertaining thereto; but certain real estate of railroads is treated as personal property. (See next paragraph.)

(2) "Personal property" includes every tangible thing subject to ownership not forming part of real estate; also all tax sale certificates, judgments, notes, bonds and mortgages, and all evidences of debt secured by lien on real estate; also the capital stock, undivided profits, and all other assets of every company, incorporated or unincorporated, and every share or interest in such stock, profit, or assets, provided the same is not included in other personal property subject to taxation or listed as the property of individuals; and also every share or interest in any vessel or boat used in navigating any of the waters within or bordering on this state, whether such vessel or boat shall be within the jurisdiction of the state or elsewhere; and also all "property" owned, leased, used, occupied, or employed by any railway or telegraph company or corporation within the state, situate on the right of way of any railway.

(3) Exemptions include, in addition to all public property (except land bid off for counties or cities at tax sales); churches; parsonages; public schools; cemeteries; scientific, literary, and benevolent associations; the moneys and credits of universities, colleges, academies, or public schools; fire apparatus and buildings therefor; personal property to the extent of $200 for each family; wearing apparel; public libraries; family libraries and school books up to $50; the meeting hall of any post of the Grand Army of the Republic; money or other benefits of fraternal beneficiary societies; and the uniforms of officers and soldiers of the Kansas National Guard.

b. Assessment.—There is but one assessment for state, county, and municipal purposes, but the state and county roll after equalization may differ from the municipal roll. The assessment is begun by the local assessors and completed or assembled by the county clerk and refers to the 1st day of March. Real property and improvements are assessed together in the even years, except for changes in improvements which are entered annually and except also that cities of the first and second classes may order an annual assessment of real estate. Personal property is assessed annually, and all property, except enumerated classes which might thus escape taxation, is assessed in the township where it has its natural or its legal situs.

Every person of full age and sound mind is required to furnish the assessor a sworn list of his property including the value, which, however, is not binding in any way on the assessor, who is to determine the true value in money from actual view and inspection of the property.

Refusal or failure to submit a sworn list subjects the taxpayer to a penalty of an increase of 50 per cent, to be made by the county clerk on the valuation as returned by the assessor. Submitting a false statement constitutes a misdemeanor, punishable by a fine not to exceed $50 and imprisonment not to exceed ninety days, or both. In case of railroads the penalty is $1,000; in that of telegraph and telephone companies, it is $500 and $100 per day after March 20.

Corporations in general are assessed as are natural persons, except railroad, telegraph, and telephone companies, which are assessed by a state board.

Railroads, including car companies, are assessed by the state board of appraisers and assessors on the basis of a detailed statement as to amount, kind, and value of property, furnished by the companies, and the assessment so made is apportioned to the counties, cities, and townships through which the roads run, on an average valuation per mile. This assessment covers only property necessarily used in connection with the road, other property being assessed by the local assessors.

Telegraph and telephone companies are assessed by the same board, and their valuation is apportioned among the counties only on the basis of mileage.

Banks are nominally assessed upon their real estate only, the shares being assessed in the name of the stockholders, but the bank must pay the taxes on the shares.

The shares of stock in corporations assessed upon their capital or property are not assessed to the shareholders.

Private bankers and building and loan associations are assessed on the monthly average of their capital and undivided profits.

Kansas insurance companies are assessed upon their property as other corporations, but other insurance companies pay a corporation tax.

Mortgages are assessed as other property.

Merchants and manufacturers are assessed upon their average monthly holdings during the year and are required to declare values only.

Debts owing in good faith may be deducted from gross amount of credits.

c. Equalization.—The state board of equalization equalizes the assessment as between the different counties, by adding to or deducting from the assessment in each county such a percentage as may be required, but it may not reduce the aggregate for the state.

2. *Rate*—

The state board of equalization fixes the rate for state purposes and apportions among the several counties the amount which each is required, by law, to raise.

3. *Collection*—

Taxes for state purposes, as well as township and county taxes, are collected by the county treasurers. Taxes become a lien on the property on November 1 in each year. They may be paid in two installments, one-half on or before December 20 and one-half on or before June 20, but if the first installment is not paid when due, the whole tax becomes delinquent and may be collected at once, together with a penalty of 5 per cent on the first installment. All taxes delinquent after June 20 involve an additional penalty of 5 per cent, but if a taxpayer pays both installments in December, he receives a rebate of 5 per cent on the

second installment. Delinquent taxes are collected by the sheriff by seizure and sale of property.

II and III. *Poll tax and inheritance tax.*

There are no state poll or inheritance taxes.

IV. *Corporation taxes.*

There are no corporation taxes other than the general property tax except the local tax on insurance companies.

Mutual life insurance companies pay through the state superintendent of insurance a license of $100 per annum. All insurance companies pay $55 for a certificate of authority; $50 annually for filing annual statements, and $2 for each license granted an agent. Life insurance companies, not organized under the laws of the state, pay 1 cent per thousand insured for valuation of policies. All expenses of the insurance department, over and above fees received are assessed on companies doing business in the state. Every insurance company, domestic or foreign, pays $50 per annum to the school fund. There is also a retaliatory tax on companies of states which tax Kansas companies more heavily than Kansas does such insurance companies.

B. FEES.

For examination by the bank commissioners banks are obliged to pay a fee graduated according to their capital.

Corporations, when receiving charters or authority to do business in Kansas, pay a charter fee to the state treasurer for the benefit of the state school fund—rates, one-tenth of 1 per cent on the first $100,000 of capital stock, one-twentieth of 1 per cent on the next $400,000, $200 for each $1,000,000 or fraction thereof over $500,000; also fees for filing papers, etc.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a and *b*. *The property included and exempt, and the assessment.*—The property included and the method of assessment are the same for the county as for the state.

c. *Equalization.*—The county board of equalization equalizes the assessments of all the taxpayers of the county so as to make such assessments conform to the true money value of their property.

2. *Rate—*

The county commissioners determine the amount of money to be raised for county purposes, and the county clerk computes the rate on each $100 of assessed valuation necessary to raise the amount, subject, however, to the following limitations:

In counties where assessed valuation is $5,000,000 or less, not more than 1 per cent; over $5,000,000 but not over $6,000,000, not more than 8½ mills; over $6,000,000 but not over $7,000,000, not more than 7½ mills; over $7,000,000 but not over $8,000,000, not more than 6½ mills; over $8,000,000 but not over $9,000,000, not more than 5¾ mills; over $9,000,000, not more than ½ per cent.

These rates may be exceeded when so voted by the people.

3. *Collection—*

County taxes are collected, as are state and township taxes, by the county treasurer.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

The counties levy no poll tax, there is no inheritance tax, and they receive no part directly of the special corporation taxes which are assessed against insurance companies.

V. *Business taxes and licenses.*

Ferry license rates may be fixed by county commissioners, $10 to $500.

Druggists who sell spirits for medical, scientific, or mechanical purposes pay an annual fee of $5.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization are practically the same as for state and county purposes. Local taxes are levied on the assessment roll as equalized by the county board without necessarily being corrected for state equalization. The property of telegraph and telephone companies, except their local real estate, is not apportioned below the counties, as there is no municipal tax on such companies.

2. *Rate—*

The rate expressed as a percentage, or in mills on the dollar, is fixed by the mayor and councilmen in cities, by the trustees in townships (with the concurrence of the county commissioners), or in cities which constitute school districts and in school districts, by the boards of education and school boards.

In cities of the first class the rate is not to exceed 6 mills on the dollar for the general fund; 6 mills for general improvements, excepting improvements for which special assessments are levied (debt charges are not included in these limits); nor for all taxes together, exclusive of school, waterworks, sewer, and special improvement taxes, 2 per cent. A tax not to exceed 2 mills may be levied for water supply.

In cities of the second class the rate for general revenue may not exceed 10 mills on the dollar; for general improvements, 5 mills; nor for all taxes together, exclusive of school taxes, 4 per cent.

In cities of the third class the rate limits are the same as for the second class, except that for general improvements, which is 10 mills, and there may also be a tax not to exceed 3 mills for parks.

For school purposes, the inhabitants of school districts may vote a tax up to 2 per cent. In cities of class 1 under 30,000 inhabitants the school tax may not exceed 8 mills; over 30,000, 12 mills, plus 3 mills for buildings; in cities of class 2, 15 mills; class 3, 2 per cent.

3. *Collection—*

Municipal taxes are collected by the county treasurer.

II. *Poll tax.*

In townships all males 21 to 45 years of age who have resided in the state thirty days, who are capable of performing labor on the public highways, and are not a township charge, are liable each year to perform two days' work of eight hours each on the public roads, under the direction of the road overseer within whose district they may respectively reside, or furnish

a substitute to do the same, or pay the sum of $1.15 per day to the road overseer.

Cities of the first class are road districts, and the same provisions apply in general except that the day is ten hours and the tax is collected by the street commissioners.

Cities of the second and third classes may levy a poll tax, not exceeding $1, on all able-bodied males between 21 and 50 years of age.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Municipalities are benefited by a tax on fire insurance companies. Such companies organized under the laws of other States of the United States pay 2 per cent on premiums received in incorporated cities in Kansas, which maintain a regularly organized fire department under the control of the mayor and council of such cities. Fire insurance companies organized under the laws of foreign companies pay a similar tax of 4 per cent. This tax is paid to the superintendent of insurance, and is by him paid to the firemen's relief associations of the several cities in which collected. It appears among the receipts from business taxes in such cities.

V. *Business taxes and licenses.*

In cities of the first class the mayor and councilmen have power to license and tax "any and all callings, trades, professions, and occupations" within the city limits. There is a long list of specified callings and objects which may be licensed. They may also tax the owners and harborers of dogs.

In cities of the second class the power to license is limited to the specified callings, the list being practically the same as for cities of the first class; there is also a dog tax.

In cities of the third class the list is similar but briefer; these cities may also levy the dog tax.

Billiard and pool tables and bowling alleys outside the cities pay not less than $50 to the townships.

KENTUCKY.[1]

Explanatory notes.—The revenue laws of Kentucky were revised by a statute which went into effect on March 29, 1902. The census year in this state is July 1, 1902, to June 30, 1903. The assessment of property is made as of September 15 in each year, taxes are due after the 1st of March and delinquent after the 1st of December. The larger part of the property taxes collected during the fiscal year 1902–3 were therefore from the assessment made in September, 1901, under the old law. Licenses and certain other revenues came under the new law.

By an amendment to the constitution, adopted in November, 1903, the legislature was authorized to enact laws permitting all cities and towns in the state to substitute for municipal purposes a tax based on income, licenses, and franchises in lieu of an ad valorem tax on personal property. The legislature passed such an act on March 18, 1904.

The revenue system of Kentucky is that of a general property tax largely supplemented by license taxes. There are no special corporation taxes except on foreign insurance companies, but there is a heavy organization tax on corporations, and the special franchises of public service corporations are assessed by a state board. There is no inheritance tax.

A special feature of the Kentucky system is that the auditor may appoint revenue agents in each county to assess property omitted from the rolls and to bring in taxes which would otherwise be evaded. They receive a commission of 20 per cent on all taxes they collect.

CONSTITUTIONAL PROVISIONS.

Sec. 59. The general assembly shall not pass local nor special acts concerning any of the following subjects, nor for any of the following purposes, namely:

* * * 15. To authorize or to regulate the levy, the assessment, or the collection of taxes, * * *.

Sec. 157. The tax rate of cities, towns, counties, taxing districts, and other municipalities, for other than school purposes, shall not, at any time, exceed the following rates upon the value of the taxable property therein, viz: For all towns or cities having a population of fifteen thousand or more, one dollar and fifty cents on the hundred dollars; for all towns or cities having less than fifteen thousand and not less than ten thousand, one dollar on the hundred dollars; for all towns or cities having less than ten thousand, seventy-five cents on the hundred dollars; and for counties and taxing districts, fifty cents on the hundred dollars; unless it should be necessary to enable such city, town, county, or taxing district to pay the interest on, and provide a sinking fund for the extinction of indebtedness contracted before the adoption of this constitution.

Sec. 170. There shall be exempt from taxation public property used for public purposes; places actually used for religious worship, with the grounds attached thereto and used and appurtenant to house of worship, not exceeding one-half acre in cities or towns, and not exceeding two acres in the country; places of burial not held for private or corporate profit, institutions of purely public charity, and institutions of education not used or employed for gain by any person or corporation, and the income of which is devoted solely to the cause of education; public libraries, their endowments, and the income of such property as is used exclusively for their maintenance; all parsonages or residences owned by any religious society, and occupied as a home, and for no other purpose, by the minister of any religion, with not exceeding one-half acre of ground in towns and cities and two acres of ground in the country appurtenant thereto; household goods and other personal property of a person with a family, not exceeding two hundred and fifty dollars in value; crops grown in the year in which the assessment is made, and in the hands of the producer; and all laws exempting or commuting property from taxation other than the property above mentioned shall be void. The general assembly may authorize any incorporated city or town to exempt manufacturing establishments from municipal taxation, for a period not exceeding five years, as an inducement to their location.

Sec. 171. The general assembly shall provide by law an annual tax, which, with other resources, shall be sufficient to defray the estimated expenses of the commonwealth for each fiscal year. Taxes shall be levied and collected for public purposes only. They shall be uniform upon all property subject to taxation within the territorial limits of the authority levying the tax; and all taxes shall be levied and collected by general laws.

Sec. 172. All property, not exempted from taxation by this constitution, shall be assessed for taxation at its fair cash value, estimated at the price it would bring at a fair voluntary sale; and any officer, or other

[1] This compilation is derived mainly from the following sources:
The Kentucky Statutes, second edition, prepared by John D. Carroll, 1899.
The Session Laws of 1900.
The Session Laws of 1902.

person authorized to assess values for taxation, who shall commit any willful error in the performance of his duty, shall be deemed guilty of misfeasance, and upon conviction thereof shall forfeit his office, and be otherwise punished, as may be provided by law.

SEC. 174. All property, whether owned by natural persons or corporations, shall be taxed in proportion to its value, unless exempted by this constitution; and all corporate property shall pay the same rate of taxation as is paid by individual property. Nothing in this constitution shall be construed to prevent the general assembly from providing for taxation based on income, licenses, or franchises.

SEC. 175. The power to tax property shall not be surrendered or suspended by any contract or grant to which the commonwealth shall be a party.

SEC. 180. The general assembly may authorize the counties, cities, or towns to levy a poll tax not exceeding one dollar and fifty cents per head. * * *

SEC. 181. (Provides that the general assembly shall not levy taxes or licenses for counties and municipalities, but may authorize them to do so.)

SEC. 182. Nothing in this constitution shall be construed to prevent the general assembly from providing, by law, how railroads and railroad property shall be assessed and how taxes thereon shall be collected. And, until otherwise provided, the present law on said subject shall remain in force.

OFFICERS.

The officers most directly concerned with taxation are:

(1) A county assessor in each county, elected for a term of four years and not eligible for reelection.

(2) The city assessors: In cities of the first class, elected by the general council for four years; in cities of the second class, elected by the voters for four years; in cities of the third class, elected by the council for two years; in cities of the fourth class, appointed by the council or elected for four years; in cities of the fifth class, appointed by the council for two years; in cities of the sixth class, appointed by the trustees for two years.

(3) The sheriff, who is county tax collector.

(4) The city tax collectors: In cities of the first class, a tax receiver, elected for four years; in cities of the second class, the treasurer, who collects taxes; in cities of the third class, a tax collector, elected annually by the council; in cities of the fourth class, a tax collector, appointed for two years by the council; in cities of the fifth class, the marshal, who collects taxes; in cities of the sixth class, the marshal, who collects taxes.

(5) The county board of supervisors of taxes (not a governing or legislative body), generally of five members, appointed by the county judge each year. In counties where there are cities of the first and second classes three additional, and in those where there are cities of the third and fourth classes, two additional members are appointed. This board acts as a board of review and equalizes the assessment as between individuals.

(6) The city boards of equalization: In cities of the first class, a board of equalization of three persons, elected annually by the board of aldermen; in cities of the second class, a board of equalization of three persons, appointed annually by the mayor with the consent of the general council; in cities of the third class, a board of tax supervisors of three persons, appointed annually by the mayor; in cities of the fourth class, three supervisors of taxes, appointed annually by the board of council; in cities of the fifth class, a board of equalization of three persons, appointed annually by the city council: in cities of the sixth class, a board of equalization of three persons, appointed annually by the board of trustees.

(7) The state board of equalization of assessments, composed of one person from each appellate district in the state, appointed by the governor, together with the auditor of public accounts. The term is two years.

(8) Revenue agents: One in each county may be appointed by the auditor of public accounts, with powers to search for and assess property omitted from the assessment rolls. He receives a commission of 20 per cent of the taxes recovered, which is levied as a penalty in addition to the taxes. The total amount must not exceed $5,000 per annum.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—"All real and personal estate within this state, and all personal estate of persons residing in this state, and of all corporations organized under the laws of this state, whether the property be in or out of this state, including intangible property, which shall be considered and estimated in fixing the value of corporate franchises as hereinafter provided, shall be subject to taxation unless exempt by the constitution."

(1) "Real estate" includes all lands and improvements.

(2) "Personal estate" includes every other species and character of property—that which is tangible as well as that which is intangible.

The franchises of corporations having any special or exclusive privileges not allowed by law to natural persons, or performing any public service, are taxable.

Mortgages are taxable as personal property. No deduction on account of mortgages is allowed on the assessed value of land.

Shares of stock in corporations taxed upon their franchises are not taxed, but shares of stock in national banks are taxed to the stockholders and the banks are not taxed.

(3) For the list of exemptions, see Constitution, section 170. Nothing else may be exempted.

b. Assessment.—The assessment of property for taxation is made by the local assessors, except railroad property, assessed by the railroad commission, and the franchises of certain corporations, and distilled spirits, which are assessed by the state board of valuations and assessments.

Each taxpayer is required to make to the assessor a statement under oath of his property and its fair cash value. The assessor, however, is not bound by such statement, but is required to fix the value himself.

The assessment refers to the 15th day of September and is completed by the 1st of January. Rendering a false statement is treated as a misdemeanor, subject to a fine of not over $500 and to the additional penalty of three times the amount of the tax otherwise due. Refusal to list property is subject to a fine of not over $100.

Railroad property is returned to the state auditor and the returns so made are reviewed by the railroad commission. The assessment is by the unit rule and apportioned on a mileage basis.

The franchise of every railroad company or corporation, and every incorporated bank, trust company, guarantee or security company, gas company, water company, ferry company, bridge company, street railway company, express company, electric light company, electric power company, telegraph company, press dispatch company, telephone company, turnpike company, palace car company, dining car company, sleeping car company, chair car company, and every

other like company, corporation, or association having any special or exclusive privilege or franchise not allowed by law to natural persons, or performing any public service, is assessed by a board of valuation and assessment composed of the auditor, treasurer, and secretary of state, on the basis of sworn returns from the officers of the company. The valuation is based upon the market value of the capital stock and apportioned, when business is done in more than one state, in proportion to gross earnings.

When persons, or associations not incorporated, engage in any similar business, they are to be assessed for a franchise in the same manner.

The assessments so made are apportioned among the counties, cities, towns, and taxing districts in the state. In the case of carriers and the like this is done on the basis of mileage. In other cases it is done as nearly as may be according to the location of the property.

The assessment of turnpike road franchises is made in a manner similar to the above by the county supervisors in each county in which the road lies.

Distilled spirits in any bonded warehouse are also assessed by the board of valuations and assessments.

Property not listed by the assessor or by the board of supervisors of taxes may be listed by the sheriff or by the auditor of revenue agents.

Individual stockholders in corporations above enumerated are not assessed upon their shares, except stockholders in national banks.

The assessor is paid for his services by commissions: 4 cents on each $100 of the first $1,000,000 and 1½ cents on each $100 of the excess over $1,000,000, but not to exceed $4,000 in any one year. In counties where the assessed value exceeds $38,000,000 the assessor is allowed as compensation for deputies $1,000 for each $7,500,000 in excess of $38,000,000. In counties where the assessment does not exceed $1,000,000 the assessor is allowed 4½ cents per $100.

c. Equalization.—The county board of supervisors of taxes acts as a board of review, with power to raise or lower any list and correct errors in assessment books, but it may not add property that has wholly escaped assessment, that being done by the sheriff or auditor's agent. It also hears and passes on complaints. An appeal lies to the county court.

The state board of equalization equalizes between counties. It is to ascertain the value of real estate from the recorded transfers, and is to take 70 per cent of such values as the basis for raising or lowering the assessment returned in each county. The assessment of personal property is raised or lowered in the same proportion as the assessment of real property.

2. *Rate—*

The rate of taxation for state purposes is fixed by statute and changed only by legislative enactment.

In 1897 it was fixed at 52½ cents for the next three years, when it was to become 47½ cents on each $100 of valuation. In 1902 it was fixed at 50 cents.

3. *Collection—*

All taxes—state, county, and district—are collected by the sheriff between March 1 and November 1. The taxes are due on and after March 1, and become delinquent on December 1, when 6 per cent penalty is added. The sheriff is required to pay a 6 per cent penalty on all taxes not collected by him prior to January 1. On and after March 1 he has power, after demand, to collect by distraint, and real estate may be sold if no personalty be found.

The sheriff is paid by commissions: 10 per cent on the first $5,000 and 4 per cent on the residue.

II and III. *Poll tax and inheritance tax.*

There are no state poll or inheritance taxes.

IV. *Corporation taxes.*

Most corporations are taxed under the general property tax. But the tax on the franchise of certain general classes of public service corporations, while strictly a part of the property tax, is in a sense analogous to a special corporation tax. (See State revenues, A, I. 1 *b*, above.)

Every corporation is required to pay an "organization tax" of 1 per cent on the authorized capital stock at the time of organization, and upon each increase of the capital. This tax is so much larger than the fees usually required for granting charters that it is classed here rather than under "fees." It is, however, not a recurrent tax and resembles a fee.

Life insurance and guarantee companies, foreign, other than fraternal, pay 2 per cent on premiums received in the state; foreign building and loan associations, 2 per cent on gross receipts; and foreign insurance companies, other than life, 2 per cent on premiums received in the state. Domestic insurance companies are taxed on their property, including their franchises.

V. *Business taxes and licenses.*

State licenses are issued by the county clerks, except liquor licenses, which are granted by the county court.

The rates given here are those of the law of 1902:

Tavern or hotel, per annum, $10; tavern or hotel selling malt liquor, per annum, $60; tavern or hotel selling vinous liquor, per annum, $110; tavern or hotel selling spirituous and other liquor, per annum, $235; to retail malt liquor, per annum, $50; to retail spirituous and vinous liquors, per annum, $100; to retail playing cards, per annum, $10; to retail pistols, per annum, $100; to retail bowie knives, dirks, brass knuckles, per annum, $100; pawnbrokers, per annum, $500; trading stamp companies, each county, per annum, $10; bowling alleys in counties over 25,000, per annum, $50; bowling alleys in counties under 25,000, per annum, $25; distillers, per annum, $100; manufacturers of vinous liquors, per annum, $50; merchants selling liquor, per annum, $100; druggists selling liquor, per annum, $75; circuses, etc., per hundred voters in county and per exhibition, $1, not to exceed per exhibition $50; side shows, one-half rate; tobacco factories with products less than $100,000, per $1,000, $1; tobacco factories with products in excess of $100,000, per $1,000, 50 cents; cigarettes, per $1,000 of products, $2.50; slaughterhouses, packing houses, etc., on value of products, one-half of 1 per cent; retailing cigarettes, per annum, $10; wholesaling cigarettes, per annum, $100; oil depots, per annum, $10; retailing oil, per annum, $5; foreign manufacturers and dealers in cigarettes on sale in state, per $1,000, $5; on standing stud-horse, jack, or bull for service, a sum equal to the highest price charged, whether for the season or for issuance; peddlers for entire state—one person, two-horse wagon, per annum, $50; one person, one-horse wagon, per annum, $40; one person, horseback, per annum, $30; one person, on foot, per annum, $20; itinerant vendors, per annum, $100; each assistant, per annum, $100; peddlers in one county only, one-quarter rates; peddlers of lightning rods and patent rights, double rates; rectifiers of single stamp spirits whose sales aggregate 500 barrels or less, per annum, $100; sales 500 to 1,000 barrels, per annum, $200; sales over 1,000 barrels, per annum, $300; breweries, per annum, $200; agencies of breweries, per annum, $25; wholesale dealers in wines, ales, and mineral waters, per annum, $200.

B. FEES.

By the commissioner of insurance.—Filing charter, $30; filing annual statement, $25; agent's license other than life companies, $3; agent's

license, life companies, $5; agent's license, industrial life, $2; declaration of intention to form company, $30; supplemental statement, $25.

In place of the usual fees for incorporation all corporations pay an organization tax of 1 per cent on their capital. (See under State revenues, A, IV, above.)

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the method of assessment and of equalization are the same for county as for state taxation.

2. *Rate—*

The rate is fixed by the fiscal court of each county. It may not exceed 50 cents on each $100 of assessed valuation, except to cover debt charges.

3. *Collection—*

Taxes for county purposes are collected as are state taxes.

II. *Poll tax.*

(The fact is here noted that poll taxes are levied by counties both in the shape of a money levy of $1 per capita for roads and bridges, and also of work on the roads. The county fiscal court may require six days of labor from each able-bodied male in the county outside of cities and towns, and they may pay for their labor or not in their discretion. The amount of poll taxes collected in 1902 by counties for road purposes, plus the amount of labor performed, was reported of a value of $640,000 for the state.)

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes.

V. *Business taxes and licenses.*

The counties do not receive any revenues from business taxes or licenses.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—The property included is substantially the same as for state taxation, except that municipalities may exempt manufacturing establishments for a term not exceeding five years.

b. Assessment.—The assessment for municipal purposes is made by assessors, elected in the different cities, practically the same as for state taxation. But cities have an independent valuation.

c. Equalization.—Cities may have their own board of equalization. (See list of officers.)

2. *Rate—*

For limitation of the rates which may be levied, see constitution, section 157.

In general the levy is made by the council or trustees.

In cities of the first, second, third, and fourth classes the additional levy for school purposes may not exceed 50 cents per $100 of assessed valuation. In cities of the fifth class the rate is limited to 75 cents and in cities of the sixth class to 50 cents per $100 of assessed valuation.

3. *Collection—*

The method is essentially the same as for state taxation.

II. *Poll tax.*

In all cities the council or other legislative authority has power to levy a poll tax on all adult males of not to exceed $1.50.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Corporations generally are taxed on their property and franchises for municipal in the same manner as for state purposes. In cities of the first class, street railway, telephone, and gas and electric light plants may be taxed from 2½ to 3½ per cent on their gross receipts, the assessment being made by the state board.

V. *Business taxes and licenses.*

Liquor licenses in cities are not less than $150 nor more than $1,000. The common council or other legislative authority may in cities of all classes impose license fees on stock used for breeding purposes, or on franchises, trades, occupations, and professions.

School Revenues.

The school funds are provided by interest upon obligations continued by the commonwealth and by a state tax of 22 cents on each $100 of assessed valuation of property. Special taxes both on polls and on property for buildings, etc., may be voted in the districts, and the same proportion of all fees, fines, forfeitures, and licenses as the taxes for schools bear to all taxes is also paid into the school fund.

LOUISIANA.[1]

Louisiana has a revenue system composed of the general property tax and an extensive list of license taxes. The characteristic feature of the system is the complete uniformity of state and local taxation. The constitution of 1898 embodied nearly all of the important provisions of the revenue laws.

[1] This compilation is derived mainly from the Constitution and Revised Laws of Louisiana, by Solomon Wholf; second edition, 1904.

CONSTITUTIONAL PROVISIONS.

Art. 48. The general assembly shall not pass any local or special law on the following specified subjects:

* * * * * * *

Sec. 16. Exempting property from taxation.

Art. 198. No person less than sixty years of age shall be permitted to vote at any election in this state who shall not * * * have paid, on or before the thirty-first day of December of each year, for the two years preceding the year in which he offers to vote, a poll tax of one dollar per annum, to be used exclusively in aid of the public schools of the parish in which such tax shall have been collected, which tax is hereby imposed on every male resident of this state between the ages of twenty-one and sixty years. Poll taxes shall be a lien only upon assessed property, and no process shall issue to enforce collection of the same except against assessed property.

Art. 224. The taxing power may be exercised by the general assembly for state purposes, and by parishes and municipal corporations and public boards, under authority granted to them by the general assembly, for parish, municipal, and local purposes strictly public in their character.

Art. 225. Taxation shall be equal and uniform throughout the territorial limits of the authority levying the tax, and all property shall be taxed in proportion to its value, to be ascertained as directed by law: *Provided*, The assessment of all property shall never exceed the actual cash value thereof: *And provided further*, That the taxpayers shall have the right of testing the correctness of their assessments before the courts of justice. In order to arrive at this equality and uniformity, the general assembly shall, at its first session after the adoption of this constitution, provide a system of equality and uniformity in assessments, based upon the relative value of property in the different portions of the state. The valuations put upon property for the purposes of state taxation shall be taken as the proper valuation for purposes of local taxation in every subdivision of the state.

Art. 226. There shall be, and is hereby, created a state board of appraisers, whose duty it shall be to assess the property belonging to corporations, associations, and individuals employed in railway, telegraph, telephone, sleeping car, and express business throughout the state of Louisiana, which board of appraisers shall be composed of the auditor and other members corresponding in number to the congressional districts of the state, to be elected by the governor, treasurer, attorney-general, and secretary of state, one member from each congressional district, for the term of four years, and the general assembly shall fix the compensation of said board. (As amended in 1902; formerly read "property employed by," and provided six members, elected as above.)

Art. 227. The taxing power shall be exercised only to carry on and maintain the government of the state and the public institutions thereof, to educate the children of the state, to preserve the public health, to pay the principal and interest of the public debt, to suppress insurrection, to repel invasion or defend the state in time of war, to provide pensions for indigent Confederate soldiers and sailors and their widows, to establish markers or monuments upon the battlefields of the country commemorative of the services of Louisiana soldiers on such fields, to maintain a memorial hall in New Orleans for the collection and preservation of relics and memorials of the late Civil War, and for levee purposes, as hereinafter provided.

Art. 228. The power to tax corporations and corporate property shall never be surrendered nor suspended by act of the general assembly.

Art. 229. The general assembly may levy a license tax, and in such case shall graduate the amount of such tax to be collected from the persons pursuing the several trades, professions, vocations, and callings. All persons, associations of persons, and corporations pursuing any trade, profession, business, or calling, may be rendered liable to such tax, except clerks, laborers, clergymen, school teachers, those engaged in mechanical, agricultural, horticultural, and mining pursuits and manufacturers other than those of distilled, alcoholic, or malt liquors, tobacco, cigars, and cottonseed oil. No political corporation shall impose a greater license tax than is imposed by the general assembly for state purposes. This restriction shall not apply to dealers in distilled, alcoholic, or malt liquors.

The general assembly shall have authority to provide that municipalities levying license taxes equal in amount to those levied by police juries for parochial purposes, shall be exempted from the payment of such parochial licenses.

Art. 230. The following shall be exempt from taxation and no other, viz: All public property; places of religious worship or burial; the rectories and parsonages of churches and grounds thereunto appurtenant, used exclusively as residences for the ministers in charge of such churches; all charitable institutions; all buildings and property used exclusively for public monuments or historical collections, colleges, and other school purposes; the real and personal estate of any public library, and that of any other library association used by or connected with such library; all books and philosophical apparatus, and all paintings and statuary of any company or association kept in a public hall: *Provided*, That the property so exempted be not leased for purposes of private or corporate profit or income. There shall also be exempted from taxation household property to the value of five hundred dollars. There shall also be exempt from parochial or municipal taxation for a period of ten years from the 1st of January, 1900, the capital, machinery, and other property employed in mining operations, and in the manufacture of textile fabrics, yarns, rope, cordage, leather, shoes, harness, saddlery, hats, clothing, flour, machinery, articles of tin, copper, and sheet iron, agricultural implements, and furniture and other articles of wood, marble, or stone; soap, stationery, ink and paper, boat building, and fertilizers and chemicals; provided, that not less than five hands are employed in any one factory: *Provided*, That nothing herein contained shall affect the exemption provided for by the existing constitutional provisions. (As amended in 1902. The additions were the rectories and parsonages.)

There shall also be exempt from taxation for a period of ten years from the date of its completion any railroad or part of such railroad that may hereafter be constructed and completed prior to January 1, 1904: *Provided*, That when aid has heretofore been voted by any parish, ward, or municipality to any railroad not yet constructed, such railroad shall not be entitled to the exemption from taxation herein established, unless it waives and relinquishes such aid or consents to a resubmission of the question of granting such aid to the vote of the property taxpayers of the parish, ward, or municipality which has voted the same, if one-third of such taxpayers petition for the same within six months after the adoption of this constitution.

And provided further, That this exemption shall not apply to double tracks, sidings, switches, depots, or other improvements or betterments, which may be constructed by railroads now in operation within this state, other than extensions or new lines constructed by such railroads; nor shall the exemption hereinabove granted apply to any railroad or part of such railroad, the construction of which was begun and the roadbed of which was substantially completed at the date of the adoption of this constitution.

The property or real estate belonging to any military organization of the state of Louisiana which is used by the State National Guard or militia for military purposes, such as arsenals or armories, while so used, shall be exempt from taxation.

Art. 231. The general assembly shall levy an annual poll tax of one dollar upon every male inhabitant in the state between the ages of twenty-one and sixty years, for the maintenance of the public schools in the parishes where collected.

Art. 232. The state tax on property for all purposes whatever, including expenses of government, schools, levees, and interest, shall not exceed, in any one year, six mills on the dollar of its assessed valuation, and, except as otherwise provided in this constitution, no parish, municipal or public board tax for all purposes whatsoever, shall exceed in any one year ten mills on the dollar of valuation: *Provided*, That for giving additional support to the public schools, and for the purpose of erecting and constructing public buildings, public schoolhouses, bridges, wharves, levees, sewerage work, and other works of permanent public improvement, the title to which shall be in the public, any parish, municipal corporation, ward, or school district may levy a special tax in excess of said limitation, whenever the rate of such increase and the number of years it is to be levied and the purpose or purposes for which the tax is intended, shall have been submitted to a vote of the property taxpayers of such parish, municipality, ward, or school district entitled to vote under the election laws of the state, and a majority of the same in numbers, and in value, voting at such election shall have voted therefor.

Art. 233. (Provides for the sale of property for delinquent taxes, for its redemption, and for the limitation of actions therefor, etc.)

ART. 234. The tax shall be designated by the year in which it is collectible, and the tax on movable property shall be collected in the year in which the assessment is made.

ART. 235. The legislature shall have power to levy solely for the support of the public schools, a tax upon inheritances, legacies, and donations: *Provided*, That no direct inheritance, or donation, to an ascendant or descendant, below ten thousand dollars in amount or value shall be so taxed: *Provided further*, That no such tax shall exceed three per cent for direct inheritances and donations to ascendants or descendants, and ten per cent for collateral inheritances, and donations to collaterals or strangers: *Provided*, That bequests to educational, religious, or charitable institutions shall be exempt from this tax.

ART. 236. The tax provided for in the preceding article shall not be enforced when the property donated or inherited shall have borne its just proportion of taxes prior to the time of such donation or inheritance.

ART. 238. (Provides for a one-mill tax for levees.)

ART. 239. (Provides for levee districts and a ten-mill tax on property therein.)

ART. 242. Corporations, companies, or associations organized or domiciled out of the state, but doing business therein, may be licensed and taxed by a mode different from that provided for home corporations or companies; provided said different mode of licenses shall be uniform, upon a graduated system, and said different mode of taxation shall be equal and uniform as to all such corporations, companies, or associations that transact the same kind of business.

ART. 243. All the articles and provisions of this constitution regulating and relating to the collection of state taxes and tax sales shall also apply to and regulate the collection of parish, district, municipal, board, and ward taxes.

ART. 270. (Provides that the general assembly may authorize parishes, etc., to levy special taxes by vote of the property taxpayers for special improvements and for railroads.)

ART. 281. (Provides for drainage district taxes.)

ART. 291. (Provides for a road district tax to be levied by the police jury of at least one mill and a per capita tax of not more than one dollar on all able-bodied males between eighteen and fifty-five years of age, and license taxes of not less than twenty-five cents nor more than one dollar on vehicles.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The assessors, one in each parish, appointed by the governor, who hold office for four years and are paid by commissions. In the parish of Orleans the governor appoints seven tax assessors, one from each municipal district, who are paid salaries.

(2) The police juries of the various parishes, who act as a board of review.

(3) The sheriff of each parish is ex officio tax collector. But in Orleans parish the governor appoints seven tax collectors, by districts. They are paid by commissions.

(4) The state board of appraisers, composed of the auditor and one member from each congressional district, appointed by the governor, treasurer, attorney-general, and secretary of state, which assesses the property belonging to corporations, associations, and individuals employed in railway, telegraph, telephone, sleeping car, and express business.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property situated in the state, except such as is expressly exempt, is subject to taxation.

(1) and (2) The term "property" is defined to include all real estate; interests in ships or vessels used in the waters of the state; railroads, roads, canals, and other ways of communication; engines, boilers, etc.; telephone and telegraph lines; machines and machinery; vehicles; patents, copyrights, trade marks, privileges, charters, and franchises; lumber, brick, and building materials; all movable property; all personal property; consigned goods; liquors; and many other enumerated articles. All crops, whether garnered or growing, are regarded as attached to the land.

No deduction from cash on hand is allowed for any money owed.

Assets of banking corporations whose shares of stock are taxed are exempt.

(3) The exemptions are all stated in the constitution. (See article 230.)

b. Assessment.—There is but one assessment for state, parish, and municipal purposes, and that is made by the assessors appointed for the parishes, except as specified below. The assessor makes up the list for each taxpayer, who is required to furnish all needful information and to sign and swear to the list. The oath also covers the valuations of lands. In assessing mercantile firms the average capital is to be ascertained. The assessor in arriving at values is to acquaint himself with the amount of insurance carried and the purchase price paid, and must examine the records of mortgages and conveyances. The assessment must be at actual cash value, and is made on the 1st of March, "on the basis of the condition of things that existed on the 1st day of January." Making a false tax list is punishable as perjury, and failure to make a list works estoppel of the rights of the taxpayer to contest the assessments.

Shares of stock of national banks are assessed to the shareholders at the place where the bank is located and at the value as shown by the books less the real estate taxed to the bank.

Corporations, other than the above, are assessed upon their property.

The real estate, roadbeds, roads, iron, tracks, superstructures, excavations, and channels of railroads, canals, and other transportation or telegraph companies, are assessed in the parish where located; all other property is taxed at the principal office; but the rolling stock or movable property of such corporations which is only partly in the state is assessed on the ratio of miles in the state to total mileage. This assessment is made by the state board of appraisers.

c. Equalization.—The police juries (in New Orleans, a committee of the city council) act as a board of reviewers to revise and correct the assessment rolls and to pass upon complaints. But they can not change any valuations without the concurrence of the assessors. If concurrence can not be had, the assessment as originally made stands unless the taxpayer demands that it be adjudicated by the court, in which case it is carried before the court by the board. But the taxpayer may in any event bring action for relief.

The assessment of railroad, telegraph, and telephone lines passing through different parishes is equalized by a board composed of one member of each of the police juries in the parishes through which the roads, etc., run.

2. *Rate—*

The rate is fixed by statute.

In 1902 it was 2 mills on the dollar for interest, 1 mill on the dollar for levees, 1½ mills on the dollar for public education, 1½ mills on the dollar for general purposes—total, 6 mills, as fixed by the constitution.

3. *Collection—*

Taxes—state, parish, and local—are collected by the sheriff (in Orleans parish, by six tax collectors). The lien for taxes attaches on the day the tax roll is completed and filed with the recorder of mortgages, which is to be as soon as possible after September 1, and this lien becomes a prior mortgage on December 31, at which time taxes begin to draw interest at 2 per cent a month. The taxpayer in addition has to bear the expense of notice, advertisement, and sale. (See Constitution.) Taxpayers may point out the particular parcels of property to be sold, but the tax collector may seize movables without notice.

Tax collectors are paid by commissions at 5 per cent of all state and parish taxes collected and the regular fees for and seizure and sale of property.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

There is no state inheritance tax. The old inheritance tax was declared unconstitutional in 1897. A new inheritance tax was provided by law in 1904, which, however, is a parish tax for schools. (See Parish revenues and Municipal revenues.)

IV. *Corporation taxes.*

Certain corporations are specially taxed under the system of license taxes. (See particularly V. Manufacturers, Banks, Insurance companies, Foreign corporations.)

V. *Business taxes and licenses.*

Manufacturers—In twenty-five classes, according to gross annual receipts. The lowest class consists of those with receipts less than $25,000 per annum, for which the tax is $15, and the highest class consists of those whose receipts are over $10,000,000, in which case the tax is $8,000. The rates approximate roughly $7 per $10,000.

Banks—In fourteen classes, according to capital and surplus. The lowest class consists of those with a nominal capital and surplus of $50,000 or less, and the highest, of all over $5,000,000. The rates range from $50 to $4,500. The scale of rates is slightly irregular, but approximates $1 per $1,000.

Private banks—In four classes, by capital. The lowest class consists of those under $150,000, and the highest, of those over $500,000. The rates range from $75 to $500, are in irregular gradation, but approximate $1 per $1,000.

Factors, commission men, and brokers—In seventeen classes. The lowest class consists of those whose gross annual commissions are $5,000 or under; the highest, of those over $250,000. The rates range from $25 to $1,750, are very irregular, but approximate 8 per cent.

Pawnbrokers—With capital of $50,000 or more, $500; with capital of less than $10,000, $375.

Wholesale mercantile business—In sixteen classes. The lowest class consists of those whose gross sales are $250,000 or less, and the highest, of those whose gross sales are $7,000,000 or over. The rates range from $50 to $3,500, are irregular, but approximate $2 per $10,000.

Retail mercantile business—In twenty-four classes. The lowest class consists of those whose gross sales are $5,000 or less, and the highest, of those whose gross sales are $3,500,000 or over. The rates range from $5 to $3,500 and are $1 per $1,000 of the lower limit of each class.

Insurance companies.—(*a*) Life and accident companies, in sixty-nine classes, according to gross premiums received in the state. The lowest consists of those whose gross premiums are $20,000 or less, and the highest, of those whose gross premiums are $700,000 or more. The rates range from $150 to $5,250, rising by regular stages of $75 each, and amount to $75 per $10,000. (*b*) Fire, marine, and other insurance companies, in thirty classes, according to gross premiums in the state. The lowest consists of those whose gross premiums are $15,000 or less, and the highest, of those whose gross premiums are $300,000 or more. The rates range from $150 to $4,500, rising by stages of $75 at first for every $10,000 increase, then by stages of $150 for $20,000 increases, or roughly, $75 per $10,000.

Transfer and express lines, tug boats, collection agencies, storage warehouses, and landings—In ten classes, according to gross annual receipts. The lowest consists of those whose gross receipts are under $25,000, and the highest, of those whose gross receipts are $500,000 or more. The rates range from $30 to $400 and are sharply regressive, being $1.20 per $1,000 at the bottom and only 80 cents per $1,000 at the top. Warehouses receiving less than $350 are exempt.

Storage of sugar and molasses—In nine classes, according to gross receipts. The lowest consists of those whose gross receipts are $3,000, and the highest, of those whose gross receipts are $20,000. The rates range from $75 to $1,000 in very irregular grades.

Refining sugar and molasses—One-eighth of 1 per cent upon the gross receipts.

Urban horse, steam, or electric railroads—Three-eighths of 1 per cent of the annual gross receipts; but in cities of less than 50,000 inhabitants, three classes: First class, gross receipts $25,000 or over, $100; second class, gross receipts $3,000 and under $25,000, $50; third class, gross receipts less than $3,000, $15.

Debenture, redemption, loan, and investment companies—In ten classes, according to gross receipts, the lowest consists of those whose gross receipts are $10,000 or less; the highest, of those whose gross receipts are $300,000 or more. The rates range from $75 to $3,000 and are roughly 1 per cent.

Carrying on the business of gaslight, electric light, waterworks, shoot the chutes, miniature railroads, sawmills employing ten or more hands, telegraphing (including local and district telegraph), telephoning, express company, cotton compress or ginnery, cotton pickery, slaughterhouse, distillery and rectifying alcoholic or malt liquors, brewing ale, beer, porter, or other malt liquors; manufacturing tobacco, cigars, and cigarettes; refining sugar and molasses, or either of them; manufacturing cottonseed-oil, oil cake, or cottonseed meal—With some minor exemptions, in twenty classes, according to gross annual receipts: the lowest consisting of those whose gross receipts are under $15,000, and the highest, of those whose gross receipts are $2,000,000 or over. The rates range from $20 to $6,250, being irregular and approximately $2.25 per $1,000.

Theaters, opera houses, etc.—In four classes, according to the number of seats or spaces for seats: First class, 1,000 seats or more, $400; second class, 750 and less than 1,000 seats, $300; third class, 500 and less than 750 seats, $250; fourth class, less than 500 seats, $175. In cities of from 5,000 to 25,000, two classes—(1) 500 seats or over, $100; (2) less than 500 seats, $75. In towns under 5,000, $10 per 1,000 inhabitants. For any place where cancan, clodoche, or similar female dancing or sensational performances are held—In cities of 25,000 or over, $5,000; in other towns, $2,500.

Museums, menageries, circuses, traveling shows—In eleven classes, according to number of attachés: The lowest is one person; the highest, 100 or over. The rates range from $30 to $500 and are sharply regressive.

Agents for railroad and steamship tickets—Representing one company, $25; two companies, $40; three or more companies, $50.

Peddlers and hawkers—On foot, $10; on horseback, $25; one-horse vehicle, $40; two-horse vehicle, $75; water craft, $200.

Hotels and lodging houses—In ten classes, according to the number of rooms: The lowest, 6 to 9 rooms (under 6 exempt); the highest, 300 or more. The rates range from $40 to $600.

Barrooms, saloons, beer gardens, etc.—In eight numbered classes, with an extra class A, according to gross receipts: The lowest consists of those whose gross receipts are less than $5,000; the highest, of those whose gross receipts are $50,000 or more. The rates range from $100 to $1,500.

Billiard tables, etc., and bowling alleys, $10.

Soda water, mead, etc.—In seven classes, according to gross sales: The lowest consists of those whose gross sales are less than $2,000, and the highest, of those whose gross sales are $10,000 or more. The rates range from $5 to $50 and are roughly one-half of 1 per cent.

Agencies for steamboats, drays, cabs, etc., undertakers, livery stables, toll bridges, ferries, builders, stevedores, billposters, contractors, and mechanics who employ assistants—In thirteen classes, by gross receipts: The lowest consists of those whose gross receipts are under $750, and the highest, of those whose gross receipts are $20,000 or over. The rates range from $5 to $120 and are roughly 1 per cent up to $6,000 and less above that.

Physicians, attorneys at law, editors, dentists, oculists, photographers, jewelers, etc., the same as the rates in preceding paragraph.

Traveling vendors of stoves, lightning rods, clocks, $200; trading stamp companies, when gross receipts are under $5,000, $250; when over $5,000, $500.

Foreign corporations—Banks, etc., 2½ per cent on gross profits of money loaned and exchanged, bought, or sold, but with a minimum of $1,000; telegraph companies, $3 per $100 of gross receipts; telephone companies, $5 from each $1,000 of gross receipts; electric light, power, renting motors, fans, and other electric appliances, $5 on each $1,000 of gross receipts; express companies, $10 on each $1,000 of gross receipts; coal oil, petroleum, naphtha, benzine, or other mineral oils, $5 per $1,000 of gross receipts; meats, cured, salted, smoked, or canned, $2 per $1,000 of proceeds, all payable at principal place of business.

Benevolent or fraternal societies, etc., who solicit membership from house to house—In four classes, according to gross annual collections: The lowest consists of those whose gross annual collections are $20,000 or less, and the highest, of those whose gross annual collections are $50,000 or more. The rates range from $150 to $375. (Enacted in 1902.)

Pistols, etc., and cartridges—Wholesale dealers in pistols and rifles, $10; in cartridges, $5. Retail dealers in pistols and rifles, $100; in cartridges, $50.

Race tracks—In cities of 100,000 or over, $2,500; in cities of 50,000 or over, $1,000; in cities of 25,000 or over, $500; in cities of 10,000 or over, $100; in cities of less than 10,000, $50.

VI. *Special assessments.*

Laws for the government of levee districts authorize such districts to levy "local assessment or forced contributions" to aid in the construction and maintenance of levees within those districts. These special assessments include: (1) An acreage tax of 2½ cents on all lands and $60 per mile for all railroads situated within the district; and (2) 25 cents per bale of cotton, 25 cents per thousand pounds of sugar, 7½ cents per barrel of syrup, 5 cents per barrel of molasses, 1¼ cents per sack of rough rice, and 1¼ cents on a barrel of esculents produced in such district on lands subject to taxation under the provision of the acts. The assessment or contribution first mentioned is spoken of in state reports as "acreage tax," and the second as "cotton and produce tax." These taxes are collected by parish officials the same as all other state taxes, and by them are returned to the state treasurer, by whom they are treated as state revenues—in law the levee districts not being municipalities.

Parish Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of its assessment and equalization are precisely the same for parish purposes as for state.

2. *Rate—*

Levied by the police juries, and not to exceed 10 mills on the dollar for general purposes, including schools.

3. *Collection—*

Taxes for parishes are collected in precisely the same manner as state taxes.

II. *Poll tax.*

Every male over 21 years of age is subject to a poll tax of $1, which is collected by the sheriff (in the city of New Orleans, by the treasurer). This tax is a lien on any property, real or personal, of the taxpayer, and attaches on the 1st of January.

III. *Inheritance tax.*

The inheritance tax enacted in 1904, according to the provisions of the constitution, is to be levied on estates that have not borne their "just proportion of taxes." This tax is collected by the judges of probate courts in the parishes for the benefit of the school fund. The rate is 10 per cent.

IV. *Corporation taxes.*

Corporation taxes take the form of license taxes.

V. *Business taxes and licenses.*

Parishes may levy licenses not to exceed those levied by the state.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of its assessment and equalization are precisely the same as for state purposes.

2. *Rate—*

Levied by the municipal board, and not to exceed 10 mills.

3. *Collection—*

The same as for state taxes.

II and III. *Poll tax and inheritance tax*

See Parish revenues.

IV. *Corporation taxes.*

Levied as licenses, which see.

V. *Business taxes and licenses.*

Municipalities may levy the same licenses as the state, but the rates may not exceed the state rates.

School Revenues.

The school funds consist of a tax of not less than 1¼ mills on the dollar, collected by the state; the proceeds of the poll tax; interest of public funds and donations; and the local school taxes.

MAINE.[1]

The general property tax is the chief feature of the revenue system of Maine. It is supplemented by a poll tax, a franchise and excise tax on corporations, and an inheritance tax. The administration of the tax lies with the towns and other divisions of the local government, but, as the basis for the apportionment of state and county taxes, the assessments made locally are equalized once every two years by a state board. The plan of treating each town as a unit and of charging it with all state and county taxes apportioned to it is logically carried out by crediting to it all taxes collected therein by state officials, even to the extent of allowing the towns credits in excess of debts. The county is not an independent governmental area but a branch or district in the administration of the state.

CONSTITUTIONAL PROVISIONS.

ARTICLE I.

SEC. 22. No tax or duty shall be imposed without the consent of the people or their representatives in the legislature.

ARTICLE IX.

SEC. 7. While the public expenses shall be assessed on polls and estates, a general valuation shall be taken at least once in ten years.

SEC. 8. All taxes upon real and personal estate, assessed by authority of this state, shall be apportioned and assessed equally, according to the just value thereof.

SEC. 9. The legislature shall never in any manner suspend or surrender the power of taxation.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The town assessors, elected annually, as many as the town shall determine; if the town fails to elect these officers, the selectmen shall act as assessors.

(2) The town tax collectors, elected annually; the constable may be tax collector.

(3) The board of state assessors, consisting of three members chosen by the legislature for a full term of six years, one elected every two years. This board has supervision over the local assessors, acts as a board of equalization, and administers the laws as to the taxation of corporations.

State Revenues.

A. TAXES.

I. *The general property tax.*

The general property tax is, strictly speaking, a town or local tax, the state and county taxes being apportioned among the towns once every two years to be raised on polls and estates in such manner as the towns shall provide. But there are so many regulations limiting and prescribing the action of the assessors which are involved in the apportionment of the state and designed to secure uniformity, that there is no serious impropriety, and a number of advantages, in describing the entire tax under State revenues.

1. *Base—*

a. The property included and exempt.—All real property within the state, all personal property of inhabitants of the state, and all personal property of persons not inhabitants of the state possessed or situated in the state are subject to taxation.

(1) "Real estate," for purposes of taxation, includes all lands in the state and all erections thereon, all townships and tracts of land, the fee of which passed from the state since the year 1850, and all interest in timber upon public lands derived by permits granted before the separation of Maine from Massachusetts. Interest and improvements on land the fee of which is in the state, and interest by contract or otherwise in land are exempt from taxation. The buildings of every railroad company, whether within or without the located right of way, and its lands and fixtures outside of its located right of way are subject to taxation as "nonresident land." Land mortgaged is taxed to the person in possession. The loan is taxable to the mortgagee, but the land is considered as that of the mortgagor until the mortgagee takes possession. (An exception in regard to mortgages held by savings banks is described under Corporation taxes.)

(2) "Personal property," for purposes of taxation, includes all goods, chattels, money, and effects within the state or belonging to residents of the state; all vessels, at home or abroad; all obligations for money or other property; money at interest, and debts due in excess of those owed; all public stocks and securities; all shares in moneyed and other corporations within or without the state; all annuities payable to the person to be taxed when the capital of such annuity is not taxed in this state.

Stock in manufacturing corporations and of real estate corporations is not taxed, but the buildings, lands, and other property of the corporations are taxed to the corporations. Sailing vessels, registered or enrolled under laws of the United States or any foreign government and owned wholly or partly by inhabitants of the state, are assessed at a value of $20 a ton gross tonnage when new, and at $1 less for each year for seventeen years; thereafter at $3. Rebuilt vessels are taxed at the rate for one-half their age; those repaired, at five-eighths rate for their age.

(3) Exemptions, in addition to all public property, are: The property of literary and charitable institutions; colleges, within certain limitations; household furniture to the value of $200; wearing apparel; farming utensils, mechanic's necessary tools, and musical instruments to the value of $150 per family; churches, cemeteries, parsonages to the value of $6,000, and personal property of religious associations to the value of $6,000; mules, horses, neat cattle, swine, and sheep, less than 6 months old; produce in hands of producer; estates of poor persons; the works of any water company which furnishes water for fires free of charge; planted forests for twenty years; mines of metal for ten years; all poultry and eggs.

b. Assessment.—The assessment made up by the town assessors and equalized by the state board of assessors remains the basis of state and county taxes for two years. The assessment refers to the 1st of April. Personal property is assessed where the owner lives, with certain exceptions, as of property used in certain kinds of business, which is assessed where situated. Taxpayers must render a sworn list of their property, the oath covering the values, but the values

[1] This compilation is derived mainly from the Revised Statutes of the State of Maine, compiled by John C. Morrill, and submitted to the legislature, January 7, 1903. Portland, Me., 1904.

given may be changed by the assessors. Failure to render a statement bars all rights of abatement and appeal.

Wild lands and lands in unincorporated places are assessed biennially by the county commissioners.

Debts owed may be deducted from debts due.

Corporations, except certain classes which pay special or excise taxes in lieu of property taxes, are generally taxed in the same manner as individuals.

Stocks of any bank or other corporation held by persons out of the state, except of manufacturing and real estate corporations, are assessed in the town in which the bank or corporation transacts its business. The town has a lien on the stocks and all dividends thereon until the tax and costs of collection are paid. Stocks of domestic and national banks are taxed to the owners where they reside, if residents of the state. (See State revenues, A, IV, below.)

c. Equalization.—The valuation of real and personal property on which the state and county taxes are apportioned and levied in each town and unorganized township is finally fixed by the board of state assessors, who constitute a state board of equalization. They make an official visit to each county in the state at least once in every two years, and personally examine the town assessors. They equalize the assessment list of each town in accordance with the full market value of the property. There is no equalization, so called, between individuals; this is accomplished by abatements made by the assessors after the taxes have been levied. The applicant may appeal to the county commissioners or to the supreme judicial court of the county when an abatement is refused by the assessor. The state board may make abatements arising from clerical errors in its own assessments or from double taxation.

2. *Rate*—

The rate for state purposes is determined each year on the basis of the amounts needed to meet the appropriations made by the legislature, and the sum to be raised at such rate is apportioned among the several towns by the board of state assessors, and such apportionment is ratified by the legislature. The treasurer of the state then sends warrants to the town assessors requiring them forthwith to assess the sum apportioned to their town or place, and to commit their assessment to the constable or collector for collection.

A tax of 1 mill per dollar is assessed annually to support schools.

3. *Collection*—

In general, all taxes, state and local, except excise taxes and those on corporations and wild lands, are collected by the collectors or constables of the several towns and paid by them to the town treasurers who, upon demand made by warrant, remit the town's proportion of the state tax to the state treasurer. On or before the 1st day of September the state treasurer issues his warrants and, if the apportionments are unpaid sixty days after the time at which they are due, he may require the sheriff of the county to levy, by distress and sale, upon the real and personal property of any of the inhabitants of the town.

If any person refuses to pay his tax, collectors may distrain him by any of his goods and chattels, not exempt from debt, or, if for twelve days after demand, a person neglects or refuses to pay a tax, or to show sufficient goods and chattels to pay it, the officers may commit him to jail.

Liens to secure the payment of taxes on real estate attach as of April 1, take precedence of all other claims and interest, and continue until the taxes are paid. Such liens may be enforced by action as for debt and the real estate may be attached and sold on execution issued in such action.

If any tax assessed on real estate remains unpaid on the first Monday in December in the year succeeding the year in which the tax was assessed, the collector may sell at public auction as much of the land as is necessary to pay the tax.

There is no fixed penalty for delinquency in taxes, but interest at 1 per cent per month is added after the time fixed by towns for payment.

Warrants for state taxes on wild lands are sent by the state treasurer to the county commissioners of organized plantations. They appoint collectors, who transmit the taxes collected to the county treasurer.

II. *Poll tax.*

A poll tax is assessed upon every male inhabitant of the state above the age of 21 years, whether a citizen of the United States or an alien. Indians, persons under guardians, aged, infirm, and poor persons, soldiers under state pension whose property is less than $500, students whose homes are outside the state, and soldiers of the United States are exempt.

The poll tax is not to exceed $3 and is not to be less than $1. It is assessed on each taxable person in the place where he resides on April 1. The assessors assess on taxable polls such part of the whole sum to be raised for all state, county, town, plantation, parish or society taxes as they deem expedient. The residue of such taxes is assessed on estates. In practice, therefore, the poll tax accrues solely to the benefit of the towns.

III. *Inheritance tax.*

Each share in any property within the jurisdiction of the state, whether belonging to inhabitants of the state or not, which passes by will or by the intestate laws of the state, or by deed, sale, or gift to take effect in possession after the death of the grantor, other than to the father, mother, husband, wife, lineal descendant, adopted child, son-in-law, or daughter-in-law, or to any religious, educational, or charitable institution, is subject to a tax of 4 per cent of its value above the sum of $500. This tax is for the use of the state.

IV. *Corporation taxes.*

Corporations are, in general, subject to the general property tax for state and local purposes. But all domestic corporations pay a special franchise tax and certain specified corporations and businesses pay an "excise tax" in lieu of all taxes on property necessarily used in the business. The excise tax is not strictly a state tax, as cities or towns in which stockholders reside receive an amount equal to 1 per cent on the value of the stock so held in the case of railroad, telegraph, telephone, and certain other companies.

Domestic corporations pay an annual franchise tax at the following rates: If authorized capital is less than $50,000, $5; $50,000 to $200,000, $10; $200,000 to $500,000, $25; $500,000 to $1,000,000, $50; and on each additional $1,000,000 or fraction thereof, $25. This tax is for the benefit of the state.

Railroads pay an annual excise tax based upon the gross receipts from transportation. The tax is assessed by the state board of assessors upon the basis of returns made to the railroad commission. Gross receipts are defined as the average receipts per mile for the entire system multiplied by the number of miles in the state. The rates are: On gross receipts less than $1,500 per mile, one-half of 1 per cent; on gross receipts from $1,500 to $2,000 per mile, three-fourths of 1 per cent; and for each additional $500 or part thereof, one-fourth of 1 per cent additional up to 4 per cent. The tax is not entirely a state tax, as each city or town in which any stock in the railroads is held is entitled to an amount equal to 1 per cent on the value of such stock as determined by the state board of assessors; provided, the total receipts from this source are sufficient to cover such payments. The tax is payable in two installments, one-half on July 1 and one-half on October 1, and is collected by the state treasurer. The "excise tax," together with the municipal tax on all buildings and on land and fixtures outside the right of way, are in lieu of all other taxes on the property or the capital stock. The cost of maintaining the railroad commission is also apportioned among the railroads in proportion to their gross receipts.

Street railroads are taxable as other railroads, but the rates are: On average gross receipts of $1,000 per mile or less, three-twentieths of 1 per cent, and for every increase of $1,000 per mile or part thereof, three-twentieths of 1 per cent additional.

Sleeping car and other car companies charging extra fares pay an excise tax of 4 per cent of the gross receipts in the state in lieu of all other taxes on cars and equipment.

Telegraph and telephone companies are required to pay into the state treasury an annual excise tax on gross receipts at the following rates: When the gross receipts exceed $1,000 and do not exceed $5,000, one-fourth of 1 per cent; when they exceed $5,000 and do not exceed $10,000, 1½ per cent; when they exceed $10,000 and do not exceed $25,000, 1¾ per cent; when they exceed $25,000 and do not exceed $50,000, 2 per cent; and for each additional $25,000, one-fourth of 1 per cent up to a maximum of 4 per cent. The tax must be paid by September 1 and is a lien on the property and franchises. Each town in which any stockholder or partner resides receives from the amount paid into the state treasury an amount equal to 1 per cent of the value of the stock or shares there held as determined by the board of state assessors, but the total so paid over must not exceed the receipts of the state. This tax is in lieu of all other taxes except those on real estate and on personal property not essential to the business, which are taxed as property generally is taxed.

Express companies pay an excise tax of 2 per cent of the gross receipts of business done in the state for the year ending April 1. Business done in the state includes a proportional part of all express coming into or going out of the state, but not goods in transit through the state. This tax must be paid by September 1 and is in place of all local taxation, except that real estate owned by such corporations is taxed in the municipality where situated, but taxes so levied on real estate used in express business are deducted by the state assessors from the excise tax.

Domestic life insurance companies are taxed at the rate of 2 per cent upon all premiums received from residents of the state after deducting all dividends paid to policy holders in the state. They also pay a tax of one-half of 1 per cent a year on the surplus after deducting the value of the real estate in this state, which is taxed by the municipality in which it is situated.

All other life insurance companies, surety companies, and credit and title insurance companies pay an annual tax upon all premiums received on contracts made in the state, at the rate of 1½ per cent a year. The tax is computed on the net amount of premiums actually received. Foreign insurance companies must pay the same tax as their home state imposes on Maine insurance companies doing business there, if greater than the above.

Savings banks incorporated in the state are taxed upon their several franchises, assessed by the board of state assessors. From the average amount of deposits, reserve fund, and undivided profits there is deducted an amount equal to the value of the United States bonds, the shares of corporation stocks such as are by the law of this state free from taxation to the stockholders, and the assessed value of the real estate owned by the bank and two-fifths of the value of such other assets as are invested in the state, including mortgages. The difference is considered the value of the franchise. Upon the value of the franchise so ascertained the board of state assessors assesses an annual tax of five-eighths of 1 per cent. One-half is assessed by the 15th of June and one-half by the 15th of December, and payable within ten days thereafter. All deposits in savings banks are excluded from municipal taxation to the bank or to the depositor, but real estate owned by the bank and not held as collateral security may be taxed by the town in which it is located.

Loan and building associations pay a tax of one-fourth of 1 per cent a year on the amount of the monthly capital dues paid in by stockholders. It is assessed and payable semiannually. Capital dues are excluded from municipal taxation to the corporation or to the shareholder, but real estate not held as collateral security is taxable by the town in which it is located.

Branches or agencies of foreign banking companies not national pay a tax of three-fourths of 1 per cent a year on the amount of business done in the state. This is computed by taking the daily average for each month of a six months' period of all money outstanding upon loans and employed in the business, and then dividing the aggregate of such monthly averages by the number of months covered. The tax so ascertained is paid to the state treasurer semiannually.

Every domestic trust and banking company pays a tax of one-half of 1 per cent on the average amount of interest and time deposits ascertained by six months' periods. The value of United States bonds and shares of stocks free from taxation to stockholders is deducted.

All such deposits are excluded from municipal taxation to the company or the depositor.

In case any corporation fails to make returns required, the board of state assessors may make such assessment as it thinks just. Corporation taxes, with interest at 10 per cent, may be recovered in an action of debt in the name of the state.

V. *Business taxes and licenses.*

The following licenses are annual, unless otherwise stated:

Itinerant vendors, $25, collected by the secretary of state; resident guides, $1; nonresident guides, $20, to commissioners of inland fisheries and game. Undertakers, $1 for registration, $5 for examination; dentists, $20 for examination; physicians and surgeons, $10 for examination; there are no liquor licenses; goods sold at auction for benefit of parties residing out of the state, 2½ per cent of gross sales; restaurants and hotels, $1; bowling alleys, billiard tables, etc., $10; auctioneers, $2; hawkers and peddlers, issued by the secretary of state—for towns of not over 1,000 inhabitants, $3; for towns of from 1,000 to 2,000 inhabi-

tants, $6; for every 1,000 over 2,000 inhabitants, $2; in no case over $20. To hunt deer, $5; private detective, $50. Dogs—clerks of towns issue licenses and receive fees which are to be paid into the state treasury—$1.15 for each male, $3.15 for fertile females, $10 to $20 for kennel licenses. This fund is used by the state for the reimbursement of the amount paid by towns for damages done by dogs, and the remainder is credited to towns upon their state tax.

B. FEES.

To secretary of state.—For certificate under seal of state, $1; filing certificate of trade mark, $3; filing certificate of incorporation, $5; filing certificate of insurance company, $20; certificate of increase of capital stock of insurance company, $10.

To attorney-general.—For certificate of approval, $5.

To bank examiner.—License to foreign banking company, $20.

To treasurer of state.—Certificate, $5.

To insurance commissioner.—Certificate, $20.

To steamboat inspectors.—For each inspection, $5.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the method of assessment and of equalization are the same for the county tax as for the state.

2. *Rate*—

In order to assess a county tax, county commissioners prepare estimates of expenses for one year and also for the succeeding year, and the county tax for both years is granted by the legislature. The county commissioners then apportion the tax so authorized among the towns within the county according to the last state valuation.

3. *Collection*—

Collection is as for the state tax.

II. *Poll taxes.*

See State poll tax.

III, IV, and V. *Inheritance tax, corporation taxes, and business taxes and licenses.*

There is no inheritance tax, neither are there any special corporation taxes or business taxes and licenses for county purposes.

C. FINES AND PENALTIES.

All fines, forfeitures, and costs in criminal cases, also fees and earnings of county officers, are paid into the treasury of the county in which the offense is prosecuted for the use of such county.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and equalization have been described under State revenues. The estates of residents of islands where there are no roads may be exempt from the highway tax.

2. *Rate*—

The sum to be assessed must be raised by vote at the town meeting and is assessed on estates according to their value.

3. *Collection*—

Collection is made in the same manner as has been described under State taxes.

II. *Poll tax.*

The town assessors assess on taxable polls such part of the whole sum of state and county taxes to be raised as they deem expedient. (See State poll tax.)

III. *Inheritance tax.*

The inheritance tax is strictly a state tax.

IV. *Corporation taxes.*

For the way in which towns participate in the special taxes on corporations, see State taxes, IV.

V. *Business taxes and licenses.*

Municipal officers may license public exhibitions and places of amusement and require such fees as they think proper.

Itinerant vendors pay on their stock at the last town tax rate; auctioneers, $2 per annum; auction sales, 2½ per cent of the gross amount; bowling alleys and billiard rooms, $10 per annum; wharves and fish weirs, $5 per annum; employment agencies, $1 per annum; merry-go-rounds, not over $50 per annum; taxidermists, $5 per annum; milk vendors, $1 per annum; public carriages, tax varies.

School Revenues.

All special school districts have been abolished, but the school trustees of any town submit estimates to the school committee and receive such portion of the common school fund as the committee shall determine.

Church Taxes.

Every parish at its meeting may raise money for the support of ministers of religion and churches and assess and collect the money like state taxes. No person is a member of a parish or religious society without his consent.

MARYLAND.[1]

The revenue system of Maryland consists of, first, the general property tax, which is distinguished by the endeavor to reach all classes of property, and notably by the taxation of intangible evidences of debt, such as the capital stock of corporations, bonds, public debt, notes, claims, and certificates of indebtedness of individuals or firms; second, an extensive system of license taxes; third, a group of special corporation taxes, notably upon gross receipts; fourth, an inheritance tax; and fifth, a tax on commissions of officers, executors, etc.

Railroad property is to be taxed for county and city purposes like the property of individuals, but is exempted from state taxes other than that upon gross receipts. Railroad stock is not taxed. There is no tax upon personal property of corporations taxed on their capital stock.

Poll taxes are forbidden by the constitution.

Special provisions for the several counties and cities are contained in a code of public local laws, which are not herein treated.

CONSTITUTIONAL PROVISIONS.

ARTICLE XIV.

That no aid, charge, tax, burthen or fees ought to be rated, or levied, under any pretence, without the consent of the legislature.

ARTICLE XV.

That the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited; that paupers ought not to be assessed for the support of the government; but every person in the state, or person holding property therein, ought to contribute his proportion of public taxes for the support of the government, according to his actual worth in real or personal property; yet fines, duties or taxes may properly or justly be imposed, or laid with a political view for the good government and benefit of the community.

ARTICLE III.

SEC. 33. The general assembly shall not pass local or special laws in any of the following cases: * * * For extending the time for the collection of taxes.

SEC. 34. No debt shall be hereafter contracted by the general assembly unless such debt shall be authorized by a law providing for the collection of an annual tax or taxes sufficient to pay the interest on such debt as it falls due, and also to discharge the principal thereof within fifteen years from the time of contracting the same.

SEC. 51. The personal property of residents of this state shall be subject to taxation in the county or city where the resident bona fide resides for the greater part of the year for which the tax may or shall be levied and not elsewhere, except goods and chattels permanently located, which shall be taxed in the city or county where they are so located, but the general assembly may by law provide for the taxation of mortgages upon the property in this state and the debts secured thereby in the county or city where such property is situated.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors at large, appointed by the governor, two for each assessment district of the county.

(2) District assessors, appointed by the county commissioners, one for each election district.

(3) County board of control and review, composed of the boards of county commissioners of the several counties.

(4) Boards of control and review in Baltimore, appointed by the governor for groups of wards.

(5) Appeal tax court of Baltimore city—three persons appointed annually by the mayor and city council.

(6) County collector, appointed by the county commissioner.

(7) State tax commissioner, appointed by the governor, comptroller, and treasurer for a term of four years.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property of every kind, nature, and description within the state, except as specially exempted, is subject to assessment for state, county, and municipal taxation.

(1) and (2) There is no definition or classification of "real" or "personal" property for purposes of taxation. Certain subjects are specially enumerated.

All certificates of indebtedness issued by any state, county, public corporation, or foreign country are subject to taxation; also all bonds of any state or corporation belonging to residents, and all investments in private securities.

Corporations are in general taxed upon real estate, and the stock and bonds of the corporation; there is no tax on their personal property except in the case of corporations not taxable on their stock; where there is no capital stock, the property and assets of the company, real and personal, are subject to assessment.

The property, real and personal, of railroad companies is subject to assessment only for county and municipal purposes.

All bonds or certificates of indebtedness bearing interest issued by any railroad or other corporation of the state, held by residents and secured by mortgage on property wholly within this state, are taxed to the owners.

(3) Exemptions, in addition to public property, are: Judgments rendered by court of record or justices of the peace; churches with furniture and parsonages; cemeteries; crops in the hands of the producer; provisions and fuel for the use and consumption of the family; working tools of mechanics and artisans; the first $300 worth of farming implements; wearing apparel; fish in the possession of fishermen; hospitals; asylums; charitable and benevolent institutions; libraries; educational and literary institutions; the personal property of corporations having capital stock divided into shares which are subject to taxation in this state; the shares of stock of railroad companies subject to taxation upon their gross receipts within the state, and to county and municipal taxation upon their real and personal property in the counties and cities of

[1] This compilation is derived mainly from the following sources:
The Maryland Code, Public General Laws, codified by J. P. Poe; King Brothers, Baltimore, 1904.
The Maryland Code, Public Local Laws, adopted by the General Assembly, March 18, 1888: Baltimore, 1888. (See Appendix to the Code of 1904 of General Laws.)
Session Laws of the General Assembly, 1888 to 1902.
Some assistance was had from Taxation in Maryland, by Thomas Sewall Adams. Johns Hopkins University Studies in Historical and Political Science. Vol. XVIII: Baltimore, 1900.

the state; the book accounts of merchants taxed on the fair average value of goods, wares, and merchandise in stock; real property purchased by survivors of the late war for erection of monuments and parks, up to fifteen acres; and persons assessed for less than $100.

b. Assessment.—The counties are divided into assessment districts, which are composed of the election districts. In assessing the property in each election district the assessors at large act with the assessor of the election district. The assessors require of the taxpayers under oath a schedule of real and personal property, with the value thereof. Failure to furnish a schedule is penalized by doubling the taxes for the first year. False return is punishable as perjury by a fine of $500 or by two years' imprisonment.

Property is to be valued at its full cash value and not as at a forced sale value.

The fundamental assessment was made in 1896, but biennial revision of the assessment is provided for. The boards of county commissioners and the appeal tax court of Baltimore are directed to revise all valuations of real property and to require a biennial listing as in 1896 of personal property. The boards are to appoint the necessary assessors. The appeal tax court of the city of Baltimore has powers to assess all property and to make a general revision of all property at least once in every five years.

Banks, state and national, and other incorporated institutions, corporations, and joint-stock companies are assessed locally on their real estate.

Shares of stock in corporations owned by residents and nonresidents are assessed for taxation and the taxes collected from the corporation, which may charge them to the account of the shareholders. The revenue laws treat the stockholders as the owners of so much property, to be estimated by the actual value of the stock. The capital stock of the corporation is the representation of its property. The state does not tax both the capital stock and the property represented by it. The valuation is made by the state tax commissioner on the basis of reports from the corporation. (Railroad shares are not taxable.)

The taxable value of shares of stock is ascertained by the state tax commissioner by deducting from the aggregate value of the shares of the banks, corporations, or joint-stock companies the assessed value of their real estate and dividing the remainder by the number of shares.

The state tax commissioner is required to certify to the county commissioners of the county where any shareholders reside. Shares held by nonresidents are taxable for county and municipal purposes where the bank or company is situated.

All shares of stock in any bank (other than national) or in any corporation of any other state or county are to be valued at their actual market value. Those on which no dividend is paid are not to be valued at all.

On such valuation the regular rate for state purposes is to be paid, and also 30 cents upon each $100 for county, city, and municipal taxation where the owner resides.

All bonds or other evidences of debt issued by any corporation, public or private, foreign or domestic (except the state of Maryland), are to be assessed at their actual value in the market and taxed at the same rate as foreign stock (supra).

The public debt of the state, stock loans of the city of Baltimore, the capital stock and bonds, certificates or other evidences of debt, interest bearing, issued by incorporated companies of the state are to be assessed for state taxes.

Stock debt of the state, or of the city of Baltimore, or shares in any bank or other corporation of the state on which the state and county or city taxes are levied are to be allowed as a credit in the assessment of capital stock or the assets of companies without capital stock. So also the proportionate amount of the value of tools and machinery is deducted in the valuation of shares when such articles of manufacture are exempted from taxation.

State tax on public debt of the state.—The treasurer is required to levy state taxes on all the public debt of the state held by any person, resident or nonresident, assessed at the following valuation: Debt bearing interest at 6 per cent, at par; interest at 5 per cent, $85 on $100; interest at 4½ per cent, $80 on $100; interest at 3 per cent, $65 on $100. The tax is collected by retaining it out of the interest falling due on the 1st day of July in each year.

State taxes are also levied on Baltimore city loans on which interest is payable.

Certificates of indebtedness issued by any individual or firm are to be assessed according to the rate of interest stipulated: Interest 6 per cent, at 50 per cent of face value; interest 5 per cent, at 41⅔ per cent of face value; interest 4½ per cent, at 37½ per cent of face value; interest 4 per cent, at 33⅓ per cent of face value; interest 3½ per cent, at 29⅙ per cent of face-value; interest 3 per cent, at 25 per cent of face value; interest other percentages, at corresponding valuations.

Failure to list bonds, notes, claims, or other evidences of debt is penalized by forbidding action at law or equity thereon until the tax is paid, with an addition of 50 per cent per annum where there is an intention to evade the taxes.

Mortgagors are assessed for real estate at its actual value, without regard to the mortgage lien. Covenants for the mortgagor to pay the taxes on the mortgage debt are unlawful.

Distilled spirits are assessed as personal property. Report is to be made on January 1 to the state tax commissioner, who fixes the value. Where the distiller is a corporation, the spirits are treated as distinct from the capital stock. The valuation is transmitted to the counties for local taxation.

c. Equalization.—The several boards of county commissioners acting as boards of control and review, and the same boards in Baltimore city, hear appeals from the assessments and may abate, lessen, or increase the valuations returned, assess omitted property, and correct the returns. Their proceedings are supervised by the state tax commissioner.

2. *Rate*—

The county commissioners of the several counties and the mayor and city council of Baltimore were in 1902 directed to levy the state taxes as follows:

Ten and one-half cents on each $100 for schools; 1¾ cents on each $100 for books for schools; one-half of 1 cent on each $100 for sinking fund, various loans; one-eighth of 1 cent on each $100 for sinking fund, various loans; one-half of 1 cent on each $100 for sinking fund; 2⅞ cents on each $100 for sinking fund; three-fourths of 1 cent on each $100 for new loan.

The comptroller of the treasury levies the same state taxes on shares of capital stock of all banks, incorporated institutions, and companies of the state.

3. *Collection*—

Taxes are collected by the county collectors, who are compensated by a percentage of the amount of their collections. If taxes are paid by the 1st day of September of the year in which they are levied, a deduction of 5 per cent may be made; if paid before October 1, there is a deduction of 4 per cent; if paid before November 1, one of 3 per cent. All state, county, and municipal taxes are liens on the real estate of the taxpayer from the time of levy, and are considered in arrears on the 1st day of January and bear interest at 6 per cent. Collection may be enforced by distraint of personalty or sale of realty.

II. *Poll tax.*

There are no poll taxes, as they are forbidden by the constitution.

III. *Inheritance tax.*

All estates, real and personal, passing from any person who may die seized and possessed thereof, or by transfer intended to take effect after the death of the donor, other than to the father, mother, husband, wife, child, or lineal descendant of the decedent are subject to a tax of 2½ per cent on every $100 of clear value over $500.

IV. *Corporation taxes.*

The line of demarcation between the special corporation taxes and the general property tax is not so clear in Maryland as in most of the other states. The tax on the capital stock of corporations has been included above under the general property tax, because it seemed to be a substitute for the taxation of the stock to the stockholders, but that classification is somewhat arbitrary. The taxes on corporations that savor less of the general property tax are: The bonus on capital stock—a tax which is closely analogous to the fees for incorporation charged in most of the other states; the franchise tax on corporations; the tax on gross receipts of various corporations; and the taxes on insurance companies.

Bonus on capital stock.—Every corporation incorporated under any general or special law of the state, except cemetery companies, companies for purely benevolent and charitable purposes, railroad companies, and building and homestead associations, is required to pay to the state treasurer a bonus of one-eighth of 1 per cent on the authorized capital stock. The bonus on the original capital is due upon incorporation and on the increase upon the recording of the certificate.

The franchise tax on savings banks.—Every savings bank is required to pay annually a franchise tax to the amount of one-fourth of 1 per cent on the total deposits. Three-fourths of the tax go to the county where the bank is located and one-fourth to the state. The real property of the bank is liable to assessment, but not the deposits. Failure to make reports, or the making of false reports, subjects the officer of the bank to indictment and fine.

The tax on gross receipts.—A franchise tax of 1 per cent per annum is levied upon the gross receipts of all oil pipe-line companies and all title insurance companies; a tax of three-fourths of 1 per cent upon the annual gross receipts of electric light companies; 1½ per cent of gross receipts of electric construction and gas companies and every foreign guano, phosphate, or fertilizer company. The gross receipts tax on corporations is due on July 1. There are like penalties for failure to pay and make report as on railroads. Associations, partnerships, and individuals engaged in these lines of business, except that of guano, phosphate, and fertilizer companies, are subject to the gross receipts tax. Parlor, palace, and sleeping car companies are taxed at the rate of 2 per cent upon the total gross receipts from business done in the state. Failure to pay for sixty days subjects the company to a penalty of 10 per cent. Telegraph, cable, express, transportation, telephone, safe deposit, trust, guaranty, and fidelity companies also pay 2 per cent on gross receipts from business in the state.

Franchise tax on railroads.—Railroads are taxed for state purposes upon their gross earnings, in lieu of any other state tax on property or capital stock. But railroads pay county and municipal taxes on real and personal property. The rate of tax is graduated according to the gross earnings per mile of line: Eight-tenths of 1 per cent on the first $1,000 per mile; 1½ per cent on the first $1,000 to $2,000 per mile; 2 per cent on the first earnings above $2,000 per mile. The tax is payable July 1, annually. Failure to make report of gross earnings subjects the responsible officer of the corporation to forfeiture of $500 to the state. Default of payment for one month is penalized 5 per cent.

Taxes on insurance companies.—Foreign insurance companies—License tax, $300; one-half of 1 per cent per annum on premiums collected in the state. Domestic surety, employers' liability, personal accident, plate glass, steam boiler, burglary, and other kinds of insurance, except life, fire, and marine companies and mutual benefit companies, must pay a license of $1,500 to the insurance commissioner.

V. *Business taxes and licenses.*

Some taxes technically or legally defined as "license taxes" have been included under corporation taxes, above.

Licenses generally are issued by county officials and cover the territory of one county, but the revenue from the following accrues to the state treasury. The licenses are annual unless otherwise stated:

Insurance brokers, state, $100; insurance brokers, county, $25; telegraph and express companies, $300; auctioneers, license rated upon the amount in value of merchandise on hand; billiards—first table, $50; each additional table, $25 (cities and towns may impose a further tax). Brokers—exchange, $100; real estate, $25; bill brokers, $50; grain, etc., in Baltimore, $30; pawnbrokers, $100; shipping brokers, $50; shipping brokers, for runners, $50. Hawkers and peddlers—on foot, $100; with horse and vehicle, $150; with two horses and vehicle, $200. Ordinary keepers—rate of rent or annual value $100 or less, $25; $100 to $200, $40; $200 to $300, $50; $300 to $400, $60; $400 to $500, $75; $500 to $750, $90; $750 to $1,000, $100; $1,000 to $2,000, $150; $2,000 to $3,000, $180; $3,000 to $5,000, $250; $5,000 to $10,000, $400; over $10,000, $450; this carries the right to sell liquors in quantities less than 1 pint. Shows and theatrical exhibitions—(Baltimore, $3 per night), $50 per year, $1 per show; animals and curiosities, $15; stallion or jackass, highest sum of the season, at least $10 for one mare; this payment exempts from all other state tax; gypsies, $50; dogs, unless taxed by municipal ordinance, not less than $1 for males and $2 for bitches—one male, however, is free to each householder, except in Talbot and Harford counties, where the rate is $1, male or female. Traders—persons other than growers, makers, or manufacturers offering for sale goods, wares, and merchandise where stock in trade is less than $1,000, $12; $1,000 to $1,500, $15; $1,500 to $2,500, $18; $2,500 to $4,000, $22; $4,000 to $6,000, $30; $6,000 to $8,000, $40; $8,000 to $10,000, $50; $10,000 to $15,000, $65; $15,000 to $20,000, $80; $20,000 to $30,000, $100; $30,000 to $40,000, $125; over $40,000, $150. Milliners, female, stock less than $500, $6. Cigarettes, $10. Retail of liquors—stock not over $500, $18; $500 to $1,000, $35; $1,000 to $2,000, $50; $2,000 to $4,000, $75; $4,000 to $6,000, $100; $6,000 to $10,000, $120; $10,000 to $20,000, $130; $20,000 to $30,000, $140; over $30,000, $150. Sale of liquor at fisheries, $6; sale of liquor at horse races, $4; oyster or eating houses, $50.

VI. *Tax on official commissions.*

(Except that they are very heavy, these taxes are analogous to the fees charged for official commissions in other states.)

Judges of circuit courts, $50; judges of superior court, court of common pleas, of circuit court No. 2 of Baltimore, the Baltimore city and criminal courts, $50; sheriff of Baltimore city, $300; sheriff of Balti-

more county, $100; sheriffs of other counties, $20 to $100; judge of orphans' court, Baltimore, $50; judge of orphans' court, several counties, $10; justice of peace and constable, $2; tobacco inspectors, $50; weighers of live stock, $50; weighers of grain, $10; notaries public, Baltimore, $20; clerks of court, $200; register of wills, Baltimore, $200; register of wills, other counties, $30 to $150.

VII. *Tax on commissions of executors and administrators.*

All commissions allowed to executors or administrators by the orphans' courts of the state are subject to a tax of one-tenth part of the sum so allowed. The orphans' court in fixing the commissions is to make no allowance for the tax.

B. FEES.

(See bonus on stock under Corporation taxes.)

Insurance—Filing copy of charter (with insurance commissioner), $25; filing annual statement, $25; certificate of authority (foreign), $10; certificate of authority (domestic), $2; abstract, annual statement, $2.

Notaries public are required to pay to the state one-half of their fees derived from protest. These fees are 5 cents for each protest, mailed or delivered.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of assessment and of equalization are in general the same as for state taxation, except that railroad property, like that of individuals, is to be taxed for county and city purposes. By special acts of the general assembly the county commissioners, to encourage certain industries, may exempt certain property from county taxation.

The valuation of the rolling stock of railroads is to be divided by the state tax commissioner among the counties (and the city of Baltimore) in proportion to the mileage of railroads located therein. The real estate is assessed like that of individuals. Shares of stock in railroad companies are not taxed.

2. *Rate—*

The tax is levied by the county commissioners according to the special provisions for each county.

3. *Collection—*

The method of collection is the same as that for state taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no county poll, inheritance, or special corporation taxes.

V. *Business taxes and licenses.*

County licenses are provided for in the Code of Public Local Laws for each separate county, but on account of their diversity, have not been compiled.

Special tax on mortgages.—In nine counties all mortgagors on record are required annually to pay a tax of 8 per cent upon the gross amount of interest. In the remaining counties and Baltimore city the former mortgage tax is repealed.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

All municipal taxes are levied upon the property as assessed for state and county taxes, in conformity with the general laws relating to revenue and taxes and with the public local laws applicable to the several counties and cities. Railroad property is subject to municipal taxation.

2. *Rate—*

The rate is determined by the mayor and city council under the local laws.

3. *Collection—*

The method of collection is the same as that for county taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no municipal poll, inheritance, or special corporation taxes.

V. *Business taxes and licenses.*

Municipal liquor licenses and licenses on hawkers and peddlers and other lines of business are governed by local laws applicable to the several counties and municipalities. (See Code of Public Local Laws, 1888, and Appendix in Code of Public General Laws, 1904.)

School Revenues.

For the support of free public schools a state tax of 15 cents is to be levied on each $100 of taxable property and the proceeds distributed to the several counties according to their school population. If this fund is not sufficient, the county commissioners are authorized to levy an additional tax not to exceed 10 cents per $100.

The income from the state school fund (of 1839) and the revenues from the dog taxes and from certain fines and licenses also go to the support of schools.

MASSACHUSETTS.[1]

The general property tax is used in Massachusetts for both state and local purposes. It is the main dependence of the local governments, but the state government draws very heavily upon other sources as well. Peculiar features of the system are the listing of polls along with property and of certain incomes as if property, and the apportioning of county and state taxes on both thereof, as well as on real and personal property among the towns and cities. The assessment of real and personal property, including incomes, and of polls and the general administration of this tax are matters of local administration mainly. The state levies, through the agencies of the towns and cities, a so-called direct state tax (usually expressed in round numbers—in 1902 it was $2,500,000; in 1903, $1,500,000), apportioned among them on the basis of the local valuations and enumeration of polls roughly equalized.

The general corporation tax, or so-called general franchise tax, administered largely by state officials, is a distinguishing feature of the Massachusetts system. This tax and certain special corporation taxes yield a large proportion of the state revenue.

Another feature usually regarded as characteristic of this state is the method of taxing mortgages, adopted in 1881. The design is to impose but one tax on real estate, whether mortgaged or not, and to leave the two parties at interest, where real estate is mortgaged, to adjust the equities in the matter of taxation between themselves as they see fit. The mortgage is listed as an interest in the property, and the excess in the value of the property over the mortgage, if there be any, is listed separately. Under this law it is customary for the mortgagor to pay all the taxes.

CONSTITUTIONAL PROVISIONS.

PART THE SECOND. CHAPTER I.

ARTICLE IV.

SEC. 1. And further, full power and authority are hereby given and granted to the said general court * * * to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying within, the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities whatsoever, brought into, produced, manufactured, or being within the same. * * *

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practiced, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

PART THE FIRST.

ARTICLE X.

Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service or an equivalent, when necessary; but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his consent, or that of the representative body of the people * * *.

ARTICLE XXIII.

No subsidy, charge, tax, import, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The town assessors, three or more in each town, elected at the annual town meeting, for terms varying from one to three years. The selectmen may be made the assessors, or they may so act if none are elected by the town. If the selectmen fail to act, the county commission may appoint.

(2) Assessors in cities.—There is no general statute in regard to the appointment of assessors in cities, and the practice varies so greatly that no summation is possible. Such assessors, who are usually three in number, but sometimes one and sometimes nine, are in some cities appointed by the mayor, in some elected by the council, and in others elected by the people.

(3) The town collectors of taxes, one or more in each town, elected annually in town meeting. The town may at any meeting appoint the town treasurer tax collector. The constables act as tax collectors unless other persons are appointed as such.

(4) Collectors in cities, usually one in each city, elected for terms fixed by the charters.

(5) The state auditor of accounts, elected annually at the state election.

(6) The state tax commissioner, appointed by the governor for a term of three years.

State Revenues.

A. TAXES.

I. *The general property tax.*

(N. B.—Certain features of the poll tax are so inextricably bound up with the general property tax that neither tax could be fully described by itself, and both are therefore incorporated here. Since 1901, however, the poll tax has been made an annual tax of $2 on every male inhabitant over 20 years of age.)

1. *Base—*

a. The property included and exempt.—All property, real and personal, situated within the commonwealth,

[1] This compilation is derived mainly from the following sources:

Report of the commission to inquire into the expediency of revising and amending the laws of the commonwealth relating to taxation. October, 1897: Boston, 1897.

The Revised Laws of the Commonwealth of Massachusetts, enacted November 21, 1901, to take effect January 1, 1902. In two volumes and an index volume: Boston, 1902.

A compilation of the laws relating to taxation by the local assessors in Massachusetts, prepared for the use of assessors and collectors in cities and towns, by Wm. D. T. Trefry, tax commissioner: Boston, 1902.

Revised laws relating to taxes and excises for revenue upon corporations in Massachusetts: Boston, 1902.

and all personal property of the inhabitants wherever situated, unless expressly exempted by law, is subject to taxation.

(1) "Real estate," for the purpose of taxation, includes not only all and, but also all things affixed thereto. The mortgagee's interest in the land is taxable as real estate.

(2) "Personal estate," for purposes of taxation, includes: (*a*) Goods, chattels, money, and effects wherever they are; (*b*) ships and vessels not engaged in the foreign carrying trade;[1] (*c*) money at interest and other debts due the persons to be taxed over and above what they are indebted or pay interest for; debts secured by mortgages on taxable real estate are not included in such taxable debts, and may not be used to reduce the amount of taxable debts due; (*d*) stocks and bonds, public and other; but shares in corporations chartered by the commonwealth are not taxable to the holder, taxation being secured by the general franchise tax; (*e*) income from an annuity or from ships engaged in the foreign carrying trade,[1] and so much of the income of a profession, trade, or employment as exceeds $2,000 a year; but no income is taxable if derived from property subject to taxation. Under this provision incomes from professions and salaries are taxable, and it has been held that incomes from trade being derived from skill and management as well as from the use of capital taxed are taxable.

(3) Exemptions from taxation, in addition to public property, are: The personal property of literary, benevolent, charitable, and scientific institutions, and of temperance societies incorporated in the commonwealth and the real estate owned and occupied by them, but such property is not exempt if the income is divided among the stockholders or members; the real and personal estate of incorporated agricultural societies; the real and personal estate of any Grand Army or veteran association incorporated in the commonwealth to the extent of $20,000 if used and occupied by posts of the Grand Army; the Bunker Hill monument; houses of religious worship and the pews and furniture; cemeteries, tombs, and rights of burial; the property to the amount of $500 of a widow, of an unmarried woman over 21 years of age, of a person over 75 years of age, or of a minor whose father is deceased, provided that the whole estate, real and personal, of such persons does not exceed in value $1,000; the wearing apparel and farming utensils of every person, his household furniture not exceeding $1,000 in value, and the necessary tools of a mechanic not exceeding $300 in value; the property of soldiers and sailors who served in the Civil War and were disabled, their wives and widows, to the amount of $2,000 where the whole estate does not exceed $5,000; plantations of chestnut, hickory, white ash, white oak, and other trees, where the land is devoted exclusively to the growth of the trees, for ten years after the trees reach 4 feet; ships and vessels engaged in the foreign carrying trade are exempt, but the yearly income derived therefrom is taxable;[1] the capital stock, corporate franchises, and personal property of corporation banks; mules, horses, and neat cattle less than 1 year old; swine and sheep less than 6 months old, and domestic fowls not exceeding $15 in value.

b. Assessment.—A striking feature connected with the assessment is the set of unusual and extraordinary powers conferred upon the assessors, who not only make the valuations and list the polls and estates but make the final tax levy, or, as it is called in the statutes, "assess the taxes," by which is meant that they apportion among the various polls and estates as valued by them the amount of taxes authorized to be raised in their town or city for town or city, county, and state purposes. They also "commit the tax list with their warrants to the collector of taxes," and may even grant "abatements," or reductions, in taxes to individuals after the tax bills are made out. They thus perform the functions and have the powers of assessors, auditors, equalizers, local boards of review, and local boards of appeal with respect to taxation; but an appeal from the arbitrary exercise of these powers lies to the county commissioners.

Under the statutes the assessors publish a notice requiring the inhabitants of each town or city to bring in sworn "true lists" of all their property, but there is no machinery or penalties for compelling the inhabitants to obey this requirement. Should anyone do so, he is entitled to have his list "received as true," except as to valuations, but most property is listed by the assessors "according to their best information."

The assessment refers to the 1st day of May, and valuations are to be at the fair cash value.

Property exempted from taxation, except that of charitable and religious institutions, is also listed and valued for purposes of statistical information.

Real estate is listed annually, mortgages being treated as an interest in real estate and listed in the place where the real estate lies, and personal property is also assessed annually and in the city or town of which the owner is a resident, except stock in trade and machinery employed in other places, which is assessed where it is located.

c. Equalization.—Strictly speaking, there is no provision for local equalization. Taxpayers overassessed may obtain redress either from the assessors, the county commissioners, or the superior court. But there is no machinery designed to raise the assessments which may be below the fair cash value, except to call the assessors to account for nonperformance of duties.

The following section seems to imply a system of state equalization, but it should be observed that it operates on the apportionment or share of state and of county taxes to each city or town and not upon the valuations, and operates only triennially.

Revised laws, chapter 12, section 100.—"The tax commissioner shall, before the first day of January in the year nineteen hundred and four and before the first day of January in every third year thereafter, prepare and report in print to the general court, within the first week of its then next succeeding session, an equalization and apportionment upon the several cities and towns, of the number of polls, the amount of property, and the proportion of every one thousand dollars of state or county tax, including polls at one-tenth of a mill each, which should be assessed upon each city and town."

The unit of apportionment is $1,000. The amount which the polls will raise at one-tenth of a mill each is deducted from $1,000 in determining the property tax rate for each town.

2. *Rate.*—

The aggregate amount of state and county taxes to be raised is fixed by the legislature at each session. Each town or city is required to raise its quota for state and county purposes by a levy on polls and estates. Once every three years the tax commissioner

[1] Repealed in 1902; chap. 374, acts of 1902.

determines what proportion of the whole each town or city is to pay. The assessors in the towns then determine the rates by apportionment upon the property subject to taxation.

There is thus no state rate as such.

3. *Collection.*—

All taxes are collected by the town tax collectors, and are payable on demand by him. If they remain unpaid for fourteen days after demand and notice, they may be collected by distress and sale and in certain cases by arrest and imprisonment.

Taxes on land become a lien on May 1.

II. *Poll tax.*

The first section of the revenue laws says: "A poll tax of two dollars shall be assessed on every male inhabitant of the commonwealth above the age of twenty years, whether a citizen of the United States or an alien." This tax is paid into the municipal treasuries as part of the fund out of which the state's share of taxes is drawn.

III. *Inheritance tax.*

All property within the jurisdiction of the state, corporeal or incorporeal, and any interest therein, whether belonging to inhabitants of the state or not, which shall pass by will, or by the laws regulating intestate succession, or by deed, sale, or gift, intended to take effect in possession after the death of the grantor except to or for the use of the father, mother, husband, wife, lineal descendant, brother, sister, adopted child, the wife or widow of a son, or the husband of a daughter of a decedent, is subject to the collateral inheritance tax of 5 per cent of the value of the share or gift.

Gifts to institutions whose property is exempt and to towns for public purposes are also exempt and no distributive share or gift is subject to the tax unless its value exceeds $500. The value is appraised by the probate court.

This tax with the interest thereon attaches as a lien to the property and is collected by the treasurer of the commonwealth.

IV. *Corporation taxes.*

Corporations are taxed by the state upon all those elements in their wealth which can not be reached with comparative ease and certainty by the local assessors. But the state retains for its own use only that portion of the taxes so raised which would not, under the general principles determining the situs of property, naturally belong to some one of the towns and cities, and therefore turns back to the towns a considerable part of that which is collected.

In 1903 the law relating to corporations was extensively revised. The following analysis follows that in force in 1902:

The general corporation tax is also known as a general franchise tax or a tax on the corporate excess. It is administered by the state tax commissioner. He ascertains the market value of the shares of the capital stock of each corporation, which is denominated the value of the corporate franchise. From this amount are deducted certain items locally taxed and certain items regarded as lying beyond the jurisdiction of the state. The balance is assessed as the "corporate excess," and the corporations pay the tax directly into the state treasury.

The deductions allowed in the case of all corporations are: Real estate and machinery taxed by towns and cities in Massachusetts; and in the case of all but railroad, telegraph, telephone, or street railway companies, real estate and machinery locally taxed wherever situated; in the case of a railroad or telegraph company, or of a street railway company, domestic or foreign, so much of the value of its capital stock as is proportionate to the length of line outside the state; in the case of a domestic telephone company, all stock held by it in other corporations which has been taxed in Massachusetts or elsewhere; and in the case of foreign telephone companies, as much of its capital stock as is proportional to the number of telephones controlled or used outside the state.

The rate of taxation levied upon the corporate excess is determined by the commissioner, who ascertains the total amount raised by taxation other than on polls in all the different towns and cities, and divides that by the total valuation of property as returned by the assessors.

The amount raised by the tax on corporate excess is distributed in part to towns and cities in proportion to the number of shares held by citizens thereof in each town. The remainder, which represents the tax on shares of stock held outside the state, remains in the state treasury. In the case of foreign telegraph companies, the shareholders are not sought out and the state takes the entire tax.

The following cases are departures from the general rule already laid down, either in the direction of special procedure or of additional taxes imposed:

Shares of stock in banks, national or state, are assessed locally to the owners and not by the state tax commissioner. The bank advances the tax. The revenue obtained is distributed among the towns and cities where the shareholders reside, and the state receives as its share that levied on the shares of foreign stockholders.

Savings banks are taxed on their deposits at the rate of one-half of 1 per cent per annum, payable semiannually, which is computed upon the average deposits for each six months; but the amount invested in taxable real estate and mortgages is deducted. Cooperative banks are exempt except upon their real estate. The tax on savings bank deposits is in lieu of all other taxes. The Massachusetts Hospital Life Insurance Company is taxed in much the same manner as savings banks.

Life insurance companies, domestic and foreign, pay an excise tax of one-fourth of 1 per cent per annum upon the net value of all policies in force. All other domestic insurance companies pay 1 per cent on net premiums except premiums received in other states where they are subject to a like tax. All other foreign insurance companies pay 2 per cent on net premiums received in Massachusetts.

There is a retaliatory tax on insurance companies of every class organized in states which tax Massachusetts companies more heavily,

and a 2 per cent additional tax on companies chartered outside of the United States if they fail to keep on deposit in the United States proper security for losses.

Trust companies are taxable on their deposits or trust funds, and this tax is treated in the same manner as that on corporate excess.

Street railway companies whose lines are partly within and partly without the state, which have paid dividends from the beginning aggregating 6 per cent per annum, are required to pay a tax equal to the excess over 8 per cent in any dividend declared over that amount.

Street railroads generally pay an excise tax in each town on that proportion of their gross receipts which corresponds to the miles of track in each town or city. The rates are: Gross receipts, $4,000 or less per mile, 1 per cent; $4,000 to $7,000 per mile, 2 per cent; $7,000 to $14,000 per mile, 2¼ per cent; $14,000 to $21,000 per mile, 2½ per cent; $21,000 to $28,000 per mile, 2¾ per cent; over $28,000 per mile, 3 per cent. These taxes are devoted to the care of the streets.

Domestic mining and quarrying companies doing business outside the commonwealth pay semiannually one-twentieth of 1 per cent on the par value of their capital stock and 4 per cent on net profits. Similar companies having a usual place of business in Massachusetts, but organized under laws of other states, pay semiannually one-fortieth of 1 per cent on par value of stock paid in; but this tax is not to exceed $300. Corporations (domestic) formed to construct railroads or railroads and telegraphs in foreign countries, pay one-twentieth of 1 per cent per annum, divided into semiannual installments.

Gas and electric light companies have to bear the expense of the board of gas and electric light commissioners and the cost of inspectors of gas meters. Railroads bear the expense of the railroad commission and the costs of inquests on travelers killed.

V. *Business taxes and licenses.*

The commonwealth receives one-fourth of the local liquor licenses. (See Municipal revenues.)

Itinerant vendors pay to the secretary of commonwealth a license fee of $25 for one year; hawkers and peddlers, $50; agents of foreign fire insurance companies not authorized to do business in Massachusetts, $20.

B. FEES.

Secretary of the commonwealth.—Articles of incorporation and amendments thereto, one-twentieth of 1 per cent of capital stock, but not less than $5 nor more than $200. In 1903, made one-fortieth of 1 per cent but not less than $10.

Commissioner of corporations.—For every writ served upon him as attorney for a foreign corporation, $2.

Treasurer.—For filing first papers of foreign corporations, $25.

The commonwealth receives the proceeds of a fee of $2 charged for the inspection of steam boilers.

Insurance commissioner.—Valuations of life policies, 2½ mills per $1,000 of insurance; examination of domestic companies, $30; filing charter of foreign companies, $30; application for admission and annual statement, $20; licenses for agents in foreign insurance companies, $20 annually; insurance broker, $20; renewal, $2; certificate of valuation of policies of life insurance companies, $2.

County Revenues.

The counties in Massachusetts have very little autonomy and no strictly independent tax levy for their support. They merely receive into their treasuries certain sums allotted to them under orders of the general court, and assessed and collected by the town and city assessors upon the polls and estates in each town and city. The entire machinery for county taxes has therefore been described under the head of State revenues.

Municipal Revenues.

Town and city taxes on polls and estates are assessed, levied, and collected in the same manner as has already been described for state revenues, and no further analysis is necessary. Owing to the large degree of autonomy enjoyed by the towns and cities there are many local differences of law and practice. These practices and local institutions rest as often upon tradition as upon express grant by any legislative authority, and in some cases suggest that the original powers of the local authorities are superior even to those of the commonwealth.

V. *Business taxes and licenses.*

Liquor licenses, annual—First class, liquors of all kinds, to be drunk on premises, minimum, $1,000; second class, malt liquors, cider, and light wines, to be drunk on premises, minimum, $250; third class, malt liquors and cider, to be drunk on premises, minimum, $250; fourth class, liquors of any kind, not to be drunk on premises, minimum, $300; fifth class, malt liquors, cider, light wines, not to be drunk on premises, minimum, $150; sixth class, retail druggists, $1; seventh class, paints and chemicals, $1. Of these, the cities receive three-fourths.

Other licenses, annual—Auctioneers, not less than $2; billiard saloons, not less than $2; bowling alleys, not less than $2; carriages, $1; dogs, for breeding, five in number, $25, over five, $50; males and spayed females, $2; females, $5; peddlers, towns of 1,000, $3; 1,000 to 2,000, $6; 2,000 to 3,000, $8; 3,000 to 4,000, $10; cities and other towns, $10 plus $1 per 1,000, limit, $25; horse killing establishments, not to exceed $1; intelligence offices, not less than $2; junk dealers, not less than $2; milk dealers, 50 cents; oyster digging, $2.50; pawnbrokers, $50; plumbers—master, $2; journeymen, 50 cents; private detectives, $10; slaughterhouses, not less than $1; steamboats, not less than $1; skating rinks and picnic groves, not less than $2; surveyor of lumber, not less than $1.

VI. *Special property taxes.*

Watering rates.—This tax is treated as a part of the general property tax, in which its returns are merged. In form it suggests a special assessment, but it differs therefrom in that it is regularly recurrent each year and is not for any permanent improvement. It differs from the general property tax in that it is levied on part of the property only, and assessed upon each linear foot of frontage instead of upon valuation. In some cities and towns the same services are charged to the general property tax. It is levied and collected by the same officers as the general property tax.

A city may determine that the streets, or certain streets, or portions of streets shall be watered, in whole or in part, at the expense of the abutters. In such event the expense for a municipal year, the proportion thereof to be borne by abutters, and the rate to be assessed upon each linear foot of frontage upon such streets or portions of such streets is estimated and determined by the board of aldermen, and assessed upon the estates abutting on such streets in proportion to the number of linear feet of each estate on the watered street. The amount on each estate is determined by the board, or, if the board so determines, by the

board of public works, the board of street commissioners, superintendent of streets, or other officer, who certifies the same to the assessors.

This tax is included in the annual tax bill of such estates and collected as other taxes on the same estates.

School Revenues.

The sum of $100,000 is to be paid annually from the treasury of the commonwealth into the school fund until the principal amounts to $5,000,000. The income is apportioned among the towns, to be applied by the school committees to the public schools.

Towns are required, under penalty of forfeitures, to raise by taxation money necessary for the support of public schools, which shall go to the school committees of the town.

MICHIGAN.[1]

The constitution of Michigan, adopted in 1850, prescribed the general property tax for state and local purposes, but also permitted the legislature to levy "specific" taxes upon certain classes of corporations for certain state purposes, mainly educational, such specific taxes to be in lieu of all other taxes. Under the latter provision the legislature levied a tax on the gross receipts of railroads and other large corporations. In 1900 the constitution was amended so as to permit of what was popularly known as "equal taxation," or the taxation of railroads and large corporations on their entire property in the state as determined and assessed by a state board at a rate equal to the average rate for state, county, and municipal purposes assessed upon other property. The changes made by the legislature in the revenue laws pursuant to this amendment went into effect for the most part in 1902. On that account both systems will have to be described.

CONSTITUTIONAL PROVISIONS.

ARTICLE XIV.

Sec. 1. All specific state taxes, except those received from the mining companies of the upper peninsula, shall be applied in paying the interest upon the primary school, university, and other educational funds, and the interest and principal of the state debt, in the order herein recited, until the extinguishment of the state debt, other than the amounts due to educational funds, when such specific taxes shall be added to and constitute a part of the primary school interest fund. The legislature shall provide for an annual tax, sufficient with other resources to pay the estimated expenses of the state government, the interest of the state debt, and such deficiency as may occur in the resources.

Sec. 10 (as amended in 1900). The state may continue to collect all specific taxes accruing to the treasury under existing laws. The legislature may provide for the collection of specific taxes from corporations. The legislature may provide for the assessment of the property of corporations, at its true cash value, by a state board of assessors, and for the levying and collection of taxes thereon. All taxes hereafter levied on the property of such classes of corporations as are paying specific taxes under laws in force on November 6, 1900, shall be applied as provided for specific taxes in section one of this article.

Sec. 11 (as amended in 1900). The legislature shall provide a uniform rule of taxation, except on property paying specific taxes, and taxes shall be levied on such property as shall be prescribed by law: *Provided*, That the legislature shall provide a uniform rule of taxation for such property as shall be assessed by a state board of assessors, and the rate of taxation on such property shall be the rate which the state board of assessors shall ascertain and determine is the average rate levied upon other property upon which ad valorem taxes are assessed for state, county, township, school, and municipal purposes.

Sec. 12. All assessments hereafter authorized shall be on property at its cash value.

Sec. 13 (as amended in 1900). In the year 1901 and every fifth year thereafter, and at such other times as the legislature may direct, the legislature shall provide for an equalization of assessments by a state board, on all taxable property, except that taxed under laws passed pursuant to section ten of this article.

Sec. 14. Every law which imposes, continues, or revives a tax shall distinctly state the tax, and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The supervisors, elected annually in each township, who make the initial assessments; in incorporated villages and in certain cities this work is done by an officer called the assessor, or by a board of assessors.

(2) The board of review for each township, composed of the supervisor, and two taxpaying landholders elected for two years, one in each alternate year.

(3) The county board of supervisors, composed of the supervisors of each township in the county, which equalizes the assessment between townships, villages, etc.

(4) The state board of equalization, consisting of the lieutenant governor, the auditor-general, the secretary of state, the state treasurer, and the commissioner of the land office.

(5) The state board of tax commissioners, created in 1899, formerly of three, now of five members appointed by the governor for a full term of six years.

(6) The township treasurer, who acts as tax collector.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property, real and personal, within the jurisdiction of the state, not expressly exempted, is subject to this tax.

(1) "Real property" includes all lands within the state, and all buildings and fixtures thereon, and appurtenances thereto. Real estate is assessed in the township or place where situated to both the owner and the occupant. Possessory claims to homestead lands are assessed as personal property.

[1] This compilation is derived mainly from the following sources:
The Compiled Laws of the State of Michigan of 1897. Compiled under provision of the law by L. M. Miller; 3 volumes and an index: Lansing, Mich., 1899.
Public Acts of 1899, No. 19, approved March 15, 1899.
Public Acts of 1899, No. 179, approved June 23, 1899.
Public Acts of 1901, No. 173, approved May 27, 1901.

(2) "Personal property" includes all moneys; all annuities and royalties; all goods, chattels, and effects within the state; all ships, boats, and vessels, and their appurtenances belonging to inhabitants of this state, whether at home or abroad; all goods, chattels, and effects belonging to inhabitants of this state, situate without this state, except property actually and permanently invested in business in another state; all credits of every kind belonging to inhabitants of this state, over and above the amounts owed by them; all shares in corporations organized under the laws of this state, when the property of such corporations is not exempt or is not taxable in itself, or when the personal property is not taxed; all shares in banks within the state, at their cash value, after deducting the assessed value of real property of the banks; all shares of foreign corporations, except national banks, owned by citizens of the state; all interests owned by individuals in lands, the fee of which is in the state or the United States; all buildings and improvements upon leased lands except when real property is assessed to same person; tombs and vaults for hire and the stock of any corporation owning them; all other personal property not specially exempt; all nursery stock and trees; all produce and grain on hand, stored in warehouse or mill, and in transit, owned within the state; the personal property of all gas and coke companies, natural gas companies, electric light companies, waterworks companies, and hydraulic companies, to be assessed in the township, village, or city where the principal works are located, the mains, pipes, and wires of such companies being assessed as personal property; the personal property of street railroad, plank road, cable or electric railroad, or transportation companies, bridge companies, and all other companies not required to pay a specific tax to the state in lieu of all other taxes, shall be assessed in the township, village, or city where its principal business office is situated, and the track, road, or bridge of any such company shall be held to be personal property, and may be assessed in the township, etc., where it is located, used, or laid.

(3) Exemptions, in addition to all public property, are: Property of library, benevolent, charitable, educational, and scientific institutions; houses of public worship and parsonages; cemeteries; the property of persons who, in the opinion of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges; property of state and local agricultural societies; parks and armories; property of posts of the Grand Army of the Republic, Sons of Veterans, Union Veterans' Unions, and of Women's Relief Corps, of all Young Men's Christian Associations, and of Women's Christian Temperance Union associations, Young People's Christian Unions, and similar associations; pensions receivable from the United States; property of Indians who are not citizens; the library, family pictures, schoolbooks, one sewing machine, and wearing apparel used and owned by each individual or family; household furniture, provisions, and fuel to the value of $500 to each household; working tools of any mechanic to $100; fire apparatus of organized companies; all mules, horses, and cattle not over one year old, all sheep and swine not over six months old, and all domesticated birds; personal property owned and used by any householder in connection with his business to the value of $200; all property of the Woman's Auxiliary Society of the University of Michigan.

The law does not expressly provide for mortgages, but they are regarded as taxable property of the mortgagee. Personal property subject to a mortgage may be taxed in the hands of the person in possession.

Until 1901 railroads were exempt from the general property tax by virtue of paying a "specific" tax on gross earnings, but since then they have been taxed for state taxation upon all their property, real and personal, and franchises, "said franchises not to be directly assessed, but to be taken into consideration in determining the value of other property." The same general principle is made by the statute applicable to express companies, car companies, fast freight lines, and union station and depot companies.

b. Assessment.—In general, there is but one complete assessment roll for state, county, and municipal taxes, but incorporated villages and certain cities may cause a separate roll to be made up for their own taxation. The state assessment, determined by the state board of equalization for five years, is in effect a mere apportionment of the burden of state government among the counties, irrespective of the annual local assessment upon which the state tax is actually collected. The township, village, ward, or city is the unit, and the initial assessment is made by the township supervisor, or, where a city charter otherwise provides, by some assessor or board of assessors. The assessment of all property is made annually and refers to the second Monday in April. Property is assessed to the owner or person in possession, and personal property in general follows the situs of that person, except in specified cases in which, on account of liability to evasion, the situs of the property itself is preferred. The supervisor must require (down to 1899 he might require) a sworn statement from every person "of full age and sound mind," as to his property; and he may require persons claiming to have no property to take oath to that effect. The value assigned to the property by the owner is not taken as conclusive, it being the duty of the supervisor to make the valuation at the "cash value," or usual selling price, where the property is. The assessment proper is completed by the township board of review, which, after correcting the roll, is required formally to approve it.

Willful neglect by the owner to furnish a statement of his property and its value is a misdemeanor for which a fine not to exceed $100 may be imposed, or imprisonment not to exceed thirty days in jail, or both. In case of corporation officials these penalties are $100 to $1,000 and thirty to sixty days in jail.

Corporations in general are assessed precisely as individuals, but certain classes of corporations, which until 1902 paid "specific" taxes, are now assessed upon their property by the state board of tax commissioners. The assessment made by this board is not apportioned among the townships or counties and is made the basis for state taxation only.

Since 1899 the state board of tax commissioners has had supervisory power over the assessment officials, and the power to compel an observance of the law.

Banks are assessed upon their real estate only, shares of the capital stock being assessed at their cash value (less the value of the real estate) to the stockholders, and at the place where the bank is located. Shareholders residing in other townships in the same county are assessed for their shares in their home townships. The cashier of the bank is made the agent of the shareholders for the payment of the tax. Private banks are assessed on their tangible property, plus the excess of their credits over their deposits and debts.

Corporations generally, except railroad, insurance, telegraph, and banking companies, and others whose assessment is specifically provided for, are assessed upon their real property, plus the difference between that and the market value of the stock, which is taken to represent their personal property or franchises, and to this may be added the excess of their credits over their bona fide debts. Navigation companies and street railroads follow this general rule. (Citizens' Street Railway Co. *v.* Common Council of Detroit, 125 Mich., 673.)

Until 1901 railroads were subject to a specific state tax on gross receipts, apportioned according to earnings per mile of road operated.

But since 1901 railroads have been assessed annually by the board of state tax commissioners upon all their property, except real estate not actually occupied in the exercise of their franchises nor used in the operation of their road, such real estate being taxed like other real estate in the townships. The same applies to union station and depot companies and other car companies, and, save as to tangible personalty, to express companies.

Telegraph and telephone companies were, until 1899, assessed by a state board, composed of the auditor-general, the state treasurer, and the commissioner of the land office.

c. Equalization.—There is no equalization, so called, between individuals, although the action of the "board of review" in connection with assessment has practically that effect.

The county board of supervisors equalizes annually between townships, wards, or cities in their county, making such additions and deductions on the total value of real estate in the several townships as will, in their judgment, produce relatively an equal and uniform valuation in the county. The effect of equalization in this manner is felt entirely in the apportionment of state and county taxes, as the assessment roll, after it leaves the hands of the board of review, is not amended.

The state board of equalization, once every five years (1896, 1901), equalizes the valuation of all property in the state, except that paying specific taxes, by adding to or deducting from the aggregate valuation of taxable real and personal property such percentages as will produce relatively equal and uniform valuations between the several counties. This forms the basis of the state assessment for five years.

The new state board of tax commissioners, created since 1899, has powers analogous to those of boards of equalization. It has power to inspect the roll, and after a public hearing at which the supervisor and the interested parties are present, may change individual assessments, add property omitted, and make a general review of the roll.

2. *Rate*—

The rate for state purposes is determined each year strictly by apportionment, an apparent exception being the so-called mill tax (one-fourth of 1 mill) on the state assessment for the support of the university. The legislature makes such appropriations as it sees fit and directs in a general way the total amount of money to be raised. The auditor-general certifies to the clerk of each county (the clerk acts as county auditor), or to the proper city official, that proportion of the total amount to be raised for state purposes which the state assessment in each county or city bears to the total assessed valuation of the state as fixed once in five years by the state board of equalization. The county board of supervisors apportions the share of its county among the townships on the basis of the annual assessment in each, and the supervisor in each township apportions the amount assigned to the township among the individuals in proportion to their assessed property. There is thus no universal "state rate" save in connection with the state assessment.

Under the new tax law, which made railroad and kindred companies subject to the general property tax, the rate for those companies is determined by the auditor-general, who is instructed to ascertain the rate by dividing the total taxes raised on other property in the state by the total assessed valuation of such other property.

Until 1899 the rate for telegraph and telephone companies was the average rate of all taxation, general and local, levied on other property, and was determined by the state board of assessment for those companies.

3. *Collection*—

In general, all taxes, state and local, except those called "specific" (which still include the tax on railroads, etc., under the new law), are collected by the township treasurers. The taxes due from taxpayers become a debt to the township, and are secured by a lien on the property, attaching on the 1st day of December. Taxes are delinquent on the 10th of January, when the collection fee becomes 4 per cent; but if the treasurer is apprehensive of the loss of any personal tax, he may proceed to collect it by seizing the property and bringing suit in December, and in that case the collection fee is 4 per cent. After the 10th of January the treasurer is to make a personal demand on each taxpayer who is delinquent, and in case payment is not made, collects by seizure and sale. The state's portion is turned over to the county treasurer, and by him to the state treasurer.

The tax on railroad and kindred companies under the new law is a lien upon the real estate of the corporations, and is payable to the state treasurer on or before the first Monday in January, and if not paid on or before February 1, involves a penalty of 2 per cent a month, and may be collected by suit.

The tax on telegraph and telephone companies was, so long as these companies remained under the general property tax, collected by the state treasurer.

The township treasurer as collector is paid by a fee of 1 per cent which is added to the taxes.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

All real and personal property in the state of over $500 passing by inheritance or by gift intended to take effect after death, except to persons or corporations exempt, is subject to a tax of 5 per cent of its clear market value. Exempt is property passing to the father, mother, husband, wife, child, brother, sister, wife or widow of a son, husband of a daughter, or adopted child, or to or for the use of any lineal descendant, unless it be personal property of the value of $5,000 or more, in which case the tax is 1 per cent of the clear market value. This tax is paid to the state for the benefit of educational funds.

IV. *Corporation taxes.*

Most corporations are taxed under the general property tax. Until after the adoption of the constitu-

tional amendment of 1900, and the legislation subsequent thereto, certain corporations paid "specific taxes," and they are still treated in a manner sufficiently different from other corporations and from natural persons to warrant their mention under this heading. These corporations are railroad, river improvement, insurance, plank road, express, telegraph, telephone, and car companies. The taxes were in lieu of all other taxes except on real estate not necessarily connected with the business of the corporations.

The present method of taxing railroad and kindred companies and express companies has been described under the general property tax. Formerly they were taxed on their gross receipts and paid directly to the state treasury. The rates for railroads have varied from time to time. They were fixed in 1897 as follows: Upon gross earnings not exceeding $2,000 per mile, 2½ per cent; over $2,000 and not exceeding $4,000 per mile, 3¼ per cent; over $4,000 and not exceeding $6,000 per mile, 4 per cent; over $6,000 and not exceeding $8,000 per mile, 4½ per cent; over $8,000 per mile, 5 per cent.

Express companies, while under the "specific" tax system, were required to pay on their gross receipts in Michigan. Until 1898 the rate was 1 per cent; after that, 5 per cent. In 1901 they were brought under the general property tax with railroads.

Since 1899 telegraph and telephone companies have been taxed upon their gross receipts in Michigan at the rate of 3 per cent.

Foreign life insurance companies are taxed upon gross premiums received in Michigan at the rate of 2 per cent; plate-glass, accident, live stock, steam boiler, and fidelity insurance companies pay at the rate of 2 per cent; and foreign fire and marine insurance companies at the rate of 3 per cent. A retaliatory tax is laid on insurance companies incorporated in states which levy heavier taxes on Michigan companies.

River improvement companies pay 1 per cent per annum on paid-up capital.

Road companies pay 2½ per cent per annum on gross earnings.

V. *Business taxes and licenses.*

Itinerant vendors, $25 per annum—collected by the secretary of state. Hawkers and peddlers—on foot, $15; 1 horse, $40; more than 1 horse, $75; on railroad or steamboat, $100; taking orders, $50—collected by the state treasurer. Auction duties—sales of spirits and wines, 2½ per cent; goods imported from outside the United States, 1½ per cent—collected by county treasurers and paid to the state. Liquor tax—the state does not share in the ordinary liquor tax or licenses which are collected by the county treasurer, but levies a specified tax on the "business of selling spirituous, intoxicating, malt, brewed, and fermented liquors in the state of Michigan to be shipped from without the state" at wholesale, by persons not resident in the state; the annual rates are $300 for spirituous and intoxicating liquors, and $100 for malt liquors—collected by the auditor-general.

B. FEES.

To secretary of state.—For filing articles of incorporation, 50 cents; for recording or copying articles of association, 20 cents per folio of 100 words; for seal, 25 cents; franchise fees, one-half of 1 mill on each dollar of authorized capital stock.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization are the same for the county tax as for the state.

2. *Rate—*

The amount to be raised is levied by the county board of supervisors and apportioned among the townships.

3. *Collection—*

Same as for the state tax.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no poll, special corporation, or inheritance taxes for county purposes.

V. *Business taxes and licenses.*

Liquors.—Upon the business of selling liquors the rates are: Selling at retail, spirituous or malt, $500; malt liquors at wholesale or retail, or both, $500; spirits at wholesale, $500; spirits at wholesale and retail, $800; manufacturing malt liquors, $65; manufacturing spirits, $800. This tax is collected by the county treasurer, one-half retained for the benefit of the county and one-half turned over to the township in which the business is located.

Municipal Revenues.

The divisions of local government are the townships, the villages, the cities, the road districts, and the school districts which are divisions of the township; but under certain circumstances cities or villages may be the school districts.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization are, in general, the same as for state taxes, except that villages and certain cities may make up separate rolls.

2. *Rate—*

In townships the amount to be raised by taxation is fixed by the inhabitants at town meeting, subject to certain legal limitations. If the town meeting fails to fix the amount, the trustees may levy within certain limits.

In villages the power to levy taxes rests with the village council, under restrictions imposed by law. In cities the city council fixes the rate, subject also to many legal restrictions.

3. *Collection—*

This is, in general, the same as for state taxes. Cities, however, may collect in two installments—one for general and one for city taxes.

II. *Poll tax.*

a. General.—The village council has the power to levy a poll tax of $1 on all males as above, except active members of the fire department.

b. Road.—All male inhabitants of the state over 21 and under 50 years of age, except pensioners of the United States, persons exempted by the military laws, those who are mentally incompetent, and paupers, are liable to assessment for highway labor one day in each year in the road district where he resides.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

In general, villages and cities may license, at rates to be fixed by the councils, billiard tables and ball alleys; taverns and eating houses; public shows and exhibitions; auctioneers, hawkers and peddlers, transient traders, and dealers; hacks and other public vehicles; solicitors for passengers or baggage; wharf boats, ferries, and toll bridges; maternity hospitals; and city boards of health may charge fees for examination of plumbers.

Municipal governments receive one-half the liquor taxes collected by the county.

There is a special dog tax collected by a dog warden in each township to form a fund for the payment of damages done by dogs to sheep. Cities may also levy a tax on dogs.

F. SPECIAL ASSESSMENTS.

Special assessments may be made to cover the cost in whole or in part of any local or public improvement. Special provisions are made for "drains" ordered by the county supervisors under a commissioner of drains. The village and city council may order assessments for certain public improvements. They are estimated by a special board of assessors for the special district affected, according to frontage or benefits, pro rata upon the lots and premises.

School Revenues.

In school districts the school boards estimate the amount to be raised and the levy is made by the township.

Road Districts, Taxes.

Road district taxes are levied by the road commissioner or by township vote, and the rate is stated both in days' labor, per $100 of assessed valuation, and in money. These are generally payable in labor but may, under certain circumstances, be commuted into money.

MINNESOTA.[1]

Minnesota derives her revenues mainly from the general property tax. There is, however, an inheritance tax, direct and collateral. Public service companies are taxed by a percentage on their gross receipts.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

Sec. 1. All taxes to be raised in this state shall be as nearly equal as may be, and all property on which taxes are to be levied shall have a cash valuation, and be equalized and uniform throughout the state: *Provided*, That the legislature may, by general law or special act, authorize municipal corporations to levy assessments for local improvements upon the property fronting upon such improvements, or upon the property to be benefited by such improvements, or both, without regard to a cash valuation, and in such manner as the legislature may prescribe: (*And provided further*, That for the purpose of defraying expenses of laying water pipes and supplying any city or municipality with water, the legislature may, by general or special law, authorize any such city or municipality, having a population of five thousand or more, to levy an annual tax or assessment upon the lineal foot of all lands fronting on any water main or water pipes laid by such city or municipality without regard to the cash value of such property.)

And provided further, That there may be by law levied and collected a tax upon all inheritances, devises, and bequests, legacies, and gifts of every kind and description above a fixed and specified sum, of any and all natural persons or corporations. Such tax above each exempted sum may be uniform, or it may be graded or progressive, but shall not exceed a maximum rate of five per cent.

Sec. 2. The legislature shall provide for an annual tax sufficient to defray the estimated (ordinary) expenses of the state for each year; and whenever it shall happen that such ordinary expenses of the state for any year shall exceed the income of the state for such year, the legislature shall provide for levying a tax for the ensuing year sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of such ensuing year.

(But no law levying a tax for the payment of interest or principal of the bonds denominated "Minnesota state railroad bonds" shall take effect unless submitted to a vote of the people and adopted by a majority vote.)

Sec. 3. Laws shall be passed taxing all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; but public burying grounds, public schoolhouses, public hospitals, academies, colleges, universities, and all seminaries of learning, all churches, church property used for religious purposes, and houses of worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property to an amount not exceeding in value two hundred dollars for each individual, shall, by general laws, be exempt from taxation.

Sec. 4. Laws shall be passed for taxing the notes and bills discounted or purchased, moneys loaned, and all other property, effects, or dues of every description of all banks and of all bankers, so that all property employed in banking shall always be subject to a taxation equal to that imposed on the property of individuals.

ARTICLE IV.

Sec. 32a. Any law providing for the repeal or amendment of any law or laws heretofore enacted, which provides that any railroad company now existing in this state, or operating its road therein, or which may be hereafter organized, shall in lieu of all other taxes and assessments upon their real estate, roads, rolling stock, and other personal property, at and during the time and periods therein specified, pay into the treasury of this state a certain percentage therein mentioned of the gross earnings of such railroad companies now existing or hereafter organized, shall, before the same shall take effect and be in force, be submitted to a vote of the people of the state and be adopted and ratified by a majority of the electors of the state voting at the election at which the same shall be submitted to them.

Sec. 33. The legislature shall pass no local or special law regulating the building or repairing of schoolhouses and the raising of money for such purposes, exempting property from taxation, or authorizing public taxation for a private purpose.

ARTICLE XI.

Sec. 5. Local taxation.—Any county and township organization shall have such powers of local taxation as may be prescribed by law.

[1] This compilation is derived mainly from the following sources:
The General Statutes of Minnesota, 1894: West Publishing Company, St. Paul, Minn., 1894.
Laws of Minnesota, 1895, 1897, 1899, 1901, 1902, 1903.

Amended, 1897. (The legislature may impose upon the property within this state of any and all owners or operators, of any and all sleeping, parlor, and drawing room cars, which run into or through this state; also upon the property within the state of any and all telegraph and telephone companies in the state; also upon the property within the state of all express companies, domestic insurance companies, operators of mines, boom companies, shipbuilders (provided that the amendment does not apply to railroad property) a tax on property uniform with other taxes or upon net earnings, graded or progressive, or both.)

ARTICLE IX.

Amended, 1898. State road and bridge fund.—(The legislature is authorized to add to such fund for the purpose of constructing or improving roads and bridges of this state by providing, in its discretion, for an annual tax levy upon the property of this state of not to exceed in any year one-twentieth of one mill on all the taxable property within the state.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township assessor, elected for one year.

(2) City assessor, elected annually by the common council; also village assessor, elected annually by the council.

(3) Town board of review, composed of the supervisor of each town, the assessor, recorder, and president of each incorporated village, and the assessor, recorder, and mayor of each city.

(4) County board of equalization, composed of the county commissioners, and the county auditor.

(5) State board of equalization, composed of the governor, auditor of state, and the attorney-general, with one qualified elector from each judicial district of the state to be appointed by the governor every two years.

(6) County treasurer, who is collector of taxes, elected for two years.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property in the state, and all personal property of persons residing therein, is subject to taxation, except as expressly exempted or upon the earnings of which a percentage is collected in lieu of the property tax.

(1) "Real property" includes, for purposes of taxation, the land itself, and all buildings, structures, and improvements, trees or other fixtures, all rights and privileges appertaining, and all mines, minerals, quarries, and fossils in and under the same.

Mortgages on lands, etc., are taxable as personal property.

Lands of any railroad company exempted by the gross earnings tax law become subject to taxation "as soon as sold, leased, or contracted to be sold or leased."

Whenever any special stock and land stock, or any other writing or instrument whatever, is issued by any railroad company to any person with a view to secure to the person any right, title, or interest in the lands, that interest becomes taxable to the holder as other real property in the state.

(2) "Personal property" includes all goods, chattels, moneys, credits, and effects wheresoever they may be, all moneys at interest within or without the state due the person to be taxed more than he pays interest for, and all other debts due such persons more than their indebtedness; all public stocks and securities; all stock in corporations (except national banks) out of the state owned by inhabitants of the state; the income of any annuity unless the capital be taxed within the state; bank shares; improvements on lands of which the fee is vested in the United States, or corporations whose property is not subject to the same mode and rule of taxation as other property.

(3) Exemptions, in addition to public property, are: Academies, colleges, and institutions of learning; churches; cemeteries; institutions of purely public charity, hospitals, and their endowments; fire engines and horses; public libraries; and personal property of each individual up to $100 in value; also the property of agricultural societies, incorporated under the state law, and of camp meeting associations.

b. Assessment.—The assessment is made with reference to the holding and value on May 1. Real property is to be listed and assessed every even numbered year; personal property, annually. The lists are to be made under oath.

The lists are to be made under oath but the valuation is to be fixed by the assessors, each item at its true value in money. Shares of stock in corporations, taxed on capital and property, need not be listed. From the gross amount of credits, which may include grain to the value of $300 held by the producer for sale, may be deducted bona fide indebtedness, except insurance premium notes and subscriptions to capital stock or to charitable institutions. Banks do not have this privilege of deduction from credits.

Submitting a false list is a misdemeanor, subject to a fine of $100, or imprisonment for three months.

Real estate is assessed in the even numbered years upon actual view, at its full value, including the value of all improvements. The value of the land, exclusive of improvements, is also to be determined. In odd numbered years the assessor is to correct the assessment for new structures or losses.

Property undervalued by county officials or unlawfully omitted from the assessment may be called to the notice of the governor, who shall thereupon appoint an examiner to assess the property at its true value. Taxes so assessed are a lien on all real property of the owner in the county.

The auditor of the state is to certify to the counties lists of public and railroad lands becoming taxable.

Corporations are assessed on their real estate and personal property and also on capital stock. From the market value of the shares of stock is deducted the amount of all indebtedness and the value of the property, real and personal, and the balance is listed as "bonds and stocks."

Mortgages of building and loan associations which are represented in their stock are not to be assessed as mortgages.

Bank stock is assessed where the bank is located. The accounting officer of the bank is to furnish a statement of the stockholders and the number of shares. The amount of investments in real estate is to be deducted from the capital and surplus fund, and the remainder is taken as the basis for valuation of the shares in the hands of the stockholders.

c. Equalization.—The town board of review examines the assessment in its town or district, supplies omissions, and hears complaints.

The county board of equalization examines and compares the assessments of the several towns or districts of the county. It may raise or lower the value of real and personal property, but the aggregate value is not to be reduced.

The state board of equalization equalizes between the several counties of the state, or towns, villages, or cities therein. It is not to reduce the valuation of all the property in the state more than 1 per cent.

2. *Rate—*

Taxes are required to be levied in specific amounts and the rate to be determined from the equalized valuation.

In the fiscal year 1902 the legislature levied a tax of $760,000 on all the taxable property of the state, but the rate was not to exceed $1\frac{1}{10}$ mills on each dollar.

3. *Collection—*

Taxes for state, county, city, town, school, poor, bridge, road, or other purposes are collected by the county treasurer. The treasurer gives notice when he will attend in each town and district to receive the taxes.

Taxes assessed on personal property are a lien after judgment is rendered, and are deemed delinquent on March 1, when a penalty of 10 per cent attaches. After April 1 they may be collected by distraint and sale.

Taxes on real property are a lien thereon from the first Monday in January, and if unpaid on June 1, a penalty of 10 per cent attaches. They may, however, be paid in two installments, one-half prior to June 1 and one-half prior to November 1. On the first Monday in January an additional penalty of 5 per cent is charged on delinquent taxes, and on the second Monday in May the county auditor is to sell all land against which judgment has been rendered.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

Minnesota has endeavored to frame several inheritance tax laws, but each has been declared unconstitutional.

Law of 1901 annulled, State *v.* Bazelle (92 N. W., 415).

Law of 1902 annulled, State *v.* Harvey (95 N. W., 764).

A third inheritance tax law was passed in 1905.

The constitution provides for an inheritance tax. (See Art. IX, sec. 1.)

IV. *Corporation taxes.*

All railroad companies owning or operating lines in the state are assessed upon the basis of gross earnings in lieu of other taxes on property used for railroad purposes. The tax is graduated according to the number of years the road, or 30 miles thereof, has been completed. The rate during the first three years is 1 per cent, during the next seven years 2 per cent, and after ten years 3 per cent.

The tax is payable to the treasurer by March 1, annually, or may be paid half on February 1 and half on August 1. Failure for thirty days after notice to make report of gross earnings is penalized by the addition of 25 per cent to the tax. The penalty for nonpayment is 5 per cent.

Railroads, beginning with 1903, are to pay a tax of 4 per cent per annum on the gross earnings derived from operation within the state, in lieu of all other taxes on the property and franchises operated for railroad purposes.

Sleeping car, drawing room car, and parlor car companies are taxed upon gross receipts from business done within the state, such tax being in lieu of all other taxes. The tax is at the rate of 3 per cent upon the gross receipts as reported to the state auditor on May 1 for the preceding year. There is a penalty of 10 per cent for failure to pay at the time required.

Express companies are taxed 6 per cent per annum on the gross receipts from business in the state in lieu of taxes on personal property.

Freight line and equipment companies are taxed upon the amount and value of that part of the capital stock which represents capital and property used in the state. The value of real estate assessed and taxed locally is to be deducted. The assessment is made by the state board of equalization on the basis of a statement by the company. The state auditor is to charge and collect a sum in the nature of an excise or license at the rate of 2 per cent of the assessed valuation (supra). For failure to pay in November, as required, a penalty of 50 per cent is added.

Telegraph lines are assessed by the state board of equalization at their true cash value determined by statements by the company. The state board also determines the rate of tax to be levied, not to exceed the average rate of taxes—general, municipal, and local—levied throughout the state. This tax is in lieu of all other taxes, state and local, and is payable into the state treasury on the 1st day of January. Penalty for failure to report is the addition of 30 per cent to the assessed value.

Telephone companies are required to pay 3 per cent per annum on their gross earnings in lieu of other taxes.

All insurance companies are required to pay to the state 2 per cent per annum on gross premiums received in the state. Such companies are also taxed on their property, except that domestic insurance companies are taxed only on real estate.

V. *Business taxes and licenses.*

Vessels owned in or hailing from any port of the state, employed in navigation of international waters, pay annually 3 cents per net ton of their registered tonnage. This tax is in lieu of all other taxes—state and local.

Annual licenses are collected as follows: Agents of railroads, steamboats, and steamboat lines, $3; local warehouses, $1; dealers in milk and cream, $1; commission merchants, $1.

VI. *Other licenses.*

Resident hunters, per annum, $100; nonresident hunters, to hunt big game, $25; to hunt small game, $10.

B. FEES.

Corporations, filing articles of association, first $50,000 capital stock, $50; every additional $10,000, $5; increase, every additional $10,000, $5. Insurance, filing copy of charter, $25; annual statement, $20; certificate of authority, $1.

C. LEASES AND ROYALTIES FROM STATE LANDS.

The state is in receipt of considerable income from leases of state school and other lands. It also receives 25 cents a ton royalty on all iron ore mined on lands leased by the state.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization are the same for county taxes as for state.

2. *Rate*—

County taxes are levied by the county commissioners.

The rate is not to exceed 5 mills in counties with valuation of $1,000,000 or more. The amount of the tax is not to exceed $5,000 in other counties, nor the rate, 1 per cent.

3. *Collection*—

Same as for state taxes.

II and III. *Poll tax and inheritance tax.*

There are no county poll or inheritance taxes.

IV. *Corporation taxes.*

One-half the state tax on the product of mines is credited to the county in which the mines are located.

V. *Business taxes and licenses.*

Liquors, license for sale, $25 to $100 per annum; ferries, $5 to $200 per annum; employment bureau, $100 per annum; peddlers (hawkers), $30 per annum; auctioneers, $10 per annum.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the assessment and equalization are, in general, the same for municipal taxes as for state; but municipalities may have their own assessment.

2. *Rate*—

For township purposes the rate is limited to 2 mills on valuation of $100,000 or more, and the amount in other townships is not to exceed $150 nor the rate one-half of 1 per cent. For road and bridge purposes the limit is 5 mills; for poor purposes, 2 mills; for school districts, 9 mills, or for the erection of a school house 1 per cent; and for public libraries, 2 mills.

Cities are limited to 1 per cent for general purposes; but the common council may also levy a ward tax of 1 per cent for local improvements.

3. *Collection*—

Same as for county taxes.

II. *Poll tax.*

A poll tax of $2 may be levied upon every qualified voter in the city. This is collected by the street commissioner, and may be paid in labor.

Road districts may also levy a poll tax.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

The common councils of cities have power to license amusements, shows, billiard tables, bowling alleys, auctioneers, taverns, the sale of liquors, butcher shops, pawnbrokers, etc.; employment bureaus, $100 per annum. Fire department tax—towns, cities, and villages, or other municipal corporations with organized fire departments, receive one-half the tax paid by fire insurance companies upon premiums collected therein. Retail of merchandise for limited period—this license not to exceed $50 per week (graded according to kind, amount, and value of goods). Liquor licenses—cities of 10,000 or more, $1,000 per annum; cities less than 10,000, $500 to $1,000 per annum.

School Revenues.

There is levied annually upon the taxable property of the state a tax of 1.15 mills, known as the "state school tax," of which 1 mill is added to the general school fund, making, together with sundry fees and fines, the "current school fund," and fifteen one-hundredths of 1 mill goes to the University of Minnesota.

The state's current school funds are apportioned among the several counties, according to the number of scholars, and thence to the school districts. Liquor licenses and fines are also so apportioned by the county.

The county commissioners also levy an annual tax of 1 mill, known as the "local mill tax."

In school districts of over 50,000 inhabitants the total levy may not exceed 8 mills on the dollar.

The school fund also receives sundry fees and fines.

MISSISSIPPI.[1]

The revenue system of Mississippi is distinguished by an elaborate system of privilege taxes for state revenue. There are the general property and poll taxes, but no inheritance tax or special corporation taxes except as included in the privilege taxes.

Telegraph, express, sleeping car, and insurance privileges are taxable only by the state, but counties and municipalities may also lay taxes on other privileges up to 50 per cent of the state tax.

CONSTITUTIONAL PROVISIONS.

Sec. 112. Taxation shall be uniform and equal throughout the state. Property shall be taxed in proportion to its value. The legislature may, however, impose a per capita tax upon such domestic animals as from their nature and habits are destructive of other property. Property shall be assessed for taxes under general laws, and by uniform rules, according to its true value. But the legislature may provide for a special mode of valuation and assessment for railroads, and railroad and other corporate property, or for particular species of property belonging to persons, corporations, or associations not situated wholly in one county. But all such property shall be assessed at its true value, and no county shall be denied the right to levy county and special taxes upon such assessment as in other cases of property situated and assessed in the county.

Sec. 50. Provision shall be made by general laws to prevent the abuse of cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money, and contracting debts.

Sec. 90. The legislature shall not pass local, private, or special laws in any of the following cases, but provision is to be by general laws * * *

(5) Exemption of property from taxation or from levy or sale.

Sec. 181. The property of all private corporations for pecuniary gain shall be taxed in the same way and to the same extent as the property of individuals, but the legislature may provide for the taxation of banks and banking capital, by taxing the shares according to the value thereof (augmented by the accumulations, surplus, and unpaid dividends), exclusive of real estate, which shall be taxed as other real estate. Exemptions from taxation to which corporations are legally entitled at the adoption of this constitution shall remain in full force and effect for the time of such exemptions as expressed in their respective charters, or by general laws, unless sooner repealed by the legislature. And domestic insurance companies shall not be required to pay a greater tax in the aggregate than is required to be paid by foreign insurance companies doing business in this state, except to the extent of the excess of their ad valorem tax over the privilege tax imposed upon such foreign companies; and the legislature may impose privilege taxes on building and loan associations in lieu of all other taxes except on their real estate.

Sec. 182. (The legislature is authorized to grant exemptions from taxation in the encouragement of manufactures and other new enterprises of public utility for a period of five years, by general laws.)

Sec. 192. (Cities and towns may by general laws be authorized to encourage the establishment of manufactories, gas works, waterworks, and enterprises of public utility other than railroads, within the limits of the cities or towns, by exempting their property from municipal taxation for periods not longer than ten years.)

Secs. 228 to 239. (The alluvial land of the state is divided into two levee districts. The legislature may impose for levee purposes, in addition to other levee taxes authorized by law, a uniform tax of two to five cents per acre per annum upon land embraced in the districts. The legislature may provide such system of taxation as it deems proper for the levee districts.)

Sec. 243. A uniform poll tax of two dollars to be used in aid of the common schools, and for no other purpose, is hereby imposed on every male inhabitant of this state between the ages of twenty-one and sixty years, except persons who are deaf and dumb or blind, or who are maimed by loss of hand or foot, said tax to be a lien only upon taxable property. The board of supervisors of any county may, for the purpose of aiding the common schools in that county, increase the poll tax in said county, but in no case shall the entire poll tax exceed in any one year three dollars on each poll. No criminal proceedings shall be allowed to enforce the collection of the poll tax.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessors, elected for four years.

(2) County collector—the sheriff is ex officio tax collector—elected for four years.

(3) County board of equalization, composed of the board of supervisors of the county.

(4) Railroad commissioners, elected for four years, who act as state railroad assessors.

(5) State revenue agent, elected for four years.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property, except that specially exempted by law, is subject to taxation.

(1) and (2) There is no definition of what is included under the terms "real" and "personal" property for purposes of taxation.

(3) Exemptions, in addition to public property, are: Cemeteries; property of religious, charitable, or educational institutions; hospitals; wearing apparel of every person, not including jewelry or watches; provisions for family consumption; farm products; guns, one for each owner; poultry; household furniture up to $250; 2 cows and calves, 10 head of sheep and goats, 10 head of hogs, and colts under 3 years old; farming implements; property of agricultural and mechanical associations and fairs; libraries of all persons and works of art; tools of mechanics; and factories for the first ten years.

b. Assessment.—There is one assessment roll for state, county, and municipal purposes. The taxpayer is required to furnish the assessor with a sworn list of the items and their value of all his taxable personal property as of February 1. Lands are assessed between February 1 and June 1 on every fourth year (1902–1906). Property is valued at the price it would bring at a voluntary sale, but the valuation given by the owner may be upon the report of the assessor, corrected by the board of supervisors, who also change the value of the real estate on account of improvements, or in case of loss.

Railroads are taxed for state and local purposes upon the value of their general property, and an additional state tax in the nature of a privilege tax is levied. The assessment is made by the state railroad assessors upon the basis of schedules furnished by the company, considering the value of the franchise and the capital stock engaged in business in the state. The valuation is apportioned to the counties and municipalities.

Shares of bank stock, state or national, are assessed to the shareholders upon a statement by the bank officers of the value of the shares augmented by accumulations, surplus, and unpaid dividends, and exclusive of the real estate of the bank. The taxes thereon are to be paid by the bank to the county collector at the state and county rate. Real estate of the bank is taxed as other real estate.

Telegraph, telephone, express, sleeping car, palace car, and dining car companies are to be assessed for ad valorem taxation in the same manner as railroads by the railroad commissioners.

Transient vendors and traders are required to make statements of the amount of sales, and ad valorem taxes are assessed thereon in addition to any privilege tax.

c. Equalization.—The board of supervisors of each county examines the assessment rolls and equalizes the assessment between individuals.

There is no state board of equalization.

2. *Rate*—

The state tax for 1902 was fixed at 6 mills on the dollar.

3. *Collection*—

Taxes for state and county are collected by the sheriff, who is ex officio collector for the county. It is the duty of every person assessed to pay taxes on or before December 15, all taxes delinquent at that date are to be collected immediately by distress and sale. After January 15 the tax collector may advertise the sale of land for taxes on the first Monday in March. Taxes are a lien from February 1 of the assessment year. Persons having taxable property in counties in which they do not reside may pay the state auditor.

II. *Poll tax.*

A state poll tax of $2 is levied upon every male inhabitant over 21 and under 60 years of age who is not deaf, dumb, blind, or maimed. The amount so collected is a credit to the county or separate school district in the apportionment of the state school fund, and appears in county and not State revenue receipts.

[1] This compilation is derived mainly from the following sources:
The Annotated Code of the General Statute Laws of Mississippi, adopted by the legislature in 1892. Marshall & Bruce, Nashville, Tenn., 1892.
The Laws of Mississippi, at the sessions of 1894, 1896, 1898, 1900, 1902.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Corporations pay an ad valorem tax on their lands, which is assessed like that of individuals. The corporation is also assessed on its corporate stock at its market value, an allowance being made for lands taxed, except in the case of banks and railroads. Certain corporations are also taxed under the license or privilege tax.

Life insurance companies are required to pay a tax of 2 per cent upon the gross amount of their initial or first year premium receipts in the state, and one-tenth of 1 per cent upon renewal premiums on business hereafter written; and all other life insurance companies pay a tax of 2 per cent on gross less return premiums, provided that domestic insurance companies that pay an ad valorem tax to the state shall not be subject to the tax thus imposed upon premiums. In addition to the foregoing, a tax of one-fifth of 1 per cent is collected on the gross receipts of foreign insurance companies, to pay the expenses of insurance commissioner in the performance of his duties.

V. *Business taxes and licenses.*

Privilege taxes, which are annual except where otherwise specified, are levied upon the following:

Barber shops, per chair, $2.50; billiard tables, etc.—cities under 2,000 inhabitants, $25; cities 2,000 to 5,000, $50; cities over 5,000, $75. Bottling works—towns under 2,000 inhabitants, $5; towns 2,000 to 3,000, $10; towns over 3,000, $25. Cigarette dealers, $5; circuses—cities over 3,500 inhabitants, $150; cities less than 3,500, $50. Coal dealers—cities of 5,000 inhabitants, $30; cities 1,000 to 5,000, $12.50. Hack lines, $25; transient horse traders selling stock not raised in state—entire state, $50; each county, $10. Accident insurance companies, $250; fire insurance adjusters, $25 (no city, town, village, or county is to levy any further tax); exhibition of trained animals, per day, $25; auctioneers—not in towns, $5; towns 1,000 to 3,000 inhabitants, $20; towns 3,000 to 5,000, $25; towns over 5,000, $30. Billposters, in cities or towns of 2,000 or more, $5; boats—wharf boats, $100; trading boats, $200; trading boats (provisions and provender), $50. Brokers—towns less than 3,000 inhabitants, $25; towns 3,000 to 5,000, $50; towns over 5,000, $75. Building and loan associations—those in which stock represents monthly payments not exceeding $500, $25; $500 to $1,000, $50; $1,000 to $2,000, $100; $2,000 to $3,000, $150; over $3,000, $200; foreign associations, $3,000, $250 (in lieu of all taxes except on real estate). Bicycles, hiring—towns 2,500 inhabitants, $10; towns less than 2,500, $5. Cane racks, $50; street car companies, $25; commercial agencies, $50; canning factories, $10; steam laundries, $10; money lenders, $100; oil depots—towns 2,500 inhabitants or less, $25; towns 2,500 to 10,000, $50; towns 10,000 or over, $75. Round bale cotton press—1,000 bales, $15; 1,000 to 2,000, $20; 2,000 to 4,000, $30. Land timber mills—500 acres, $25; 1,000 acres, $50 ($25 per 500 acres). Cotton brokers, $25; cotton factors and buyers, $25; cotton compress company, $50; capacity 20,000 to 30,000 bales, $100; over 30,000 bales, $150. Cotton weigher—less than 2,000 bales per year, $10; 2,000 to 4,000, $15; 4,000 to 5,000, $20; 5,000 to 8,000, $25; 8,000 to 10,000, $30; over 10,000, $35. Cottonseed-oil mills—capital $30,000 to $75,000, $175; capital $75,000 to $100,000, $200; capital over $100,000, $250. Dentists, $10; electric light companies, $25; cities 5,000 to 10,000 inhabitants, $50; cities over 10,000, $75. Exhibitions, per day, $5; express companies, $500 (also $1 per mile of track over which business is operated); feather renovators, $50; fertilizing companies, $25; capital $10,000 to $20,000, $50; capital $20,000 to $30,000, $75; capital over $30,000, $100. Ferries (other than steam)—income $300 to $600, $5; income over $600, $10. Steam ferry on Mississippi near city of 5,000 inhabitants, $150; near city of less than 5,000, $75. Fire insurance companies, $1,000 (companies domiciled in the state are only required to pay an amount which added to the ad valorem tax on their assets will make $1,000; no additional tax is to be imposed by counties or municipalities); disabled Confederate soldiers are exempt from privilege tax except as to liquors, cigarettes, and amusement contrivances; gas companies, $30, towns of 2,500 to 4,000 inhabitants, $50; towns over 4,000, $100. Gypsies, $50; gins, $25; guarantee companies, $100 (no additional tax to be imposed by cities or towns); hopfen weis, cider, etc., dealers, $500. Hotels—capacity 25 guests, in towns of over 5,000 inhabitants, $75; capacity less than 25 guests, in towns of over 5,000, $40; capacity 25 guests, in towns of 2,000 to 5,000, $40; capacity less than 25 guests, in towns of 2,000 to 5,000, $20; capacity 25 guests, outside towns, $10; capacity 25 to 75 guests, outside towns, $25; capacity over 75 guests, outside towns, $50. Ice factories—capacity 5 tons per day, $25; capacity 10 tons per day, $35; capacity 10 to 15 tons per day, $50; capacity 15 to 25 tons per day, $75; capacity over 25 tons per day, $100. Life insurance companies—companies doing business March 17, 1900, $1,000; coming to state after March 17, 1900—business first year, $250; second year, $500; third year, $750; thereafter, $1,000. Lightning rod agents, $100; liquor dealers—1 to 5 gallons, $400; 5 gallons or more, $200. Insurance agents—cities 5,000 inhabitants or more, $40; 2,000 to 5,000, $25; 2,000 or less, $20; other agents, $10. Junk dealers—cities 10,000 inhabitants and over, $50; 5,000 to 10,000, $25; others, $15. Lawyers, $10; livery stables—towns under 2,000 inhabitants, $10; 2,000 to 3,000, $15; 3,000 to 5,000, $30; 5,000 to 10,000, $40; over 10,000, $60; on each owner of stable, $10. Lumber yard, sales 100,000 feet or more, $10; lunch house stands—railroad, $15; others, $5. Meat markets—cities of 5,000 inhabitants, $15; cities of less than 5,000, $10. Hacks and omnibuses—cities 2,000 inhabitants or more, each hack, $5; 2,000 or less, $2.50. Patent medicine vendors, $100; transient vendors, in each county, $35. Sawmills—capacity 5,000 to 25,000 feet per day, $15; capacity 25,000 to 50,000 feet per day, $25; capacity 50,000 to 75,000 feet per day, $50; capacity over 75,000 feet per day, $100. Stave and spoke factories, $10; fortune tellers, in each county, $50; merry-go-round, etc., per year, $10; oleomargarine dealers, $5; omnibus, dray, or wagon, each, $5; pawnbroker, $100. Photograph galleries, $5, cities over 2,000 inhabitants, $10; railroad cars, $50; other traveling photographers, $20; per county, $10. Pistol cartridges, dealers, $5; piano and organ agents, $20; railroad eating houses—trunk lines, $125; when one train only, $50; other lines with two trains, $30; other lines with one train, $15. Restaurants—cities over 5,000 inhabitants, $30; cities 1,000 to 5,000, $20; others, $5. Real estate agents, $10; scalpers, $25; sewing machine agency, $50; sewing machine agents, $10; shooting galleries—cities 4,000 or more, $20; cities 2,000 to 4,000, $15; cities 1,000 to 2,000, $10; towns less than 1,000, $5. Shows in general, per day, $25; side shows, per day, $20. Skating rinks—cities over 3,000 inhabitants, $20; cities under 3,000, $10. Sleeping car and palace car companies, $200, also 25 cents per mile of track over which the company runs its cars. Soda fountain—towns of over 2,000 inhabitants, $10; towns under 2,000, $5; selling soda, not from fountains, $2.50. Enlarging pictures, $5; stallions, jacks, $5; stores—stock under $300, $2.50; stock $300 to $1,000, $5; stock $1,000 to $2,000, $10; stock $2,000 to $3,500, $15; stock $3,500 to $5,000, $20; stock $5,000 to $7,500, $25; stock $7,500 to $10,000, $30; stock $10,000 to $12,000, $35; stock $12,000 to $15,000, $40; stock $15,000 to $20,000, $50; stock $20,000 to $25,000, $60; stock $25,000 to $35,000, $85; stock $35,000 to $50,000, $100; stock $50,000 to $75,000, $150; stock $75,000 to $100,000, $175; stock $100,000 to $250,000, $200; stock $250,000 and over, $250. Secondhand clothing, $500; telephone exchanges—20 subscribers, $2.50; 20 to 35 subscribers, $7.50; 50 to 75 subscribers, $12.50; 75 to 100 subscribers, $17.50; 100 to 150 subscribers, $37.50; 150 subscribers and over, $50. Long distance company, 1,000 miles or more, $1, less than 1,000 miles, per mile, 10 cents (municipalities not to tax); bed spring vendors, transient, $15; washing machines, per county, $15; cottonseed buyers, $10; debenture companies, $100; peddlers—on foot, in each county, $10; one horse and wagon, in each county, $15; two horses and wagon, in each county, $30. Peddlers of tinware or pottery—on foot, $50; with wagon, $10. Transient vendors of merchandise, in each county, $25; railroads—first class, per mile, $20; second class, per mile, $15; third class, per mile, $10; narrow gauge, per mile, $2; railroads claiming exemption from supervision, $10. Telegraph companies operating 1,000 miles of line or more, $250; telegraph companies, per mile of line less than 1,000 miles, 25 cents. Trading cars—traveling 250 miles, $250; 150 to 250 miles, $150; less than 150 miles, $100. Theaters—cities of over 4,000 inhabitants, per year, $50; cities of less than 4,000, per year, $25; cities of 1,000 to 2,000, per year, $10; other such halls, $5; dance halls, $10. Vendors of spectacles, $15; undertakers and embalmers, $20; vendors of jewelry, transient, per county, $50; vendors of stoves, ranges, and clocks, per county, $100; on wagons used, $25; license for state, $1,000. Transient dealers in merchandise, $50; waterworks—cities of 8,000 inhabitants or more, $150; cities of 3,000 to 8,000, $50; cities of 3,000 or less, $20. Dealers in deadly weapons, $25; warehouses—villages of 300 inhabitants or less, $2.50; villages of 300 to 500, $5; villages of 500 to 1,000, $10; villages of 1,000 to 2,000, $15; villages of over 2,000, $20. Woodyards—cities of 8,000 inhabitants, $20; 5,000 to 8,000, $10; under 5,000, $5. Mineral water bottlers, $20; liquors, retail license—towns under 500 inhabitants, $900; every city or town over 500, not to exceed $1,200. Wholesale malt liquor—towns 5,000 or more, $100; 2,000 to 5,000, $50; other dealers, $25. Whiskey distilleries, also brandy and other intoxicants, $50.

Insurance, telegraph, express, sleeping car companies, building and loan associations, and commercial agencies are required to pay for their privileges to the auditor of public accounts under penalty of double the tax. Other privileges are paid to the county collector. The license is a personal privilege and does not exempt from taxation the property used in the business.

B. FEES.

Secretary of state.—Issuing commissions to notaries, $5; charters of corporations not for profit, $3; charter fee on corporations for profit—capital stock $10,000, $20; $10,000 to $30,000, $40; $30,000 to $50,000, $60; $50,000 and over, one-tenth of 1 per cent (no fee is to exceed $250). Amendments to charters, $5; foreign corporations, charter, $15; filing articles of consolidation, $25.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate—*

Boards of supervisors may levy taxes for all purposes, which added to the state tax will make 13½ mills on the dollar, but counties with outstanding bonded debt may levy a sinking fund tax, and also a special tax not exceeding 2 mills may be levied for roads and public works, but the total is not to exceed 16 mills.

3. *Collection—*

Same as for state.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no poll, inheritance, or corporation taxes. (See State revenues, II.)

V. *Business taxes and licenses.*

Privileges are subject to taxation by the board of supervisors to an amount not exceeding 50 per cent of the state tax, but no county or municipal tax is to be levied on the privilege of insurance companies, telegraph, express, or sleeping car companies, building and loan associations, and commercial agencies paying their tax direct to the state.

F. SPECIAL ASSESSMENTS.

Swamp-land districts.—The board of supervisors of the county may levy a special tax, not exceeding 50 cents per acre in any one year, on overflowed lands for each swamp-land district.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for municipal taxation as for state. The assessment of personal property and polls is entered separately on the rolls for each city, town, or village, or for each election district of the county. Municipalities may exempt certain manufactories from taxation for a term of years.

2. *Rate—*

The levy of municipal taxes is made by the mayor and board of aldermen. The limit for general revenue and improvements is 12 mills on the dollar; in villages of 300 inhabitants this limit is 4 mills.

3. *Collection—*

Same as for state and county taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no poll, inheritance, or corporation taxes.

V. *Business taxes and licenses.*

Privileges are subject to taxation by municipalities to an amount not exceeding 50 per cent of the state tax, but telegraph, express, and sleeping car companies and other privileges on which the tax is paid directly to the state are not taxable by municipal authority.

Liquors, retail license.—Cities and towns may levy a license tax, additional to the state tax and equal to 25 per cent thereof, for municipal purposes.

School Revenues.

The state school funds are distributed by the auditor of public accounts to the counties and separate school districts. The board of supervisors of the county may levy a tax on the property in the county, and an additional poll tax of $1; every municipality which is a separate school district may levy like taxes for the maintenance of schools. The state poll tax is collected by the counties and distributed to the school districts in which collected.

MISSOURI.[1]

Missouri draws her revenue largely from the general property tax for state, county, and municipal purposes. This is supplemented by an extensive system of business taxes and licenses and a collateral inheritance tax. There are no special corporation taxes except a tax on the premiums of foreign insurance companies and a special tax on car companies. There are, however, a number of important fees levied on insurance companies, and for incorporation. The poll tax is left to the counties and municipalities.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

SEC. 1. The taxing power may be exercised by the general assembly for state purposes, and by counties and other municipal corporations, under authority granted to them by the general assembly, for county and other corporate purposes.

SEC. 2. The power to tax corporations and corporate property shall not be surrendered or suspended by act of the general assembly.

SEC. 3. Taxes may be levied and collected for public purposes only. They shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and all taxes shall be levied and collected by general laws.

SEC. 4. All property subject to taxation shall be taxed in proportion to its value.

SEC. 5. All railroad corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal and other purposes, on the real and personal property owned or used by them, and on their gross earnings, their net earnings, their franchises, and their capital stock.

SEC. 6. The property, real and personal, of the state, counties and other municipal corporations, and cemeteries, shall be exempt from taxation. Lots in incorporated cities or towns, or within one mile of the limits of any such city or town, to the extent of one acre, and lots one mile or more distant from such cities or towns, to the extent of five acres, with the buildings thereon, may be exempted from taxation when the same are used exclusively for religious worship, for schools, or for purposes purely charitable; also such property, real and personal, as may be used exclusively for agricultural or horticultural societies: *Provided*, That such exemptions shall be only by general law.

SEC. 7. All laws exempting property from taxation, other than the property above enumerated, shall be void.

SEC. 8. The state tax on property, exclusive of the tax necessary to pay the bonded debt of the state, shall not exceed twenty cents on the hundred dollars valuation; and whenever the taxable property of the state shall amount to nine hundred million dollars the rate shall not exceed fifteen cents.

SEC. 9. No county, city, town, or other municipal corporation, nor the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 10. The general assembly shall not impose taxes upon counties, cities, towns, or other municipal corporations or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

SEC. 11. Taxes for county, city, town, and school purposes may be levied on all subjects and objects of taxation; but the valuation therefor shall not exceed the valuation of the same property in such town, city, or school district for state and county purposes. For county purposes the annual rate on property, in counties having six million dollars or less, shall not, in the aggregate, exceed fifty cents on the hundred dollars valuation; in counties having six million dollars and under ten million dollars, said rate shall not exceed forty cents on the hundred dollars valuation; in counties having ten million dollars and under thirty million dollars, said rate shall not exceed fifty cents on the hundred dollars valuation; and in counties having thirty million dollars or more, said rate shall not exceed thirty-five cents on the hundred dollars valuation. For city and town purposes the annual rate on property in cities and towns having thirty thousand inhabitants or more shall not, in the aggregate, exceed one hundred cents on the hundred dollars valuation; in cities and towns having less than thirty thousand and over ten thousand inhabitants, said rate shall not exceed sixty cents on the hundred dollars valuation; in cities and towns having less than ten thousand and more than one thousand inhabitants, said rate shall not exceed fifty cents on the hundred dollars valuation; and in towns having one thousand inhabitants or less, said rate shall not exceed twenty-five cents on the hundred dollars valuation. For school purposes in districts, the annual rate on property shall not exceed forty cents on the hundred dollars valuation: *Provided*, The aforesaid annual rates for school purposes may be increased, in districts formed of cities and towns, to an amount not to exceed one dollar on the hundred dollars valuation, and in other districts to an amount not to exceed sixty-five cents on the hundred dollars valuation, on the condition that a majority of the voters who are taxpayers, voting at an election held to decide the question, vote for said increase. For the purpose of erecting public buildings in counties, cities, or school districts, the rates of taxation herein limited may be increased when the rate of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and two-thirds of the qualified voters of such county, city, or school district, voting at such election, shall vote therefor. The rate herein allowed to each county shall be ascertained by the amount of taxable property therein, according to the last assessment for state and county purposes, and the rate allowed to each city or town by the number of inhabitants, according to the last census taken under the authority of the state, or of the United States; said restrictions as to rates shall apply to taxes of every kind and description, whether general or special, except taxes to pay valid indebtedness now existing, or bonds which may be issued in renewal of such indebtedness.

SEC. 14. (Provision for payment of state debt, $250,000 per year.)

SEC. 18. There shall be a state board of equalization, consisting of the governor, state auditor, state treasurer, secretary of state, and attorney-general. The duty of said board shall be to adjust and equalize the valuation of real and personal property among the several counties in the state, and it shall perform such other duties as are or may be prescribed by law.

SEC. 21. No corporation, company, or association, other than those formed for benevolent, religious, scientific, or educational purposes, shall be created or organized under the laws of this state, unless the persons named as corporators shall, at or before the filing of the articles of association or incorporation, pay into the state treasury fifty dollars for the fifty thousand dollars or less of capital stock and a further sum of five dollars for every additional ten thousand dollars of its capital stock, and no such corporation, company, or association shall increase its capital stock without first paying into the treasury five dollars for every ten thousand dollars of increase: *Provided*, That nothing contained in this section shall be construed to prohibit the general assembly from levying a further tax on the franchises of such corporation.

(Constitution amended November, 1900.)

[1] This compilation is derived mainly from the following sources:
The General Revenue Laws of the State of Missouri, also the laws regulating the taxation of auctioneers, etc. Compiled from the Revised Statutes of 1899 and laws of 1901 and 1903, by Albert O. Allen, state auditor, Jefferson City, Mo. State Printers (1903).
A Treatise upon the Law and Practice of Taxation in Missouri. By Frederick N. Judson. Stephens, publisher, Columbia, Mo., 1900.

ARTICLE X.

SEC. 22. A mortgage, deed of trust, contract, or other obligation by which a debt is secured shall, for the purposes of assessment, be deemed and treated as an interest in the property affected thereby, except as to railroad and other quasi public corporations, for which provision has already been made by law. In case of debts so secured the value of the property affected by such mortgage, deed of trust, contract, or obligation, less the value of such security, shall be assessed and taxed to the owner thereof in the county or city in which the property affected thereby is situate. The taxes so levied shall be a lien upon the property and security and may be paid by either party to such security. * * * Every contract by which a debtor is obligated to pay any tax on money loaned, or on any mortgage, shall be null and void.

Russell *v.* Croy, 164 Mo., 69. Plaintiffs are holders of notes secured by mortgages on lands. Defendants are the assessor and the members of the county court. Object of the suit was to prevent the defendants from enforcing against the plaintiffs the terms of the amendment. (Art. X, secs. 22, 23.)

Held, that the amendment violates the fourteenth amendment to the Constitution of the United States and is therefore void. It denies the "equal protection of the laws" in exempting the holders of "railroad and other quasi public corporation" securities, while all others are included. (Citing Field, J., in Santa Clara *v.* Southern Pacific Railway Co. (C. C.), 18 Fed., 385.) This is arbitrary discrimination and not reasonable classification. If the discriminating clause could be limited to property used by a railroad company in its equipment as a common carrier, it might be a just classification.

OFFICERS.

The officers most directly concerned with taxation are:

In counties having township organization:

(1) Township assessor; township clerk, elected biennially, is ex officio assessor.

(2) Township collector, elected biennially.

In cities:

(3) Board of assessors in cities of the first class, consisting of a president elected by the qualified voters of the city, and one assessor from each assessment district, appointed by the mayor. The city board of equalization consists of the president of the board of assessors and four discreet real estate owners of ten years' residence appointed by the judge of the circuit court.

(4) City collector in cities of the first class, elected for four years.

(5) City assessor in cities of the second class, appointed by the mayor for two years.

(6) City treasurer in cities of the second class, who acts ex officio as collector.

(7) Assessors in cities of the third and fourth classes, elected for two years.

(8) Collectors in cities of the third and fourth classes, elected for two years.

In the counties generally:

(9) County assessor, elected for a term of four years. No person is to hold the office two successive terms.

(10) Collector of the revenue, elected for two years.

(11) County board of equalization, composed of the county clerk, the judges of the county court, and the county assessor. In counties having township organization the sheriff is a member.

(12) State board of equalization, consisting of the governor, state auditor, treasurer, secretary of state, and attorney-general.

(Note.)—"County" includes St. Louis. All services required of county officers are to be performed by the corresponding officers of the city of St. Louis.

(13) License collector, in cities having 300,000 inhabitants or more, elected every four years, collects all license taxes required by law or ordinance, excepting the dramshop and wharfage licenses, and also the tax on telegraph and telephone poles, the dog tax, the merchant ad valorem tax, the vehicle license tax, and the special tax on foreign insurance companies.

(14) State tax commission, three persons appointed by the governor.

Assessors are compensated by commissions based on the number of names on the rolls—25 cents each for the first 1,000, 20 cents each for the second 1,000, and 15 cents each for all over 2,000. In cities the compensation may be fixed by ordinance.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property, real and personal, is subject to taxation except as specially exempted.

(1) "Real property" includes not only the land itself, but also the buildings, structures, and improvements thereon, all mills, factories, and machinery connected therewith, and all rights and privileges appertaining thereto.

(2) "Personal property" includes bonds, stocks, moneys, credits, capital stock, and every tangible thing subject to ownership not part or parcel of real property.

(3) Exemptions, in addition to public property, are: Property used for religious purposes, including churches and parsonages; schools and institutions of charity; property of agricultural and horticultural societies. (See constitution, Art. X, sec. 6.) There is also certain property exempted by legislative contract prior to the adoption of the present constitution.

b. Assessment.—In general, there is one assessment roll made up by the assessors of the counties, towns, and districts, but certain property is assessed by the state board of equalization. Every person is required to make a statement under oath of all his real and personal property, with the value thereof as of the 1st of June in each year. Penalty for refusing to take the oath is a fine of $10 to $1,000. The assessor is to assess all property at its true value in money or the cash price at the time of listing, but if a person fails to make his statement, the assessor is to list the property at double its value, or at treble the value in case of a fraudulent list.

Mortgages on real estate are assessed as personal property, and the mortgagee is required to give them in for taxation, while the land is also taxed on its assessed value without deducting the value of the mortgage.

The amendment of November, 1900, attempted to prevent this apparent double taxation on the value of the property by copying from the constitution of California a provision that "mortgages and deeds of trust are to be deemed an interest in the property affected thereby, except as to railroads and other quasi public corporations for which provision has already been made by law, and that only the value of the property, less the value of the security, is to be assessed to the owner of the property." This was declared unconstitutional by the supreme court in June, 1901.

Shares of stock in banks and insurance companies are assessed at their true value in money, less the value of the real estate represented by them, together with all reserved funds, undivided profits, premiums, and earnings. Insurance companies doing business on the mutual plan without capital stock are to make return of the net value of all assets. The taxes assessed on the shares of stock or net assets are to be paid by the corporation and may be recovered by it from the shareholders.

Railroad property is assessed by the state board of equalization, including such proportion of the total value of the rolling stock as the number of miles in the state bears to the total length of the road. The unit rule thus applies to rolling stock only. The county courts of the

several counties are to examine the statements made by the railroads and make corrections before submission to the state board.

Car companies of all kinds are assessed by the state board on the average value of cars in use in the state.

The entire property, real and personal, of street car companies is assessed by the state board on the basis of returns to the state auditor in the manner that railroad property is assessed.

The state board of equalization apportions its assessment to each county, municipal township, city, or incorporated town in which the road is located, according to mileage.

"Local" property of railroad companies not used in operation of the road, including lands, machine and workshops, roundhouses, warehouses, and other buildings is to be assessed by the assessors of the several counties, cities, towns, and villages.

Telegraph, telephone, and express companies are assessed by the state board of equalization on their property, real and personal, including franchises, in the same manner as railroad property. The same rule applies to toll bridges and bridges over streams dividing this state from any other state. Penalty for failure to render the required statement is forfeiture of $100 for county public school fund in each county in which such bridge, express, telegraph, or telephone company has used its franchises.

The franchises (other than the right to be a corporation) of all railroad, street railroad, bridge, telegraph, telephone, conduit, water, electric light, and gas companies, and of all similar quasi public corporations possessing special and peculiar privileges and authorized by law to perform public service, are to be assessed as other property of such corporations is assessed.

The state board of equalization in cases of railroads, street railroads, bridges, and telegraph and telephone companies assesses the total value of the property, tangible and intangible.

c. Equalization.—Cities of the first class have their own boards of equalization, which equalize the city assessment.

The county board of equalization equalizes the valuation on all real and personal property in the county to make it conform to its true value.

The state board of equalization adjusts and equalizes the valuation of real and personal property among the several counties in the state. It has power to equalize the assessment of each class of property, real and personal, separately.

2. *Rate*—

There is levied by statute for state purposes 15 cents on each $100 for state revenue, and 10 cents on each $100 for payment of state indebtedness. The rate for state purposes is limited by the constitution. These limits were, however, changed in 1902.

3. *Collection*—

Taxes are collected by the collector of the revenue for the county. He gives notice when the taxpayers are to meet him and pay their taxes. After October 1 the collector may seize and sell goods and chattels as under execution, and after January 1, 1 per cent a month is added. Taxes are a lien on real property on which they are assessed, and after January 1 the state's liens for taxes may be enforced by suit and sale.

Railroad taxes due the state, county, cities, towns, villages, and school districts are due September 1 and payable to the county collector. These taxes are delinquent after January 1 and collection is enforced by suit.

The collector is compensated by commissions on the amount collected.

II. *Poll tax.*

There is no state poll tax. (See County revenues.)

III. *Inheritance tax.*

All property passing by will or by the intestate laws of the state, or transferred in contemplation of death, other than to the father, mother, husband, wife, adopted child, or lineal descendant is subject to a tax of $5 on each $100 of clear market value. Property conveyed for educational, charitable, or religious purposes is exempt. The proceeds of this tax go to the state university and to other educational purposes.

IV. *Corporation taxes.*

Corporations are in general taxed on their property as individuals.

Car companies pay a state tax of 2 per cent on the valuation as made by the state board of equalization in lieu of all other taxes.

Express companies pay a state tax of 1¼ per cent of their gross receipts within the state.

Domestic insurance companies are taxed on their property and paid-up capital stock. Foreign insurance companies are assessed on premiums received in the state at the rate of 2 per cent per annum in lieu of all other taxes. One-half of this tax goes to the county foreign insurance tax fund, and is apportioned to the counties according to the number of school children. St. Louis is accounted a county in the apportionment.

V. *Business taxes and licenses.*

The taxes on merchants and on manufacturers are in form license taxes, but are in fact property taxes. Both state and counties include them in their reports of general property taxes.

Merchants.—No person may deal as a merchant without a license. The tax is an ad valorem tax equal to that levied on real estate and based on the highest amount of all goods, wares, and merchandise merchants have in their possession between the first Monday in March and the first Monday in June, a statement of which every merchant is required to make to the county assessor. Commission merchants are not required to pay on articles merely consigned for sale. The license authorizes the merchant to deal at only one place within the county.

Manufacturers.—All manufacturers are to be licensed and taxed on all raw material and finished products, as well as on all the tools, machinery, and appliances used by them, in the same manner as merchants. They are to make their statement of the greatest aggregate amount of raw material and finished products on hand between the first Monday in March and the first Monday in June. Beer manufacturers in the state are subject to state inspection, and for their services the inspectors receive a fee of 1 cent a gallon for inspecting and gauging, and 2 cents for labeling each package other than bottles that contain 8 gallons or less. Twenty-four quart and 48 pint bottles are considered as constituting a package, in the meaning of the law. Packages containing over 8 gallons are construed as constituting one package for every 8 gallons and fractions thereof.

Auctioneers.—License for ten days, $10; for one month, $25; for three months, $50; for six months, $75. Collectors' fees, 50 cents (duty to the state on the proceeds of sales of personal property, except stocks, 1½ per cent). The county courts may graduate the license tax to be imposed on each license; the tax to the state for six months is not to be less than $10 nor more than $100.

Brokers.—Brokers are taxed for six months, according to the amount of business expected to be done, or the amount of capital to be employed: $5,000 or less, $50; $5,000 to $10,000, $75; $10,000 to $15,000, $100; $15,000 to $20,000, $125; $20,000 to $30,000, $175; $30,000 to $50,000, $250; $50,000 to $75,000, $300; $75,000 to $100,000, $350; $100,000 to $150,000, $400; $150,000 to $200,000, $450; $200,000 to $300,000, $500; $300,000 to $500,000, $600; $500,000 and over, $1,000.

Billiard tables.—First, $20; each additional, $10.

Ferries.—Amount to be fixed by the county court, $2 to $5,000.

Insurance brokers.—Certificate, $10; industrial companies, 50 cents.

Peddlers.—On foot, per six months, $3; one or more horses, per six months, $10; boat, first license, per day, $1; afterwards, per day, 50 cents.

Pool selling, bookmaking, or registering bets.—Auction pooling, per day, $5; each book, per day, $5; registration of bets, per day, $5.

Liquors.—License for sale and manufacture of distilled liquors and wines, per gallon, 10 cents, collected by stamps. Dramshop keepers, who may sell liquors at retail not exceeding 10 gallons, are taxed for state, county, and municipal purposes on the value of liquors received at the shop, an ad valorem tax of the same amount as that paid by merchants on merchandise; also license tax, for state purposes, $50 to $100 (in 1903 made $50 to $200 for state, $250 to $400 for county, every six months).

B. FEES.

Secretary of state.—Corporations (except benevolent, religious, scientific, fraternal, beneficial, or educational), filing articles on first $50,000 or less of capital stock, $50; on every additional $10,000, $5; increase capital stock per $10,000, $5; foreign corporations, license fee, $10; upon the proportion of capital stock represented by its property and business transacted in the state—First $50,000 or less, $50; each additional $10,000 or less, $5; superintendent of insurance, $5; permit to do business in the state, to fraternal-beneficiary associations, $50; filing declaration on organization or admission to state, $50; annual statement, $30; supplementary statement, $10; other papers, $10; agent's copy of company's certificate of authority, $2. Mutual companies' fee for certificate of incorporation, $75; assessment companies, for issuing certificate, $25; for annual statement, $25; for agent's copy, etc., $2 (does not apply to fraternal companies); domestic companies, stipulated premium plan, same fees as assessment companies. Barbers—Board of examiners, certificate, $1; annual certificate or license, $1. Druggists—Registration, $1; examination, $3. Dentists—Examination, $10. Embalmers—License, $5; registration, $2.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county taxes as for state taxes.

2. *Rate*—

The county court fixes the rate of county tax: In counties having $6,000,000 worth of property or less, not to exceed 50 cents on $100; in counties having $10,000,000 worth, not to exceed 40 cents on $100; in counties having $30,000,000 worth, not to exceed 50 cents on $100: in counties having more than $30,000,000 worth, 35 cents on $100.

The rate of taxation on the roadbed, rolling stock, and other movable property of railroads for school purposes and for the erection of public buildings is the average of the rates in the school districts and districts levying a tax for buildings.

In counties under township organization the same limitation of rates applies, township taxes being considered by the courts as essentially county taxes.

3. *Collection*—

Same as for state.

II. *Poll tax.*

The county assessor is to make a list of all male inhabitants over 21 and under 60 years of age outside of cities and towns. The county court may levy a poll tax of from $1.50 to $3, which is collected as other state and county taxes and applied to road purposes. It may be paid in labor in lieu of money.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes for the counties, other than the county's share of the insurance fund.

V. *Business taxes and licenses.*

On all businesses made taxable by law the county court may levy a tax, but the rate must not exceed the state revenue tax by more than 100 per cent. The state interest tax is not to be construed as a part of the state revenue tax.

On merchants and manufacturers—no county is to levy licenses over 100 per cent more than the rate authorized for state purposes; auctioneers, six months, $10 to $100; billiard tables—for first, $20, for others, $10; on peddlers the rate must not exceed that of the state; on dramshops, the rate fixed by the county court is from $250 to $400 (two-thirds is to be set apart as a special road fund); shows and circuses—the county courts may impose such tax as they may deem proper and reasonable, the proceeds of which go to the county school fund.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for municipal as for state taxation. St. Louis and cities of the first and second classes have their own local valuations and boards of equalization.

2. *Rate*—

Cities of the first class are authorized to levy for local purposes a lower ad valorem rate of taxation on merchandise held by merchants, and the raw materials, merchandise, finished products, tools, machinery, and appliances used by manufacturers than on real estate and other property. Such cities may license merchants and manufacturers in proportion to sales made.

(1) In cities of the first class (those with a population of 100,000 or more) the municipal assembly may levy not exceeding 1 per cent for municipal purposes and such sum as is necessary to pay the interest on the public debt.

(2) In cities of the second class (those with a population of 30,000 to 100,000) the tax is 1 per cent.

(3) In cities of the third class (those with a population of 3,000 to 30,000) if the population is over 10,000, the levy is not to exceed 60 cents on $100 valuation; if it is less than 10,000, the rate is not to exceed 50 cents on $100.

(4) In cities of the fourth class (those with a population of 1,000 or less) the rate is 25 cents on $100.

3. *Collection*—

Collection is made by the city collectors.

II. *Poll tax.*

Cities of the first class may levy on all male citizens between 21 and 60 years of age a poll tax of $1.50 for improvement of streets; cities of the second class may

levy on all able-bodied male citizens between 21 and 50 years of age one not to exceed $2; towns and villages may levy on all able-bodied male citizens between 21 and 50 years of age one not to exceed $3.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes for the municipalities.

V. *Business taxes and licenses.*

No city, town, or village may tax ministers, teachers, priests, lawyers, or doctors, but municipalities may levy license taxes on all other occupations, trades, and amusements.

Cities of the first class may require a license tax on agents of foreign insurance companies not to exceed $100 per year; on dramshops the tax as fixed by the authorities of towns and cities; on merchants and manufacturers no municipality is to levy any greater amount of tax than the state levies; on billiard and other amusement tables, $20 for the first, $10 for others.

D. INCOME FROM PUBLIC PROPERTY.

Cities with a population of 50,000 or more, having an improved wharf, are authorized to collect a wharfage tax not to exceed 3 cents per ton from all boats assessed in the city for each landing at the wharf and one of 5 cents per ton from boats not assessed in the city. Cities with a population of from 5,000 to 50,000 are authorized to collect $2 for every landing. Cities with a population of less than 5,000 may collect $1.50 per landing.

SCHOOL REVENUES.

The public school fund is apportioned among the counties and the several districts therein in proportion to the number of pupils.

School taxes are levied on the property of each district, including the goods, wares, and merchandise of merchants, by the county clerk, and are not to exceed for building purposes 1 per cent in cities, towns, and villages and 65 cents on $100 in other districts. For the sinking fund there may be levied 40 cents on $100 and in addition a sufficient amount to pay interest.

The tax levy may, however, be increased by special election in the district.

The state tax on foreign insurance companies and the county tax on shows and circuses go to the school fund. Where fines and forfeitures in criminal cases are granted to any schools other than the common schools, one-third of the county revenue derived from dramshop licenses is to be set apart for the latter.

MONTANA.[1]

Montana derives its state revenue principally from the general property tax. Poll taxes and business taxes and licenses are left to the counties and municipalities, which may impose license taxes on businesses, trades and professions, amusements, and the usual subjects of taxation. There is a state inheritance tax, of which 40 per cent goes to the county school fund. There are no special corporation taxes, except certain licenses on insurance companies.

CONSTITUTIONAL PROVISIONS.

ARTICLE XII.

SEC. 1. The necessary revenue for the support and maintenance of the state shall be provided by the legislative assembly, which shall levy a uniform rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, except that specially provided for in this article. The legislative assembly may also impose a license tax both upon persons and upon corporations doing business in the state.

SEC. 2. The property of the United States, the state, counties, cities, towns, school districts, municipal corporations, and public libraries shall be exempt from taxation; and such other property as may be used exclusively for agricultural and horticultural societies, for educational purposes, places for actual religious worship, hospitals and places of burial not used or held for private or corporate profit, and institutions of purely public charity may be exempt from taxation.

SEC. 3. All mines and mining claims, both placer and rock in place, containing or bearing gold, silver, copper, lead, coal, or other valuable mineral deposits, after purchase thereof from the United States, shall be taxed at the price paid the United States therefor, unless the surface ground or some part thereof of such mine or claim is used for other than mining purposes and has a separate and independent value for such other purposes, in which case said surface ground or any part thereof so used for other than mining purposes shall be taxed at its value for such other purposes, as provided by law; and all machinery used in mining, and all property and surface improvements upon or appurtenant to mines and mining claims which have a value separate and independent of such mines or mining claims, and the annual net proceeds of all mines and mining claims shall be taxed as provided by law.

SEC. 4. The legislative assembly shall not levy taxes upon the inhabitants or property in any county, city, town, or municipal corporation for county, town, or municipal purposes, but it may by law vest in the corporate authorities thereof powers to assess and collect taxes for such purposes.

SEC. 5. Taxes for city, town, and school purposes may be levied on all subjects and objects of taxation, but the assessed valuation of any property shall not exceed the valuation of the same property for state and county purposes.

SEC. 6. No county, city, town, or other municipal corporation, the inhabitants thereof or the property therein, shall be released or discharged from their or its proportionate share of state taxes.

SEC. 7. The power to tax corporations or corporate property shall never be relinquished or suspended, and all corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, and other purposes on real and personal property owned or used by them and not by this constitution exempted from taxation.

SEC. 8. Private property shall not be taken or sold for the corporate debts of public corporations, but the legislative assembly may provide by law for the funding thereof and shall provide by law for the payment thereof, including all funded debts and obligations, by assessment and taxation of all private property not exempt from taxation within the limits of the territory over which such corporations respectively have authority.

SEC. 9. The rate of taxation of real and personal property for state purposes in any one year shall never exceed three (3) mills on each dollar of valuation; and whenever the taxable property in the state shall amount to one hundred million dollars ($100,000,000), the rate shall not exceed two and one-half (2½) mills on each dollar of valuation; and whenever the taxable property in the state shall amount to three hundred million dollars ($300,000,000), the rate shall never thereafter exceed one and one-half (1½) mills on each dollar of valuation, unless a proposition to increase such rate shall have been submitted to the people at a general election, specifying the rate proposed and the time during which the same shall be levied and shall have received a majority of all votes cast for and against it.

SEC. 11. Taxes shall be levied and collected by general laws and for public purposes only. They shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax.

SEC. 15. The governor, secretary of state, state treasurer, state auditor, and attorney-general shall constitute a state board of equalization, and the board of county commissioners of each county shall constitute a county board of equalization. The duty of the state board of equalization shall be to adjust and equalize the valuation of the taxable property among the several counties of the state. The duty of the county board of equalization shall be to adjust and equalize the valuation of taxable property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

SEC. 16. All property shall be assessed in the manner prescribed by law except as is otherwise provided in this constitution. The franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in more than one county in this state shall be assessed by the state board of equalization, and the same shall be apportioned to the counties, cities, towns, townships, and school districts in which such railroads are located, in proportion to the number of miles of railway laid in such counties, cities, towns, townships, and school districts.

SEC. 17. The word property as used in this article is hereby declared to include moneys, credits, bonds, stocks, franchises and all matters and things (real, personal, and mixed) capable of private ownership, but this shall not be construed so as to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by such stocks is within the state and has been taxed.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected for two years.

(2) County treasurer, collector of taxes, elected for two years.

(3) Board of appraisers of three members, appointed by the judge of the district court to fix valuation of real estate in the county. (The provisions for this board were repealed in 1903.)

(4) County board of equalization, composed of the board of county commissioners.

(5) State board of equalization, composed of the governor, secretary of state, state treasurer, state auditor, and attorney-general.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All the property in this state is subject to taxation, except as specially exempted.

(1) "Real estate," for the purposes of taxation, includes the possession of, claim to, ownership of, or right to the possession of land: all mines, minerals, and quarries in and under the land; all timber growing on lands of the United States, and all improvements, rights, and privileges appertaining thereto. "Improvements" includes all buildings, structures, and fixtures erected upon or affixed to the land, whether the title to the land has been acquired or not.

(2) "Personal property" includes everything that is subject to ownership not included in the terms "real estate" and "improvements." The excess of premiums collected by insurance companies over their losses and ordinary expenses is assessed as personal property.

(3) The exemptions, in addition to public property, are: Public libraries; property used for educational purposes; agricultural and horticultural societies; churches; hospitals; cemeteries; institutions of purely public charity; and the land necessary for the foregoing purposes.

b. Assessment.—The assessment of all property for state, county, and municipal purposes is made by the county assessors annually and refers to the first Monday of March. The assessor is to require a statement under oath of all property and its value. Any property willfully concealed, removed, transferred, or misrepresented by the owner to evade taxation is required, upon discovery, to be assessed at not exceeding ten times its value, and such assessments are not to be reduced by the board of equalization. Refusal to give a list or the falsifying of a list is punishable as a misdemeanor by imprisonment for not exceeding six months or a fine of not exceeding $500, or both. Taxable property is to be assessed at full cash value which is defined as the amount at which the property would be taken in payment of a just debt due from a solvent debtor. Valuations of real estate are fixed by a board of appraisers appointed by the judge of the district court, and the county assessor must take the valuations so fixed. (Since 1903 these values have been fixed by the assessor.)

Mines and mining claims are to be assessed at the price paid the United States therefor, unless the surface has an independent value for other than mining purposes. They are also assessed on their net proceeds as personalty, and this forms the real basis of taxation.

Shares in state and national banks are to be assessed where the bank is located. Real estate is assessed to the bank and a proportionate amount deducted from the valuation of the shares. Shares in banks not located in the state are not taxed.

Gas and water mains and pipes laid in the streets are assessed as personal property, also tracks of street railroads, and bridges.

In making up the amount of credits which any person is required to list, he is entitled to deduct from the gross amount all bona fide debts owing by him except notes for insurance premiums and unpaid subscriptions to societies or to the capital stock of any corporation.

The capital stock and franchises of corporations are to be listed where the principal office is located. Corporations are assessed on their property the same as individuals.

The franchise, roadway, roadbed, rails, and rolling stock of railroads operating in more than one county are assessed by the state board of equalization. Franchises granted by the United States are exempt. Other railroads and railroad property are assessed by the county assessors. The assessment made by the state board is apportioned among the different counties on the basis of mileage, and to the cities, towns, school, road, or other districts, on the same basis.

c. Equalization.—The county board of equalization adjusts and equalizes between individuals and may increase or lower any assessment.

[1] This compilation is derived mainly from the following sources:
The Complete Codes and Statutes of the State of Montana, in force July 1, 1895, edited by Wilbur F. Sanders, esq.: Helena, Mont., 1895.
Laws of Montana, 1897. State Publishing Company, Helena, Mont., 1897.
Laws of Montana, 1899. State Publishing Company, Helena, Mont., 1899.
Laws of Montana, 1901. State Publishing Company, Helena, Mont., 1901.

The state board of equalization adjusts and equalizes the valuations of taxable property between the several counties of the state.

2. *Rate*—

The rate is to be fixed by the state board of equalization, and, after allowing 12 per cent for delinquencies and cost of collection, it must be sufficient to raise the specific amount of revenue directed by the legislative assembly to be raised for state purposes.

The rate is limited by constitutional provision to 3 mills. (See Article XII, sec. 9.)

The rate levied in the fiscal years 1901 and 1902 was 2½ mills on each dollar of valuation.

3. *Collection*—

Taxes are collected by the county treasurer. They are delinquent on the first Monday in December and a penalty of 10 per cent is added to the amount thereof. Taxes on real property are a lien against the property assessed and taxes on personal property are a lien upon the real property of the owner thereof, which liens attach as of the first Monday of March in each year.

The assessor must collect the taxes on all personal property when such taxes are a lien upon real property which in his opinion is not sufficient to secure their payment. He may enforce collection by seizure and sale. The assessor in such cases is to be governed by the state and county rate of the previous year, and any excess or deficiency is adjusted later after the rate is fixed for the year.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

The tax on direct lineal inheritance applies to estates wherein personal property is valued at $7,500 or more. Realty is exempt. The rate is $1 on $100.

The tax on collateral inheritance, that is, on transfers to take effect at death, other than to father, mother, husband, wife, brother, sister, wife of son, husband of daughter, adopted child, or lineal descendant, is at the rate of $5 on $100 of market value. This tax applies to estates valued at over $500, whether consisting of real or personal property. The county treasurer collects the tax and pays over 60 per cent to the state; 40 per cent is retained for the county school fund.

IV. *Corporation taxes.*

Corporations are, in general, taxed under the general property tax.

Insurance companies are taxed on the excess of premiums over losses and expenses as on personal property. There are, too, certain licenses on insurance companies, different in kind from ordinary business taxes and licenses.

License to collect premium to an amount over $5,000, per $1,000, $20; * * * premium less than $5,000, $125; foreign insurance companies, $300.

V. *Business taxes and licenses.*

These are left to the county to administer, but the state shares therein.

B. FEES.

For copies of laws, etc., 20 cents per folio; seal, $1; each certificate of incorporation, $3: recording and filing each certificate of incorporation—minimum $20, 50 cents per $1,000 of capital stock; stock in excess of $1,000,000, 25 cents per $1,000, maximum $1,000. Certificate of increase or decrease of stock, $5; certificate of continuance of corporate existence, $3 and 25 cents per $1,000 of capital up to $1,000,000, 10 cents in excess over $1,000,000, limit $1,000. Filing notice of removal, or of change of name, $5; filing certified copy of charter on articles of incorporation of foreign corporation, $20; filing appointment of agent, $5; recording official bond, $2; commissions, $5; filing miscellaneous papers, $1. (All changed in 1905.)

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization thereof are the same for county as for state taxes.

2. *Rate*—

The board of county commissioners of each county fixes the rate of county taxes and designates the number of mills on each dollar of valuation of property for each fund. The tax for general purposes may not exceed 16 mills on the assessed valuation. Two mills must be levied for schools. The board may also levy a tax not to exceed one-fifth of 1 per cent for poor relief. There is to be levied on all property in the county a tax of not less than 1 mill nor more than 2 mills on the dollar for road purposes.

II. *Poll tax.*

a. General.—Every male inhabitant of the state over 21 and under 60 years of age, except paupers, insane persons, and Indians not taxed, must annually pay a poll tax of $2. In case a person's name does not appear on the assessment list, payment of his poll tax is to be demanded by the assessor. In other cases the tax is to be added to the assessment list and paid to the county treasurer at the time of the payment of other taxes. The treasurer may serve notice to pay to some designated person or collect from the taxpayer's employer. The poll tax is to be paid to the county treasurer for the exclusive use of the poor fund of the county.

b. Road.—Each able-bodied man over 21 and under 45 years of age residing in each road district is required to pay $3. Payment may be made, however, by one day's labor. The road tax is due and payable to the county treasurer after October 1 of each year and may be collected in the manner provided for the collection of the general poll tax.

III. *Inheritance tax.*

Forty per cent of the state inheritance tax goes into the county school fund.

V. *Business taxes and licenses.*

Merchants selling any goods, wares, or merchandise are required to pay quarterly to the county treasurer, according to the amount of monthly average sales, the following amounts: First class, $100,000, $75 per month; second class, $75,000, $60 per month; third class, $50,000, $40 per month; fourth class, $40,000, $25 per month; fifth class, $30,000, $20 per month; sixth class, $20,000, $15 per month; seventh class, $10,000, $12 per month; eighth class, $5,000, $8 per month; ninth class, $2,500, $5 per month; tenth class, $1,250, $4 per month; eleventh class, $400, $3 per month; twelfth class, less than $400, $1 per month. Oleomargarine, license 1 cent per pound; billiard tables, $3.75 per quarter; bowling alleys, $10 per quarter; theaters, $5 per day, $25 per month; variety show and concert, $75 per month; circuses or menageries, $125 per day; pawnbrokers, $55 per quarter; intelligence office, $10 per quarter; shooting gallery, $15 per quarter; laundries, other than steam, $10 per quarter; auctioneers, according to monthly sales, $5 to $400 per quarter; bankers and brokers, according to business done, $10 to $100 per quarter; lawyers, dentists, physicians, photographers, or persons practicing any other professions, and insurance, loan, and real estate agents must pay a license of $5 per quarter; livery stables—towns of 500 inhabitants or less, $5 per quarter; 500 to 1,500 inhabitants, $10 per quarter; 1,500 or more, $15 per quarter. Omnibuses, carriages, etc.—one horse, $1.50 per quarter; for each additional horse, $2.50 per quarter. Express companies and carriers of passengers—business, $50,000 per quarter, $187.50 per quarter; $40,000 per quarter, $93.75 per quarter; $30,000 per quarter, $62.50 per quarter; $10,000 per quarter, $25.20 per quarter; $5,000 per quarter, $12.50 per quarter. Ferries, according to receipts, $5 to $125 per quarter; architects, builders, and manufacturers, business over $15,000 per year, $10 per quarter; gas or electric light companies—city or town of over 10,000 inhabitants, $200 per year; 5,000 to 10,000 inhabitants, $100 per year; 1,500 to 5,000 inhabitants, $50 per year. Water companies—city or town of more than 10,000 inhabitants, $400 per year; 5,000 and less than 10,000 inhabitants, $200 per year; 1,500 and less than 5,000 inhabitants, $100 per year; less than 1,500 inhabitants, $50 per year. Telephone companies, 75 cents per year for each instrument in use; telegraph companies, for each instrument in use, $5 per quarter. Street railways—in towns of over 4,000 inhabitants, $50 per quarter; in towns of less than 4,000, $25 per quarter. Assayers—$200 to $500 per month, $10 per quarter; over $500 per month, $25 per quarter. Skating rinks, merry-go-rounds—cities of 3,000 inhabitants, $50 per quarter; 1,000 and less than 3,000 inhabitants, $30 per quarter; less than 1,000 inhabitants, $10 per quarter. Public scales, $10 per year; railroad company's warehouse, in each county, $10 per year; insurance agent's certificate, $5; peddlers—on foot, $12.50 per quarter; with wagon, $20 per quarter; with two horses, $30 per quarter; other traveling merchants, $50. Sale of pools on races, $25 per day; stallion, jack, and bull, $10 to $75; to hunt deer, mountain goat, moose, and elk, nonresidents, $25; to hunt grouse, prairie chickens, etc., nonresidents, $15; to hunt game, residents, $1. Liquors—in city of 10,000 inhabitants or over and within 1 mile thereof, $300 semiannually; 3,500 to 10,000, $250 semiannually; 1,000 to 3,500, $240 semiannually; 300 to 1,000, $200 semiannually; less than 300, $150 semiannually. Wholesale liquor dealers, same as merchants; distillers of spirituous liquors, $600 per year; cigarettes, $10 per month; brewers of malt liquors and wholesalers whose sales are over $3,000 per month, $25 per month; over $1,000 per month, $15 per month; over $500 per month, $7.50 per month; less than $500 per month, $5 per month; manufacturer of malt only, $100 per year; bottled soda water, etc., manufacturer—city of over 10,000 inhabitants, $60 semiannually; 5,000 to 10,000, $40 semiannually; less than 5,000, $25 semiannually.

(N. B.—Some of these rates were changed in 1903 and 1905.)

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for cities and towns as for the state, but the council may by ordinance provide an independent assessment.

2. *Rate*—

The rate is determined by the municipal council. The amount of taxes levied for general municipal purposes must not exceed 1 per cent of the assessed value.

3. *Collection*—

The city or town treasurer has the same power to collect municipal taxes as the county treasurer has to collect state and county taxes.

II. *Poll tax.*

All able-bodied male inhabitants of a city or town between 21 and 45 years of age must pay an annual road poll tax of not exceeding $3. It may be paid in labor on the roads.

III and IV. *Inheritance and corporation taxes.*

There are no inheritance or corporation taxes for municipalities.

V. *Business taxes and licenses.*

The council may by ordinance license all industries, pursuits, professions, and occupations for which under the state law a license is required, but the amount must not exceed the sum required by the state law.

Water companies must pay a license tax of not less than $50 and not more than $400.

Municipalities may license the keeping of dogs.

School Revenues.

The state school fund consists of the proceeds of the sale of school lands and the moneys derived from certain other sources. The income is apportioned to the counties.

The county school fund consists of the proceeds of an annual tax of 2 mills on the dollar, which the county commissioners must levy at the time other taxes are levied; of all fines and forfeitures; and of 40 per cent of all inheritance taxes. The county school fund together with the county share of the state school fund is apportioned to the school districts.

The county commissioners also levy a tax of not to exceed 5 mills on the dollar on the property of school districts to maintain the schools of such districts.

The legislative assembly is required to levy such a tax for school purposes as is reported necessary by the state auditor.

NEBRASKA.[1]

Nebraska draws her revenue mainly from the general property tax. In 1901 an inheritance tax was adopted. There are no special corporation taxes except on foreign insurance companies. Certain fees are imposed. Poll taxes and business taxes and licenses are left to counties and municipalities. All license moneys, fines, forfeitures, and penalties go to the schools.

The revenue law was extensively revised in 1903, but the changes have not been carried into this description.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

SEC. 1. The legislature shall provide such revenue as may be needful, by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property and franchises, the value to be ascertained in such manner as the legislature shall direct, and it shall have power to tax peddlers, auctioneers, brokers, hawkers, commission merchants, showmen, jugglers, innkeepers, liquor dealers, toll bridges, ferries, insurance, telegraph, and express interests or business, vendors of patents, in such manner as it shall direct by general law, uniform as to the class upon which it operates.

SEC. 2. The property of the state, counties, and municipal corporations, both real and personal, shall be exempt from taxation, and such other property as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, may be exempted from taxation, but such exemption shall be only by general law. In the assessment of real estate encumbered by public easement any depreciation occasioned by such easement may be deducted in the valuation of such property. The legislature may provide that the increased value of lands by reason of live fences, fruit and forest trees grown and cultivated thereon, shall not be taken into account in the assessment thereof.

SEC. 3. (Redemption from tax sales.)

SEC. 4. The legislature shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or any corporation or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever.

SEC. 5. County authorities shall never assess taxes the aggregate of which shall exceed one and one-half dollars per one hundred dollars of valuation, except for the payment of indebtedness existing at the adoption of this constitution, unless authorized by a vote of the people of the county.

SEC. 6. The legislature may vest the corporate authorities of cities, towns, and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all other corporate purposes all municipal corporations may be vested with authority to assess and collect taxes, but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same.

SEC. 7. The legislature shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

[1] This compilation is derived mainly from the following sources:
The compiled statutes of the state of Nebraska, comprising all laws of a general nature in force on July 1, 1899; Guy A. Brown and Holand H. Wheeler. State Journal Company, Lincoln, Nebr., 1899.
Laws of Nebraska, Twenty-seventh session, State Journal Company, Lincoln, Nebr., 1901.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township assessors, in counties under township organization, elected annually.

(2) Tax commissioner in Omaha and Lincoln, who is city assessor and holds office for a term of two years.

(3) County assessor, elected for two years.

(4) County treasurer, elected for two years.

(5) Town board of review, composed of the mayor, council, and assessor of each city.

(6) County board of equalization, composed of the board of county commissioners, or in counties under township organization, the board of supervisors.

(7) State board of equalization, composed of the governor, auditor of public accounts, and treasurer.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—The property included is grouped under the following classes:

(1) All real and personal property in the state.

Only the improvements on school lands and the value of the interest of the purchaser are taxable before the right to a deed has become absolute.

(2) All moneys, credits, bonds, and stock, and other investments, the shares of stock in incorporated companies and associations, and all other personal property, including property in transit to and from the state, used, held, owned, or controlled by persons residing in the state; shares of capital stock of banks doing business in the state; and the capital stock of companies incorporated under the laws of the state.

(3) Exemptions, in addition to public property, are: Property used for agricultural and horticultural societies; for school, religious, cemetery, and charitable purposes; also, the increased value of lands by reason of live fences, and fruit and forest trees grown and cultivated thereon.

b. Assessment.—The state and county assessment roll is made up from the assessments of the several precincts, townships, cities, and villages, transcribed by the county clerk. The assessment is made with reference to the 1st day of April. The assessor is to require a statement under oath of personal property and thereupon assess the fair cash value. The making of false schedules or the refusal to list property is punishable by a fine of $10 to $100, and also subject to prosecution as perjury. Real estate is listed by owner or holder and valued by the assessor. Land and the improvements thereon are separately assessed.

Corporations incorporated under the laws of the state, except insurance companies, are required to list the amount of capital stock in addition to other property. The amount of indebtedness, except for current expenses, and the assessed value of real and personal property, are to be deducted from the aggregate value of its shares of stock, and the remainder is listed as capital stock. The real and personal property are assessed the same as that of individuals.

Shareholders of state and national banks are to be assessed on their stock where the bank is located.

Insurance companies doing business in the state are to be taxed upon the excess of premiums received over losses and ordinary expenses incurred within the state. Insurance companies are to be subject to no other tax, fees, or licenses under the laws of this state, except taxes on real estate and certain fees hereinafter mentioned. The net premiums are assessed and taxed as personal property is taxed.

Railroad and telegraph companies, where their property is situated in more than one county, are assessed by the state board of equalization. But machine and repair shops, office buildings, and property situated outside the right of way and depot grounds are to be assessed by the precinct assessors of the counties where situated. Railroad property is assessed for each mile of line or main track and apportioned to the counties on that basis as personal property. The county clerk apportions the valuation among the respective precincts, townships, school districts, road districts, cities, and villages in which the same may be.

Sleeping and dining cars not owned by railroads, but used in operating the railway are assessed by the state board of equalization on the average number used each month in the state; the assessed value of the cars is to bear the same proportion to the entire value thereof that the number of miles operated in the state bears to the total number of miles operated.

In making up the amount of credits which any person is required to list, he is entitled to deduct from the gross amount of credits the amount of all bona fide debts owing by him, except insurance premium notes, unpaid subscriptions to charity or the capital stock of any company, or indebtedness for United States bonds or other nontaxable property.

c. Equalization.—A meeting of the assessors of the county is held before the assessment for the purpose of consultation in regard to the value of the various kinds and classes of property to be assessed.

The town board, in counties under township organization, reviews the assessment of property for the town.

The county board equalizes between the several townships, precincts, or districts in the county, but is not to increase or reduce the aggregate as made by the assessors. It also equalizes between individuals, and hears complaints rejected by the town boards in counties under township organization.

The state board of equalization examines the various county assessments and equalizes by varying the rate of taxation in the different counties in case the scale of valuation has not been adjusted to a reasonable uniformity by the different assessors.

2. *Rate—*

The state board of equalization fixes the rate of the state tax, the state school tax, and the state sinking fund tax.

The rate of the general tax is to be not more than 5 mills on the dollar of valuation; that of the school tax, not less than one-half of 1 mill nor more than 1½ mills; and that of the sinking fund tax not more than three-fourths of 1 mill.

3. *Collection—*

The county treasurer is ex officio tax collector, and all taxes levied in the county must be paid at his office. Personal taxes unpaid January 1 may be collected by distress and sale as in execution, or by civil action. Personal taxes are delinquent February 1, real taxes May 1, and both draw interest at 10 per cent. Taxes are a lien on the personal property assessed after the time the tax books are received, and taxes on real estate are a lien on such property from the first Monday in January. Real property may be sold for delinquent taxes.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

Property passing by will or by the intestate laws of the state, or by transfer made in contemplation of death, to the father, mother, husband, wife, child, brother, sister, wife or widow of a son, husband of a daughter, adopted child, or lineal descendant is subject to a tax of $1 on every $100 of clear market value in excess of $10,000 received by each person; passing to any uncle, aunt, niece, nephew, or lineal descendant of the same is subject to a tax of $2 on every $100 in excess of $2,000 received by each person; passing to other collaterals is subject to a tax of $2 on every $100 over $500; passing to strangers is subject to the following taxes: $3 on every $100 for an estate under $10,000; $4 on every $100 for an estate of $10,000 to $20,000; $5 on every $100 for an estate of $20,000 to $50,000; $6 on every $100 for an estate over $50,000.

IV. *Corporation taxes.*

Corporations are taxed under the general property tax.

Domestic insurance companies are assessed on their net income as personal property.

Foreign insurance companies are required to pay 2 per cent of the gross premiums on account of life, accident, or fire policies, or of insurance on property located within this state as an additional license fee, and may deduct from their tax bills any sum over $2 paid as license.

V. *Business taxes and licenses.*

Insurance brokers, $25 per annum.

B. FEES.

Secretary of state.—Filing articles of incorporation, domestic or foreign, $10; for each $1,000 over $100,000, 10 cents; increase of capital stock, $5; for each $1,000 increase, 10 cents; amendments, $5.

Insurance companies.—Domestic companies—charter, $50; annual statement, $20; annual license, $1. Foreign companies—depositing charter, etc., $100; annual statement, $50; life and accident, statement, $100. Mutual companies—license, $50; annual statement, $10. Foreign surety companies—license, $30; annual statement, $10 to $20. Domestic surety—annual statement, $1.

COUNTY REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for county as for state taxes.

2. *Rate—*

The county boards levy all county, township, city, school district, precinct, village, and other taxes.

The rate for county purposes is not to exceed $1.50 on each $100 of valuation except to pay indebtedness existing at the time of the adoption of the constitution, unless authorized by vote of the people of the county, and the limits shall be as follows: In counties under township organization, for county revenue and poor, 9 mills on the dollar; road, 5 mills; bridges, 4 mills; sinking fund, 4 mills. For other counties the rates are the same except that for the sinking fund, which is 3 mills on the dollar.

3. *Collection*—

Same as for state.

II. *Poll tax.*

Every male inhabitant over 21 and under 50 years of age, except paupers, idiots, and lunatics, is to be assessed for a labor tax of $3, to be paid in cash or commuted in labor on the roads, unless so assessed in cities or incorporated villages.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes for the county.

V. *Business taxes and licenses.*

Dealers in malt, spirituous, and vinous liquors, residing in the county but not within the limits of an incorporated city or village nor within 2 miles of the same, may be licensed by the county board. The amount of license fee is in each case established by the board in its discretion, provided it be not less than $500 annually. The proceeds of liquor and all other licenses must be used for the maintenance of public schools.

Peddlers selling outside the limits of a city or town within any county in the state are to pay an annual tax of $25; in vehicles, one-horse, $50; two-horse, $75; four-horse, $100; ferries, $2 to $500; sale of liquors (not in cities or villages), $500.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the method of equalization are the same as for state taxation. If ordered by the county board, separate assessment rolls are to be made for property within the corporate limits of cities, towns, and villages, except when such municipalities are included within the limits of any township, and except also in cities of the first class. In metropolitan cities the assessment refers to September 1.

2. *Rate*—

The county boards levy such taxes as are required by the municipality. The amount is to be certified to the county clerk by the corporate authorities, and is variously limited for different classes of cities.

3. *Collection*—

Same as for state.

II. *Poll tax.*

All male residents of the corporation between 21 and 50 years of age are to pay a labor tax of $3 for the repair of the streets, alleys, and highways of the city.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes in municipalities.

V. *Business taxes and licenses.*

Cities in general have power to raise revenue by levying an occupation tax or license on any corporation or business within the limits of the city. All scientific and literary lectures and entertainments, as well as concerts given by citizens of the city, are to be exempt from such taxation.

Pawnbrokers—metropolitan cities, $100 per year; other cities (less than 80,000 inhabitants), $50 per year. Liquors—in cities over 10,000, $1,000 per year; in cities under 10,000, $500 per year.

School Revenues.

The state common school fund, consisting of the proceeds of the sale of school lands and fines and forfeitures, is to be increased by an annual levy of 1½ mills on $1 of valuation, to be distributed to the counties in proportion to the number of scholars. All license moneys of the counties, cities, and villages are to be applied to the support of the common schools.

The county commissioners levy on the property of school districts a tax not to exceed 25 mills, and in cities of the first class of over 25,000 one not to exceed 15 mills.

NEVADA.[1]

Nevada derives its revenue mainly from the general property tax. There is in addition a poll tax for state and county purposes. There is no inheritance tax, nor are there special corporation taxes except certain license fees on insurance companies. The counties have an extensive system of license taxes on brokers, bankers, merchants, sheep raising, and various lines of business and amusements of which the state receives the proceeds of the gambling licenses only. Municipalities are empowered to exact licenses from all lines of business, trade, and professions.

[1] This compilation is derived mainly from the following sources:
Compiled Laws of Nevada, in force 1861 to 1900; compiled by Henry C. Cutting. Andrew Mante, superintendent of state printing, Carson City, Nev., 1900.
Statutes of the State of Nevada, 1901. State Printing Office, Carson City, 1901.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

Sec. 1. The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal, and possessory, excepting mines and mining claims, the proceeds of which alone shall be taxed, and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes.

ARTICLE IX.

Sec. 1. The fiscal year shall commence on the first day of January in each year.

Sec. 2. The legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the state for each fiscal year, and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses, of such ensuing year or two years.

ARTICLE XI.

Sec. 6. The legislature shall provide a special tax, which shall not exceed two mills on the dollar of all taxable property in the state, in addition to the other means provided for the support and maintenance of the state university and common schools.

ARTICLE VIII.

Sec. 2. All real property and possessory rights to the same, as well as personal property in this state belonging to corporations now existing or hereafter created, shall be subject to taxation the same as property of individuals: *Provided*, That the property of corporations formed for municipal, charitable, religious, or educational purposes may be exempted by law.

ARTICLE II.

Sec. 7. The legislature shall provide by law for the payment of an annual poll tax of not less than two nor exceeding four dollars from each male person resident in the state between the ages of twenty-one and sixty years (uncivilized American Indians excepted), one-half to be applied for state and one-half for county purposes, and the legislature may, in its discretion, make such payment a condition to the right of voting.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected every two years. The sheriff is often ex officio assessor.

(2) County treasurer, elected every two years, is ex-officio tax collector.

(3) County board of equalization, composed of the county commissioners of each county and the county clerk.

(4) Sheriff, elected every two years, ex officio collector of license taxes.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property of every kind and nature within this state, except as exempted, is subject to taxation.

(1) "Real estate" includes all houses, buildings, fences, ditches, railroads, toll roads and bridges, and other structures, erections, and improvements erected upon any land, whether such land be private or public property, and the ownership of, claim to, or possession of any lands in the state.

(2) "Personal property" includes all chattels; money on hand, on deposit, or at interest; solvent debts when the amount exceeds the same character of indebtedness of the party assessed; all locomotives, cars, and rolling stock used in operating any railroad within the state; all capital employed in trade and commerce; the capital stock of all corporations, except the capital stock of corporations organized for mining purposes, and all property not included in the term "real estate."

(3) Exemptions in addition to public property are: Mines and mining claims, but not the proceeds of mines; churches and buildings used for religious worship, with their furniture and equipments; property of the Masons, Odd Fellows, and similar charitable organizations or benevolent societies up to $5,000; public free cemeteries; property up to $1,000 of widows and orphans who are residents of the state.

b. Assessment.—The assessment as made by the county assessors is the basis of taxation for state, county, city, town, school, road, and other revenue districts. All persons are to make statements under oath of the item of all real estate and personal property. The assessor determines the true cash value which is construed to mean the amount at which the property would be taken in payment of a just debt due from a solvent debtor. Penalties for neglect or refusal to make the statement are the loss of rights before the board of equalization and a fine of $10 to $500, or imprisonment, or both, and for false list, not less than one and not more than fourteen years' imprisonment.

The assessment does not seem to refer to one particular date, but is to be made between the first Monday in March, the date of levy of taxes, and the first Monday in September, and refers to the time when made.

The proceeds of mines are assessed quarterly as personal property. From the gross yield of all ores, tailings, borax, soda, or mineral bearing material there is to be deducted the actual cost of extracting the ore from the mine, the cost of transportation to the place of reduction, and the actual cost of reduction or sale, and the remainder or net proceeds is assessed and taxed at the same rate ad valorem as other property is taxed.

The act of March 13, 1903, provides that the assessors of the several counties shall meet at the capitol and establish a valuation throughout the state of all railroads and rolling stock, telegraph and telephone lines, electric light and power lines, of all cattle and sheep, and other kinds of property which can be valued and assessed more uniformly by the assessors acting collectively.

In the fiscal year of 1902 and previously thereto the railroad assessment was made by the county assessors of the counties in which the railroad was located on the basis of a statement by the company. The personal property of the railroad, including the rolling stock, was assessed separately from the track, station, and other real estate.

c. Equalization.—The county board of equalization equalizes between individuals and may correct any valuation, but no reduction is to be made where the complainant refused to make his list under oath. The equalization is made after the third Monday of September.

There is no state board of equalization, but the county assessors of the several counties are required to meet at the capitol to establish throughout the state a uniform valuation of all classes of property.

2. *Rate*—

The rate of state tax is fixed by the governor, state comptroller, and attorney-general to meet the total appropriations of the preceding legislature for the current year.

A tentative rate of 80 cents on $100 is fixed by statute. The assessor collects taxes on personalty unsecured by real estate at this rate, and in case of a reduction being made at the fixing of the rate, the taxpayer is entitled to a refund of the excess paid.

The annual ad valorem tax of 80 cents on each $100 of taxable property is levied by statute for state purposes and extends to the net proceeds of mines. The tax is distributed to different funds, as follows: 55.04 cents to general fund; 7.2 cents to territorial interest fund; 5.6 cents to state interest and sinking fund; 9.6 mills to state university and sinking fund; 4 cents to general school fund; 8 mills to university interest and sinking fund, 1897, No. 1; 8 mills to university interest and sinking fund, 1897, No. 2; 5.6 cents to contingent university fund.

3. *Collection—*

Property taxes are collected by the county treasurer except that taxes on personal property not secured by real estate, and taxes on the proceeds of mines are collected at the time of making the assessment by the assessor, who may enforce such collection by seizure and sale at public auction. Taxes on realty and on personalty secured by real estate are delinquent on the first Monday in December, and 10 per cent penalty is then added and collection is enforced by sale or by suit in case the taxes exceed $300. Judgment is to be entered for 25 per cent in addition to the tax and a penalty of 10 per cent. Real estate is subject to lien for taxes due thereon and for taxes on the owner's personal property. Taxes on real and personal property may be paid in semiannual installments, one-half by the first Monday in December and the remaining half prior to the first Monday in June. But if the first half is not paid by the first Monday in December, the whole tax is due and the penalty of 10 per cent is added.

II. *Poll tax.*

Each male resident of the state over 21 and under 60 years of age (uncivilized American Indians excepted) and not by law exempt is required to pay an annual poll tax of $3 for the use of the state and county.

The county assessor is ex officio poll tax collector. He may enforce collection by seizure of personal property and sell on one hour's notice, or the wages may be garnisheed and employers held responsible.

Fifty per cent of the poll tax goes to the county and 50 per cent to the state.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

The property of corporations is subject to taxation the same as that of individuals.

Insurance companies pay a license tax. (See next division.)

V. *Business taxes and licenses.*

Gambling license—first month, $100; subsequent months, $75. Insurance companies—fire, life, and accident, annually, $100; casualty and surety, annually, $20.

B. FEES.

Secretary of state.—Filing certificate of incorporation, $5; appointment of agent, certificate, $5; trade-marks, filing, $5; commission, notaries public, $10; great seal, $5. (These fees are to be paid into the library fund.)

Controller.—Insurance companies, issuing certificate, $5; physician, application to practice, $25; dentists—registration, $1; examination, $10.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate—*

The board of county commissioners in each county of the state is authorized to levy annually by the first Monday in March an ad valorem tax for county purposes not exceeding the sum of $2 on each $100 of value of taxable property, provided that the total tax levy for all purposes is not to exceed $5 on each $100, and that no levy in excess of $1.50 is to be levied for county purposes unless the county is indebted, when a levy may be made to discharge such indebtedness and to meet the expenses of the current year.

If, after the equalization of taxes in the several counties, it appears that the levy previously made by the board of county commissioners for county purposes will result in either an excess or deficiency of revenue, then the rate is to be reduced or raised.

3. *Collection—*

Same as for state taxes.

II. *Poll tax.*

Fifty per cent of the state poll tax goes to the county.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or corporation taxes.

V. *Business taxes and licenses.*

The county requires the following license taxes: Billiard tables, public, $5 per quarter; bowling alley, public, $10 per quarter; theater—for less than one month, $5 per day; for one month, $20; for three months, $40; for one year, $75 (same fees for exhibitions of opera or concert singers). Circus, caravan, menagerie, $20 per exhibition; wire dancers and other exhibitions, $10 per day; pawnbrokers, per quarter, $100; intelligence office, per quarter, $15; brokers and savings banks—first class, business $250,000 per quarter, $100 per quarter; second class, business $200,000 per quarter, $80 per quarter; third class, business $100,000 per quarter, $50 per quarter; fourth class, business $50,000 per quarter, $30 per quarter; fifth class, business less than $50,000 per quarter, $20 per quarter (separate license for each establishment in the county). Bankers—first class, $500,000 per month, $200 per month; second class, $300,000 per month, $150 per month; third class, $200,000 per month, $100 per month; fourth class, $100,000 per month, $75 per month; fifth class, $50,000 per month, $50 per month; sixth class, $25,000 per month, $25 per month; seventh class, less than $25,000 per month, $12 per month. Common carrier engaged in transmitting gold dust or bullion, quarterly, $150. Merchants who deal in goods, wares, or merchandise, wines, and distilled liquors, except wines and distilled liquors produced from agricultural products of the state, when sold by the producer, pay quarterly license fees as follows: First class, average monthly sales $100,000, $50; second class, average monthly sales $75,000, $37.50; third class, average monthly sales $50,000, $25; fourth class, average monthly sales $40,000, $20; fifth class, average monthly sales $30,000, $15; sixth class, average monthly sales $20,000, $10; seventh class, average monthly sales $10,000, $7.50; eighth class, average monthly sales $5,000, $5; ninth class, average monthly sales $1,000, $3.75; tenth class, average monthly sales less than $1,000, $2.50. Liquor dealers, who sell in less quantities than 1 quart, $10 per month; liquor dealers, who sell in less quantities than 1 quart 1 mile outside city limits, $15 per quarter (one-half of such license moneys collected within corporate limit is to be paid into the city treasury). Taverns, hotels, innkeepers, restaurants, public boarding houses, eating stands, and all public lodging houses are licensed as follows: First class, $3,000 per month business, $45 per quarter; second class, $1,000 per month business, $15 per quarter; third class, less than $1,000 per month business, $7.50 per quarter. Peddlers and auctioneers, per month, $10; peddlers, wagon license, per month, $25; houses of amusement, per quarter, $500. Toll roads and bridges pay quarterly 2 per cent of the proceeds on gross amount of toll. Insurance broker, quarterly license, $15; itinerant merchants and traders, monthly, $5 to $100; cigarette papers, quarterly, $15. Sheep raising—first class, 5,000 sheep per annum, $250 per annum; every additional 1,000, $50 per annum; second class, 4,000 sheep, $200 per annum; third class, 3,000 sheep, $150 per annum; fourth class, 2,000 sheep, $100 per annum; fifth class, 1,500 sheep, $75 per annum; sixth class, 1,000 sheep, $50 per annum; seventh class, less than 1,000 sheep, $25 per annum. Provisions do not apply to persons who hold land equal to 1 acre for three sheep, other than by lease. The sheriff is ex officio collector of licenses in his county and receives as commission—on each business license, 6 per cent; on each sheep license, 20 per cent and $2.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for town and city purposes as for state taxation.

2. *Rate—*

The county commissioners have power to levy a tax not exceeding 1½ per cent per annum of the assessed value of the town or city.

In Carson City and Reno these powers are exercised by the city board of trustees and the city council, respectively. In Carson City the limits are one-fourth and three-fourths of 1 per cent; in Reno, one-fourth of 1 and 1 per cent.

3. *Collection—*

Collection of municipal taxes is the same as for state.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no municipal poll, inheritance, or special corporation taxes.

V. *Business taxes and licenses.*

The board of county commissioners has power to fix term of license in towns and cities in the various lines of business and amusements conducted in the municipality and to levy a tax on dogs.

One-half of the license moneys collected on county licenses for the retail of liquors in less quantities than 1 quart goes to the municipality where the saloon is located.

There are special provisions for licensing express and telegraph companies, gas and electric companies, and freight line and equipment companies.

School Revenues.

The state school fund is composed of the proceeds of the sale of school lands, all fines collected under the penal laws of the state, 2 per cent of the gross proceeds of all toll roads and bridges, and all escheats. The interest of this fund is divided semiannually among the several counties in proportion to the number of school children.

The state school tax is one-half of 1 mill on the dollar, and 5 per cent of the state taxes is also to be set apart for school purposes.

The board of county commissioners is to levy a county school tax of not more than 50 cents nor less than 15 cents on each $100.

School districts may vote to impose a tax for additional school facilities when the state and county money to which any district is entitled is not sufficient to keep a school open at least six months.

NEW HAMPSHIRE.[1]

New Hampshire depends mainly upon the general property tax and poll tax for state, county, and municipal revenues. State and county taxes are apportioned to the towns, which are held responsible for assessment and collection, except taxes on railroad, telephone, and telegraph companies, which are assessed and collected primarily by state authorities. There are some special corporation taxes on insurance companies and savings banks, but there was no inheritance tax until 1905, when an inheritance tax law was passed.

As New Hampshire was formerly a prohibition state there was no revenue from liquor taxes, but in 1903 a liquor license law was passed.

CONSTITUTIONAL PROVISIONS.

Art. 12. Every member of the community has a right to be protected by it in the enjoyment of his life, liberty, and property. He is, therefore, bound to contribute his share in the expense of such protection and to yield his personal service, when necessary, or an equivalent.

Art. 28. No subsidy, charges, tax, impost, or duty shall be established, laid or levied without the consent of the people or their representatives in the legislature, or authority derived from that body.

Art. 5. Full power and authority are hereby given and granted to the general court * * * to impose and levy proportional and reasonable assessments, rates, and taxes upon all the inhabitants of and residents within the state, and upon all estates within the same.

Art. 6. And while the public charges of government shall be assessed on polls and estates in the manner that has heretofore been practiced, in order that such assessments may be made with equality, there shall be a valuation of the estates taken anew once in every five years at least and as much oftener as the general court shall order.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Selectmen of towns, three chosen at the annual meeting.

(2) Assessors, also elected at town meeting, who constitute, with the selectmen, a joint board for the assessment of taxes.

(3) Town collectors, chosen at the annual town meeting.

[1] This compilation is derived mainly from "The Public Statutes of the State of New Hampshire," and "General Laws in Force, January 1, 1901," compiled and edited by William M. Chase and Arthur H. Chase, Concord, 1901.

(4) City assessors, chosen in each ward as may be prescribed by city ordinances, who form a board and perform all duties required of selectmen and assessors of towns.

(5) "County convention," which consists of the representatives of the towns of the counties.

(6) County commissioners, three elected biennially.

(7) The state board of equalization, consisting of five members appointed by the supreme court and commissioned by the governor, and acting as board of assessment for certain classes of property.

State Revenues.

A. TAXES.

I and II. *The general property and poll tax.*

This tax is essentially a town tax, as the state levy is apportioned to the towns and raised by them in the same manner as their own revenues. The poll tax constitutes an integral part of this tax and can not be described separately. Polls are put in the "invoice" upon which "all taxes" (sic) are assessed at 50 cents each and taxable property at 50 cents on each $100 of its appraised value. This gives polls a quasi property valuation equal to $100.

1. *Base*—

The base is the invoice as described above.

a. The property included and exempt, and polls.—The classes included are as follows:

The property included is all property, real and personal, within the jurisdiction of the state, not expressly exempt.

The polls included are all males from 21 to 70 years of age not specially exempt.

(1) "Real estate," whether improved or unimproved, and whether owned by residents or others, is liable to be taxed, and includes buildings, factories, machinery, wharves, ferries, toll bridges, canals, and aqueducts for sale of water; also, real estate of railroad, telegraph, and telephone companies not used in their ordinary business.

(2) "Personal estate" for purposes of taxation includes stocks, except when the property represented by the stock is taxable directly to the corporation; the surplus capital of banks; money on hand or loaned at interest more than the owner pays interest for; stock in trade, raw materials, and manufactures; vessels; domestic animals; and the net yearly income of ships engaged in foreign carrying trade.

(3) Exemptions are as follows:

The property exempt is: All public property; churches; parsonages, to $2,500; educational institutions; undeveloped mines; cemeteries; for ten years improvements caused by reclaiming swamp lands; charitable associations; horses, asses, and mules, under 18 months; oxen and cows under that age; sheep and hogs, two to each family, and others under 1 year; stock in corporations where no dividend of profit is to be made; manufacturing establishments for ten years by vote of the town; materials used in construction of ships; money loaned to towns; and railroads not ten years in use.

The polls exempt are: Paupers and insane persons and others exempted by law or legislative contract in the towns where resident on April 1.

b. Assessment.—In general, there is but one complete assessment roll for state, county, and municipal taxes. All taxes, except taxes on railroad, telegraph, and telephone lines, and on certain savings banks and fire insurance companies, are levied upon the annual invoice of polls and property in the towns. The taxes excepted are assessed by state authorities.

An annual invoice of taxable property as of April 1 is taken in towns by the selectmen and in cities by the assessors. Blank invoices, which must be made out under oath, are given to all persons.

The taxpayer's oath does not, however, cover the valuations. But the selectmen appraise all taxable property at its full and true value in money as they would appraise the same in payment of a just debt due from a solvent debtor and may receive evidence from all sources. Real estate is appraised each year. The value of improved and of unimproved land is set down separately.

The penalty for omitting the statement or for a false statement is doomage of four times as much as the property would be taxed if truly returned.

Although a new invoice is made every year, state taxes are apportioned but once in four years and the apportionment stands in the interim.

The law does not expressly provide for mortgages, but they seem to come under the provision that real and personal property shall be taxed to the person who is in possession and in actual occupancy thereof.

In appraising the value of shares a just proportion of the value of any estate of the corporation otherwise taxed is deducted. Shares are assessed to the owner where he resides, if in this state; otherwise at the principal place of business of the corporation.

All shares of stocks in banks (private, state, or national) are taxed to the owners in the towns where they reside at the value as shown by the capital, surplus, and undivided profits after deducting the real estate. The bank pays the taxes for nonresident stockholders, which are secured to the bank by a lien on the shares to the collector where the bank is located.

The following property is assessed by the state board of equalization: That of railroad, telegraph, and telephone companies, except that part of their property which is not necessarily used in the business. There are no special rules for their assessment, but to assist the board in arriving at the value of the property the companies must, under penalty of doomage of 2 per cent of the property, furnish a statement and all other assistance necessary.

c. Equalization.—Selectmen may, for good cause shown, abate any tax assessed by them or their predecessors. If they refuse, the taxpayer may appeal to the supreme court of the county.

The state board of equalization equalizes the valuations between the several towns of the state every fourth year (1902). They examine the inventories of real and personal estate, obtain from the county commissioners and other sources all available information, and place the valuations on a uniform basis, so that any taxes that are apportioned among the towns may be equal and just between them.

2. *Rate*—

State, county, and town taxes are levied all together by the selectmen of the town. State taxes are apportioned by the state board of equalization to the several towns on the basis of their equalized valuations. There is thus no universal and distinct state rate. The apportionment of public taxes, according to the valuations of the polls and ratable estates in the several towns, is made every fourth year (1899 to 1903, etc). The legislature specifies the amount and time of payment of the tax for each of two fiscal years.

The rate on railroad, telegraph, and telephone companies is fixed by the state board of equalization. It is to be the average rate levied upon property throughout the state, ascertained by dividing the total amount of taxes levied by the total appraised value of property and polls entered in the invoices.

3. *Collection*—

In general, all taxes, state and local, except those on railroads, etc., are collected by the town collectors. The collector may distrain on goods and chattels, and, if necessary, take the body. The lien for taxes on real estate attaches as of the 1st day of June after the assessment.

Any town which neglects to choose officers for assessing and collecting taxes becomes liable to an extent for state and county taxes, which may be levied on the property of any inhabitant. Extents may also issue against any officers concerned in taxation who fail in their duties.

Taxes on railroad, telegraph, and telephone companies are paid to the state treasurer in the first instance. Those on railroads are apportioned to the towns: (1) To those in which the railroad is located, their proportion being one-fourth of the tax; (2) to those in which stock was owned on April 1, their shares being determined by the proportion of the number of shares in each to the whole number of shares. The proportion due on shares held outside the state is reserved for the state.

II. *Poll tax.*

Combined with the general property tax. (See above.)

III. *Inheritance tax.*

There was no inheritance tax until 1905.

IV. *Corporation taxes.*

Corporations in general are taxed under the general property tax, as described above. In the case of railroad, telegraph, and telephone companies there is a special procedure in making the assessment, determining the rate, and dividing the proceeds.

Savings banks, trust companies, and building and loan associations are required to pay a tax of three-fourths of 1 per cent upon the amount of general deposits on which they pay interest, after deducting the value of all their real estate and the value of all their loans secured by mortgages made at a rate not exceeding 5 per cent per annum; and all such companies, except building and loan associations, are, in addition, to pay a tax of 1 per cent per annum on special deposits or capital stock, after deducting the value of all real estate.

Stock fire insurance companies of this state are taxed annually 1 per cent on the amount of their paid-up capital on April 1. The state treasurer distributes to each town in the state such proportion of three-fourths of the tax so paid as the shares of stock owned in the town bear to the whole number of shares. The state has what is undistributed.

Taxes so assessed upon savings banks, trust companies, loan and banking companies, building and loan associations, and upon stock fire insurance companies of the state are in lieu of all other taxes against the corporations, their stockholders and depositors.

Every foreign fire and marine insurance company is required to pay to the state treasurer a tax of 2 per cent per annum upon the gross premiums received by it upon business done in the state, less return premiums and reinsurance in authorized companies.

All other foreign insurance companies are to pay a tax of 1 per cent per annum on stock premiums.

The expenses of the railroad commission are met by a tax levied on the gross receipts of the railroads.

V. *Business taxes and licenses.*

Peddlers—for each town, annually, $1; for each town of 1,000 inhabitants or less, annually, $5; for each town of 1,000 to 2,000, annually, $8; for each town of 2,000 to 3,000, annually, $10; for each 1,000 in excess of 3,000, annually, $1; or general license for entire state, annually, $50. Itinerant vendors, annually, $25; salesmen of lightning rods, annually, $300; manufacturers of fertilizers, annually, $50.

B. FEES.

By the secretary of state.—Charter fees are all special (incorporation by special act): Savings banks, $100; other banks, one-tenth of 1 per cent of capital; railroad and insurance companies, one-twentieth of 1 per cent; other corporations, $50; amendments, $25; corporations to do business elsewhere, according to capital, $10 to $200.

By the insurance commissioner.—Foreign insurance companies—for filing charter, $25; filing annual statement, $15; filing license, $10; filing renewal, $5. For medical examination and license—for all except matriculates of New Hampshire Medical School, $10; for matriculates of the New Hampshire Medical School, $5. Beneficiary societies, $5. For dentistry certificate, $10; for pharmacist certificate, $5; for assistant pharmacist certificate, $2; for embalmers—examination, $5, registration, $1.

County Revenues.

A. TAXES.

I and II. *The general property and poll tax.*

1. *Base*—

The property and polls included and the method of assessment and of equalization are the same as those of the state already described.

2. *Rate*—

The county treasurer issues his warrant to the selectmen of the several towns in the county requiring them to assess, collect, and pay over all just proportions of all taxes granted by the county conventions.

3. *Collection*—

Collection from the town is enforced by the county treasurer as by the state treasurer for state taxes.

III, IV, and V. *Inheritance tax, corporation taxes, and business taxes and licenses.*

There is no inheritance tax in the state (see above) and there are no corporation taxes or business taxes and licenses in the county.

C. FINES AND PENALTIES.

All fines and forfeitures, except those imposed by a police court, are for the use of the county in which the offense was committed.

MUNICIPAL REVENUES.

A. TAXES.

I. *The general property and poll tax.*

1. *Base—*

The property and polls included and the method of assessment and of equalization are in general the same as for state taxes. The invoice for all taxes is taken by the selectmen of the towns or by the assessors of the cities and the appraisal made by them.

2. *Rate—*

The selectmen assess all taxes duly voted in their towns and all school and village district taxes authorized therein. These may be levied in one assessment with the state and county taxes. Towns may also raise money at town meetings for municipal purposes.

II. *Poll tax.*

This is incorporated in the general property tax.

III. *Inheritance tax.*

There is no such tax. (See above.)

IV. *Corporation taxes.*

See State taxes.

V. *Business taxes and licenses.*

City councils or the selectmen of towns may license: Public shows and exhibitions, $1 to $300 per day (if in a hall, $1 to $50); billiard tables and bowling alleys, $10 per year; same in summer hotels, $4 (when licensed they are exempt from taxation); dogs, male, $2; dogs, female, $5; plumbers, per year, $5; peddlers, per year, $5 to $10; itinerant vendors, 2 per cent of value of goods in stock.

SCHOOL REVENUES.

Each town constitutes a school district. The selectmen may assess taxes on the property subject to town taxes, but may make a new invoice.

The selectmen in each town are to assess annually upon the polls and ratable estate therein a sum to be computed at the rate of $500 for every dollar of the public taxes apportioned to such town. Towns may, however, raise more.

Twenty-five thousand dollars is also to be appropriated annually from the state treasury and distributed to the towns in direct proportion to the average attendance of scholars and in inverse proportion to the equalized valuation per child.

The proceeds of all taxes collected by the state upon the deposits and stock, in savings banks and in similar corporations, of persons who do not reside in the state are known as the "literary fund," and the "fund" so constituted is distributed among the towns in proportion to the number of scholars, and all money arising from dog license fees, which is not paid out for damages to domestic animals by dogs, is applied to the schools

NEW JERSEY.[1]

SPECIAL NOTE.—This compilation refers to the fiscal year 1902, and therefore does not include the provisions of the revised tax law of April 8, 1903, which took effect on the revenues for the year 1904.

New Jersey attempts a separation of taxes for state and for local purposes. The state obtains its revenue from special taxes on railroad and canal corporations, the franchise tax on gross receipts and capital stock of other corporations, the collateral inheritance tax, the poll tax, and leases of riparian lands.

Taxes on real and personal property in general contribute only to counties and municipalities. There has been no state tax levied on real and personal property since 1884. Taxes on real estate of railroads, used for railway purposes not included in the "main stem," are apportioned to the taxing districts in which the property is located.

CONSTITUTIONAL PROVISIONS.

ARTICLE IV.

SEC. 7. Par. 12. Property shall be assessed for taxes under general laws and by uniform rules, according to its true value.

[1] This compilation is derived mainly from the following sources:
General Statutes of New Jersey, published by virtue of an act of the legislature of 1894, and supplement of 1895. Linn & Co., Jersey City, N. J., 1896.
Session Laws of the Legislature of New Jersey, 1895, 1896, 1897, 1898, 1899, 1900, 1901: Jersey City, N. J.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors in boroughs of the first class, appointed annually by the mayor and common council.
(2) Township assessor, elected for three years.
(3) Ward assessors, elected annually.
(4) Boards of assessment of from one to five members in certain cities, variously appointed.
(5) Commissioners of assessment, appointed by the governor in default of local officials.
(6) Commissioners of appeal in boroughs, elected for three years.
(7) State board of taxation, composed of four members appointed by the governor, no more than two to be of the same political party.
(8) County board of equalization, appointed by the judge of common pleas for the county for three years. This board supersedes the county board of assessors.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—Real and personal property generally is relieved from state taxes with the exception of those for school purposes. (For details of base, assessment, and collection, see County revenues A.)

The state may, for purposes other than support of schools, have recourse to the property tax by apportioning amounts to be raised by the counties, which in turn apportion their quota to townships and local taxing districts. "Taxing district" designates any municipality, city, township, borough, or village having power to assess and levy taxes.

The largest source of state revenue is the taxation through state assessors of property of railroad and canal companies. This tax is laid only on property used in operation of the road and is in part distributed to the local taxing districts.

Every railroad and canal company is assessed on property used in operation of the road, by a state board of assessors. The franchise is considered an element of such property. The courts have held that the valuation may be based on the aggregate market value of stocks and bonds less debts due creditors within the state. The stocks and bonds in the hands of the holders are not taxed. The railroad is required to make a statement to the board of its general property, under penalty not to exceed $10,000.

The same deduction is allowed for mortgages and other debts as in the case of individuals.

Property not used in operation of the railroad is assessed and taxed locally as other property.

2. *Rate—*

The rate for general state purposes is prescribed by statute for railroad and canal companies as one-half of 1 per cent upon each dollar of valuation. Companies must also pay a tax at the local rate for county and municipal purposes (but not to exceed 1 per cent) upon real property other than the "main stem" which includes the roadbed not exceeding 100 feet in width, with its rails and sleepers and depot buildings, in the several taxing districts. This goes to the districts through which the railroad passes, according to the amount derived therein.

3. *Collection—*

The tax on property used in the operation of a railroad or canal is due and payable into the state treasury between November 1 and February 1. But that part of the tax applicable to general state uses may be paid in four installments, if the portion applicable to county and local purposes shall be paid by February 1. If payment is defaulted for ten days, the property of the road may be sold as upon execution upon order of the supreme court. Taxes are a lien upon property and franchise after November 1.

II. *Poll tax.*

A poll tax not exceeding $1 is to be assessed upon every male inhabitant of the state over 21 years of age, except firemen, volunteers and sailors in the army or navy of the United States, paupers, idiots, and insane persons. The tax is collected solely for local school and road purposes.

III. *Inheritance tax.*

All property that is situated in the state and all property of any decedent who was a resident of the state which passes by will, descent, or transfer intended to take effect on death, to any person other than the father, mother, husband, wife, child, brother, sister, son-in-law or daughter-in-law, or lineal descendant, or to any corporation, excepting churches, hospitals, orphan asylums, public libraries, and all religious, benevolent, and charitable institutions, shall be subject to a tax of $5 on every $100 of clear value, which is to be paid to the treasurer of the state. Estates of less value than $500 are not subject to this duty or tax.

IV. *Corporation taxes.*

The taxation of corporations, foreign and domestic, includes both a state and a local tax.

Domestic corporations, other than those taxed on the basis of gross receipts, pay a franchise tax on the basis of capital stock. The tax is for the privilege of transacting business in the state and not one upon the corporate property or business, and may be collected no matter how the property of the company may be invested or where it may be situated. It has been called a "poll tax levied upon domestic corporations for the right to be."

A foreign corporation pays 5 per cent upon the amount of gross receipts from business in the state, unless there is a lower rate in its own state on New Jersey corporations.

Franchise tax on gross receipts.—Every telegraph, telephone, cable, or electric light company; every express, gas, or palace, parlor, or sleeping car company; every oil or pipe-line company; every domestic life insurance company; every fire, marine, live stock, casualty, or accident insurance company doing business in this state; except mutual fire insurance companies, pays an annual franchise tax for the use of the state. These corporations are required to make an annual report to the state board of assessors of gross receipts within the state by the first Tuesday in May.

The rate of tax in gross receipts of corporations is as follows: Telegraph, telephone, cable, and express companies, 2 per cent; gas and electric light companies, one-half of 1 per cent (also 5 per cent upon dividends over 4 per cent); oil and pipe-line companies, eight-tenths of 1 per cent; insurance companies, other than life, 1 per cent; life insurance companies (domestic), thirty-five one-hundredths of 1 per cent (also 1 per cent upon its surplus); parlor, palace, and sleeping car companies, 2 per cent; surety companies, 2 per cent.

Franchise tax on capital stock.—All domestic corporations, other than those paying a state franchise tax based on gross receipts, are required to pay an annual license fee or franchise tax: On capital stock up to $3,000,000, one-tenth of 1 per cent; on capital stock $3,000,000 to $5,000,000, one-twentieth of 1 per cent; on capital stock of $5,000,000 and over, $30 per million.

This tax is laid upon a statement of capital stock to the state board of assessors.

The tax on capital stock does not apply to railway, canal, banking, savings bank, cemetery, or religious corporations; nor to those purely charitable or educational; nor to manufacturing or mining corporations 50 per cent of whose capital is invested in this state; otherwise, the assessed value of property so used is deducted from the amount of its capital stock in the computation of the tax.

Special franchise tax.—All corporations or companies using public streets, highways, or roads (except railroads and canals) are required to pay a tax of 2 per cent on their gross receipts, in addition to the local tax on their property. Pipe-line companies are subject to this tax on receipts from business in the state. A forfeit not exceeding $5,000 is prescribed for failure to make a statement of gross receipts to the state board of assessors. These corporations are withdrawn from taxation under the general state franchise tax. These special franchise taxes on corporations exercising municipal franchises are collectible in the local districts in proportion to the value of the property located therein.

V. *Business taxes and licenses.*

Insurance agent, foreign company, $20; itinerant vendors, $25; fire, life, marine, and live stock insurance companies, $50.

B. FEES.

To the secretary of state.—Incorporation fee, 20 cents for each $1,000 of capital stock authorized, $25 minimum tax; increase of stock, 20 cents per $1,000, $20 minimum tax. Consolidation and merger of corporations, 20 cents for each $1,000 authorized beyond capital of corporations consolidated, $20 minimum. Extension of corporate existence, same as organization; dissolution, change of name, increase of capital stock, etc., $20; foreign corporations, privilege tax, $10; foreign insurance company, $20; annual statement of insurance companies, $20.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All the real and personal estate within the state unless specially exempt is liable to taxation:

(1) "Real estate" includes all lands and all waterpower thereon; all buildings and trees; all mines, quarries, peat and marl beds; and all fisheries.

(2) "Personal estate" includes all goods and chattels, debts, and public and corporate stock, whether said personal estate be within or without the state.

(3) Exemptions, in addition to public property, are: Charitable institutions; endowment funds of religious societies; armory associations; stocks and other personal estate owned by citizens of the state situated outside of the state upon which taxes have been actually assessed for the preceding year; colleges, academies, public libraries, schoolhouses, hospitals, churches, parsonages, and insane asylums; stock in corporations which by charter are exempt; stock which is taxable to the corporation; pews; and cemeteries; firemen and discharged soldiers and sailors, from poll and from property taxes to the amount of $500; parsonages, up to $5,000; bonds of the state and its public corporations and of biological and fish stations; also savings banks' deposits.

b. Assessment.—The assessment is to be made by the assessors of every township or ward annually between the 20th of May and the 20th of August. Every inhabitant is to render a true account of his property, under penalty of double assessment, and is to answer under oath when required by the assessor. Property is to be assessed at its full and actual value.

No mortgage on real or personal property, or the debt secured by such mortgage, is to be assessed for taxation unless a deduction has been claimed therefor by the owner of the mortgaged property.

By the "five counties act" it is made lawful for mortgagors in the counties of Hudson, Essex, Union, Bergen, and Passaic (contiguous to New York city) to make agreements with the mortgagees of lands therein not to apply for any deductions, by reason of any mortgage, from the taxable value of the lands. Where deductions are allowed, the mortgagees are assessable for taxation.

The local tax on real and personal property of corporations has not been superseded by the state franchise taxes. All real and personal property is to be taxed the same as that of an individual, except property of railway, turnpike, insurance, canal, or banking corporations, savings banks, cemeteries, church property, or purely charitable or educational associations. Corporations are permitted deductions for debt the same as individuals.

Life insurance companies are to be assessed on the full amount of their property and valuable assets after deducting debts and liabilities, on the basis of a statement as of January 1. The amount of tax on the Mutual Benefit Life of Newark is not to be less than $5,000.

The stock of corporations, except banks, is not assessed in the hands of the individual holders, nor their bonds, except when deductions have been allowed on their account to the corporations.

Bank stock, state or national, is assessed to the shareholder where he resides. The bank is responsible for nonresident stock. Real estate is assessed to the bank and deducted from the assets of the bank in estimating the value of the shares of stock. The bank is not made responsible for collection of taxes on shares of resident holders.

From the valuation of real and personal estate may be deducted any debts owing to creditors within the state, upon a written statement under oath thereof. No deduction is to be made from the taxable value of real estate of indebtedness to any state or national bank, but such deduction may be made from personalty.

c. Equalization.—The assessment of the local assessors is revised and equalized by township committees of each township, by borough councils, and by the common councils of cities and villages. Commissioners of appeal in and for every township hear appeals.

The county board of equalization equalizes between the taxing districts of the county.

The state board of taxation hears and determines the appeals of individuals, and equalizes also between the taxing districts by correcting the determination of the county board of equalization.

2. *Rate—*

The county commissioners of equalization fix the quota of taxes to be collected in each taxing district in proportion to the net value of taxable real and personal property therein.

3. *Collection—*

Taxes as a whole or in installments of one-fourth are collected by the township, town, or borough collector, who is to give notice on October 1 of the time of payment. On December 20 a list of delinquents is to be returned to some justice of the peace, who is to issue tax warrants requiring the constable to make distraint and sale of goods and chattels, or to take the body of the delinquent. The township collector is to pay over to the county collector by December 22, and the county treasurers to the treasurer of the state by January 20 in each year. Taxes assessed on real property are a lien for two years after December 20.

II. *Poll tax.*

No poll tax is to be assessed upon any inhabitant of any county of the first class for county purposes.

Poll taxes in other counties are not to exceed $1 for any purpose whatever. This limitation with other laws practically restricts the tax for municipal purposes.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or corporation taxes.

V. *Business taxes and licenses.*

Pawnbrokers, $50 per year; peddlers, $20 per year; public shows, $10 to $100 per day.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for municipal as for state taxes. Manufacturing corporations, companies, and individual enterprises, employing labor within the limits of boroughs, can, by act of common council, be exempted from municipal taxation, either wholly or in part, for not more than five years.

2. *Rate—*

The common councils of cities may order for general city purposes, exclusive of school, library, poor, fire, and state and county taxes, any sum not exceeding one-half of 1 per cent of the assessed valuation. Cities of a population of from 15,000 to 100,000 may levy 1½ per cent.

3. *Collection—*

Same as for county taxes.

II. *Poll tax.*

Poll taxes for school and road purposes in cities, boroughs, and townships of the state are not to exceed $1.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or special corporation taxes.

V. *Business taxes and licenses.*

The common councils or boards of aldermen have power to license junk shops, bill boards, bill posters, roller skating rinks, omnibuses, carriages and other vehicles, peddlers, pawnbrokers, auctioneers, milk dealers, dogs, street musicians, shows, and theatrical performances. Circus—admission 25 cents, not to exceed $500 per day; admission 10 to 25 cents, not to exceed $100 per week. Concerts, admission 50 cents or more, $25 per concert; theater, $350 per year.

The board of excise commissioners has the sole power in towns and cities of granting retail liquor licenses. Liquors—cities of first class, beer bottling, $75; cities of second class, beer bottling, $50; sale of liquors, social clubs, $250.

School Revenues.

Riparian funds received from the rental and sale of lands under water are appropriated as part of the school fund for the support of free public schools.

A state school tax equal to $5 for each child in the state between 5 and 18 years of age is to be levied and collected on the county assessments. It is the duty of the comptroller to apportion the tax among the several counties in proportion to the amount of taxable property therein. The tax is then apportioned among townships and wards by the assessors. State school moneys are apportioned among the school districts.

School districts may raise additional moneys by tax grants of rights to occupy land under the waters of the bay of New York and the Hudson river, which grants are made by a board of commissioners. The proceeds of the sales and rentals of said lands are to be applied as the legislature may direct, then to the state debt and school fund.

NEW MEXICO.[1]

New Mexico draws her revenues mainly from the general property tax. There are certain special corporation taxes on car and express companies, and on foreign corporations engaged in producing, refining, and selling petroleum, or coal oil. There is no inheritance tax, but there is a system of business taxes and licenses.

ORGANIC LAW.

By the organic act establishing the territory of New Mexico the legislative power is vested in the governor and legislative assembly (sec. 5).

SEC. 7. The legislative power of the territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; * * * no tax shall be imposed upon the property of the United States; nor shall the lands or other property of nonresidents be taxed higher than the lands or other property of residents.

CHAPTER DCCCXVIII.

The legislatures of the territories of the United States shall not pass local or special laws, * * * for the assessment and collection of taxes for territorial, county, township, or road purposes.

[1] This compilation is derived mainly from the following sources: Compiled Laws of New Mexico, 1897: Santa Fe, N. Mex., 1897. Laws of New Mexico, 1899: Santa Fe, N. Mex., 1899. Laws of New Mexico, 1901: Albuquerque, N. Mex., 1901.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected every two years.

(2) County collector; the county treasurer is ex officio tax collector.

(3) County board of equalization, composed of the county commissioners.

(4) Territorial board of equalization, composed of one taxpayer appointed by the governor from each of the five judicial districts.

Territorial Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property in the territory, not exempt by law, is subject to taxation.

(1) "Real estate" includes all lands within the territory to which title or right to title has been acquired, all mines, minerals, and quarries, and all rights and privileges appertaining to land, and improvements which include all buildings, structures, fixtures, and fences affixed to land, whether title to the land has been acquired or not.

(2) "Personal property" includes everything subject to ownership not included within the term "real estate."

(3) Exemptions, in addition to public property, are: Public libraries; cemeteries; property of literary, scientific, benevolent, agricultural, and religious institutions and societies; a family homestead, to the value of $200, or other property to make up an exemption of $200; mines and mining claims bearing gold, silver, and other precious metals (but not the net product and surface improvements), for a period of ten years from the date of the location; irrigating ditches, canals, and flumes belonging to communities and used on a mutual basis; and all other ditches, etc., for irrigating purposes, for a period of six years after completion; factories or plants for manufacture of beet sugar, for six years; factories, mills, smelters, and reduction works, for six years from 1898; tanning factories, for six years; and railroads, for six years after the completion of the road and branches.

No tax is to be levied on any mining claim located under laws of the United States, or upon any shaft or working therein until after a patent has been issued by the United States and for one year thereafter; but other net improvements and the net product is taxable.

b. Assessment.—Every person is required to furnish a sworn list of the items and value of his property as of March 1 of each year, but the assessed value is fixed at the cash value of the property as determined by the assessor. For a false list or failure to render a list the penalty is an increase of 25 per cent in the assessed value.

Lands are to be designated on the assessment lists according to their character, as agricultural, grazing, coal, saline, mineral, timber, and town, city, or village lots.

Bona fide debts may be deducted from credits.

Corporations are assessed on their property where the same is situated. But where the entire capital or property is assessed, the stockholders are not taxed individually on their stock.

Bank stock in national or territorial banks is assessed on the basis of statements by the corporate officers, and the taxes are paid by the corporation.

Railroad, telegraph, telephone, and sleeping car companies are to be assessed by the territorial board of equalization. All property is to be assessed at its actual value. The valuation is apportioned to the counties where the property is located, on a mileage basis. The power of the board extends to all classes of property owned by the railroad.

Insurance companies are assessed upon the excess of premiums received over losses paid.

c. Equalization.—The county board of equalization equalizes between individuals in the county and hears complaints in regard to the assessment.

The territorial board of equalization hears appeals from the county board of equalization or from any city assessor or city council. The board adjusts or equalizes also between the counties.

2. *Rate*—

Commencing with the fiscal year 1902, the legislative assembly is to levy an annual tax for territorial purposes of 6 mills on the dollar of taxable property, the proceeds of which tax is to be distributed pro rata among the various appropriations; and one for the maintenance of territorial institutions of 3½ mills. In addition, the territorial auditor is to levy annually for school purposes a tax of 3 mills on the dollar, which is to be collected by the county collectors with other taxes.

3. *Collection*—

Taxes are collected by the collector of the county, who is required to visit each precinct and give notice to all persons to call and pay their taxes. Payment may be made in two installments, the first between August 1 and January 1, and the second within six months. On the 1st of December in each year half of the unpaid taxes become delinquent, and on the 1st of June the remaining half, from which dates 1 per cent is added as a penalty and 4 per cent additional at the end of a month. Delinquent taxes are to be collected by distraint and sale of personal property, and 10 per cent is added as compensation to the collector. Real estate is subject to sale on July 1. Taxes are a lien from the date of the levy thereof.

II. *Poll tax.*

A poll tax of $1 is levied upon all able-bodied male persons over the age of 21 years, for school purposes. All poll taxes are to be paid to the county treasurer for the use of the respective school districts in which the same are collected. Exempt are active members of fire companies.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Corporations are in general taxed under the general property tax.

Car companies operating palace, drawing room, or sleeping cars are to pay $2.50 upon each $100 of gross earnings reported by April 1 in each year. One-half goes to the territorial treasury and one-half is apportioned to the counties according to mileage.

Since 1905 insurance companies pay 2 per cent on gross premiums.

Corporations of other states engaged in the business of producing or refining petroleum, or coal oil, for illuminating purposes are to pay for right to sell, $500; wholesale dealers (domestic) whose sales are over $3,000 are to pay $25; retail license is secured for $1.

Express companies are to pay $2 on each $100 of gross receipts on the business in the territory. One-half is distributed to the counties according to business done therein.

V. *Business taxes and licenses.*

A license or occupation tax, one-half to be paid into the general school fund and one-half into the general current expense fund of the respective counties, is imposed annually on the following businesses and paid to the county collector:

Peddlers—on foot or with one animal, $250; with two animals, $300. (Each vehicle requires a separate license and the license is good only in one county. These rates were changed in 1905.) Dealers in merchandise other than liquors—annual sales less than $10,000, $10; $10,000 to $20,000, $20; $20,000 to $50,000, $50; $50,000 to $75,000, $75; $75,000 to $100,000, $100; over $100,000, $150. Real estate agents, $10; insurance agents, $10; hotels and restaurants—receipts $1,000 to $2,000, $20; receipts $2,000 to $5,000, $40; receipts over $5,000, $60. Livery and feed stables and stage lines, $10; pawnbrokers, $250; theaters and public halls—capacity 300 persons, $10; capacity over 300 persons, $25. License taxes, one-half of which are for territorial and one-half for county purposes, are levied as follows upon liquors: Wholesale liquor dealers, $100; brewers, $60; distillers, $200; license taxes are to be paid into the school fund of the county. Retail liquor dealers—cities or towns of 500 inhabitants or less, $100; 500 to 1,000, $200; 1,000 or over, $400.

B. FEES.

Secretary of state.—Corporation charters—railroads, local fee, $100 (also $1 for every mile of railroad to be constructed in the territory); mining, milling, smelting, capital $100,000 or less, $25 (for every $100,000 thereover, $5); beet sugar, irrigating ditches and dams, colonization and improvement, capital $50,000 or less, $15 (for every $10,000 additional, $1); building and loan associations, $25 (for every $10,000 over $25,000, $1); benevolent, charitable, religious, or scientific associations, $1; manufacturing and industrial associations, $10 (for every $5,000 capital in excess of $10,000, $2); increase or decrease of capital stock, 25 cents for every $1,000; other amendments to articles, $10; filing annual balance sheet, $1. Foreign building and loan associations, capital not exceeding $1,000,000, $200 (also one-fourth of 1 per cent of capital stock in excess of $250,000); annual statements, $25. Pharmacists—registration, $2; examination and certificate, $5. Physicians, examination and certificate, $20; dentists—certificate, $5; examination and certificate, $25.

The list of fees was revised in 1905.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the assessment and equalization thereof are the same for counties as for the territory.

2. *Rate*—

The boards of county commissioners of the various counties are authorized to levy for current expenses an annual tax of not to exceed 5 mills on the dollar upon the assessed value of all taxable property in the county.

A special tax may also be levied of not to exceed 2 mills on the dollar for repairs on county courthouses and jails.

Counties are authorized to levy a special tax on horses, bovine cattle, sheep, and goats in the county not to exceed 2 mills on the assessed value, to raise a bounty for killing wild animals.

3. *Collection*—

Same as for territory.

II and III. *Poll tax and inheritance tax.*

There are no county poll or inheritance taxes, but the counties collect and disburse the general poll tax for schools.

IV. *Corporation taxes.*

One-half of the territorial tax upon car companies is apportioned to the counties according to mileage; and one-half of the tax on the gross receipts of express companies is distributed to the counties according to business done therein.

V. *Business taxes and licenses.*

One-half of the territorial tax on occupations is paid into the general current expense fund of the county, also all licenses on the retail traffic in malt, vinous, or distilled liquors goes into the county school fund. (For rates, see State revenues.)

Nickel-in-the-slot machine used as gambling device or game of chance, $50.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same as for county and territorial taxation.

2. *Rate*—

Not more than 1 per cent ad valorem is to be levied by any municipality. In towns the tax is limited to one-half of 1 per cent.

3. *Collection*—

Same as for territory.

II. *Poll tax.*

Each able-bodied male citizen between 21 and 60 years of age may be required to pay a poll tax of $1 or to do a certain amount of labor in lieu thereof.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes.

V. *Business taxes and licenses.*

The city council or town board of trustees fixes the amount of licenses on sale of liquors and on peddlers, pawnbrokers, ordinaries, cabmen, amusements and games, toll bridges and ferries, and various similar lines of business.

School Revenues.

The school revenues consist of the proceeds of a tax of 3 mills on the dollar, levied by the territorial auditor on all the taxable property of the territory, which are apportioned to the various school districts according to the number of school children; and of the income of the poll taxes, which are for the use of the respective school districts in which they are collected. In districts including incorporated cities or towns the boards of education may levy an additional tax of 7½ mills on the dollar, and in other districts the school directors may levy one of 5 mills for school expenses and the sinking fund. Also the retail liquor licenses.

There is also a temporary school fund consisting of 33⅓ per cent of the proceeds of intestate estates which escheat, forfeitures on bonds of school officers, fines and licenses on liquor dealers, distilleries, and breweries.

NEW YORK.[1]

New York has developed a system of state taxes which makes the state government practically independent of the general property tax. Resort to the general property tax may still be had for state revenues, but in 1902 the state ad valorem tax on general property was at the low rate of thirteen one-hundredths of 1 mill on the dollar and was levied for canal purposes. The revenue from this source was less than one twenty-fourth of the entire revenue. The largest single item in the state revenues is the state liquor licenses. Next comes the series of general and special corporation taxes, then the inheritance tax, and thereafter a number of miscellaneous items.

The general property tax, as used mainly for county and municipal purposes, presents the following marked peculiarities: First, there is no "listing system," that is, the taxpayer is not ordinarily required to render a statement as to all his property. Corporations, however, unlike individuals, are required to render such statements. Second, the rule that personalty follows the situs of its owner is carried to a far greater extent than is usual in other states. Third, each taxpayer is allowed to deduct his debts from the entire amount of his personal property instead of from his credits only, as is usual elsewhere. Fourth (and this is a consequence of the third), "special franchises," by which is meant mainly the right to use the public streets on, over, or under the ground, are classed for purposes of taxation as real estate. This prevents corporations owning such franchises from deducting their entire bond issues, which often amount to more than the value of the personalty, and thus escaping taxation entirely.

CONSTITUTIONAL PROVISIONS.

The constitution of the state of New York contains no provisions as to the revenue system, but by an amendment adopted in November, 1901, the legislature was forbidden to pass any private or local law exempting persons or associations from taxation.

OFFICERS.

The officers most directly concerned with taxation are:

a. Town—

(1) The town assessors, three in each town, formerly elected one every year for a full term of three years, but since 1901 all three are elected biennially, for a term of two years. In incorporated villages the trustees act as assessors, unless the village has over 2,000 inhabitants, in which case there may be three assessors appointed by the trustees.

(2) The tax collectors, one in each town, elected biennially.

b. City—

Except in the larger cities the departures from this model of township officers are more formal than real.

(3) In cities of the second class (50,000 to 250,000 inhabitants), four assessors, elected for a full term of four years, two at each biennial election.

(4) In cities of the second class, a board of estimate and apportionment, composed of the mayor, comptroller, corporation counsel, president of the common council, and city engineer, which assists the council in preparing the tax levy.

(5) In New York city, a board of taxes and assessments, composed of a president and four[2] other persons appointed by the mayor as commissioners. They appoint deputies not to exceed forty in number.

(6) In New York city, a receiver of taxes, who is head of the bureau for the collection of taxes.

(7) In New York city, a board of estimate and apportionment, composed of the mayor, comptroller, president of the board of aldermen, and the presidents of the boroughs of Manhattan, The Bronx, Brooklyn, Queens, and Richmond, which prepares the budget.

c. County—

(8) The county boards of supervisors, who act as county boards of equalization.

d. State—

(9) The state board of tax commissioners, of three members, appointed by the governor, to hold office for a full term of three years, one member retiring each year.

(10) The state board of equalization, composed of the commissioners of the land office and the commissioners of taxes.

(11) State comptroller and state treasurer, elected for term of two years.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

(N. B.—This tax is now but little used for state purposes and is practically a local tax. It is, however, included and fully described here because still used to some extent.)

1. *Base—*

a. The property included and exempt.—All real property within this state, and all personal property situated or owned within this state, is taxable, unless exempt by law.

(1) "Real estate" includes land and all buildings and structures affixed thereto; wharves and piers and the rights connected therewith; bridges, telegraph lines, wires, poles, and appurtenances; all supports and inclosures for electrical conductors; all surface, underground, or elevated railroads; the value of all franchises, rights, or permission to construct, maintain, or operate the same; all railroad structures; branches, etc., on public roads or grounds; mains, pipes, or tanks for conducting steam, heat, water, oil, electricity, or any property or substance, including the value of all franchises, rights, authority, or permission to construct, maintain, or operate the same in, under, above, upon, or through any streets; all trees and underwood growing upon land, and all mines, minerals, quarries, and fossils in and under the same. A franchise, right, authority, or permission specified in this subdivision shall for the purpose of taxation be known as a "special franchise." A special franchise shall be deemed to include the value of the tangible property of a person, copartnership, association, or corporation situated in, upon, under, or above any street, highway, public place, or public waters in connection with the special franchise. The tangible property so included shall be taxed as part of the special franchise.

(2) "Personal property" includes chattels, money, things in action, debts due from solvent debtors, whether on account, contract, note, bond, or mortgage; debts and obligations for the payment of money due or owing to persons residing within the state, however secured or wherever such securities shall be held; debts due by inhabitants of this state to persons not residing within the United States for the purchase of any real estate; public stocks, stocks in moneyed corporations, and such portion of the capital of incorporated companies, liable to taxation on their capital, as shall not be invested in real estate. Mortgages are taxable as personal property and no deduction is allowed from the value of the real estate.

(3) Exemptions from taxation, in addition to all public property, are: The lands of any Indian reservation; all property exempt by law from execution other than an exempt homestead; certain bonds of the state and of municipal corporations; the real property of a corporation or association organized exclusively for the moral or mental improvement of men or women, or for religious, bible, tract, charitable, benevolent, missionary, hospital, infirmary, educational, scientific, literary, library, patriotic, historical, or cemetery purposes, or for the enforcement of laws relating to children or animals; real property of volunteer fire departments; parsonages up to $2,000; real property of agricultural societies; real and personal property of ministers and priests to $1,500; vessels engaged in ocean commerce and the companies owning them until 1923; certain property of nonresidents; shares of stock; and deposits in savings banks.

b. Assessment.—There is in general but one assessment roll for state, county, and local purposes. This is made up in the first instance by the local assessors.

The date to which the assessment refers is not defined clearly in the statutes; but the assessment is made between the 1st of May and the 1st of July (in certain cases the work begins April 15). But tax liens, as a rule, attach when the tax is confirmed by the supervisors in November. The assessment of banks is made on the basis of a report which refers to June 1; that of "special franchises," at different dates in different cities—ranging from April 1 in some cities to October 1 in others. The figures showing the assessment valuations are therefore not synchronous and it is impossible to make them so.

A peculiarity of the method of assessment is the absence of any general statement required of the individual taxpayers; corporations are, however, required to render statements. (See under *c. Equalization*, below, for a description of the taxpayer's right to be heard on "grievance day.")

Property is to be assessed at its full value. What this value is has not been defined by statute, but the courts have held it to be the "amount of money the property would sell for at a fair, free, and well-advertised sale."

Debts owing may be deducted from the full value of the personal property owned.

Real estate is assessed where located, and personal property, with few exceptions, at the place of residence of the owner.

In general, corporations are assessable upon their capital "existing in money or property," and the shareholders are not assessable upon their interest.

National banks were, until 1901, assessed on their real estate only, the shareholders being assessed, at the place where the bank was located, for the stock at its market value, less the value of the real estate. But in 1901 the method of taxing national banks was changed so that the tax is uniformly 1 per cent on the capital, surplus, and undivided profits without deduction for debt or on account of tax paid on real estate.

The "special franchises," mainly those for the use of the public streets by public service corporations, which are assessed as real estate, in order that the provision in regard to the deduction of debts from all personal property might not nullify the attempt to tax them, are assessed by the state board of tax commissioners, who, however, make this assessment as if for the local governments; this assessment is, however, the basis of the state, county, and local taxation.

The assessment of railroad, telegraph, telephone, or pipe-line companies made by the assessors is apportioned by them among the school districts.

c. Equalization.—The assessment roll is completed by the assessors on or before the 1st of August; then, after public notice, a meeting of the assessors is held on "grievance day," which must be on the third Tuesday in August, when all complainants may appear, and if, after examining them under oath, the assessors are satisfied that a change should be made, they may amend the assessment as to any individual. That is, the assessors sit as a board of review.

The board of supervisors of each county equalizes the assessment of real estate between the different tax districts within the county, but may not change the aggregate valuations of the county. In regard to personal property it has the power only to correct illegal or erroneous assessments.

The state board of equalization equalizes the assessment of real estate as between counties, but may not reduce the aggregate valuation of all counties. This equalization by the state board affects the apportionment of the state taxes only, as the levy is made by the supervisors on the valuations as equalized by the county board.

Any supervisor may appeal from the action of the board of supervisors in regard to his district to the state board of tax commissioners.

There is no provision for the equalization of the assessment of personal property.

2. *Rate—*

The amount of state taxes to be raised is apportioned among the counties by the comptroller on the basis of the assessment as equalized by the state board of equalization. The rate is expressed in mills on the dollar. The amount required from each county, as determined by state equalization, is levied, together with the local taxes, by the supervisors upon the assessments as equalized by them.

3. *Collection—*

State and all other taxes on individuals and banks are collected by the local tax collectors. Those on individuals are a lien on the real and personal property of the taxpayer; and those on bank stocks, on the dividends and shares.

[1] This compilation is derived mainly from the following sources:
Birdseye's Revised Statutes, third edition, 1901.
Heydecker's General Laws and Revised Statutes, second edition, 1901.
The Greater New York Charter, Ash & Ash, edition of 1901.
The New York Tax Law, by John M. Drake, a handbook for assessors, collectors, and lawyers, edition of 1902.

[2] Made six in 1904.

Railroad, telegraph, telephone, and electric light companies may, within thirty days, pay their taxes with 1 per cent fees to the county treasurers. If not so paid they are collected by the tax collector. Unpaid taxes may be collected by seizure and sale. There are elaborate provisions for the collection of taxes from nonresidents.

The tax collector is entitled to receive as fees for collection 2 per cent of all taxes collected within thirty days of notice that he has received the roll (which must be on or before December 20) if the aggregate amount shall not exceed $2,000; otherwise, 1 per cent in addition. On all taxes collected after the expiration of thirty days he is entitled to receive an additional 5 per cent, which is the delinquency penalty. He also receives 2 per cent as fees for all taxes returned to the county treasurer as unpaid.

II. *Poll tax.*

There is no poll tax for state purposes.

III. *Inheritance tax.*

A tax is imposed upon all transfers by will, by the intestate laws, or by gift in contemplation of death, of property situated or owned within the state of the value of $500 or over.

The rate is 5 per cent of the clear market value of such property (construed to mean estate), but when the transfer is to the father, mother, husband, wife, child, brother, sister, wife or widow of a son or husband of a daughter, or to any child or adopted child, the transfer is not taxable unless it is personal property of the value of $10,000 or more, in which case the rate is 1 per cent. Institutions exempt from the general property tax are not exempt from the inheritance tax unless they are religious corporations. (Amended in 1903 to include real estate.)

If the tax is paid within six months, a discount of 5 per cent is allowed; if not paid within eighteen months, interest at the rate of 10 per cent is charged.

Salaried appraisers are appointed in certain counties to assist in the collection of the tax, which is payable to either the county treasurers or the state comptroller. In counties where there are no such appraisers the county treasurer receives 5 per cent of the first $50,000 collected, 3 per cent of the next $50,000, and 1 per cent of the additional sums.

The proceeds of this tax are paid into the state treasury and are not, as such, apportioned to the lower divisions.

IV. *Corporation taxes.*

New York has gradually developed a complete system of corporation taxes which supplement the general property tax.

There is, first, the "organization tax" on domestic corporations, with a corresponding "license tax" for foreign corporations, both of which are described under "B. Fees," below, because of their close analogy to the fees for incorporation charged in other states; second, an annual franchise tax, based upon the capital stock at rates which vary somewhat with the dividends; and third, a series of "additional" and other franchise taxes on different classes of corporations.

These three classes of franchise taxes should not be confused with the taxation of "special franchises," or mainly the privileges to go on, over, or under the public streets, which are taxed as real estate under the general property tax.

The following are exclusively state taxes and the comptroller is the executive officer for their administration. If they are not paid within thirty days of the time when due, a penalty of 5 per cent is added and 1 per cent per month, together with legal interest, until paid. They may be collected by action, and failure to pay works forfeiture of charter.

The "organization tax" on domestic corporations and the "license tax" on foreign corporations are to be found under State revenues, "B. Fees," below.

The "annual franchise tax" levied on every corporation is based on the amount of its capital stock employed in the state. The rate is one-fourth of 1 mill for each 1 per cent of dividends declared during the year ending October 31, if the dividends amount to 6 per cent or more on the par value of the stock. If the dividends for the year amount to less than 6 per cent, the rate is 1½ mills. If no dividend is declared, the rate of 1½ mills applies to the appraised instead of the par value of the capital stock used in the state. When a corporation has different kinds of stock and different rates of dividends, each kind of stock is treated separately and each in the manner above described.

Street railroad companies of all kinds, whose properties are leased to and operated by other companies so that their gross earnings consist of rentals or the like, pay 3 per cent of the dividends declared from such sources in excess of 4 per cent on amount of capital stock.

Banks, savings banks, institutions for savings; title guarantee, insurance, or surety companies; trust companies, organized under the laws of New York; laundry corporations, manufacturing corporations, mining corporations, agricultural and horticultural societies; companies operating elevated or surface railroads not operated by steam, or formed for supplying water or gas for electric or steam heating, lighting, or power purposes are exempt from this tax. But to gain such exemption laundry, manufacturing, and mining companies must have at least 40 per cent of their capital invested in the state, and that part only is exempt which is so employed.

An "additional franchise tax" is levied upon corporations formed for steam surface railroads, canal, steamboat, ferry, express, navigation, pipe-line, transfer, baggage express, telegraph, telephone, palace car or sleeping car purposes and all other transportation companies not liable to the taxes described in the two following paragraphs. The rate per annum is five-tenths of 1 per cent of the gross earnings in the state, which shall include gross earnings from its business originating and terminating within the state, but not earnings derived from business of an interstate character.

Elevated railroads or surface roads not operated by steam pay 1 per cent of gross earnings and 3 per cent on dividends in excess of 4 per cent upon actual amount of paid-up capital. (For leased roads, see "annual franchise tax," above.)

Waterworks, gas, electric or steam heating, lighting, and power companies pay five-tenths of 1 per cent of gross earnings and 3 per cent of dividends in excess of 4 per cent.

Insurance companies generally pay 1 per cent of gross premiums, but fire and marine companies, if incorporated in other states of the United States, are exempt; if incorporated under the laws of foreign countries they pay five-tenths of 1 per cent, and life, health, and casualty companies formed under laws of foreign countries are exempt. This tax does not apply to fraternal beneficiary societies, to companies for the insurance of domestic animals, nor to a few others. There is also a retaliatory tax law.

Trust companies, domestic, pay 1 per cent of capital stock, surplus, and undivided profits.

Savings banks, domestic, pay 1 per cent of capital stock, surplus, and undivided profits.

Foreign bankers pay 5 per cent on interest earned on money loaned in the state.

V. *Business taxes and licenses.*

The taxes and licenses are annual.

Liquor taxes.—One-third to the state and two-thirds to the municipality. (Made one-half each in 1903.) Upon trafficking in liquors to be drunk on the premises.—In cities, towns, etc., of 1,500,000 inhabitants or more, $800 (1903, $1,200); 500,000 to 1,500,000, $650 (1903, $975); 50,000 to 500,000, $500 (1903, $750); 10,000 to 50,000, $350 (1903, $525); 5,000 to 10,000, $300 (1903, $450); 1,200 to 5,000, $200 (1903, $300); in any other place, $100 (1903, $150). Upon trafficking in liquors not to be drunk on the premises.—In cities, etc., of 1,500,000 inhabitants or more, $500 (1903, $750); 500,000 to 1,500,000, $400 (1903, $600); 50,000 to 500,000, $300 (1903, $450); 10,000 to 50,000, $200 (1903, $300); 5,000 to 10,000, $100 (1903, $150); 1,200 to 5,000, $75 (1903, $112.50).

Dealers in convict-made goods, an annual license of $500. Pharmacists, $5 (1903, $7.50). Car, steamboat, or vessel, $200 (1903, $300). Persons, etc., holding license to sell liquors not to be drunk on the premises, for delivery wagons, each, $100 (1903, $150). Alcohol for industrial purposes.—In cities, etc., of 1,500,000 inhabitants or more, $25 (1903, $37.50); 500,000 to 1,500,000, $20 (1903, $30); 50,000 to 500,000, $15 (1903, $22.50); 10,000 to 50,000, $10 (1903, $15); in any other place, $5 (1903, $7.50). Growers of fruits, etc., for right to sell liquors not to be drunk on the premises, $50 (1903, $75). Race meetings (horse racing), 5 per cent of gross receipts. Peddlers on foot, $20; one horse, etc., $30; more than one horse, $50. In all cases $2 additional must be paid to the secretary of state.

B. FEES.

Every stock company when incorporated pays a so-called organization tax of one-twentieth of 1 per cent of authorized capital stock, which is collected by the state treasurer. The same rate applies to every increase.

Every foreign company entering the state pays a "license fee" of one-eighth of 1 per cent of capital stock employed by it in the state during its first year of business and upon any increase in subsequent years.

Banks have to pay all the expenses of conducting the department of banking, which are apportioned among them as the superintendent deems just.

The expenses of the railroad board, not to exceed $60,000, are apportioned among the roads, one-half in proportion to the net income and one-half in proportion to the mileage.

The superintendent of insurance collects the following: For filing charter, $30; annual statement, $20; certificates to agents, not over $5; copies of papers on file, 10 cents per folio; certifying same, $1; examination of companies, actual expenses, not to exceed $50.

The railroad board collects the following: For copies of papers, etc., per folio, 10 cents; certified, 15 cents; for seal, $1; certified copy of quarterly report, 50 cents; certified copy of annual report, $1.50.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the method of assessment and of equalization are the same for the county as already described for the state.

2. *Rate*—

The rate is determined and the tax levy made by the board of supervisors.

3. *Collection*—

County taxes are collected with other taxes by the local tax collectors.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There is no county poll tax, and counties do not share in the inheritance tax nor in the special corporation taxes.

V. *Business taxes and licenses.*

Dog licenses or taxes may be imposed by the county board of supervisors at rates to be fixed by them. They are collected by the tax collectors, being added to the assessment roll by the assessors. When not otherwise fixed, the rates are: For one bitch, per family, $3; each additional bitch, $5; for one dog other than bitch, 50 cents; each additional dog, $2. The tax collector retains 10 per cent as his fee.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the method of assessment and of equalization have already been described under State revenues.

2. *Rate*—

The rate is limited to 2 per cent in certain cities by charter, in some by statute, and in others is fixed by the various municipal authorities. In New York city it is fixed by the board of aldermen on certification from the board of estimate and apportionment; and in a similar manner, in cities of the second class.

3. *Collection*—

Municipal taxes are collected by the local collectors, as described under State revenues, above.

II. *Poll tax.*

This is a highway labor assessment. The commissioners of highways assess and apportion the highway labor to be performed in each town. The whole number of days' work assessed must not be less than three times the number of taxable inhabitants. Every male inhabitant over 21 years of age, except soldiers and sailors maimed in war, members of fire companies, persons at least 70 years of age, clergymen, paupers, idiots, and insane, is assessed at least one day's work, which may be commuted at the rate of $1 per day. The residue is apportioned upon the estates, real and personal.

Towns may vote to change this to a money tax, in which case the part assessed on polls is $1.

III. *Inheritance tax.*

There is no inheritance tax for cities and towns.

IV. *Corporation taxes.*

Under the provision of chapter 550 of general laws of 1901, the tax on shares of bank stock collected by

the county treasurer is apportioned among the cities, towns, and school districts. The basis of apportionment is the number of shares owned by residents of the several civil divisions and the rates within such divisions. In some cities public service corporations pay an annual rental for their franchises, and all municipalities levy on "special franchises" as on other property.

V. *Business taxes and licenses.*

Auctioneers, in cities of 1,000,000 inhabitants or over, $250. New York labor commissioners collect from ballast lighters and captains a tax of $10, and $5 for renewal. Cities get two-thirds of the liquor licenses (see state licenses); since 1903, one-half. Pawnbrokers, annually, $500. Towns may license peddlers and fix the rates. Dog licenses—in cities of from 20,000 to 800,000, except Buffalo, $1; in cities over 800,000, $2; renewal, $1. Villages may license carriages, cabs, etc., auctioneering, hawking, peddling, retail business from canal boats, circuses, theaters, or other exhibitions, billiards, bowling alleys, etc., and public halls and opera houses. A license tax on bicycles may be issued to assist in the construction of bicycle paths.

The board of aldermen of New York city may license and tax carts, hacks, cabs, expressmen, etc., car drivers, boatmen, bootblacks, pawnbrokers, junk dealers, keepers of intelligence offices, dealers in secondhand articles, hawkers, peddlers, vendors, scalpers in coal freights, menageries, circuses, shows, bone boiling, fat rendering, etc., and dogs. In New York city these licenses are annual: For each public cart or truck, $2; public hack coach, $3; public hack cab, $2; special hack coach, $5; special hack cab, $3; express wagon, $5; junk shop or dealer, $20; dealer in secondhand articles, $25; junk cart or boat, $5; peddler using horse and wagon, $8; peddler using push cart, $4; peddler carrying merchandise, $2; ticket speculator, $50; coal scalper, $250; common show, $25; public shooting gallery, $5; public bowling alley, $5; public billiard table, $3; dirt cart, $1; general hoisting, $25; special hoisting, $1; fruit stand, $5; soda water stand, $5; movable newspaper stand, $1; newspaper and periodical stand, $5; chair of a bootblack stand, $5; stand under elevated railroad station, $10; driver of any licensed vehicle, 50 cents.

School Revenues.

School taxes are levied on the real estate and the personal property of each school district. There is a special equalization made by the two or more supervisors concerned when a district occupies parts of two or more towns; otherwise the assessment is the same as for other taxes. The levy is made and the rate fixed by the school trustees, but the taxes are collected as are other state, county, and municipal taxes. School districts also receive a portion of the taxes on bank shares collected by the county treasurer, and by him apportioned among the minor civil divisions.

NORTH CAROLINA.[1]

North Carolina draws her revenue from various sources. In addition to the general property tax there is an elaborate system of privilege or license taxes, for both state and county, and also state inheritance and income taxes. On corporations there is a franchise tax, graduated according to capital stock. Railroad, telegraph, telephone, express, and insurance companies also pay special taxes, based on gross receipts, but in some cases, where the assets of the company are invested in the state and taxable there, these are reduced.

CONSTITUTIONAL PROVISIONS.

ARTICLE V.

Sec. 3. Laws shall be passed taxing, by a uniform rule, all moneys, credits, investments in bonds, stocks, joint-stock companies or otherwise; and also all real and personal property, according to its true value in money. The general assembly may also tax trades, professions, franchises, and incomes, provided that no income shall be taxed when the property from which the income is derived is taxed.

Sec. 1. The general assembly shall levy a capitation tax on every male inhabitant over twenty-one and under fifty years of age, which shall be equal on each to the tax on property valued at three hundred dollars in cash. The commissioners of the several counties may exempt from capitation tax in special cases, on account of poverty and infirmity, and the state and county capitation tax combined shall never exceed two dollars on the head.

Sec. 2. The proceeds of the state and county capitation tax shall be applied to the purposes of education and the support of the poor, but in no one year shall more than twenty-five per cent thereof be appropriated to the latter purpose.

Sec. 5. Property belonging to the state or to municipal corporations shall be exempt from taxation. The general assembly may exempt cemeteries and property held for educational, scientific, literary, charitable, or religious purposes; also wearing apparel, arms for muster, household and kitchen furniture; the mechanical and agricultural implements of mechanics and farmers; libraries and scientific instruments, or any other personal property, to a value not exceeding three hundred dollars.

Sec. 6. The taxes levied by the commissioners of the several counties for county purposes shall be levied in like manner with the state taxes and shall never exceed the double of the state tax, except for a special purpose and with the special approval of the general assembly.

ARTICLE I.

Sec. 32. Ex post facto laws * * *. No law taxing retrospectively sales, purchases, or other acts previously done, ought to be passed.

ARTICLE VII.

Sec. 7. (No county, city, or town or other municipal corporation is to levy any tax except for necessary expenses thereof, unless by a vote of the majority of the qualified voters therein.)

Sec. 9. All taxes levied by any county, city, town, or township shall be uniform and ad valorem, upon all property in the same, except property exempted by this constitution.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Board of state tax commissioners, composed of the board of corporation commissioners, which exercises general supervision over tax listers and assessing officers, and is required to make an annual report to the governor.

(2) Board of list takers and assessors, three freeholders in each township, appointed by the commissioners of each county.

[1] This compilation is derived mainly from the following sources:
"Revenue act," Public Laws and Resolutions of the State of North Carolina, Session of 1901: Raleigh, N. C., 1901.
"Machinery act," An act to provide for the assessment of property and the collection of taxes: Session of 1901.
Code of North Carolina, 1883: Banks & Co., Albany, N. Y.

(3) The county board of equalization, composed of the board of county commissioners and the chairman of the board of list takers and assessors.

(4) Corporation commissioners are to be a board of appraisers and assessors for railroad, telegraph, telephone, street railway, canal, and steamboat companies, and other companies exercising the right of eminent domain.

(5) The sheriff is ex officio tax collector.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property is subject to taxation, except as exempted by statute.

(1) "Real property," for purposes of taxation, includes not only the land itself, but also all buildings, structures, and improvements.

(2) "Railroad property" is declared to be personal for purposes of taxation.

(3) Exemptions, in addition to public property, are: Property set apart for educational purposes; graveyards; property of religious, scientific, literary, or benevolent associations; parsonages; endowment funds of public library associations; property of Indians not citizens, except lands held by purchase; wearing apparel; private libraries; kitchen and household furniture not exceeding in value $25; growing crops; and armories of the State Guard. All corporate property is made liable to taxation and tax exemptions to corporations are repealed, except as to property held for religious, charitable, educational, literary, or benevolent purposes, and cemeteries.

b. Assessment.—The assessment of real and personal property is made by the board of list takers and assessors of each township on the basis of lists made, under oath, by the taxpayers of property owned on June 1. Property is to be assessed at its true value in money, such valuation, determined after actual view if practicable, to be the full price the property would bring at private sale. The assessment of real property is in force for four years or until altered for improvements or deteriorations.

Penalty for not listing property is $10 for every $100 withheld from the assessor.

Debts owing by any person may be deducted by the tax lister from the amount of the person's credits.

Improvements and lands are to be valued separately.

Corporations are required to make reports on capital stock and appraise the actual value in cash thereof on June 1, after deducting the assessed value of all real and personal estate, as indicated by the amount of profit made. But if the auditor and state treasurer are not satisfied, they are authorized to make a valuation of the stock. The valuation of the stock is certified to the counties for county, township, town, or city taxes upon the total value of the stock. There is a penalty of 5 per cent for failure to furnish reports.

Interests in limited partnerships and joint-stock associations are deemed capital stock and assessed accordingly.

Companies taxed on capital stock are not assessed further on mortgages, bonds, or other securities and credits owned by them in their own right. Individual shareholders are not taxed on their stock. The corporation is required to pay the state tax on stock directly to the state treasurer.

Bank shares, state or national, are to be listed by the bank for the shareholders at the market or actual value, from which the value of real and personal property assessed is to be deducted. The state taxes on the shares are to be paid by the cashier to the state treasurer.

Shares of stock in building and loan associations are to be listed by the secretary at their actual value. Shares pledged as security for loans are to be deducted. The secretary is to pay to the state treasurer the state tax, and to the sheriff the county and school tax. No other tax is to be charged on the association.

Railroads are assessed by the board of appraisers and assessors upon property of general state character. Machine and repair shops, etc., are to be assessed by the local list takers. The aggregate value of tangible property and franchises is apportioned to the counties according to length of road therein.

Canal and steamboat companies are to be assessed like railroads.

Telegraph, telephone, express, sleeping car and similar car companies, freight and refrigerator car companies, street railway, waterworks, electric light and power, gas, ferry, bridge, and canal companies, and other corporations exercising the right of eminent domain are assessed by the board of appraisers and assessors on the cash value of their property in the state, as determined from the market value of the capital stock and the amount of mortgages. The valuation is apportioned to the counties.

c. Equalization.—The county board of equalization equalizes the valuation of property by raising or lowering the assessment to make it conform to its true value in money and to the average valuations.

The state tax commissioners review the tax lists as passed upon by the county boards and equalize them.

2. *Rate—*

An ad valorem tax of 43 cents on every $100 of the value of real and personal property is imposed as follows: General state purposes, 21 cents; pensions, 4 cents; public schools, 18 cents. The taxes for public schools are paid by the sheriff to the county treasurer and appear in reports of county revenue and not of state.

3. *Collection—*

Taxes are due on the first Monday in September in each year and are collected by the sheriff of the county, who may levy on personalty after November 1. Taxes are a lien on real property assessed after June 1. Taxes due the state from corporations assessed by the state board of corporation commissioners are to be paid by the secretary of the company direct to the state treasurer. Companies failing to pay the tax are liable to suit and to a penalty of 50 per cent, to be included in the judgment.

II. *Poll tax.*

On each male between 21 and 50 years of age, except the poor and infirm, there is levied a poll tax of $1.29, the proceeds to be devoted to education and to the support of the poor. In 1902 the poll tax collected was $1.58, of which 8 cents was paid into the state treasury for pensions, and the balance was retained and disbursed in the counties for school purposes.

III. *Inheritance tax.*

Both real and personal property, passing by will or descent, or transfer made in contemplation of death, where the decedent was a resident or the property was

located in the state, is subject to an inheritance tax as follows:

Where the share is from $2,000 to $5,000: (*a*) Lineal issue or ancestor, brother or sister, 75 cents per $100; (*b*) descendant of brother or sister, $1.50 per $100; (*c*) brother or sister of father or mother, or descendant thereof, $3 per $100; (*d*) brother or sister of grandfather or grandmother or descendant thereof, $4 per $100; (*e*) other collaterals and strangers, $5 per $100; property passing to the husband or wife of the decedent, or for religious, charitable, or educational purposes, is exempt from tax or duty. Where the share is from $5,000 to $10,000, these rates are multiplied by 1½; where from $10,000 to $25,000, by 2; where from $25,000 to $50,000, by 2½; and where over $50,000, by 3.

IV. *Corporation taxes.*

On every corporation doing business in the state or organized under its laws (railroads, banks, building and loan associations, insurance companies, telegraph, express, and telephone companies excepted) an annual franchise tax is imposed: Capital stock, $25,000 or less, $5; $25,000 to $50,000, $10; $50,000 to $100,000, $25; $100,000 to $250,000, $50; $250,000 to $500,000, $100; $500,000 to $1,000,000, $200; over $1,000,000, $500. Tax on land companies when actual value does not exceed $10,000 is $25.

Railroads pay a privilege tax according to gross earnings per mile: $1,000 or less per mile, per year, $2 per mile; $1,000 to $2,000 per mile, per year, $3 per mile; $2,000 to $3,000 per mile, per year, $4 per mile; over $3,000 per mile, per year, $5 per mile. (No county or town tax.) Tax is to be paid to state treasurer.

Express, telegraph, and telephone companies pay a license tax of 2 per cent on gross receipts within the state, except as follows: If one-fourth assets invested and taxable in state, tax is 1½ per cent; if one-half assets invested and taxable in state, tax is 1 per cent; if three-fourths assets invested and taxable in state, tax is one-half of 1 per cent. (No county or city tax except ad valorem.)

Insurance companies are taxed at the rate of 2½ per cent upon their gross receipts in the state in addition to the license and ad valorem property tax. But if one-fourth of the assets are invested in property taxable in the state, the tax is 1 per cent on gross receipts and the license is one-half of the amount named. If the amount invested is three-fourths of the total assets, the tax is to be one-half of 1 per cent and the license fee, one-fourth of the amount named. Companies paying these taxes are not liable for the tax on capital stock, and no county or municipality may impose any additional tax or fee.

V. *Business taxes and licenses.*

License taxes for the privilege of carrying on business are levied as follows:

Theaters—town of over 10,000 inhabitants, $200; town of 5,000 to 10,000, $100; town of 2,500 to 5,000, $50; town of 1,000 to 2,500, $25; town of less than 1,000, $15 (one-half goes to state, one-half to county). Traveling theatrical companies, per exhibition, $10; circuses, menageries, per day, $200; side shows, per day, $50 (counties may fix county tax between $200 and $1,000). Junk dealers, same as auctioneers; horse dealers, $25 (none to county); peddlers of clocks, stoves, and ranges, $50; peddlers of eyeglasses (per county), $10 (no other tax by town or county). Bicycle dealers—town of 12,000 inhabitants or over, $10; town of less than 12,000, $5. Dealers in theater tickets, $5; commission merchants, brokers, or dealers, $10; ship brokers, $20; pawnbrokers, $100; attorneys, physicians, dentists, and oculists, $5 (no city or county shall levy additional license). Auctioneers—city of 15,000 inhabitants, $20; city of 10,000 to 15,000, $15; city of 5,000 to 10,000, $10; city of 1,000 to 5,000, $5. Real estate agents, same as auctioneers. Dealers in fresh meats, same as auctioneers. Wood and coal dealers, same as auctioneers. Photographers, lumber dealers, one-half fee for auctioneers. Undertakers, laundries, steam laundries, same as auctioneers. Collecting accounts, agency, $25; dealer in secondhand clothing, $25; livery stables, for each horse or mule kept, 50 cents; sewing machine manufacturers, $350; feather renovators, per county, $10. Peddlers—on foot, per county, $10; animal or vehicle, per county, $30. Itinerant salesman with stand, per county, $100; mercantile agencies, $200 (no town or county tax); gypsies, or fortune tellers, $150; lightning rod agents, $20. Hotels—less than $2 per day, per room, 25 cents; over $2 per day, per room, 50 cents. Cotton compresses, per compress, $50. Billiard and pool tables—with liquor, $50; others, $20. Gift enterprise, prize photographs, $100; slot machines, $10; slot machines, fixed returns, $2.50; skating rinks, merry-go-rounds, etc., $20. Stockbrokers—town of 5,000 inhabitants, $25; town of 5,000 to 10,000, $50; town of 10,000 and over, $75. State banks, private bankers, etc., on each $1,000 capital employed, $1 (no county, city, or town tax); agents of packing houses, $100. Breweries and agencies of breweries—brewery, $200; each agency, $50. Oil tanks, each tank over 500 gallons, $20. Dealers in futures—town of less than 5,000 inhabitants, $50; town of 5,000 to 10,000, $100; town of 10,000 to 15,000, $200; town of over 15,000, $300. Liquor dealers—less than 5 gallons, $50 per six months; 5 gallons or more, $100 per six months; malt liquors, $25; druggist selling liquors, $50 per year. Grain distilleries, where liquor is sold—to state, $25; to county, $25. Social clubs, semiannual tax, per member, $1; malt liquors only, per member, 50 cents (liquor license taxes are to be applied to county school fund, whether levied by state or county). Merchants' tax, annual license, $1; also on sales less than $500, 50 cents; $500 to $1,000, $1; $1,000 to $2,000, $1.50; $2,000 to $5,000, $2.50; $5,000 to $10,000, $4; $10,000 to $20,000, $8; $20,000 to $40,000, $12; $40,000 to $60,000, $16; $60,000 to $80,000, $20; $80,000 to $100,000, $24; $100,000 to $150,000, $28; $150,000 to $200,000, $30; $200,000 to $300,000, $35; $300,000 to $500,000, $40; $500,000 to $750,000, $50; over $1,000,000, $70. Dealers in pistols, bowie knives, etc., $10; pianos and organs, $10. Cigarette dealers—manufacturers, under 250 millions, $250; 250 to 500 millions, $500; over 500 millions, $1,000 (no county or town license); retailers of cigarettes, $5. Public ferries, bridges, etc., 1 per cent of gross receipts; purchase tax, liquor dealers, in addition to ad valorem tax on stock and license tax, 2 per cent on total purchases in or out of state; emigrant agents, $25; itinerant oculists, $25; trading stamp concerns, per county, $50; marriage licenses, $1. Official seals—great seal of state, $1; seal of state department, 50 cents; seal of state treasurer, 50 cents. Insurance companies' license—life insurance, $250; fire insurance, $200; accident insurance, $200; marine insurance, $200; surety insurance, $100; plate glass and boiler insurance, $100; domestic mutual insurance, $50; fraternal order insurance, $25; bond, investment, title guarantee, etc., $100; other companies, $100.

VI. *Income tax.*

Taxpayers are required to show on their lists their gross incomes from all property not otherwise taxed—state or United States bonds, salary and fees, annuities, trades or professions, and to give the sources thereof. Upon the excess over $1,000, which is exempted, the rate of tax is 1 per cent on the gross income.

B. FEES.

Certificate of incorporation, per $1,000 stock authorized, 20 cents (minimum, $25); increase of capital per $1,000, 20 cents (minimum, $20); decrease of capital, $20. Private bills to incorporate are taxed double the above fees.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of assessment and of equalization are the same for county as for state taxes.

2. *Rate—*

The rate of tax is determined by the board of county commissioners. Various counties are authorized to levy special taxes for special purposes. The rate may never exceed double that of the state tax, except for a special purpose and with the special approval of the general assembly.

3. *Collection—*

The method of collection is the same as for state taxes.

II. *Poll tax.*

Every male inhabitant over 21 and under 50 years of age may be subjected to a poll tax equal to the tax on property valued at $300 in cash. The state and county capitation tax combined is never to exceed $2 per capita. (See also Poll tax under State revenue.)

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or special corporation taxes.

V. *Business taxes and licenses.*

In any case where a specific license tax is levied for the privilege of carrying on any business, trade, or profession, the county may levy the same tax as the state and no more.

VI. *Income tax.*

Counties can not levy an income tax.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of assessment and of equalization are the same for municipal taxation as for state.

2. *Rate—*

No municipal corporation is to levy more than 1 per cent on the assessed valuation.

3. *Collection—*

The method of collection is the same as for state and county.

II. *Poll tax.*

The aldermen or commissioners may levy a tax on polls taxable by the general assembly for state purposes.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

The corporate authorities may tax privileges taxed for state and county purposes and all persons selling liquors, except druggists (at retail), per year, $25. They may also tax dogs, swine, horses, and cattle running at large within the corporate limits.

School Revenues.

The property and poll taxes levied by the state specifically for school purposes are paid by the sheriff to the treasurer of the county within which they are collected. The income of the permanent school fund and $100,000 appropriated by the legislature from the general state funds is apportioned among the counties by the state board of education on the basis of school population. The state makes additional annual appropriations for equalizing school facilities in the several school districts to enable each such district to maintain schools for at least four months each year. The county board of education apportions all taxes and other school moneys coming under its control among the various townships per capita.

If the state tax is insufficient for the support of schools in each school district for four months, a special tax may be levied by the county on all property, credits, and polls.

All proceeds of fines, penalties, and forfeitures, all moneys paid as exemption from military duty, and the net proceeds of licenses to liquor sellers and to auctioneers are appropriated to the public schools.

NORTH DAKOTA.[1]

North Dakota depends almost wholly upon the general property tax for state, county, and municipal revenues. There are no inheritance taxes and no special corporation taxes, except license fees on sleeping car and express companies, and a tax on insurance premiums which goes to the fire companies.

The revenue laws were revised in 1903, but the changes made have not been embodied in this digest.

[1] This compilation is derived mainly from the following sources:
The Revised Codes of the State of North Dakota, 1899: Tribune Company, Bismarck, N. Dak., 1899.
Laws, Legislative Assembly, North Dakota, 1901: Knight & Latherwarp, Fargo, N. Dak., 1901.

CONSTITUTIONAL PROVISIONS.

ARTICLE II.

SEC. 174. The legislative assembly shall provide for raising revenue sufficient to defray the expenses of the state for each year, not to exceed in any one year four (4) mills on the dollar of the assessed valuation of all taxable property in the state, to be ascertained by the last assessment made for state and county purposes, and also a sufficient sum to pay the interest on the state debt.

SEC. 175. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 176. Laws shall be passed taxing by uniform rule all property according to its true value in money, but the property of the United

States and the state, county, and municipal corporations, both real and personal, shall be exempt from taxation; and the legislative assembly shall by a general law exempt from taxation property used exclusively for school, religious, cemetery, or charitable purposes and personal property to any amount not exceeding in value two-hundred dollars for each individual liable to taxation; but the legislative assembly may, by law, provide for the payment of a per centum of gross earnings of railroad companies to be paid in lieu of all state, county, township, and school taxes on property exclusively used in and about the prosecution of the business of such companies as common carriers, but no real estate of said corporation shall be exempted from taxation in the same manner and on the same basis as other real estate is taxed, except roadbed, right of way, shops, and buildings used exclusively in their business as common carriers, and whenever and so long as such law providing for the payment of a per centum on earnings shall be in force, that part of section 179 of this article relating to assessment of railroad property shall cease to be in force.

SEC. 177. All improvements on land shall be assessed in accordance with section 179, but plowing shall not be considered as an improvement or add to the value of land for the purpose of assessment.

SEC. 178. The power of taxation shall never be surrendered or suspended by any grant or contract to which the state or any county or other municipal corporation shall be a party.

SEC. 179. All property, except as hereinafter in this section provided, shall be assessed in the county, city, township, town, village, or district in which it is situated, in the manner prescribed by law. The franchise, roadway, roadbed, rails, and rolling stock of all railroads; and the franchise and all other property of all express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph or telephone companies, or corporations operated in this state, and used directly or indirectly in carrying persons, property, or messages, shall be assessed by the state board of equalization at their actual value, and such assessed valuation shall be apportioned to the counties, cities, towns, villages, townships, and districts in which such railroad companies, express companies, sleeping car companies, telegraph and telephone companies are located or through which they are operated, as a basis for taxation of such property, in proportion to the number of miles of such property within such counties, cities, towns, villages, townships, and districts. But should any railroad allow any portion of its roadway to be used for any purpose other than the operation of a railroad thereon, such portion of its roadway, while so used, shall be assessed in the manner provided for the assessment of other real property.

SEC. 180. The legislative assembly may provide for the levy, collection, and disposition of an annual poll tax of not more than one dollar and fifty cents on every male inhabitant of this state over twenty-one and under fifty years of age, except paupers, idiots, insane persons, and Indians not taxed.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township assessor, elected annually with the other town officers.

(2) City assessor, appointed in each even numbered year by the mayor, with the approval of the city council.

(3) County assessors, in counties not organized into civil townships, elected for two years.

(4) County treasurer, elected every two years, and eligible for not more than two terms.

(5) Town board of review, composed of the board of supervisors of each town, the president and auditor of each incorporated village, and the mayor, auditor, and senior alderman from the several wards of each city.

(6) County board of review and equalization, composed of the board of county commissioners.

(7) State board of equalization, composed of the governor, state auditor, state treasurer, attorney-general, and the commissioner of agriculture and labor.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property in this state, and all personal property of persons or corporations residing or doing business therein, except as specially exempted, is subject to taxation.

(1) "Real property," for the purposes of taxation, includes the land itself, whether laid out in town lots or otherwise, and all buildings, structures, and improvements (except plowing and trees thereon), and all rights and privileges, and mines and quarries appertaining thereto.

(2) "Personal property" includes all goods, chattels, credits, moneys, and effects wheresoever they may be; all ships, boats, and vessels, whether at home or abroad, and all capital invested therein; all moneys at interest, whether within or without the state, due the person to be taxed, and all other debts due such persons; all public stocks and securities; all stock in turnpikes, railroads, canals, and other corporations, except national banks out of the state, owned by inhabitants of this state; the income of any annuity unless the capital of such annuity be taxed within the state; all improvements made upon lands held under laws of the United States, the title to which is in any railroad company or other corporation not subject to the same mode and rule of taxation as other property. The gas and water mains and pipes laid in roads, etc., are personal property.

(3) Exemptions, in addition to public property, are: Schools, academies, colleges, and institutions of learning with the books and furniture therein, and grounds not to exceed forty acres not used with a view to profit; churches; cemeteries; buildings for purely public charity; public hospitals, and all moneys and credits of each institution; and personal property of each individual to the amount of $10.

Exempted property is to be assessed and valued as other property.

b. Assessment.—There is but one assessment for state, county, and city purposes. All counties or parts of counties not organized into civil townships are divided into assessors' districts; each organized civil township and each city constitutes such a district. All property is assessed annually at its full cash value on April 1, and the district assessor is to determine the true and full value of each tract and parcel of real property by actual examination. A statement of personal property, verified by oath, is to be made by the owner, with reference to the value on the 1st day of April. It is the duty of the assessor to fix the true and full value of all items of personal property and he is to take as a basis the price at a fair voluntary sale for cash. Refusal to list or swear to the statement is to be noted by the assessor and prevents any application for correction of the assessment as made by the assessor. Refusal is a misdemeanor and a false list is perjury.

In unorganized counties taxation is administered by the county to which it is attached for judicial purposes, and taxes are assessed for state purposes only. Stockholders of every bank, state and national, are assessed on their stock where the bank is located. As a basis for valuation of the shares the assessor is to deduct the amount of investment in real estate from the aggregate amount of capital and surplus and undivided profits. Corporations are, in general, assessed as individuals, except railways, including street railways, and certain other public service companies, which are assessed by the state board of equalization. The capital stock and franchises are to be listed where the principal office is located. The aggregate amount of indebtedness, except for current expenses, not paid for purchase or improvement of property and the value of real and personal property are both deducted from the market value of the shares of stock. The remainder is then listed as "bonds and stocks." Such stock need not be listed by the shareholder.

The state board of equalization assesses the franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in the state. Apportionment is made by the board to counties according to mileage. The county auditor apportions the valuation to the cities, towns, townships, and districts, and the same is to be taxed in each county as personal property.

Express, telegraph, telephone, freight line, and equipment companies, and sleeping and dining car companies are assessed by the state board of equalization on their franchise and property. The apportionment is the same as that of railroad valuation.

The property of itinerant, transient, or other merchants, salesmen, or other persons and of all merchants and salesmen of bankrupt stock, etc., brought into the state after the regular assessment, is to be assessed, when found, as other property.

c. Equalization.—The town board of review equalizes the assessment between individuals in its town or district and supplies omissions. An appeal from its decision lies to the district court.

The county board of review and equalization equalizes the assessment made in the districts not embraced in an incorporated city, town, village, or civil township. This board also equalizes between the several assessment districts, but it is not to reduce aggregate values of the county. Town and municipal officers are to advise with the board.

The state board of equalization equalizes between the several counties of the state. It may not reduce the aggregate valuation more than 1 per cent.

2. *Rate—*

The state tax is levied by the state board of equalization and is to be the amount necessary to meet the appropriation of the legislative assembly and the estimated general expenses of the state. The rate of the general state tax is not to exceed 4 mills on the dollar.

3. *Collection—*

Taxes are collected by the county treasurer for state, county, city, town, school, poor, bridge, road, or other purposes. All taxes become due on the 1st day of November and delinquent on the 1st day of February, after which date a penalty of 5 per cent attaches to personal property taxes, and collection may be enforced by distress and sale of such property. The penalty on real property taxes is 3 per cent on delinquency, 3 per cent additional on the 1st of June, and 5 per cent more on the 1st of November. Taxes on real property are made a perpetual lien upon all real and personal property of the taxpayer, either owned when the tax fell due or subsequently acquired. Real taxes are enforced by sale.

II and III. *Poll tax and inheritance tax.*

There is no state poll tax and no inheritance tax.

IV. *Corporation taxes.*

Corporations are, in general, taxed under the general property tax.

All companies other than railway and street railway corporations operating railroads in the state are required to pay a license fee of $100 per annum on each sleeping car operated in the state, provided that the aggregate amount of such license fee is not to exceed $5,000 per annum. The license fee is to be paid by May 1. Default for thirty days incurs a penalty of 25 per cent.

Sleeping cars operated by railroad companies as a part of their railway equipment are exempt.

Express companies doing business in the state are required to pay a license fee of $5 for each station, city, and village having at least 200 inhabitants, in which they have an agent; $10 for those of from 200 to 1,000 inhabitants; $25 for those of from 1,000 to 3,000 inhabitants, and $50 for those of over 3,000 inhabitants. The license is to be paid by August 1. Penalty for violation of these requirements is a fine of from $200 to $1,000.

Every insurance company doing business in the state except joint-stock and mutual companies organized under the laws of the state is required to pay to the commissioner of insurance 2½ per cent of the gross amount of premiums received in the state for the year.

The old gross earnings tax on railroads was declared unconstitutional in 1891 and does not appear in the later codes.

V. *Business taxes and licenses.*

The following are annual taxes:

Commission merchants, $5; public warehouses—capacity less than 10,000 bushels, $2; more than 10,000 bushels, $3; ticket agents, $5.

B. FEES.

By secretary of state.—Filing articles of incorporation of corporations for profit, $5; other corporations, $2. Certificate of corporate existence, $3; commissions, $3; filing notice of appointment of agent, $3; certificate of increase of capital stock, $3.

By insurance commissioner.—Insurance companies—filing articles of incorporation or copies thereof, $25; filing annual statement, $2.50; certificate of authority, $2. There is also the usual reciprocal provision as to reciprocal taxes, licenses, and fees upon foreign insurance companies.

By state treasurer.—Every corporation for profit, except building and loan associations, county mutual insurance companies, corporations for the manufacture of dairy produce and the improvement of breeds of stock, and agricultural fair corporations, are required to pay on filing articles of incorporation—first $50,000 capital stock or fraction thereof, $50; every additional $10,000 or fraction thereof, $5; increase of capital, every $10,000, $5.

By state examiner.—Building and loan associations—first $100,000, $20; each additional $100,000 or fraction, $10. Examination of banks, capital $10,000 or less, $10; capital $10,000 to $20,000, $15; capital $20,000 to $40,000, $20; capital $40,000 to $60,000, $25; capital $60,000 to $80,000, $30; capital over $80,000, $35.

By secretary of state board of pharmacy.—Druggists—annual registration fee not to exceed $3; examination fee, $5.

COUNTY REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of assessment and of equalization are the same for county as for state taxes.

2. *Rate*—

County taxes are to be levied in specific amounts by the county commissioners, and are to be based upon an itemized statement of the county expenses for the ensuing year and of the outstanding indebtedness. No greater levy is to be made than will equal the amount of such expense plus 5 per cent of such amount, together with the amount of one year's interest upon and 10 per cent of the principal of the outstanding debt.

This is not to exceed 8 mills on the dollar for ordinary county revenue, including the support of the poor; 2 mills on the dollar for a bridge tax; nor 2 mills on the dollar for a road tax, to be paid in money or labor at the rate of $1.50 per day; a further tax of not to exceed 2 mills on the dollar for emergency purposes; and for county sinking fund such a sum as will pay interest for one year and 10 per cent on the principal, or as fixed by the legislative assembly. The commissioners are authorized to levy 2 mills on the dollar upon all real estate in the county for destruction of gophers. For schools the tax is 2 mills on the dollar.

3. *Collection*—

Collection of county taxes is the same as that of state taxes.

II. *Poll tax.*

a. Schools.—The county auditor may levy a tax of $1 on each elector in the county for the support of the common schools.

b. Roads and bridges.—A poll tax of $1.50 may be levied by the county commissioners on every male person between 21 and 40 years of age for roads and bridges. This can be paid in labor in lieu of money.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes.

V. *Business taxes and licenses.*

Ferries are leased to the highest bidder.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for all township, town, city, and school district taxes as for the state.

2. *Rate*—

The electors at the annual township meeting may vote such sum for the repair and construction of roads and bridges, for the support of the poor, and for all township charges as they think expedient. The road tax is not to exceed 5 mills; nor the bridge tax, 2 mills.

Cities, towns, and villages having not less than 3,000 inhabitants may levy taxes as follows:

Interest fund for bonds, 12 mills on the dollar; sinking fund for bonds 4 mills on the dollar; school purposes for bonds, 20 mills on the dollar; municipal purposes generally, 20 mills on the dollar. The village tax is not to exceed 50 cents on $100.

3. *Collection*—

The collection of these, as of state taxes, is made by the county treasurer, for which he retains a commission of 1 per cent.

II. *Poll tax.*

Every male inhabitant above 21 and under 50 years of age, except paupers, idiots, and lunatics, is to be assessed one day's labor in each year.

All road taxes collected from residents of any city, town, or village by the treasurer of the county are to be turned over to the municipality.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

Every city, town, or village is entitled to receive 2 per cent of the insurance premium received from policies on property therein, as collected by the state treasurer, for the support of its organized fire department.

V. *Business taxes and licenses.*

The city council has power to fix the amount, terms, and manner of issuing licenses to hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatrical exhibitions, shows and amusements, ticket scalpers and employment agencies, hackmen, omnibus drivers, carters, cabmen, draymen, porters, expressmen, watermen, runners for public houses; billiards, bagatelle, and other games in any place of public resort; auctioneers, lumber yards, public scales, money changers, and brokers. Dogs, $2; female dogs, $3. Villages have the same powers.

School Revenues.

The state tuition fund, composed of the net proceeds of fines and penalties, the interest and income from the permanent school fund, and the leases of school lands, is apportioned among the counties of the state in proportion to the number of children of school age and in the same manner among the several school districts of the county.

Each district school board may levy a tax for school purposes upon the property of the district not to exceed 30 mills on the dollar.

The county auditor is to levy a tax of 2 mills on the dollar on all property in the county and a tax of $1 on each elector of the county, both of which are apportioned to the school districts.

OHIO.[1]

Ohio has a system of revenues composed of the general property tax, supplemented very largely by the state's proportion of the liquor tax; by so-called excise taxes on corporations engaged in public service, on domestic and foreign corporations engaged in business within the state, and on insurance companies; and by a collateral inheritance tax three-fourths of which accrues to the state.

The effort is being made to reduce the state levy on general property by obtaining sufficient revenues from the other sources mentioned. This has succeeded to the extent that in 1902 the sum of $93,620 only was levied on the grand duplicate for state general revenue purposes. The schools are still a charge on the general property tax. A peculiar feature of the Ohio law is the permission granted to the county commissioners to employ tax inquisitors to ferret out evasions of taxes, these inquisitors being paid by commissions on the amount they enable the government to recover.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

Sec. 7. The commissioners of counties, the trustees of townships, and similar boards shall have such power of local taxation for police purposes, as may be prescribed by law.

ARTICLE XII.

Sec. 1. The levying of taxes by the poll is grievous and oppressive; therefore, the general assembly shall never levy a poll tax for county or state purposes.

Sec. 2. Laws shall be passed, taxing by a uniform rule all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and also, all real and personal property, according to its true value in money; but burying grounds, public schoolhouses, houses used exclusively for public worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property to an amount not exceeding in value two hundred dollars for each individual, may, by general laws, be exempted from taxation; but all such laws shall be subject to alteration or repeal, and the value of all property so exempted shall from time to time be ascertained and published, as may be directed by law.

Sec. 3. The general assembly shall provide by law for taxing the notes and bills discounted or purchased, moneys loaned, and all other property, effects, or dues of every description (without deduction), of all banks now existing or hereafter created, and of all bankers, so that all property employed in banking shall always bear a burden of taxation equal to that imposed on the property of individuals.

Sec. 4. The general assembly shall provide for raising revenue sufficient to defray the expenses of the state for each year, and also a sufficient sum to pay the interest on the state debt.

Sec. 5. No tax shall be levied, except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

Sec. 6. The state shall never contract any debt for purposes of internal improvement.

[1] This compilation is derived mainly from the following sources:

The Annotated Revised Statutes of the State of Ohio, by Clement Bates. Third edition of 1900, fourth edition to 1904, in three volumes. Published at Cincinnati in 1900 and in 1903, respectively.

Tax Laws of Ohio, so far as the same relate to the assessment of personal property as codified and revised for 1903, "to which is appended Revised Instructions to County Auditors and Personal Property Assessors for the year 1903, by the auditor of the state."

OFFICERS.

The officers most directly concerned with taxation are:

(1) The district assessors, elected annually in each township and city ward, or, in certain cities, appointed.

(2) The county auditors, elected for a term of three years.

(3) The state auditor, elected for a term of four years.

(4) The state board of appraisers and assessors, composed of the state auditor, state treasurer, and attorney-general.

(5) The annual county (and city) boards of equalization, each composed of the county commissioners (the general governing body of the county) and the county auditor; (in cities the board is composed of the auditor and a number of citizens, usually six, appointed for this work by the city council, the mayor, or the board of tax commissioners, the practice varying in the different classes and grades of cities.)

(6) The decennial county boards of equalization for real estate, composed of the annual county boards, with the surveyor added.

(7) The decennial state board of equalization for real estate, composed of as many persons as compose the state senate, and elected from the senatorial districts.

(8) The annual state board of equalization for banks, composed of the governor, the attorney-general, and the state auditor.

(9) The annual state board of equalization for railroads, composed of the state auditor, the commissioner of railroads and telegraph lines, the attorney-general, and the state treasurer.

(10) The county treasurers, elected for two years, who collect state, county, and local taxes.

(11) Tax inquisitors, who may be appointed by the county commissioners, together with the county auditor and treasurer, to search for and help recover taxes that have been evaded.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property in the state, whether real or personal, and whether belonging to individuals or corporations, and all moneys, credits, investments in bonds, stocks, or otherwise, of persons residing in the state, are declared to be subject to taxation, except only such as may be expressly exempted.

(1) "Real property" includes not only land itself, with all things contained therein, but, unless otherwise specified, all buildings, improvements, and fixtures, with all rights and privileges pertaining thereto. The roadbed, water and wood stations, and such other realty as is necessary for the daily running of railroads is classed as personal property.

(2) "Personal property" includes every tangible thing being the subject of ownership, whether animate or inanimate, other than money, and not forming part of any parcel of real property, as hereinbefore defined; the capital stock, undivided profits, and all other means not forming part of the capital stock of every company, whether incorporated or unincorporated, and every share, portion, or interest in such stock, profits, or means, by whatsoever name the same may be designated, inclusive of every share or portion, right, or interest, either legal or equitable, in and to every ship, vessel, or boat, of whatsoever name or description, used or designed to be used either exclusively or partially in navigating any of the waters within or bordering on this state, whether such ship, vessel, or boat shall be within the jurisdiction of this state, or elsewhere, and whether or not the same shall have been enrolled, registered, or licensed at any collector's office, or within any

collection district in this state; the money loaned on pledge or mortgage of real estate, although a deed or other instrument may have been given for the same, if between the parties the same is considered as security merely; "the gross premium receipts" of insurance companies for the calendar year previous to assessment, less dividends of surplus, cancellation or surrender values, and commissions paid in the state, is classed as the personal property of each agency.

"Money," or "moneys," is any surplus or undivided profits held by societies for savings or banks having no capital stock, gold and silver coin, bank notes of solvent banks, in actual possession, and every deposit which the person owning, holding in trust, or having the beneficial interest therein, is entitled to withdraw in money on demand.

"Investment in bonds" are all moneys in bonds, or certificates of indebtedness, or other evidences of indebtedness of whatever kind, whether issued by incorporated or unincorporated companies, towns, cities, villages, townships, counties, states, or other incorporations, or by the United States, held by persons residing in this state, whether for themselves or others. The courts have ruled that "investments" in exempted property, such as United States bonds or greenbacks, may be taxed only for that proportion of a year's taxes which corresponds to that proportion of the whole year during which the exempt property was not held. (See Shotwell *v.* Moore, 129 U. S. Supreme Court, 590.)

"Investment in stocks" are all moneys invested in the capital or stock of any association, corporation, joint-stock company, or other company, the capital or stock of which is or may be divided into shares, which are transferable by each owner without the consent of the other partners or stockholders, for the taxation of which no special provision is made by law, held by persons residing in the state, either for themselves or others; shares of stock in Ohio companies taxed on their capital stock in Ohio are not included.

"Credits" are the excess of the sum of all legal claims and demands, whether for money or other valuable thing, or for labor or services due or to become due to the person liable to pay taxes thereon, including deposits in banks or with persons in or out of this state, other than such as are held to be money, as hereinbefore defined when added together (estimating every such claim at its true value in money), over and above the sum of legal bona fide debts owing by such person; but in making up the sum of legal bona fide debts owing, there shall be taken into account no obligation to any mutual insurance company, nor any unpaid subscription to the capital stock of any joint-stock company, nor any subscription for any religious, scientific, literary, or charitable purpose; nor any acknowledgment of any indebtedness, unless founded on some consideration actually received, and believed at the time of making such acknowledgment to be a full consideration therefor; nor any acknowledgment made for the purpose of diminishing the amount of credits to be listed for taxation: *Provided*, That pensions receivable from the United States shall not be held to be credits. Both credits and debts are to be estimated at no larger sum than it is believed can be collected or paid.

(3) Exemptions consist of all public property, and property used exclusively for or belonging to or included under the following: Armories; cemeteries and companies for preserving dead bodies; charities; churches; fire companies; indigent and insurance funds of certain secret, religious, and charitable societies; certain law libraries; personal property of each taxpayer up to $100, excepting dogs; public parks containing prehistoric earthworks; soldiers' monuments.

b. Assessment.—In general, there is but one assessment for state, county, and municipal taxes. Certain classes of property, notably that of corporations, are assessed by the county auditors or by special state boards, and generally such assessment is apportioned among the different townships to which it properly belongs by more or less arbitrary rules. With the exception of real estate and certain other minor exceptions, all property is assessed annually.

Real estate is assessed but once every ten years (last time in 1900–1901), the assessment so made remaining in force for a decade; the only revision being by the addition each year of new construction, or the deduction of buildings destroyed, when over $100 in value. The initial assessment of real estate is made by the district assessor, who receives from the county auditor maps and an abstract showing the real property recorded in the county. He returns his "lists" to the county auditor. The "lists" so returned are in tabular form and contain the names of the owners and the description and value of all real property. There are two "lists," one for town lots and one for acreage property. Exempt real estate has to be listed and valued. Real estate, excluding growing crops, is assessed at its true value in money, and not at the price it would bring at auction or forced sale. The assessment so made may be reviewed by the county auditor. The assessor "at the time for taking the lists of personal property, etc.," each year corrects the assessment of real property by adding new buildings and deducting property destroyed when over $100 in value, and by correcting errors or omissions discovered. (See Equalization.)

Every person of full age and of sound mind is required each year to list all taxables in his possession. He is required to take oath that the property so "listed" is all that is owned by him or under his control subject to taxation on the second Monday in April, and that the value affixed to each item is "the true value thereof as ascertained by the usual selling price thereof for cash, at voluntary sales thereof at the time and place of listing," or such price as could be obtained for it in money at such sale. Persons claiming to have nothing to list must take oath to that effect. In case a person refuses to list his taxable property or refuses to swear to the list, the assessor makes return of such property as he can find, and the auditor raises the assessment by 50 per cent. The penalty for a false return is an assessment at 50 per cent in addition to true value.

All officers connected with the assessment, from the assessor up, are authorized to examine persons under oath and to examine books, etc.

The county auditor is required to call together once each year prior to the assessment all the assessors in his county for consultation and to instruct them as to uniformity.

The county auditors of the counties through which any railroad runs constitute a board of appraisers and assessors for such railroad. The stationary property of each road is apportioned among the townships, etc., through which it passes, and the rolling stock in proportion to the mileage in each. When a railroad has part of its road in the state and part in another state the board is required to take the value of all property and divide it in the proportion which the road in the state bears to the whole, apportioning the latter among the counties, etc., as aforesaid.

Bank shares are taxed to their owners, but the banks report to the county auditors the names, residences, and the number of shares of stockholders, together with the resources of the banks. On this basis the county auditor fixes the value of the shares. They are taxed where the bank is located. Deposits are the property of depositors and must be listed by them for taxation, while the bank itself must list and pay taxes on the surplus and undivided profits, real estate, and furniture. An attempt to value national bank stocks at their full value was defeated by the courts, on the ground that "the systematic and intentional valuation of all other moneyed capital by taxing officials far below its true value, while the shares are assessed at their full value, is a violation of the act of Congress."[1]

The property of corporations, not specially provided for, is returned to the county auditors, who assess it and apportion the total assessment among the townships, villages, cities or wards in proportion to the real property of the corporations within each.

The following classes of corporations make their returns to the state auditor and are assessed by the state board of appraisers and assessors upon the basis indicated, the assessment also being apportioned as indicated below. Express, telegraph, and telephone companies are assessed on that proportion of their total property which is used in the state, by rules to be determined by the state board of appraisers and assessors; the apportionment for express companies being made on the basis of gross earnings, and for telegraph and telephone companies on the basis of mileage of wire. Freight-line and equipment companies and sleeping car companies are assessed upon the amount and value of that proportion of the capital stock which represents the capital and property owned and used in Ohio, the guide being the mileage of roads over which the rolling stock is run. Entire tax is paid into the state treasury.

The following peculiarities in procedure should be noted:

Merchants and manufacturers are assessed upon their average holdings throughout the year, and not upon what they may happen to hold on tax day; transient traders are assessed upon that proportion of their stock which the time they are present bears to the year, and may be assessed whenever they arrive; thus, a trader opening a shop for one month only pays on one-twelfth of his stock, whether he was present on tax day or not.

Dogs are listed separately and need not be valued by the owner, nor should they be included in the $100 of exempted personal property. A per capita tax of $1 on each male and spayed female and $2 on each unspayed female is levied.

The county commissioners, the county auditor, and the county treasurer in any county, or a majority thereof, when they have reason to believe that there has not been a full return of property within the county for taxation, shall have power to employ any person to make inquiry and to furnish the county auditor the facts as to any omissions of property for taxation and the evidence necessary to authorize him to subject to taxation any property improperly omitted from the tax duplicate; compensation not to exceed 20 per cent of taxes recovered may be granted by above authorities. In counties containing large cities there is no percentage limit on compensation.

c. Equalization.—It is a general rule that the aggregate value returned by the assessing authorities may not be reduced by process of equalization.

Real property valuations are equalized, first, by the decennial county boards of equalization "so that each tract or lot shall be entered on the tax list at its true value." Then the decennial state board equalizes the valuations between the several towns and counties. After that the county board may reconvene as a "board of revision," to pass upon complaints which may have been filed with the auditor. The changes made annually in the assessment of real property are equalized by the annual county boards.

The valuations of personal property, moneys, credits, and investments are equalized annually by the county or the city boards of equalization.

The assessment of railroads is equalized annually by the state board of equalization for railroads.

The assessment of banks is equalized annually by the state board of equalization for incorporated banks. This board may raise or lower the aggregate assessment of banks, but not more than by 20 per cent in either direction.

2. *Rate*—

The rate for state taxation, expressed in mills upon each dollar of the assessed valuation of property, is fixed each year by the general assembly. Should the general assembly fail to fix the rate, the statutory rates provided for each of the several funds prevail. The funds for which such rates are fixed are:

The sinking fund, eighteen one-hundredths of 1 mill; the common school fund, ninety-five one-hundredths of 1 mill; and the Ohio State and Miami University fund, fifteen one-hundredths of 1 mill. For the past two years the income has been sufficient from the various forms of excise taxes, so that no state levy for "general revenue" has been required.

3. *Collection*—

The lien for taxes attaches to the property in each year on the day preceding the second Monday in April, except bank taxes, which attach on the first Monday in May. All taxes, state, county, and local, are collected by the county treasurer. At least one-half of all taxes, and all of the road tax, must be paid on or before the 20th day of December, the remainder on or before the 20th day of June next ensuing. The penalty for delinquency is 5 per cent (for the use of the treasurer), and if the first installment is not paid when due, the whole amount becomes delinquent on the day when the first was due. Delinquent taxes are collected by distraint and sale.

In case of taxes on real estate which have become delinquent by failure to pay one-half on the 20th of December and which can not be collected by distraint and sale of personalty, the penalty is 15 per cent, and this, with taxes and cost, is eventually collected by sale of the property.

II. *Poll tax.*

Prohibited by the constitution.

III. *Inheritance taxes (repealed in 1906).*

Direct (declared unconstitutional):

Base—(*a*) A direct inheritance tax was enacted by the general assembly of the state of Ohio April 25, 1904 (97 O. L., 398, 400). It provides that the right to succeed to or inherit property within the jurisdiction of this state, * * * whether belonging to inhabitants of this state or not, tangible or intangible, including annuities, which shall pass by will or by the inheritance laws of the state, or by conveyance made to take effect in possession or enjoyment after the death of the grantor, to the use of the father, mother, husband, wife, brother, sister, niece, nephew, lineal descendant, adopted child, or person recognized as an adopted child and made a legal heir, or the lineal descendant thereof, the lineal descendant of any adopted child, the wife or widow of a son, the husband of a daughter of a decedent, or to anyone in trust for such person or persons, shall be taxed upon the value of the property exceeding $3,000 succeeded to or inherited by any person, 2 per cent on such excess; such tax to be borne by the person so succeeding to or inheriting the same.

Such tax becomes due and payable immediately upon the death of the decedent and at once becomes a lien upon the property subject to such tax.

[1] This decision was materially changed by the Supreme Court of the United States, in Lander, Treas., *v.* Mercantile Bank, 186 U. S., 458.

The attorney-general of the state and the prosecuting attorneys of the various counties are charged with the duty of collecting such tax.

The taxes imposed by this act are paid into the state treasury by the executors or other persons charged with the payment thereof for the use of the state.

All property within the jurisdiction of the state, and any interests therein, whether belonging to inhabitants of the state or not, and whether tangible or intangible, which shall pass by will or by the intestate laws of the state, or by deed, grant, sale, or gift, made or intended to take effect in possession or enjoyment after the death of the grantor, to any person in trust or otherwise, other than to or for the use of the father, mother, husband, wife, brother, sister, niece, nephew, lineal descendant, adopted child, or person recognized as an adopted child and made a legal heir, or the lineal descendants thereof, the wife or widow of a son, the husband or daughter of a decedent, is subject to a tax of 5 per cent of the inheritance above $200.

Such taxes become a lien on the property upon the death of the decedent, are payable into the county treasury, and if not paid within a year, the prosecuting attorney is to sue. The state receives 75 per cent of the tax.

Property passing to the state of Ohio, any municipal corporation or other political subdivision for exclusively public purposes, or to any public institution of learning, public charity, or other exclusively public purpose, is exempt.

IV. *Corporation taxes.*

All corporations are taxed under the general property tax.

Certain classes of corporations pay an additional state tax, known as an excise tax, as follows: Railroads, which pay one-half of 1 per cent of that part of their gross earnings proportional to the mileage in Ohio; express companies, which pay 2 per cent of their gross earnings less what is paid for transportation of freight; sleeping, palace, chair, dining, and buffet car companies, and freight line and equipment companies, which pay 1 per cent on the excess of the value of that proportion of their capital stock for Ohio over the value of their real estate; electric light, gas, natural gas, pipe-line, waterworks, street railroad, and messenger or signal companies, which pay 1 per cent of their gross receipts from business done in Ohio.

Railroads also pay the expenses of the state railroad commissioner's office, not to exceed $15,000, which is apportioned among the railroads in proportion to net earnings.

Insurance companies are assessed, as above explained, on their gross premiums at each agency as if on personal property. The tax is 2½ per cent per annum.

The assessments for the excise taxes are made by the state board of appraisers and assessors, and the taxes are collected by the state treasurer.

V. *Business taxes and licenses.*

The state levies license taxes on auctioneers, the rate being fixed in each case by the court of common pleas. Also, duties on certain articles sold at auction. Also, an annual license tax on peddlers, $12 if they go on foot, $20 if with one horse, $28 if with two horses, $60 if on boat or train. Also, a license tax on itinerant vendors of $25 per annum. Also, a license tax on the manufacturer, importer, or agents of any commercial fertilizer of $20 annually on each train. This is paid directly to the Ohio state board of agriculture.

The liquor tax (known as the "Dow law"): Upon the business of trafficking in spirituous, vinous, malt, or any intoxicating liquors, there shall be assessed yearly, and shall be paid into the county treasury, by every person, etc., engaged therein and for each place where such business is carried on, the sum of $350. The tax becomes a lien on the property on the fourth Monday in May each year, and is payable and collectible at the same time and in the same manner as the property taxes. Three-tenths of the proceeds are paid into the state treasury, five-tenths of that received in each township or village to the township or village treasury, part for the benefit of the police or poor funds, and two-tenths into the county poor fund.

Dealers in cigarettes and cigarette wrappers, wholesale, $30 annually; retail, $15 annually.

B. FEES.

The secretary of state collects on copies of documents, 10 cents per 100 words; on seal, 50 cents; and from testing gas meters, $5. The secretary retains $1,000 of such fees collected during the year and pays balance into state treasury. Fees for filing the articles of incorporation—stock under $10,000, fee $10; over $10,000, one-tenth of 1 per cent, the same amount to be paid as an annual fee; same for increase Mutual or other companies without stock, $25; religious, benevolent, or literary corporations, $2; building and loan, $10; increase of stock, $5; certificate of reduction of stock, any corporation, $5; change of name, $5; amending articles of incorporation, 20 cents per 100 words, minimum, $5; for filing or copying miscellaneous other documents, $5, or 20 cents per 100 words. Foreign corporations, except those engaged in interstate commerce, pay above fees of one-tenth of 1 per cent on that part of their capital stock which represents property owned and used and business transacted in Ohio, the same to be paid annually to the secretary of state, and paid by him into the state treasury.

The superintendent of insurance collects the following fees: Filing copy of charter, $25; filing annual statements, $20; each certificate of authority or license, $2; each copy of paper filed, 20 cents per folio and $1 for seal. Life insurance companies pay further 1 cent per $1,000 insured for making valuations of its policies.

Board of pharmacy collects: Examination as pharmacist, $5; examination as assistant pharmacist, $2.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property subject to taxation and the methods of assessment and of equalization are the same for county as for state.

2. *Rate—*

The rate in mills on each dollar of assessed valuation is fixed by the county commissioners, under certain statutory restrictions as to the maximum amount to be levied for each purpose, except for the state and county road improvement fund, the rate for which is five-tenths of 1 mill. These maximum rates vary with the amount of property in the county. Generally these rates may be exceeded only by sanction of a popular vote.

3. *Collection—*

The same as for state taxes.

II. *Poll tax.*

There is no county poll tax. (See Const., Art. XII, sec. 1.)

III. *Inheritance tax.*

The county receives 25 per cent of the collateral inheritance tax. (See State revenues, A, III.)

IV. *Corporation taxes.*

There are no special corporation taxes for the counties.

V. *Business taxes and licenses.*

By the court of common pleas: Ferries, $2 to $50 annually.

By the county auditors: Traveling or temporary shews, circuses, etc., according to population of place where exhibited, $25, $40, and $60 per exhibition.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property subject to taxation and the methods of assessment and of equalization are the same for municipal taxation as for state.

2. *Rate—*

The rate in mills on each dollar of assessed valuation is fixed, under certain statutory restrictions as to the maximum rates for specified purposes, by the township trustees, the trustees of hamlets, or the city council. These rates may be exceeded by popular vote. Villages may levy a road tax.

3. *Collection—*

The same as for state taxes, except that in certain townships the amount levied for the road tax may be paid in labor on the roads at the rate of $1.50 per day, which labor must be performed before the 1st day of September. In certain cities the dog tax is collected by the city clerk.

II. *Poll tax.*

All males 21 to 55 years of age able to perform or cause to be performed the labor (on highways within road districts and cities), except honorably discharged soldiers, pensioners, militiamen, and volunteer firemen, are liable for two days' labor each year on the roads or in cities on the streets. This is commutable into a tax of $3.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

The council of any city or village may license and fix the tax on: Advertising signs, auctions, automobiles, ball alleys, billiard tables, bill posters, bowling alleys, vendors of explosives, ferries, vehicles for hire, hawkers, house movers, house boats, hucksters, peddlers, plumbers, goods sold on street, shows and exhibitions, shooting galleries, taverns, theaters, and itinerant vendors.

School Revenues.

The school districts in Ohio receive an apportionment from the state school fund, which is supplied from the ad valorem tax on property and from interest paid by the state on certain funds created by the sale of school lands and the like; also, an apportionment of the county school fund into which flows a large number of miscellaneous fines, fees, and penalties expressly devoted to the support of the schools. In addition to these there may be levied on the basis of an estimate by the board of education in any district a school tax not to exceed, in general, 7 mills, although different limits are fixed for different places.

OKLAHOMA.[1]

Oklahoma derives its revenues mainly from the general property tax. There are no special inheritance or corporation taxes. Business taxes and licenses are left to the cities and counties and the poll tax is levied for road purposes.

ORGANIC LAW.

As Oklahoma is a territory, there are no constitutional limitations. The act organizing the territory provides as follows:

SEC. 6. No tax shall be imposed on the property of the United States, nor shall the land or other property of nonresidents be taxed higher than the lands or other property of residents, nor shall any unequal discrimination be made in taxing different kinds of property, but all property subject to taxation shall be taxed in proportion to its value: *Provided*, That nothing herein shall be held to prohibit the levying and collecting of license or special taxes in the territory from persons engaged in any business therein if the legislative power shall consider such taxes necessary

[1] This compilation is derived mainly from Wilson's Revised and Annotated Statutes of Oklahoma, 1903, by W. F. Wilson, Guthrie, Okla., 1903: State Capital Company.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township assessor, elected biennially. All towns, cities, and villages over 1,000 population are townships.

(2) County assessor, elected for two years.

(3) County treasurer, who is ex officio collector of taxes, elected for two years.

(4) Township board of equalization, composed of the township assessor and township treasurer. The town or city assessor, mayor, and city clerk compose a board of equalization for cities, towns, and villages.

(5) County board of equalization, composed of the board of county commissioners of each county.

(6) Territorial board of equalization, composed of the governor, territorial auditor, and secretary.

Territorial Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property, real and personal, not specially exempt is subject to taxation.

(1) and (2) "Real property" includes all real estate, land acquired by the territory on credit or otherwise, ferry franchises, and toll bridges. All other property of any kind, except improvements upon Government land or lots, not deeded, is also subject to taxation.

(3) Exemptions, in addition to public property, are property of library, scientific, educational, benevolent, and religious institutions, colleges or societies, not exceeding 10 acres; the property of students used for their education in such institutions; all breaking, wells, or fertilizing upon lands upon which final proof has not been made; family portraits; provisions of a family for one year's time; pensions until paid; cemeteries not for profit; and live stock brought into the territory after November 1 to be prepared for market.

b. Assessment.—There is one assessment roll for territorial, county, and municipal purposes, and it is made up for real and personal property with reference to March 1 in each year. Every person must fill out, under oath, a list of his property, with its true cash value. For refusal to make a list the assessment is for the actual value and 50 per cent in addition as a penalty. Returning a false list is punishable as perjury.

Stocks of merchandise and personal assets of banks, including money and credits, are to be listed at the average during the year. National bank stock is to be assessed at its par value and where the bank is located as of February 1. The tax may be collected from the dividends, a part of which is to be held by the bank for taxes.

Net receipts of foreign insurance companies are to be assessed where the agency is located, as personal property, for territorial, county, town, and municipal taxes, and are subject to the same rate of taxation as personal property.

Corporations are taxed as individuals.

Railroads are assessed, by a board of railroad assessors, on rolling stock and other property, except real estate not used in operation of the road and buildings not upon the right of way. Such real estate is assessed like other real estate. The assessment is made with reference to the 1st of February and is on the basis of sworn schedules, and the penalty for failure to make such a return is $5,000. The assessment is apportioned to the counties, townships, cities, and school districts according to the mileage of main track in each.

All sleeping, dining, palace, or other cars not owned by the railroad on which they are operated are to be listed by the company in the name of the owners, and are assessed by the board of railroad assessors.

Telegraph and telephone lines are required to furnish the auditor of the territory and the county clerk of the counties where such lines are operated a sworn list of their property as of February 1, under a penalty of from $500 to $5,000 for noncompliance.

c. Equalization.—The boards of equalization of townships, and of cities, towns, and villages, equalize individual assessments, and their decision is final.

The county board of equalization equalizes the assessment roll between the different townships.

The territorial board of equalization equalizes the assessment as between the counties. The board can not raise or lower the total valuation for the territory.

2. *Rate*—

The territorial board of equalization determines the rate of territorial tax within the following limitations:

General tax, one-half to 3 mills on the dollar; normal school, one-half mill (Edmond); normal school, one-half mill (Alva); Oklahoma University, one-half mill; agricultural college, one-tenth mill; colored agricultural college, one-tenth mill; school for blind, one-tenth mill; deaf and dumb, two-fifths mill.

The territorial tax to be levied by the counties is 2 mills on the dollar, unless some other rate is fixed.

3. *Collection*—

Taxes are collected by the county treasurer, who is required to be at the county seat at all times to receive them. They are payable after November 1, and no demand is necessary. One-half of all taxes is due on June 15 and one-half on December 15 of each year; they become delinquent on the third Monday in January following, and bear interest at 18 per cent per annum. Delinquent personal taxes are to be collected after the second Monday in March by distress and sale of chattels, and after the third Monday in October real property is to be sold for the payment of delinquent taxes.

II. *Poll tax.*

All able-bodied male residents between 21 and 50 years of age are liable each year to perform four days' work on the public roads, or to pay $1 per day in lieu thereof.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or corporation taxes.

V. *Business taxes and licenses.*

Domestic insurance company, $10; foreign insurance company, $25; itinerant vendors of drugs and persons advertising cures, $100—all annual.

B. FEES.

By secretary of the territory.—Filing articles of incorporation, $5; certificate of incorporation, $3; commissions by governor, $1.

By commissioner of insurance.—Filing declaration or copy of charter, $30; filing annual statement, $10; certificates to agents, $2.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county taxes as for territorial.

2. *Rate*—

The rate is determined by the county commissioners by comparing the assessed valuation with an estimate of the amount to be raised, to which is added 25 per cent for delinquency.

Levy for salaries, determined by county commissioners; court expenses, 3 mills; poor and insane, 2 mills; roads and bridges, 2 mills; county supplies, 3 mills; contingent fund, 3 mills; sinking fund, determined by county commissioners.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no county poll, inheritance, or corporation taxes.

3. *Collection*—

Same as for territory.

V. *Business taxes and licenses.*

Sale of liquor, per annum, retail license, $200; wholesale license, $100; ferries, fixed by county commissioners.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and equalization are the same for municipal as for territorial and county taxes.

2. *Rate*—

The rate is limited to 5 mills on the dollar for general revenue purposes in cities of the first class, and, exclusive of school taxes, is not to exceed 4 per cent of the taxable property of the city.

3. *Collection*—

Same as for territory and county.

II. *Poll tax.*

The city council may impose a poll tax not exceeding $1 on all able-bodied males between 21 and 50 years of age. These persons are also liable to perform four days' work on the roads or to pay $1 per day to any road overseer.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

The city council has authority to levy a license tax on auctioneers, contractors, druggists, hawkers, peddlers, bankers, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, public boarding houses, dramshops, saloons, liquor sellers, billiard tables and other gambling tables, bowling alleys, drays, hacks, and other vehicles used in the city for pay, real estate agents, express companies, life and fire insurance companies or agencies, theaters, etc. The license for the sale of liquors is from $100 to $500 per annum.

School Revenues.

School funds of the territory are to be apportioned to the various counties in proportion to school population. The county school fund consists in a levy not to exceed 1 cent on the dollar of the taxable property of the county, which, with the proceeds of all moneys collected from fines, forfeitures, and penalties, money paid as exemption from military duty, and money collected from marriage licenses, is apportioned to the school districts. Additional funds may also be provided by taxes voted in the school districts.

OREGON.[1]

Before 1903 Oregon depended almost entirely upon the general property tax for state, county, and municipal revenues, there being but few special corporation taxes. An inheritance tax was added in 1903.

CONSTITUTIONAL PROVISIONS.

ARTICLE I.

Sec. 32. No tax or duty shall be imposed without the consent of the people or their representatives in the legislative assembly; and all taxation shall be equal and uniform.

ARTICLE IX.

Sec. 1. The legislative assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious or charitable purposes, as may be specially exempted by law.

Sec. 2. The legislative assembly shall provide for raising revenue sufficient to defray the expenses of the state for each fiscal year, and also to pay the interest on the state debt.

Sec. 3. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

Sec. 6. Whenever the expenses of any fiscal year shall exceed the income, the legislative assembly shall provide for levying a tax for the ensuing fiscal year, sufficient with other sources of income, to pay the deficiency, as well as the estimated expense of the ensuing fiscal year.

ARTICLE IV.

Sec. 23. The legislative assembly shall not pass special or local laws in any of the following enumerated cases—that is to say, * * * for the assessment and collection of taxes for state, county, township, or road purposes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected for a term of two years; made four years in 1903.

(2) Sheriff of the county, elected for two years, who is the tax collector thereof.

(3) The county board of equalization, consisting of the county judge, county clerk, and assessor of each county.

(4) The "county court," which refers to the board of county commissioners in counties which have a separate board for county business, and the county judge and commissioners in other counties. There are two county commissioners in each county, elected for four years.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All property, real and personal, within the state, not expressly exempted, is subject to taxation.

(1) "Real property" includes not only the land itself, but also all buildings and fixtures and all rights and privileges appertaining thereto.

(2) "Personal property" includes all goods and chattels, all vessels, all debts due or to become due from solvent debtors, all shares in corpora-

[1] This compilation is derived mainly from the Codes and Statutes of Oregon, compiled and annotated by Hon. Chas. B. Bellinger and Wm. W. Cotton, and published by authority of an act of February 25, 1901; 2 vols: San Francisco, 1902.

tions, and such portion of the capital of corporations as shall not be invested in real estate. Transient live stock being driven through the state is assessed as personal property. (This tax on live stock is to be immediately collected by the sheriff.)

(3) Exemptions in addition to public property are: Property used for the public good, as that of literary, benevolent, charitable, and scientific institutions, churches, cemeteries, public libraries; land of Indians not citizens, except property held by them by purchase; personal property of every householder up to $300; and the property of all persons, who by reason of infirmity, age, or poverty may, in the opinion of the assessor, be unable to contribute toward the public charges.

b. Assessment.—In general, there is but one complete assessment roll for state, county, and municipal taxes. The county is the unit, and the initial assessment is made by the county assessor. All property is to be assessed annually with reference to the first Monday in March at its true cash value, that is, the amount for which such property would sell at a voluntary sale made in the ordinary course of business. No deductions from assessments are allowed on account of indebtedness. It is the duty of the assessor to require each taxpayer, under a penalty of $20, to furnish a sworn list of his property, but such list is not binding upon the assessor, but is merely to aid him in arriving at the items and true value of the property to be assessed.

All shares in banks located in the state are assessed to the owners where they reside; nonresident stock is assessed where the bank is located.

Shareholders in any domestic company which is taxed on its capital are not taxed individually for the stock.

When personal property is mortgaged or pledged, for purposes of taxation it is deemed the property of the person in possession. In the case of land the mortgaged premises are to be assessed to the mortgagor, and the loan to the mortgagee.

c. Equalization.—The board of equalization of the county equalizes between individuals and corrects the assessment roll of the county. The county court is authorized to complete the equalization as to unfinished matters pending before the board at the time of adjournment, and also to examine and correct the roll in general.

The sheriff as tax collector has power to remit any excess of taxes due to wrongful assessment, on affidavit by the person aggrieved.

2. *Rate*—

All regular taxes for the support of state government are apportioned among the several counties on the basis of the average expenditure in the counties for the preceding five years.

3. *Collection*—

The amount of state tax apportioned to the county is to be levied and collected in the same manner as the county taxes, and the county is debtor to the state for this amount. One-half is to be paid over by the county treasurer by May 1 and the remainder, by November 1.

Collection is by the county sheriff. Taxes on real property from the day the warrant for collection is issued to the sheriff, and all taxes are to be paid on or before the first Monday of April following the levy, but if one-half is paid at that time the remainder need not be paid till the first Monday in October. For payment before March 15, a rebate of 3 per cent is allowed, and for delinquency a penalty of 10 per cent is charged, with interest at 12 per cent. Delinquent taxes on personal property may be collected by the sheriff by levy and sale, and those on real property, by sale of the property.

II. *Poll tax.*

A state poll tax is to be assessed on every male person between 21 and 50 years of age. The assessor must require every person to pay his poll taxes at the time of assessment, and in default to give a list of the delinquents to the sheriff, who is to collect by sale of personal property. Under the practical operation of the tax laws of Oregon the proceeds of this tax accrues to the benefit of the county.

III. *Inheritance tax.*

There was no inheritance tax in Oregon in 1902.

(In 1903 a law taxing inheritances was enacted. The rate on direct heirs, which are the husband, wife, ancestors, lineal issue, brothers and sisters, sons and daughters-in-law, is 1 per cent on the excess of each share over $5,000, estates below $10,000 being exempt. On collateral heirs, uncles, aunts, nephews, nieces, and descendants, the rate is 2 per cent on the excess of each share over $2,000. Strangers, $500 to $10,000, 3 per cent; $10,000 to $20,000, 4 per cent; $20,000 to $50,000 or more, 6 per cent.)

IV. *Corporation taxes.*

Corporations are taxed on their real estate and personal property in the same manner as individuals. The owner of stock in any company taxed on its capital is not to be taxed as an individual for his stock. (In 1903 a franchise tax was imposed on both foreign and domestic corporations, graded from $10 to $200, according to capital stock.)

The railroads are taxed on the valuation of their general property by the local assessors. "Rolling stock" is apportioned among the several counties of the state in the ratio of the number of miles in the county to the total of miles in the state. Every county assessor is to place upon such rolling stock its true value and levy a tax upon the county's proportion.

Foreign insurance companies are to pay a tax of 2 per cent on the amount of gross receipts from business done in the state less losses paid. This tax is in lieu of all taxes on personal property and shares of stock of the company. Real property is to be listed, assessed, and taxed as that of individuals.

V. *Business taxes and licenses.*

Agents of foreign life insurance companies, per annum, $100; license to each life insurance company, per annum, $100; license to each fire insurance company, per annum, $50; license to each accident insurance company, per annum, $100 (the commissioner of insurance receives 40 per cent of these licenses); foreign insurance company, annual statement, $5; insurance solicitors, $5; salmon canneries (eight classes, according to number of cases packed), $100 to $450.

B. FEES.

Secretary of state.—Certificate of deposit by foreign corporation, recording, $25; issuing license to life insurance agent, $10.

Insurance commissioner.—Filing power of attorney by company, $5.

Practice of medicine, examination, $10; pharmacists, examination, $5; assistant pharmacists, examination, $5; dentists, examination, $10; barbers, examination, $5; barbers, registration, $1.

D. INCOME FROM PUBLIC PROPERTY.

The state land board is authorized to sell all lands acquired by grant from the United States at not less than $1.25 per acre; swamp and overflowed lands, $1 per acre; tidelands, held by state by virtue of sovereignty, at true value. (These prices were changed in 1903.)

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county taxation as for state.

2. *Rate*—

The county court or the board of commissioners levies the tax for county purposes, together with the amount of state and school tax required by law to be raised in the county for the year.

3. *Collection*—

The collection for county taxes is the same as for state.

II. *Poll tax.*

a. General.—For county purposes a poll tax of $1 is to be assessed upon every male inhabitant of the state between the ages of 21 and 50 years. Firemen are exempt.

b. Road.—There is also a road poll tax of $3 per annum, which may be paid in labor.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes for the counties.

V. *Business taxes and licenses.*

Insurance brokers, quarterly, $15. The county court requires licenses from—keepers of billiard tables and ball alleys, per annum, $50; dance houses, per month, $100; peddlers, per annum, $10 to $200; public shows, each performance, $10 to $500; ferries, per annum, $1 to $100; liquor licenses, general, per annum, $400; liquor licenses, malt liquors only, per annum, $200.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the assessment and equalization thereof are in general the same as for state and county taxes. In preparing the tax rolls of the several counties after equalization by the board of equalization, it is the duty of the clerks of the county courts to compute the aggregate valuation in each of the incorporated towns or cities, and of each school district. Town and school levies are made on this valuation. The council used to sit as a board of equalization to hear complaints in towns or cities, but this has been superseded in the new system.

2. *Rate*—

The rate is determined by the council of cities and towns which levy municipal taxes at the rate prescribed by their charter. In cities incorporated under the code it may not exceed 1 per cent of the assessed valuation. The individual taxes at this rate are then computed by the clerk of the county court.

3. *Collection*—

Collection is the same as for county taxes.

II. *Poll tax.*

There is a road district poll tax of $3, which may be paid in labor.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes for the municipalities.

V. *Business taxes and licenses.*

The common council in cities and towns has power to license, regulate, and control any lawful business, trade, occupation, profession, or calling.

Liquor licenses may not be granted for a less sum than provided by the general laws of the state. (See under County revenues, V.)

School Revenues.

The irreducible school fund of the state is composed of the proceeds of the sales of the sixteenth and thirty-sixth sections of every township in the state; all property accruing to the state by escheat or forfeiture; proceeds of the sale of tidelands or sand islands; all the proceeds of the sale of 500,000 acres of land granted to the state by Congress; and certain other miscellaneous income. The interest of this fund, which is to be loaned out, is to be apportioned among the counties in proportion to the number of children. The county superintendent distributes the county's share among the several school districts of his county.

Each county of the state is to be divided into school districts. The county courts of the several counties are required to levy, with other taxes, a tax of at least 5 mills on the dollar for school purposes (amended in 1903). This school tax is apportioned to the districts. The county courts are also required to include in the annual levy an amount sufficient to maintain a county high school.

The district meetings, legally called, have power to levy a tax not to exceed 5 per cent on all assessed property.

PENNSYLVANIA.

Pennsylvania places the burden of taxation for state purposes almost wholly on corporations, leaving the property of individuals subject to taxation for local purposes only. Mortgages, bonds, and certain other classes of personal property, however, pay a state tax, but three-fourths of this tax is returned to the counties to relieve the burden of local taxation. Thus the state system is kept separate from the local taxation. Corporations are taxed by state officers, except on their real estate, which is taxed locally, and uniformity is thus secured. Local taxation falls principally upon the real estate of individuals, also on horses and cattle, occupations, licenses, and certain corporate real estate, as that of manufacturing companies, but not that of railroads and other quasi public corporations.

The bulk of the revenue derived from retail liquor licenses goes to the counties, townships, boroughs, and cities.

There is a state inheritance tax on collateral inheritances. There is also an established system of business taxes and licenses, and special state taxes are levied on writs, wills, deeds, and certain emoluments of public office. Capital stock of manufacturing corporations is exempt from taxation.

In counties and municipalities all offices, posts of profit, professions, trades, and occupations, as well as single freemen following no calling, are assessed along with property, but there appears to be a tendency to change these taxes into a uniform poll tax, more especially for school purposes.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

SEC. 1. All taxes shall be uniform upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the legislative assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity.

SEC. 2. All laws exempting property from taxation, other than the property above enumerated, shall be void.

SEC. 3. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

SEC. 9. Any county, township, school district, or other municipality, incurring any indebtedness, shall, at or before the time of so doing, provide for the collection of an annual tax sufficient to pay the interest, and also the principal thereof, within thirty years.

[1]This compilation is derived mainly from the following sources:
Brightly's Purdon's Digest, 1700 to 1894, 12th edition; compiled by Frank F. Brightly, esq.: Kay & Bro., Philadelphia, 1894.
Brightly's Digest, 1893 to 1903; F. F. Brightly: Rees-Welsh Company, Philadelphia, 1905.
Pepper and Lewis's Digest, 1700 to 1894; G. W. Pepper and Wm. D. Lewis: Philadelphia, 1896.
Pepper and Lewis's Digest Supplement, 1894 to 1897.
Taxation in Pennsylvania, by Frank M. Eastman.
Acts of the general assembly of Pennsylvania under which revenue is collected. Arranged by E. B. Hardenbergh, auditor-general: State Printer, 1904.

ARTICLE III.

SEC. 1. The general assembly shall not pass any local or special law: Exempting property from taxation.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township and borough assessors, elected for three years.
(2) Assessors in counties with over 1,250,000 population, appointed by the county board of revision. The majority political party is to be represented to the extent of one-half the total number. One assessor from such party is to be assigned to each of the assessment districts of such county.
(3) Assessors in cities of the second class, five residents, elected by the city council, for three years.
(4) Assessors in cities of the third class, three residents, elected by the people by wards, for three years.
(5) Board of revision of taxes in cities of the third class, five residents, elected by the city council, for three years.
(6) City treasurers in cities of the third class, elected. They are collectors of all city, school, and poor taxes of the city.
(7) Collectors of state and county taxes, appointed by the commissioners of the county, for one or more wards in cities of the third class.
(8) Collectors for cities, townships, and boroughs, elected generally for a term of three years.
(9) Board of revision in counties, composed of the county commissioners. This board acts as a board of equalization. In Philadelphia the court of common pleas appoints three persons who constitute a board of revision.
(10) State board of revenue commissioners, composed of the auditor-general, state treasurer, and secretary of the commonwealth.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—Property subject to this tax for state purposes is limited to certain classes of intangible personalty and vehicles for hire.

"Intangible personalty" includes all mortgages, all money owing by solvent debtors, all articles of agreement, and accounts bearing interest; all public loans except those of the state or of the United States; all loans issued by or shares of stock in any bank, corporation, or company, including car trust securities, bonds, or other evidence of indebtedness, except shares of stock in any company liable to the capital stock tax; all moneys loaned or invested outside the state; all other moneyed capital in the hands of individual citizens of the state; and all annuities yielding annually over $200. Bank notes and notes discounted or negotiated by any banking institution; building and loan associations; pleasure carriages; and horses, mules, and cattle are exempt.

Under "vehicles" are included all stages, omnibuses, hacks, cabs, and other vehicles used for transporting passengers for hire, except steam and street cars.

b. Assessment.—The assessment is made by the local assessors of the several townships, boroughs, and cities of the respective counties. Sworn lists are to be made by the taxpayers of the different classes of personal property subject to the state tax. False returns are punishable by a fine of $500 and imprisonment not exceeding seven years, while 50 per cent is added for

refusal to make return. The recorder of deeds and mortgages is to keep a daily record of every mortgage or agreement given to secure the payment of money and file the same with the board of revision of taxes (county commissioners). The prothonotary or clerk of the court of common pleas in each county is to keep records of judgments, bills, bonds, etc., entered in his office, and file the same with the board of revision. Mortgages and judgments held by nonresidents are to be certified to the proper county. Statements of these securities are in turn to be furnished the assessors and compared with returns.

Railroads and other transportation and transmission companies are assessed for state purposes only on such property as is not essential to operation or the exercise of their franchise. They are exempt from all local taxation on such property as is essential to operation, such as railroad tracks, rolling stock, stations, telegraph lines, etc., except railroad property in Philadelphia and Pittsburg. The tax on capital stock exempts them from taxes on personal securities. Transportation companies are thus taxed under the general corporation taxation and pay little in the way of state or local taxes on property. They are taxed principally on capital stock, gross receipts, and domestic-held bonds, and by the bonus on charters.

c. Equalization.—The board of revision corrects and equalizes the assessments made by each assessor in the county upon mortgages, credits, stocks, loans, investments, etc., as well as other property taxable for county purposes.

The board of revenue commissioners equalizes the assessments of taxes for the use of the state among the several cities and counties in proportion to actual value, and any county considering itself aggrieved by increase in valuation of personal property liable to state tax and the quota of tax due may appeal to the court of common pleas of Dauphin county.

2. *Rate—*

The rate of the personal property tax for state purposes is 4 mills on the dollar.

3. *Collection—*

Collection is to be made by the collectors of the several counties and cities. Counties are responsible for collection and settlement is to be completed with the state treasurer by the second Monday of November, or in default thereof 10 per cent penalty is added to taxes remaining unpaid. The city and county treasurers are permitted to retain their commissions for collection. Three-fourths of the net amount of tax is to be returned by the state treasurer to the counties for their own use in payment of expenses incurred in assessment and collection.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

All estates situated within the state, real or personal, whether the decedent be domiciled within or without the state, and estates situated without the state when the decedent is domiciled within the state, passing by will, descent, or transfer made in contemplation of death, other than to the father, mother, husband, wife, children, and lineal descendants, or the wife or widow of a son, are subject to a tax of $5 on every $100 of clear value, for the use of the state. Estates of less value than $250 are not subject to the tax.

IV. *Corporation taxes.*

Corporations are subject to both state and local taxation.

The local taxation of a corporation is like that of an individual and includes taxes on tangible property. Public service companies, however, are exempt, not by statute, but by judicial decision, from local taxation on property used in their business, except that by statute the real estate of railroads is subject to local taxation in Philadelphia and Pittsburg. Public service companies include railroad, canal, and telegraph companies, natural and artificial gas companies, electric light companies, street railway companies, etc. (Eastman, Private Corporations in Pa., 3655.)

Manufacturing companies, except those manufacturing liquors, are exempted from taxation.

Aside from the bonus on charters, paid once only at the time of beginning business or increasing stock, all public service corporations, and a number of others, pay in general three taxes to the state: (*a*) On capital stock, 5 mills; (*b*) on the interest paid on loans, 4 mills; (*c*) on the gross earnings, 8 mills.

The exceptions are set forth in detail below:

Bonus on charters.—Except building and loan associations and corporations of the first class, every domestic corporation is to pay to the state treasurer at the time of beginning business or increasing stock, for the privileges conferred in its charter, a bonus of one-third of 1 per cent upon the authorized amount of its capital stock; and the charter is forfeited for nonpayment of such bonus.

Foreign corporations, except insurance companies, are subject to the same conditions and bonus upon their capital employed wholly within the state.

Tax on capital stock.—The ordinary tax imposed by the state upon corporations is that upon capital stock. Every corporation, joint-stock association, or company having capital stock, and every foreign corporation, except banks, savings institutions, and foreign insurance companies, are required to pay an annual tax of 5 mills on each dollar of capital stock. The assessment is made on the basis of reports which give an estimate of the value, which is to be not less than the average price for which the stock was sold and not less than the value indicated by the net earnings. The auditor-general and the state treasurer may revise this valuation. The corporations are not required to pay any further tax upon mortgages, bonds, and other securities owned by them in their own right, but the value of real estate taxed locally is not to be deducted. The tax on capital stock does not apply to that of manufacturing companies used in the state, except brewing and distilling companies and such as exercise the right of eminent domain. Foreign corporations are taxed only on the portion of capital stock employed in the state, and the same is true of domestic corporations. Fixed capital employed in business outside the state is deducted. The tax on capital stock is thus a tax on the company's property and assets, together with the franchises, privileges, good will, and earning capacity.

The tax on fire and marine insurance companies is at the rate of 3 mills on each dollar of actual value of the whole capital stock.

A tax of 4 mills on the dollar of actual value is imposed on shares of every bank and savings institution incorporated under the laws of the

state or of the United States. The shares are assessed by the auditor-general by adding together the amount of stock paid in, the surplus, and undivided profits, on the basis of reports by the bank. The bank is to pay within forty days, under 50 per cent penalty. Banks paying by the 1st of March are exempt from local taxation on their shares and capital and profit not invested in real estate. The bank has the option of collecting 10 mills on the par value of all its shares from the shareholders and paying the same in lieu of local taxation, except on real estate.

All "full paid, prepaid, or fully matured" stock in any building and loan association upon which cash dividends are paid are required to pay a state tax equal to that on moneys at interest by the tax laws of the state, viz, 4 mills on the dollar. Such tax is to be deducted from the cash dividend or interest and paid to the treasurer of the state.

Distilling companies are subject to a state tax of 10 mills upon each dollar of the actual value of the whole capital stock. The auditor-general assesses the value upon reports by the corporation.

Tax on receipts.—Every railroad, pipe-line, conduit, steamboat, canal slack water transportation, street car, telephone, telegraph, express, electric light, and car company is required to pay a tax of 8 mills on the dollar of gross receipts from business in the state. The tax is to be paid semiannually upon the last days of January and July. There is a penalty of 10 per cent for neglect to make return and pay the tax.

Private bankers or brokers pay 1 per cent on gross earnings. Savings institutions and corporations not subject to tax on their capital stock or gross premiums are subject to a tax of 3 per cent on their net earnings or income.

Domestic insurance companies pay a tax of 8 mills upon the gross premiums and assessments received from business transacted within the state, except companies doing business on the mutual plan without capital stock or reserve. The companies are to make semiannual reports and pay the taxes on the last days of January and July.

Foreign insurance companies pay an annual tax of 2 per cent on gross premiums received from business in the state.

Tax on corporate loans.—The treasurer of every corporation is to deduct from interest payable on any scrip, bond, or other indebtedness of the corporation due to residents of Pennsylvania a state tax of 4 mills on the dollar of such debts.

This tax is laid on the bonds of all corporations, public or private, excepting banks, savings institutions, and foreign insurance companies, and including counties and cities.

The tax is not on the corporation or its property, but on the individual citizen of the state who holds the bonds. The corporation is chargeable only as collector. The tax was formerly laid on all bondholders, foreign and domestic, but was held unconstitutional as to foreign bondholders in the case of State Tax on Foreign-Held Bonds.

V. *Business taxes and licenses.*

The following business taxes and licenses are annual unless otherwise specified.

Dealers and vendors—Retail dealers and vendors, $2 and also 1 mill additional of the whole volume, gross, of business transacted annually; wholesale dealers and vendors, $3 and ½ mill additional on gross business; dealers and vendors at exchanges and boards of trade, 25 cents on each $1,000 gross sales. Restaurants and eating houses—first class, annual sales over $20,000, $200; second class, annual sales $15,000 to $20,000, $125; third class, annual sales $10,000 to $15,000, $75; fourth class, annual sales $5,000 to $10,000, $30; fifth class, annual sales $3,000 to $5,000, $20; sixth class, annual sales $2,000 to $5,000, $12; seventh class, annual sales $1,000 to $2,000, $10; eighth class, annual sales $500 to $1,000, $5; feme sole boarding house keepers, under $2,000 exempt. Brokers' and auctioneers' annual license fees—all stock, exchange, bill, real estate, and merchandise brokers and auctioneers are required to take out an annual license before they engage in business. For such license they pay, if a resident of Philadelphia county, $100; Allegheny county, $50; any other county, $25. Brokers and auctioneers—in addition to the license fees called for by the preceding section, license taxes are collected annually, as follows: Merchandise and real estate brokers and auctioneers are required to pay for the use of the state upon their annual receipts from commissions, discounts, etc., a license tax of 3 per cent. Stock brokers, bill brokers, exchange brokers, and private bankers pay upon gross receipts from commissions a license tax of 1 per cent. Theaters and museums—cities, first class, $500; cities, second class, $400; cities, third class, $75; boroughs and townships. $30; circuses and menageries (no exemption from city or borough license), $1,000. Wholesale liquor dealers—cities, first and second classes, $1,000; cities, third class, $500; boroughs, $200; townships, $100. Rectifiers, compounders, storekeepers, and agents—cities, first and second classes, $1,000; cities, third class, $500; boroughs, $200; townships, $100. Licenses are collected by the county treasurer and paid over to the state, as follows: Retail liquor dealers (for state in addition to local licenses)—cities, first and second classes, $100; other cities, $50; boroughs, $50; townships, $25. Distillers—production less than 50 barrels, $100; 50 to 100 barrels, $200; 100 to 200 barrels, $250; 200 to 300 barrels, $300; 300 to 400 barrels, $400; 400 to 500 barrels, $500; 500 to 3,000 barrels, $1,000; 3,000 to 5,000 barrels, $1,250; 5,000 to 10,000 barrels, $1,500; 10,000 to 20,000 barrels, $1,750; 20,000 barrels, $2,000; all new distilleries and breweries, first year, $1,000. Bottlers—cities, first and second classes, $500; cities, third class, $350; boroughs, $250; townships, $125. Brewers—brewers, $1,000; they are to sell only to licensed dealers; and the following wholesale licenses: Production, less than 1,000 barrels, $250; 1,000 to 2,000 barrels, $300; 2,000 to 3,000 barrels, $400; 3,000 to 5,000 barrels, $500; 5,000 to 10,000 barrels, $750; 10,000 to 20,000 barrels, $1,000; 20,000 to 30,000 barrels, $1,250; 30,000 to 40,000 barrels, $1,500; 40,000 to 50,000 barrels, $1,750; 50,000 to 60,000 barrels, $2,000; 60,000 to 70,000 barrels, $2,250; 70,000 to 80,000 barrels, $2,500; 80,000 to 90,000 barrels, $2,750; 90,000 to 100,000 barrels, $3,000; 100,000 to 150,000 barrels, $4,000; 150,000 to 200,000 barrels, $4,500; 200,000 to 300,000 barrels, $5,000; over 300,000 barrels, $6,000. Manufacturers, dealers, and users of oleomargarine and renovated butter—manufacturers, $1,000; wholesale dealers, $500; retail dealers, $100; restaurant keepers and hotel proprietors, $50; boarding house keepers, $10. Hawkers and peddlers—retail peddlers, on foot, $8; with one horse and wagon, $16; with two horses and wagon, $25; wholesale peddlers, with one horse and wagon, $40; with two horses and wagon, $50. Retail licenses authorize to do business within the county where issued; wholesale licenses authorize to do business in any part of the state. Billiard rooms, saloons, bowling alleys, and tenpin alleys, $30 for first billiard table, bowling and tenpin alley, and $10 for each additional table or alley. Manufacture and sale of commercial fertilizers—100 tons or less, $15 for each brand; 100 to 500 tons, $20 for each brand; 500 tons or more, $30 for each brand.

B. FEES.

By secretary of the commonwealth.—Filing papers creating corporation, $25; filing increase or decrease, capital stock, $25; filing articles of association, railroads, $50; filing agreements of merger and consolidation, $50; amendments to charter, $10; instrument incorporating bank, per $1,000 capital, 10 cents; instrument incorporating companies, $25; prothonotary writ of error or appeal entered by the supreme court, to be paid by the losing party, $3.50; original writs in common pleas, 50 cents; transcript of judgment of justice of peace, 25 cents.

By register of wills.—Probate of wills or letters of administration, 50 cents.

By recorder of deeds.—Recording deeds and mortgages, 50 cents; commissions of inferior officers of cities and counties, clerks of court, health officers, notaries, recorders, etc., $10.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—Property subject to and exempt from taxation for county purposes is as follows:

(1) Real estate, including all houses, lands, lots of ground of all descriptions, furnaces, forges, bloomeries, distilleries, sugarhouses, malthouses, breweries, tanyards, and ferries.

(2) The following personal property, viz: All horses, mares, geldings, and cattle above the age of four years. Mortgages, judgments, and articles of agreement given by corporations for the sale of real estate.

(3) In addition to public property, churches, cemeteries, hospitals, colleges, and institutions of learning, benevolence, or charity, public libraries, and endowments thereof, are exempt. Mortgages, judgments, and moneys owing upon articles of agreement for the sale of real estate, except those of corporations, are exempt from all taxation except for state purposes.

b. Assessment.—The county assessment is made triennially (1897, 1900) by the assessors of the respective townships, wards, and districts. The assessment is to be made between the second Monday of September and the 31st day of December, and refers to the second Monday in September. Property is to be assessed at its actual value, being the price for which it would sell. The list is made by the assessors, and no statement of valuation is required of the taxpayer. Timber lands are assessed separately from cleared lands. No reduction from real estate is made for any ground rent, dower, or mortgage.

Failure to make return renders the taxpayer liable to an increase of 50 per cent. False return is punishable by a fine of $500, or imprisonment not exceeding seven years.

All offices and posts of profit, professions, trades, and occupations, and all single freemen above the age of 21 years who do not follow any occupation or calling, are to be assessed by the assessors of the several counties along with real estate and personal property.

All unseated lands—that is, lands lacking either residence or cultivation—are to be assessed in the same manner as other property. Holders of such lands are to make returns to the commissioners of the county under penalty of quadruple the tax.

Seated lands are to be assessed where the mansion house is situated.

c. Equalization.—The board of revision equalizes the valuation of property in the county, and they may raise the whole of the valuation.

An appeal lies to the commissioners of the county by the taxpayer from the sum for which he stands rated and the rate per cent of such amount. Freeholders may appeal from the commissioners to the court of common pleas for the district where the property is situated. The county commissioners supervise the triennial assessment and may raise or reduce valuations only in such year.

2. *Rate*—

The county commissioners apportion taxes among the wards, townships, and districts according to the valuation of taxable property and other subjects of taxation. The tax is not to exceed 1 cent on every dollar of valuation.

The rate for any office or post of profit, profession, trade, or occupation, or on any single freeman who follows no occupation, is to be lowered in due proportion as the tax on property is lower than 1 cent on the dollar.

3. *Collection*—

State, county, borough, and township taxes are collected by the local tax collectors of the boroughs and townships, who are compensated by commissions. On receipt of the tax duplicate the collector gives notice, and all persons who make payment within sixty days are entitled to a reduction of 5 per cent. Warrants for collection are in effect two years. Collectors have power to levy by distress and sale of chattels, and if necessary to confine the delinquent in jail. Lands may be sold for county and township taxes two years due. Taxes on unseated lands are to be paid within a year. All taxes, county, township, poor, school, or municipal (except in cities of the first and second classes) are a lien on real estate from the date of levy for three years, and, if recorded, for five years.

Refund of state tax on personalty.—Three-fourths of the state tax on personalty is refunded to the counties where collected.

II and III. *Poll tax and inheritance tax.*

There are no county poll or inheritance taxes.

IV. *Corporation taxes.*

Bonus received by the state from foreign railway corporations is to be paid to the counties in which the lines are located in proportion to the assessed valuation of real estate in the counties. (By virtue of the payment of the bonus the railroad is relieved from local taxation on its property.)

V. *Business taxes and licenses.*

An annual dog tax to be fixed by the county commissioners, not to exceed the following rates per annum: Male dog, $2; female dog, $4; spayed female dog, $2. Detectives, annual license, $25.

Counties receive $100 from each of municipal licenses on retail liquor dealers, and one-fifth of each township or borough license.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—In the various municipal divisions the property included and exempt is, in the main, the same as for county taxation.

The cities of Philadelphia and Pittsburg have special systems for local taxation on the property subject to county and municipal taxes. In addition, by city ordinances, the offices, depots, car houses, and other real property, except the superstructure of the roads and water stations, of railroad corporations situated in these cities is subject to taxation for municipal purposes. Pittsburg, also, is authorized to tax the property subject to taxation for state purposes.

b. Assessment.—In townships and boroughs the assessment is the same as that for county purposes. In cities of the first class (those with a population of 600,000 or over) the assessment is made annually by the assessors of the districts into which counties of 1,250,000 population are divided. In cities of the sec-

ond class (those with a population of from 100,000 to 600,000) the assessment is made by the city board of assessors, who take as a basis the last preceding assessment, and revise, equalize, and alter it. Real estate is to be classified as built up, rural, agricultural, and untillable land. The assessment is made triennially. In cities of the third class (those with a population less than 100,000) the city board of assessors make the assessment during the year of the triennial assessment for county purposes.

c. Equalization.—In townships and boroughs, the assessment is equalized by the county commissioners; in cities of the first class by the board of revision; in cities of the second class by the board of assessors; and in cities of the third class by the board of revision. From any of these an appeal lies to the county court of common pleas.

2. *Rate*—

Supervisors of townships may levy an annual tax not exceeding 1 cent on the dollar for township purposes. Road supervisors may levy a like tax of not more than 10 mills on the dollar for the construction and maintenance of roads and highways, and overseers of the poor may also levy a tax of 1 cent on the dollar.

Every borough has the power to levy and collect a tax of not exceeding 1 cent on the dollar.

In cities the councils fix the rate of municipal taxation, but in cities of the third class the rate for general purposes is limited to 10 mills on the dollar.

In cities of the second class the rate on agricultural, farm or untillable land is to be one-half the highest rate of tax for the current year; upon rural and suburban it is to be two-thirds, while upon built-up property the tax is to be at the highest rate levied.

3. *Collection*—

In townships and boroughs the collection is the same as for county taxes, except that a taxable is allowed to pay not less than one-fourth or more than one-half of the road tax by labor on the highways.

City collectors are vested with the same powers as the collectors of state and county taxes.

There are certain special provisions as to liens and methods of collection.

II. *Poll tax.*

In cities of the second and third classes a tax of $1 upon each resident may be levied in lieu of the former taxes on trades, professions, and occupations.

In townships upon every taxable the supervisors may levy $1, one-half at least to be paid in money and the balance in work.

III. *Inheritance tax.*

There is no municipal inheritance tax.

IV. *Corporation taxes.*

One-half of the net amount received from the 2 per cent tax upon premiums of foreign fire insurance companies is to be paid to the several cities and boroughs.

V. *Business taxes and licenses.*

Cities of the first and second classes are authorized to issue licenses for pawnbrokers, omnibuses, and other vehicles, including street cars; for the sale of petroleum and gunpowder, for lodging houses, vendors, and sundry other minor occupations.

Cities of the third class are authorized to levy and collect for general revenue purposes a license tax not exceeding $100 annually on various occupations and lines of business and amusements.

Every city is authorized to tax dogs.

Transient retail merchants selling at bankrupt sales, etc., are required to take out a license. The amount is to be fixed by the authorities of the city, borough, or township, between $25 and $200 per month, to be paid to the local school fund.

Retail liquor dealers' licenses for one year are as follows: Cities, first and second classes ($100 of this goes to county), $1,000; cities, third class, $500; other cities, $300; boroughs, $150; townships (roads and schools, one-fifth goes to county), $75.

Pittsburg may tax sales of merchandise at the rate of 5 mills on the dollar and an annual business tax of one-third of 1 mill on the dollar on the average quarterly business of commission merchants, brokers, banks insurance agencies, express companies, and telegraph companies.

School Revenues.

State appropriations are distributed to districts, one-third on the basis of the number of teachers paid, one-third according to the number of children of school age, and one-third according to the number of taxpayers.

The school directors of any district are to fix the amount of tax necessary for the district not exceeding the amount of state and county taxes, on all objects, persons, and property taxable for state or county purposes. The tax on trades, professions, and occupations, or on single freemen is not to be less than $1. A poll tax may be levied in lieu of the occupation tax for school purposes.

RHODE ISLAND.[1]

Taxation in Rhode Island is almost entirely a matter of local administration in the towns. State taxes are apportioned among the towns on the basis of a fixed valuation revised from time to time, but at long intervals, by the general assembly. Save for certain general legislation designed to bring about uniformity between individuals, the state can not be said to exercise any supervision over the manner in which its revenues are raised.

The main dependence is upon the general property tax, but there are some special corporation taxes on telegraph, telephone, express, and street railroad companies, savings banks, and insurance companies, and gas and electric light companies shared between the state and the municipalities.

The counties are merely judicial districts and have no independent treasuries or revenues.

There are a few license taxes reserved for the state, and some in which both the state and the towns participate; but in the main licenses are locally administered. The state receives one-fourth of the liquor licenses.

There is a local poll tax of $1 in lieu of other taxes upon persons whose other taxes do not amount to $1. There is no inheritance tax.

[1] This compilation is derived mainly from the General Laws of the State of Rhode Island, in effect February 1, 1896, published by authority of the general assembly: Providence, R. I., 1896.

CONSTITUTIONAL PROVISIONS.

ARTICLE IV.

Sec. 15. The general assembly shall from time to time provide for making new valuations of property for the assessment of taxes in such manner as they deem best.

AMENDMENT XII.

Sec. 2. The assessors of each town and city shall annually assess upon every person, who, if registered, would be qualified to vote, a tax of one dollar or such sum as with his other taxes shall amount to one dollar, which tax shall be paid into the treasury of the town or city to be applied to the support of public schools therein.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Town assessors, not less than three nor more than seven, elected annually at the town election.

(2) Collectors of taxes, elected annually at the town election. They are paid a commission of 5 per cent for collecting unless they agree with the towns for less.

(3) General treasurer of the state, elected every year.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

a. The property included and exempt.—All real property in the state and all personal property belonging to the inhabitants thereof is liable to taxation unless otherwise specially provided.

(1) "Real estate," for the purposes of taxation and assessment, includes all land, buildings on leased land, the leases whereof are in writing and recorded; gearing or fixtures when owned by the owner of the realty to which they are attached. The mortgagor is deemed the owner of mortgaged real estate so long as he is in possession.

(2) "Personal property," for the purposes of taxation, includes all goods, chattels, and debts due from solvent persons, money and effects, wherever they may be; all vessels at home or abroad; all public stocks and securities not specially exempt; all shares in any bank, turnpike, bridge, or other corporation within or without this state, except such as are exempt from taxation by the laws of this state.

No shareholder is liable to taxation for shares held in any corporation within the state which in its corporate capacity is taxed within the state for an amount equal to the value of its property; nor for shares in any corporation without the state which is so liable to taxation, or the shares of which are taxed in the state of charter.

(3) Exemptions are: All public property, except the estates of almshouses belonging to the towns, which are subject to taxation for school purposes, and town and city property, which may be included in state valuations; churches; property held for educational or charitable institutions; the estates and persons of the president and professors of Brown University and their families up to $10,000 per officer; property exempted by charter or legislative contract; cemeteries: public libraries; property held for the use of homes or hospitals for the helpless or for public education; estates of persons who in the judgment of the assessors are unable to pay; land worth not more than $25 per acre planted in certain kinds of trees for fifteen years from the time the trees reach 4 feet in height; manufacturing property by vote of towns for ten years.

Actual indebtedness is deducted from the personal property liable to taxation.

b. Assessment.—The assessment or valuation of property in the towns for the apportionment of state taxes is made by the general assembly at long and irregular intervals. But each town's share so fixed is raised by a levy upon the assessed valuations made each year by the town assessors, and is the same as that upon which all property taxes are levied. There does not appear to be any uniform date to which the assessment or valuation refers, each town being at liberty to determine for itself when the assessment shall be made. The figures relating to the valuations are not therefore synchronous and can not be made so.

All property liable to taxation is to be assessed at its full and fair cash value by the assessors. Every person and corporation is required to bring in a sworn list of his property, specifying the value, which value is not, however, binding on the assessor. Whoever neglects to bring in a sworn list has no remedy if overtaxed.

Power machinery, live stock, and farming tools are taxed always where located, and other personal property is taxed at the owner's domicile, if resident in the state; if not, in the town where it is located. Residents are not to be assessed on property taxed in another state.

Shares in national banks held by nonresidents are taxed in the town in which the bank is located. Such taxes are a lien on the shares.

Stockholders in domestic corporations are taxed only for the difference between the cash market value of each share and the proportionate amount per share at which its real estate and machinery were last assessed.

Vessels engaged in foreign commerce may be assessed on their net profits. A tax of 1 per cent is then levied in lieu of other taxation.

The statutes prescribe a fixed valuation for the several towns, which is to be the basis of the state tax at the rate fixed.

c. Equalization.—There is no provision for equalization strictly so called, but any person aggrieved by assessment may petition the supreme court for relief. This petition, however, does not stay proceedings for collecting the taxes.

2. *Rate*—

There is a fixed rate of 18 cents on each $100 of the ratable property of the several towns, which is to be assessed annually, collected, and paid by them to the general treasurer.

Whenever the general assembly orders a further state tax to be levied on inhabitants or ratable estates, the secretary of state is forthwith to send a certified copy of the act to the town clerk of each town, who

are to notify the assessors to assess their town's proportion in the same manner as for town taxes.

3. *Collection*—

In general, all taxes, state and local, upon property are collected by the town collectors. The taxes at the rate fixed for the state are to be paid by the several towns, one-half before June 15 and one-half before December 15. The general treasurer issues his warrant for collection of state taxes to the town collectors. The towns and their officers are liable to the state for the tax. Execution may be levied on the property of the towns or inhabitants thereof.

Taxes assessed for either personal or real estate are a lien on the real estate in the town. The collector may distrain personal property.

II and III. *Poll tax and inheritance tax.*

There are no state poll or inheritance taxes.

IV. *Corporation taxes.*

Most corporations are taxed under the general property tax as individuals. There is no special provision for the taxation of railroads in particular or corporations in general, except that they are not assessed on intangible personalty, which is deemed to be represented by the corporate stock which is taxable to individuals.

Telegraph and telephone companies are taxed 1 per cent on their gross receipts derived from business transacted within the state. This is in lieu of all other taxes upon its lines and personal estate used in the business.

Express companies are required to pay a similar tax. These taxes are to be paid on or before August 1, and may be collected by execution against property.

Savings banks on or before August 1, pay to the state 40 cents on each $100 of deposits, and on each $100 of reserved profits.

Trust companies incorporated in Rhode Island pay a similar tax on deposits of "participating" accounts.

Insurance companies of the state are to pay 2 per cent of the gross premiums and assessments on property insured in the state or on property in other states where such premiums are not taxed.

Foreign insurance companies' agents, and those of foreign surety companies are required to pay a tax of 2 per cent on the amount of premiums and assessments received in the state.

Foreign building and loan associations pay one-fourth of 1 per cent on capital actually paid in from residents, with certain deductions for loans, etc.

Street railway companies pay 1 per cent on the gross earnings and if the dividends exceed 8 per cent, the amount of such excess.

V. *Business taxes and licenses.*

The state receives one-fourth of the liquor licenses collected by the towns and cities; one-half of the proceeds of town and city licenses on shows, exhibitions, bowling alleys, billiard and shooting galleries; and seven-eighths of the duties on auction sales, which are one-tenth of 1 per cent of the property sold.

Itinerant vendors, state license, per annum, $25; hawkers and peddlers, by general treasurer—jewelry, whole state, per annum, $200; Providence county, per annum, $100; other counties, per annum, $50; other merchandise—whole state, per annum, $60; whole state, quarterly, $15; Providence county, per annum, $30; quarterly, $10; patented articles, per annum, $50.

B. FEES.

The secretary of state.—Incorporation fees, certificates, general, $1; incorporation fees, special tax, $100; corporations other than for business, $5; also one-tenth of 1 per cent on capital stock above $100,000; increase capital stock, one-tenth of 1 per cent; civil commission, $2; examination of foreign building and loan associations by insurance commissioner, $50; practice of medicine, examination, $10; certificate, $2; pharmacists, examination, $10; dentists, examination, $25; certificate, $2; peddlers' license, $1; analysis of commercial fertilizers (compulsory), $6; foreign insurance and surety companies—filing copy of charter, $30; filing annual statement, $20; agent's certificate, annual, $2. Analysis fee to be paid for all manufacturers, agents, and sellers of any brand of commercial fertilizer used in the state, a fee of $6 for each ingredient said to be contained in any brand of such fertilizer.

COUNTY REVENUES.

The counties are merely judicial districts and have no independent treasury or revenues.

MUNICIPAL REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the assessment and equalization thereof are in general the same as have already been described under state taxes.

2. *Rate*—

Those electors of any town who pay a tax on at least $134 worth of property may, by vote, levy a tax for the purposes authorized by law on the ratable property of the town, either of a certain sum or at a certain percentage on the valuation, and may order the time when the tax is to be assessed and when paid. The rate may not exceed 1 per cent except for debt charges or to repair damages caused by the elements.

3. *Collection*—

Collection is made by the town collectors upon warrant of the town treasurer.

II. *Poll tax.*

Every person qualified to vote is to be assessed, at the annual assessment of town or city taxes, a tax of $1, or so much thereof as with his other taxes shall amount to $1. In case of nonpayment the delinquent may be committed to jail, there to remain until he pays the tax and all legal costs.

III. *Inheritance tax.*

There is no inheritance tax.

IV. *Corporation taxes.*

For general provisions relating to taxation of corporations in Rhode Island, see State revenue. Public service corporations given a franchise by a municipality are required by state law, in return for the privilege bestowed by such franchise, to pay such portion of their gross earnings not to exceed 3 per cent as may be agreed upon by the terms of the franchise grant.

V. *Business taxes and licenses.*

Dogs, male, $1.15; female, $5.15; funds to be used, first, to pay damages, and the balance to be applied to school fund. Town councils may license, at discretion, public shows, bowling alleys and billiard tables, exhibitions, and intelligence offices. One-half of the proceeds goes to the state. Three-fourths of the amount of money received from liquor licenses goes to the town or city and one-fourth to the state. The rates are: To manufacture or to sell liquor at wholesale and retail, $500 to $1,000; to sell liquor at retail only, according to size of town, $200 to $400; for druggists to sell liquors for medicinal purposes only, $5. Pawnbrokers, $50; private detective, $10; auctions, one-tenth of 1 per cent duty on all property sold, seven-eighths of the proceeds of which goes to the state. Itinerant vendor, local fee, $5.

SCHOOL REVENUES.

The constitution provides that the money which is appropriated for the establishment of a permanent school fund shall be invested as a perpetual fund for that purpose. The laws provide that the duties imposed on auctioneers, which are paid to the state, shall be added to the school fund. The income of the fund is to be annually appropriated for the support of public schools in the towns.

The sum of $120,000 is appropriated annually by the state for the support of the schools in the several towns, and apportioned according to the number of schools and children; but towns, as a condition, must raise by tax an equal sum. The state also makes additional small appropriations for graded and high schools, evening schools, school apparatus, and school supervision, and maintains the normal school and the Rhode Island Institute for the Deaf.

Towns may divide themselves by vote into school districts. Every such district may raise money by tax on the ratable property of the district, the amount to be approved by the school committee of the town. District taxes are levied on the town assessment and collected the same as town taxes.

SOUTH CAROLINA.[1]

South Carolina draws its state, county, and municipal revenues mainly from the general property tax. There are no inheritance or special corporation taxes, except license fees on insurance companies and certain other financial corporations, and a tax on gross premiums. The state leaves business taxes and licenses, except an inspection tax on fertilizers, to the counties and municipalities. There is a graduated income tax. Poll taxes and the net income of the state liquor dispensary are applied to free public schools. State royalties are charged for mining phosphates in the navigable waters and marshes of the state.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

SEC. 1. The general assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe regulations to secure a just valuation for taxation of all property, real, personal, and possessory, except mines and mining claims, the product of which alone shall be taxed; and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes: *Provided, however*, That the general assembly may impose a capitation tax upon such domestic animals as from their nature and habits are destructive of other property: *And provided further*, That the general assembly may provide for a graduated tax on incomes and for a graduated license on occupations and business.

SEC. 2. The general assembly shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year, and whenever it shall happen that the ordinary expenses of the state for any year shall exceed the income of the state for such year the general assembly shall provide for levying a tax for the ensuing year sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of the ensuing year.

SEC. 3. No tax shall be levied except in pursuance of a law which shall distinctly state the object of the same; to which object the tax shall be applied.

SEC. 4. There shall be exempted from taxation all county, township, and municipal property used exclusively for public purposes and not for revenue, and the property of all schools, colleges, and institutions of learning; all charitable institutions in the nature of asylums for the infirm, deaf and dumb, blind, idiotic, and indigent persons, except where the profits of such institutions are applied to private uses; all public libraries, churches, parsonages, and burying grounds; but property of associations and societies, although connected with charitable objects, shall not be exempted from state, county, or municipal taxation: *Provided*, That as to real estate this exemption shall not extend beyond the buildings and premises actually occupied by such schools, colleges, institutions of learning, asylums, libraries, churches, parsonages, and burial grounds, although connected with charitable objects.

SEC. 5. The corporate authorities of counties, townships, school districts, cities, towns, and villages may be vested with power to assess and collect taxes for corporate purposes; such taxes to be uniform in respect to persons and property within the jurisdiction of the body imposing the same. All shares of shareholders in any bank or banking association located in this state, whether now or hereafter incorporated, or organized under the laws of this state or of the United States, shall be listed at their true value in money and taxed for municipal purposes in the city, ward, town, or incorporated village where such bank is located, and not elsewhere: *Provided*, That the words "true value in money" as used in this section shall be so construed as to mean and include all surplus or extra moneys, capital, and every species of personal property of value owned or in possession of any such bank: *Provided*, That a like rule of taxation shall apply to the stockholders of all corporations other than banking institutions. And the general assembly shall require that all the property, except that herein permitted to be exempted within the limits of municipal corporations, shall be taxed for corporate purposes and for the payment of debts contracted under authority of law. * * *

SEC. 6. * * * The general assembly shall not have power to authorize any county or township to levy a tax or issue bonds for any purpose except for educational purposes, to build and repair public roads, buildings, and bridges, to maintain and support prisoners, pay jurors, county officers, and for litigation, quarantine, and court expenses, and for ordinary county purposes, to support paupers, and pay past indebtedness.

SEC. 12. The fiscal year shall commence on the first day of January in each year.

SEC. 13. The general assembly shall provide for the assessment of all property for taxation; and state, county, township, school, municipal, and all other taxes shall be levied on the same assessment, which shall be that made for state taxes; and the taxes for the subdivisions of the state shall be levied and collected by the respective fiscal authorities thereof.

[1] This compilation is derived mainly from the following sources:
Code of Laws of South Carolina, 1902, Vol. I. The Civil Code: The State Company, Columbia, S. C., 1902.
Acts of the General Assembly, 1902: The State Company, Columbia, S. C., 1902.

ARTICLE XI.

SEC. 6. (The existing county boards of commissioners of the several counties, or such officers as may be vested with similar duties, shall levy an annual tax of three mills on the dollar upon all taxable property in their respective counties, which tax shall be collected at the same time and by the same officer as the other taxes for the same year, and shall be apportioned among the school districts of the county according to the number of pupils enrolled. * * * There shall be assessed on all taxable polls in the state between the ages of twenty-one and sixty years (excepting Confederate soldiers above the age of fifty years), an annual tax of one dollar on each poll, the proceeds of which tax shall be expended for school purposes in the several school districts in which it is collected. Whenever during the three next ensuing fiscal years the tax levied by the said county boards of commissioners or similar officers and the poll tax shall not yield an amount equal to three dollars per capita of the number of children enrolled in the public schools of each county for the scholastic year ending the thirty-first day of October, in the year eighteen hundred and ninety-five, as it appears in the report of the state superintendent of education for said scholastic year, the comptroller-general shall, for the aforesaid three next ensuing fiscal years, on the first day of each of said years, levy such an annual tax on the taxable property of the state as he may determine to be necessary to make up such deficiency, to be collected as other state taxes, and apportion the same among the counties of the state in proportion to the respective deficiencies therein, and apportioned among the school districts; and from and after the thirty-first day of December, in the year eighteen hundred and ninety-eight, the general assembly shall cause to be levied annually on all the taxable property of the state such a tax, in addition to the tax levied by the said county boards of commissioners or similar officers, and poll tax above provided, as may be necessary to keep the schools open throughout the state for such time as the general assembly prescribes; and such tax is to be apportioned among the counties. Any school district may, by authority of the general assembly, levy an additional tax for the support of its schools.)

SEC. 12. (All the net income to be derived by the state from the sale or license for sale of spirituous, malt, vinous, and intoxicating liquors and beverages, not including what is allowed to go to the counties and municipal corporations of the state, shall be applied annually in aid of the supplementary taxes for public school purposes: *Provided*, That the supplementary taxes are only to be levied when the net income aforesaid is not sufficient to meet and equalize deficiencies in the school funds.)

ARTICLE VIII.

SEC. 6. The corporate authorities of cities and towns in this state shall be vested with power to assess and collect taxes for corporate purposes, said taxes to be uniform in respect to persons and property within the jurisdiction of the body composing the same; and all property, except such as is exempt by law, within the limits of cities and towns shall be taxed for the payment of debts contracted under authority of law. License or privilege taxes imposed shall be graduated so as to secure a just imposition of such tax upon the classes subject thereto.

SEC. 8. Cities and towns may exempt from taxation, by general or special ordinance, except for school purposes, manufactories established within their limits for five successive years from the time of the establishment of such manufactories: *Provided*, That such ordinance shall first be ratified by a majority of such qualified electors as shall vote at an election held for that purpose.

ARTICLE II.

SEC. 4(*e*). (Payment of all taxes, including poll tax, is prerequisite to voting.)

ARTICLE III.

SEC. 29. All taxes upon property, real and personal, shall be laid upon the actual value of the property taxed, as the same shall be ascertained by an assessment made for the purpose of laying such tax.

ARTICLE I.

SEC. 6. All property subject to taxation shall be taxed in proportion to its value.

ARTICLE IX.

SEC. 3. All railroad, express, canal, and other corporations engaged in transportation for hire, and all telegraph and other corporations engaged in the business of transmitting intelligence for hire are common carriers in their respective lines of business, and are subject to liability and taxation as such.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township boards of assessors, appointed by the governor for a term of two years. There are special provisions in many counties for appointment and compensation.

(2) Boards of assessors in cities and towns, three electors, appointed by the governor for a term of two years. There are special boards in Charleston and Columbia.

(3) A county auditor, appointed by the governor for a term of two years.

(4) A county treasurer, appointed by the governor for a term of two years, who acts as collector.

(5) A county board of equalization, composed of the chairmen of the boards of assessors of the county.

(6) A comptroller-general, elected for a term of two years.

(7) A state board of assessors, composed of the treasurer, secretary of state, comptroller, and attorney-general, and chairman of the board of railroad commissioners.

(8) A state board of equalization, composed of members elected by the county boards of commissioners.

(9) A special board of equalization in the city of Charleston, composed of the county auditor and six citizens, to be elected by the city council of Charleston.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property in the state and the personal property of residents of the state which may be kept or used temporarily out of the state, with the intention of bringing the same into the state, or which has been sent out of the state for sale and not yet sold; all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise of parties resident in the state are subject to taxation.

(1) "Real property" includes not only land, city, town, and village lots, but also all structures and other things thereon contained or attached thereto which pass to the vendee by the conveyance of the land or lot.

(2) "Personal property," for purposes of taxation, includes all things other than real estate which have any pecuniary value, and moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise. "Credits" are held to be the remainder due to a party after deducting all debts and demands against him. But no deductions are to be made for insurance premium notes to mutual insurance companies, subscriptions to capital stock of any joint-stock company, taxes assessed on charitable subscriptions, or for contingent liabilities. All property used in the operation of railroads is classed as personal property.

(3) Exemptions, in addition to public property, are: Churches, their books and furniture and parsonage; colleges, academies, and institutions of learning and their endowment; cemeteries; fire departments; all bonds and stocks of the state and municipal bonds when exempted by statute; all rents accruing from real estate which shall not become due within two months after the first day of January in the year in which taxes are to be assessed thereon; all of any annuity not payable on or before August 1 of the year for which taxes are to be assessed thereon; all pensions from the United States or from a state; all shares of the capital stock of any company which is required to list its capital and property for taxation in this state; all the wearing apparel of the person required to make return and his family articles for the present subsistence of the family up to $100; fair grounds of agricultural and mechanical societies.

b. Assessment.—There is but one assessment for state, county, and municipal purposes. Real estate is listed every fourth year (1898–1902), but changes on account of sales, transfers, or improvements are entered annually. Personal property is assessed annually as of January 1, except that agricultural products in the hand of the producer on August 1 preceding are included. All property is to be valued at its true money value, which, for real estate, is the price obtained at court sales for partition, and for personalty, is the usual price at administrators' sales. The county auditor attends at a convenient place in each township for the purpose of assessing property. The assessment is based upon a sworn list of the items and their value furnished the auditor by the taxpayer, and failure to furnish such list or a false list is punished by an increase of 50 per cent in the assessed value. The auditor has no authority to change the values given by the owner but may recommend changes to the board of township assessors, or to municipal boards, who fix the values.

Shares of stock in state and national banks are assessed where the bank is located at their "true value in money," which is construed to mean all surplus, capital, and every kind of personal property owned by the bank. The real estate is taxed to the bank, and deducted from the value of the shares. Unincorporated banks and bankers are assessed on the average monthly assets for the year.

Manufacturers are assessed on the average value of the capital employed in their business for the preceding year, pawnbrokers on the average value of property pawned to them during the year. Mines and mining claims actually mined are assessed not on the land, but on the gross proceeds at the cash market value of the material mined. All personal property used in connection with the mine is assessed like other property.

Property used in the operation of any railroad, turnpike, plank road, bridge, telegraph, or canal slack water navigation company, if the company be organized in the state, is treated as personal property.

Railroad property used in operation is assessed by the state board of assessors. The road is required to make statements to the comptroller-general and also to the county auditors. Penalty for failure to make the statements is 50 per cent additional to actual value. The value of the right of way and track is to be apportioned pro rata to each mile of main track, and to this value is to be added the value of the real estate, fixtures, and stationary property situated in the town, city, or village; the total value of the rolling stock, money, and credit is to be apportioned pro rata to each mile of main track in each town, city, and village. The apportionment is made primarily by the railroad company through its returns, but the state board adjusts this apportionment.

Sleeping car companies, palace, drawing room, dining, and chair car companies, and telegraph, telephone, and express companies are assessed by the state board of assessors on the basis of verified statements to the comptroller-general, taking the aggregate value of all the shares of capital stock at their market value and the aggregate of any mortgages, which is deemed the true cash value of the property of the corporation. The assessed value of the real estate and structures not specifically used in the general business, as found by the local assessors, is to be deducted from the gross value of the property as ascertained by the state board—only that proportion of the value is taken which represents property within the state. The assessment of the state board of assessors is apportioned to the counties and by the county auditors to the townships.

Domestic insurance companies are assessed on personal property and assets where the principal officer is located, but agents of foreign companies are assessed on the gross receipts of the agency, together with the value of the personal estates situated at the agency, and are charged with taxes on the amount so returned.

Corporations are in general assessed as individuals. Where the property of domestic corporations is taxed in the state, the shares of such corporations are not assessed.

c. Equalization.—The duty of the township and special boards of assessors in increasing and lowering the valuation of any property, real or personal, as fixed by the county auditor or returned by any person, pertains to the assessment rather than to equalization.

The county board of equalization equalizes the valuations of real and personal property fixed by the board of township assessors and the special boards of assessors. It may raise or reduce items in the list, but is not to reduce the aggregate value as returned to the county auditor. There is an appeal from this board to the comptroller-general.

The state board of equalization meets every fourth year for the equalization of the assessment of real property among the several counties, towns, cities, and villages. It equalizes both the real and personal property returns of textile industries, canals providing power for rent or hire, and cottonseed-oil and fertilizer companies annually, in order to obtain uniformity of taxation upon the property of such industries.

2. *Rate—*

For the fiscal year beginning January 1, 1902, a tax of 5 mills was levied by the general assembly upon every dollar of the value of all taxable property of the state to meet the current expenses of government and other indebtedness.

3. *Collection—*

Taxes are collected by the county treasurer, who is paid for his services by commissions out of the taxes collected. The time of payment in 1902 was from the 15th day of October to the 31st day of December. A penalty of 10 per cent is to be added to taxes not paid before the day fixed in the act levying taxes for that year (in 1902, December 31). Delinquent taxes are collected by distress or warrant to be executed after January 15. All personal property is liable to distress and sale, and real property on which taxes are delinquent may be seized and sold. All taxes are a lien upon the property taxed which at-

taches at the beginning of the fiscal year and expires in ten years.

II. *Poll tax.*

All males between 21 and 50 years of age are subject to an annual poll tax of $1, the proceeds of which are applied to educational purposes. Those are exempt who are incapable of earning their own living.

Nonpayment of the poll tax is made a misdemeanor punishable by a fine of not more than $10 or by imprisonment at hard labor upon the public works of the county for not more than twenty days. Poll taxes are used to meet the expenses of school districts in which collected and appear in reports of county revenue receipts.

III. *Inheritance tax.*

There is no inheritance tax in this state.

IV. *Corporation taxes.*

Corporations are not required to return their capital for taxation, nor are the shareholders taxed on their shares, but the real and personal property of corporations is taxed like that of individuals.

Foreign insurance companies, foreign land associations, foreign building and loan associations, foreign banking associations, and all other classes of like business not incorporated in the state, except national banks and benevolent institutions organized under the grand lodge system, are required to pay an annual license fee of $100 to the comptroller-general by the 31st of March in each year. Every foreign insurance company is required to pay, in addition to the annual license fee, a graduated license fee of one-half of 1 per cent on the gross premiums, gross income, or gross receipts as collected during the three months preceding the payment of the license fee (March 31).

V. *Business taxes and licenses.*

These are, except in the case of a tax on fertilizers, left to the counties and municipalities.

All persons or corporations engaged in the manufacture or sale of fertilizers or commercial manures are to pay the state treasurer an inspection tax of 25 cents per ton.

VI. *Income tax.*

There is a graduated tax on incomes above $2,500, whether derived from any kind of property, rents, interests, dividends, or salaries, or from any profession, trade, employment, or vocation, or any other source whatever, as follows:

Income $2,500 to $5,000, 1 per cent; $5,000 to $7,500, 1½ per cent; $7,500 to $10,000, 2 per cent; $10,000 to $15,000, 2½ per cent; $15,000 and over, 3 per cent.

"Income" is taken to mean gross profits, and deduction is made of necessary expenses for carrying on the business or occupation. Incomes are to be listed at the time of the making of returns of personal property. Collection is the same as for other state taxes, and with like penalty for neglect to make return. For willful fraud the penalty is 100 per cent.

B. FEES.

Secretary of state.—Charter issued or renewed—one mill on each dollar of capital stock up to $100,000; one-half mill on each dollar of capital stock from $100,000 to $1,000,000; one-fourth mill on each dollar of capital stock over $1,000,000. Recording application for amendment, $2.50; increase of stock, etc., $5; declarations of foreign corporations, $5; filing charter, consolidation of railroad companies, same fee as for organization, with credit for charter fees paid.

Comptroller-general.—Fraternal beneficiary associations, permit, $25; annual report, $25; doctors, examination, $5; pharmacists, examination, $5; dentists, license, $15.

D. INCOME FROM PUBLIC PROPERTY.

Persons mining phosphate in navigable waters and marshes of the state are to pay royalties as fixed by the phosphate commissioners not to exceed $2 per ton on the crude rock mined.

E. INCOME FROM PUBLIC INDUSTRIES.

The liquor business is conducted by a state dispensary. Profits from sales are used for the benefit of the common schools of the state.

The liquor is sold to the county dispensers by the state dispensary at a profit not to exceed 10 per cent of the cost to the state.

The profits of the county dispensaries are to be paid one-half to the counties and one-half to the municipal corporation in which they may be located.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for county as for state taxes.

2. *Rate—*

The rate of tax in the several counties is fixed by the general assembly.

The county commissioners are authorized to levy a tax of 3 mills on the dollar for the support of public schools of their respective counties.

3. *Collection—*

Collection is the same as for state taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no county poll, inheritance, or special corporation taxes. (See State revenues, II.)

V. *Business taxes and licenses.*

Plays and shows outside the corporate limits of the towns and villages, per day, $3; hawkers and peddlers, fee to be determined by county board of commissioners; pawnbrokers, ibid.; gathering oysters, clams, and catching terrapin, $10 per annum for each boat of 1 ton, and for each additional ton, $5; each person exporting clams, $25; terrapin, $200; canning oysters, $400. To traffic in sea-island cotton, $50 per annum; in cottonseed in certain counties, $300; in others, $500; in others, $25; in Charleston, $50. Sale of liquors (see E, under State revenues)—profits from county dispensary divided between county and municipality.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for municipal and school taxes as for state. The assessment is to be copied from the county auditor's books. Cities and towns may by popular vote exempt for five years

from all taxes, except school taxes, manufacturing establishments established within their limits.

2. *Rate—*

The city or town council has power to impose an annual tax not exceeding 1½ per cent in cities containing over 5,000 inhabitants, and not over 1 per cent in towns containing between 1,000 and 5,000 inhabitants. In smaller towns the limit is 50 cents on $100.

3. *Collection—*

Collection is made the same as for state and county taxes, but may be made in installments.

II. *Poll tax.*

The city council has power to require all male inhabitants of a city between 18 and 50 years of age to work upon the roads, streets, and ways of the city not exceeding four days in each year. The city council may commute this tax to a money payment not to exceed $3 per annum.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

City or town councils may require licenses of persons or corporations engaged in any calling, business, occupation, or profession within the limits of the city or town, except from teachers or ministers of the gospel. The license is to be graduated according to the gross income of the taxpayer or upon the amount of capital invested in the business.

Municipalities receive one-half of the profits from county liquor dispensaries located therein. (See E under State revenues.)

Plays and shows in towns and villages, $3 per day. (The city council of Charleston may impose any sum up to $500.)

Traffic in long or sea-island cotton must be licensed by the county treasurer. The fee is $50, and is held for the repairing of roads and bridges in the township where collected.

School Revenues.

The counties are divided into school districts, which are authorized to levy and collect an annual tax for school purposes upon petition of at least one-third of the resident electors and freeholders. The rate of tax is not to exceed 4 mills on the dollar and is levied upon the state and county assessment roll.

The county superintendent of education apportions the money arising from the 3-mill school taxes among the school districts of the county. State poll taxes are expended in the districts where collected.

All net income derived by the state from the sale of liquors under the dispensary law is apportioned among the counties of the state for the benefit of the common schools, in proportion to the deficiencies after the application of the 3-mill tax and the poll tax.

SOUTH DAKOTA.[1]

South Dakota depends almost entirely upon the general property tax for state, county, and municipal revenues. There are no inheritance taxes and practically no corporation taxes, but some fees on corporations. The poll tax, which is a local road tax, and most of the business taxes and licenses are left to cities and counties.

CONSTITUTIONAL PROVISIONS.

ARTICLE XI.

Sec. 1. The legislature shall provide for an annual tax, sufficient to defray the estimated ordinary expenses of the state for each year, not to exceed in any one year two mills on each dollar of the assessed valuation of all taxable property in the state, to be ascertained by the last assessment made for state and county purposes.

And whenever it shall appear that such ordinary expenses shall exceed the income of the state for such year, the legislature shall provide for levying a tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of such ensuing year. And for the purpose of paying the public debt the legislature shall provide for levying a tax annually sufficient to pay the annual interest and the principal of such debt within ten years from the final passage of the law creating the debt: *Provided*, That the annual tax for the payment of the interest and principal of the public debt shall not exceed in any one year two mills on each dollar of the assessed valuation of all taxable property in the state as ascertained by the last assessment made for state and county purposes.

Sec. 2. All taxes to be raised in this state shall be uniform on all real and personal property, according to its value in money, to be ascertained by such rules of appraisement and assessment as may be prescribed by the legislature by general law, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property. And the legislature shall provide by general law for the assessing and levying of taxes on all corporation property, as near as may be, by the same methods as are provided for assessing and levying of taxes on individual property.

Sec. 3. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

Sec. 4. The legislature shall provide for taxing all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and also for taxing the notes and bills discounted or purchased, moneys loaned and all other property, effects or dues of every description, of all banks and of all bankers, so that all property employed in banking shall always be subject to a taxation equal to that imposed on the property of individuals.

Sec. 5. The property of the United States and of the state, county, and municipal corporations, both real and personal, shall be exempted from taxation.

Sec. 6. The legislature shall, by general law, exempt from taxation property used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, and personal property to any amount not exceeding in value two hundred dollars for each individual liable to taxation.

Sec. 7. All laws exempting property from taxation, other than that enumerated in sections 5 and 6 of this article, shall be void.

[1] This compilation is derived mainly from the following sources:

The Revised Codes, 1903, State of South Dakota, compiled by Moody, Tripp, and Brown; printed pursuant to an act of the legislature of 1903: State Publishing Company, Pierre, S. Dak., 1903.

A pamphlet compilation (apparently official but without author's or publisher's name appearing) of the Revenue Laws of South Dakota, 1902.

SEC. 8. No tax shall be levied except in pursuance of a law which shall distinctly state the object of the same, to which the tax only shall be applied.

SEC. 9. (All taxes levied and collected for state purposes shall be paid into the state treasury. No indebtedness shall be incurred or money expended by the state and no warrant shall be drawn upon the state treasurer except in pursuance of an appropriation.)

SEC. 10. The legislature may vest the corporate authority of cities, towns, and villages with power to make local improvements by special taxation of contiguous property or otherwise. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such tax shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

ARTICLE VI.

SEC. 17. No tax or duty shall be imposed without the consent of the people or their representatives in the legislature, and all taxation shall be equal and uniform.

ARTICLE XXVI.

SEC. 18. Schedule and ordinance. (The usual provisions against discrimination against nonresidents in taxation of lands, taxation of lands of the United States, and providing for taxation of Indians whose land is not exempted.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, one for each county not fully organized into civil townships, his district excluding civil townships, elected for two years.

(2) Township assessor, one for each civil township, the chairman of the board of supervisors is ex officio assessor, elected for two years.

(3) City assessor, in cities of the first and second class appointed by the mayor with the approval of the city council for one year.

(4) Township treasurer, elected at annual town meeting.

(5) City treasurer, elected for two years.

(6) County treasurer, elected for two years.

(7) Town board of equalization, composed of the board of supervisors of each township, the clerk and president of each incorporated town, and the assessor, auditor, and mayor of each city (except in cities the charters of which provided for a board of equalization).

(8) County board of equalization, composed of the county commissioners and the county auditor.

(9) State board of equalization, composed of the governor, auditor, secretary of state, treasurer, and commissioner of school and public lands.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real and personal property in the state, and all personal property of persons residing therein, and the property of corporations and of all banks and banking companies, except such as is expressly exempted, is subject to taxation.

(1) "Real property," for the purpose of taxation, is construed to include the land itself and all buildings, structures, and improvements, trees, fixtures, and all rights and privileges, and all mines, minerals, and quarries thereto belonging. Trees planted under the timber culture act of Congress are not to be considered as "improvement" on the land, nor are artesian wells to be considered in the assessment.

(2) "Personal property" is construed to include all goods, chattels moneys, credits, and effects wheresoever they may be; all ships, boats, and vessels belonging to inhabitants of the state, whether at home or abroad, and all capital invested therein; all moneys at interest, within or without the state, due to the person to be taxed, and all other debts due such person; all public stocks and securities; the capital stock of all insurance companies organized under the laws of this state; all stock in corporations, except in national banks out of the state owned by inhabitants of the state; all the shares of stock in any bank, state or national; all personal estate of moneyed corporations, whether the owners reside in or without the state; and all improvements on lands the title of which is still in the United States or any railroad company or corporation whose property is not subject to the same modes and rule of taxation as other property; also, the income of any annuity, unless the capital of such annuity be taxed within the state. Gas and water mains, and pipes of gas and water companies; and the track, road, or bridge of street railroad, turnpike, and bridge companies are held to be personal property.

(3) Exemptions, in addition to public property, are: The grounds, buildings, and other property of agricultural and horticultural societies, all property, real and personal, of any educational institution of the state, and all property used exclusively for the support of such school or scientific institution; all property belonging to any charitable, benevolent, or religious society, or used exclusively for charitable, benevolent, or religious purposes; one lot in a cemetery, for family use; and household furniture and provisions for each individual not exceeding $25 in value.

b. Assessment.—In general, there is one assessment roll for state, county, and local taxes. Each county in the state not fully organized into civil townships constitutes an assessor's district, excluding organized civil townships, each of which constitutes a district; cities are not included in the district as provided for, but are separate districts. All real and personal property is assessed annually, with reference to the 1st day of May. The assessor is actually to view the property when practicable and determine the true and full value in money, putting down separately the land and improvements. Every person, under oath, must list his personal property, but the assessor determines the value, upon view. The penalty for refusal to make the required statements is 50 per cent on the value returned by the assessor, and for refusal to be sworn or to answer interrogatories there is a penalty of $10 to $500, to which may be added six months' imprisonment. The statute expressly directs that the assessor is not to adopt a lower or different standard of value, because the same is to serve as a basis of taxation, nor is he to adopt as a criterion of value the price at which the property would sell at auction or forced sale, but is to value all property at such a price as the same is fairly worth in money.

All property subject to taxation, situated in any of the unorganized counties of the state which have been attached to an organized county for judicial or other purposes, is to be listed for taxation by the assessor of such county. But taxes in unorganized counties are levied only for state and judicial purposes.

The capital stock and franchises of corporations are listed where the principal place of business is located.

Stockholders of every bank, state and national, are to be taxed on their shares in the town where the bank is located. The real estate is taxed to the bank. The basis for valuation of the shares is the amount of capital and surplus fund less the investments in real estate.

All itinerant, transient, or bankrupt stock merchants or salesmen are assessed on their stock at the same rate as other merchants.

Railroads are taxed under the general property tax and are assessed on property, used in the operation and maintenance of the road, by the state board of equalization, but other property is locally assessed. The assessment is made with reference to the 1st day of May, and takes into consideration the gross and net earnings per mile and other data furnished by statements by the company. There is a penalty of 25 per cent of the assessable value for failure to make the statement. The assessment is apportioned to the counties by the state board of equalization, and further to the cities, incorporated towns, and townships of the counties by the board of county commissioners.

Telegraph, telephone, express, and sleeping car companies are also assessed by the state board of equalization on the basis of statements, in the manner that railroads are assessed. There are penalties for failure to make the statements and for false statements of from $500 to $5,000.

c. Equalization.—The town board of review equalizes in townships, incorporated towns, and cities between the individuals thereof and supplies omissions of property.

The county board of equalization compares the assessment of the several cities, towns, or districts of the county. The board is not to reduce the aggregate valuation of the county except to make the valuation in the different townships equal. But the board may raise the valuation of real property or of the various classes of personal property of the county or of any town or district to the true and full value thereof. The board may also, upon application, equalize between individuals.

The state board of equalization compares the assessment of the several counties of the state and equalizes the same so that the several counties are assessed at their proportionate value. The board is not to increase the aggregate assessed valuation of the state as equalized by the boards of county commissioners by more than $3,000,000. It is to add or deduct such a per cent from the valuation of each class of property as will fix the same at its proper proportionate value.

2. *Rate—*

The state board of equalization determines such rate of state tax to be levied for the current year as is necessary for defraying the ordinary estimated expenses of the state for such year, for paying any deficiency from the ordinary expenses of the preceding year and the annual interest, and for providing a sinking fund for the public debt of the state. The tax for ordinary state purposes is not to exceed 2 mills on the dollar in any one year; but the legislature may levy a deficiency tax.

3. *Collection—*

In general, there is one collection for state, county, and municipal purposes made by the county treasurer. In organized townships or cities the treasurer collects the taxes, if the counties have adopted that method by vote. In districts not included in organized townships or in cities of counties which have so voted, the county treasurer is collector of all taxes levied for state, county, school, poor, bridge, road, or other purposes. No demand for taxes is necessary to fix liability therefor, but it is the duty of every person to attend at the office of the treasurer having charge of collection and to pay his taxes. Taxes are due the 1st day of December; after the 10th of January, demand is made and 2 per cent added for collection fees; and if delinquent after the 1st day of March, the treasurer is to collect the taxes, to which is added 1 per cent on the 1st of each month as a penalty by distress and sale. If he is justly apprehensive of the loss of any personal tax, he may enforce its collection at any time and may add 4 per cent for collection fees. Taxes on real property are a perpetual lien from December 1; and those on personal property are a lien thereon after the same date.

Taxes may be paid in two installments. If any person pays one-half by the 1st day of March, the balance will not become delinquent until the 1st day of October thereafter, from which day 1 per cent a month is to be added as penalty.

Taxes on railroads are collected as other taxes, but taxes on telegraph and telephone, express, and sleeping car companies are to be paid to the state treasurer and by him apportioned to the counties.

II and III. *Poll tax and inheritance tax.*

There are no state poll or inheritance taxes.

IV. *Corporation taxes.*

There are no special corporation taxes except on insurance companies, all corporations being taxed under the general property tax. A special method is provided, however, for levying and collecting taxes on telegraph, telephone, express, and sleeping car companies. These companies pay to the state treasurer a percentage on the assessed valuation equal to the average levy in the state for all purposes, and the taxes so received are apportioned between the state and other civil divisions.

Domestic insurance companies are assessed upon their capital stock. Foreign insurance companies pay 2½ per cent of their gross premiums in lieu of all other taxes. Assessment companies pay 2 per cent on gross assessment premiums.

V. *Business taxes and licenses.*

Public warehouse for grain, $1; hunter's license—to residents, $1; to nonresidents, for birds, $10; to nonresidents, for animals, $25.

B. FEES.

Secretary of state.—Recording articles of incorporation of domestic corporations and issuing charter, $10; religious, charitable, benevolent, and fraternal associations, $3; filing articles of foreign corporations and issuing certificates of authority, $10; recording appointment, resident agent, $2; examination of annual statement of building and loan association, $5; recording papers, per folio, 20 cents; transcripts, per folio, 20 cents; commissions, passports, etc., $2; amendments, articles of incorporation, $1; examination and statement of surety companies, $5.

Commissioner of insurance.—Foreign insurance companies—filing copy of charter, $25; annual statement, $10; certificate of authority, $2; domestic insurance companies—filing and examination of first application, $10; filing annual statement, $3; certificate of authority to agents, 50 cents.

Other fees are—Dentists, examination, $10; embalmers—license, $5; renewal, $3; osteopaths, $10; physicians, $10; pharmacists—registration, $5; renewal, $5; dentists, license, $5.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate—*

The county commissioners levy the county taxes, basing the levy upon an itemized statement of the county expenses for the ensuing year, and no greater levy is to be made than will equal the amount of such expenses with an excess of 5 per cent of the same. The rates authorized for different purposes are:

(1) General county purposes, including support of the poor, not to exceed 6 mills on the dollar; (2) support of the insane, such amount as may be due the state from that county; (3) county roads, not to exceed 2 mills; (4) county bridges, not to exceed 2 mills; (5) county sinking fund, one year's interest and 15 per cent of the principal. The total county rate is not to exceed in any one year, unless by vote, the sum of 8 mills on the dollar.

3. *Collection—*

Same as for state taxes.

II. *Poll tax.*

a. School.—The county commissioners may levy a tax of $1 on each elector in the county for the support of the common schools. This tax is to be distributed to the several school districts in the county in proportion to the number of children between 6 and 20 years of age resident therein.

b. Road.—In counties not wholly organized into civil townships the county commissioners are to levy on each male person between 21 and 50 years of age, living outside any organized city, town, or township—except paupers, idiots, and lunatics, or otherwise exempt—a road poll tax of $1.50, which may be paid by one day's labor on the highways.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or special corporation taxes.

V. *Business taxes and licenses.*

Sale of liquors at retail, $400 per annum; traveling salesman who solicits by the jug, $200 per annum, to be paid in each county; malt liquors, wholesale, $150 per annum; spirituous liquors, wholesale, $500 per annum (to be paid in each precinct, town, or city in which the business is carried on); distilleries, $1,000 per annum; breweries, $400 per annum; hawkers and peddlers with wagon, $50 to $100 per annum; peddlers on foot, $25 to $50 per annum; traveling salesmen, $25 to $75 per annum; dog tax, $1 per annum, which is credited to the school district when collected.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for municipal taxation as for state.

2. *Rate—*

a. Township.—The electors at their annual town meeting may vote such sums of money for repairing and constructing bridges, and for necessary town charges as will not exceed 5 mills on the dollar, and for fire guards, such a sum as will not exceed 5 mills on the dollar. The township board of supervisors levies the highway labor and road tax not to exceed 50 cents on $100 of valuation. The total township rate is not to exceed in any year 10 mills on the dollar for all purposes, including the tax for interest and sinking fund for bonds.

b. City.—The city council is to levy a tax for general purposes not to exceed 20 mills on the dollar, and in addition it may levy a tax for interest and sinking fund for city bonds.

c. Town.—The board of trustees may levy a tax for the general fund, interest, and sinking fund, the tax for general purposes not to exceed 5 mills on the dollar.

3. *Collection—*

The collection is the same as the state, by the county treasurer, unless the county has adopted the optional provision for collection by the township and city treasurers.

II. *Poll tax.*

The township board of supervisors in organized counties is to assess on every male inhabitant above 21 and under 50 years of age, except paupers, idiots, lunatics, and those otherwise exempt, one day's labor in each year as a road poll tax.

Any city or town in the state may levy on all able-bodied male residents between 21 and 50 years of age a road poll tax of one day's labor, which may be commuted at a fixed sum, not to exceed $1.50.

III. *Inheritance tax.*

There is no municipal inheritance tax.

IV. *Corporation taxes.*

There is a tax of 2 per cent of the premiums received upon insurance policies issued on property in any city, town, or village, which is collected by the state and paid over to the local fire department.

V. *Business taxes and licenses.*

Any township, precinct, town, or city within the county, in which a county liquor license is paid, may require in addition from each dealer paying such a license a sum to be fixed by ordinance, but to be not less than $200 nor more than $600.

The city council has power to license and tax hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatrical and other exhibitions, shows and amusements, ticket scalpers, employment agencies, cigars, cigarettes, and light drinks, hackmen, draymen, expressmen, etc., and public billiard and ball alleys.

Towns may license auction establishments, peddlers, and public exhibitions.

School Revenues.

The constitution establishes a perpetual school fund from the proceeds of the sale of public lands granted by the United States for the use of public schools, and from certain other sources including escheat, fines, donations, etc. This fund is to be apportioned to the several school districts in proportion to the number of school children. The proceeds of the county poll taxes and dog licenses are also apportioned for school purposes.

A district school tax is to be levied by the local board of education not exceeding 20 mills on the dollar on all personal and real property within the district, which tax is placed on the roll of the county and collected by the county treasurer, and the board may make further levy to provide a sinking fund for bonds. The electors have the power to instruct the district school board as to the levy of school taxes.

TENNESSEE.[1]

Tennessee draws her principal revenue from the general property tax and from licenses. The distinguishing feature of the system is a carefully worked out system of privilege taxes upon the exercise of various occupations which supplements the general property tax. There are special corporation taxes, similar in nature to the privilege taxes on individuals, and state poll and collateral inheritance taxes, as well as specific taxes on land transfers and on litigation.

CONSTITUTIONAL PROVISIONS.

ARTICLE II.

Sec. 28. All property, real, personal, or mixed, shall be taxed, but the legislature may except such as may be held by the state, by counties, cities, or towns, and used exclusively for public or corporation purposes, and such as may be held and used for purposes purely religious, charitable, scientific, literary, or educational, and shall except one thousand dollars' worth of personal property in the hands of each taxpayer and the direct produce of the soil in the hands of the producer and his immediate vendee. All property shall be taxed according to its value, that value to be ascertained in such manner as the legislature shall direct, so that taxes shall be equal and uniform throughout the state. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of the same value, but the legislature shall have power to tax merchants, peddlers, and privileges in such manner as they may from time to time direct. The portion of a merchant's capital used in the purchase of merchandise sold by him to nonresidents and sent beyond the state shall not be taxed at a rate higher than the ad valorem tax on property. The legislature shall have power to levy a tax upon incomes derived from stocks and bonds that are not taxed ad valorem. All male citizens of this state over the age of twenty-one years, except such persons as may be exempted by law on account of age or other infirmity, shall be liable to a poll tax of not less than fifty cents nor more than one dollar per annum. Nor shall any county or corporation levy a poll tax exceeding the amount levied by the state.

Sec. 29. The general assembly shall have power to authorize the several counties and incorporated towns in the state, to impose taxes for county and corporation purposes, respectively, in such manner as shall be prescribed by law; and all property shall be taxed according to its value, upon the principles established in regard to state taxation. * * *

Sec. 30. No article manufactured of the produce of this state shall be taxed otherwise than to pay inspection fees.

ARTICLE IV.

Sec. 1. (Every male person of the age of twenty-one years, being a citizen of the United States * * * may vote, if he has paid the poll taxes assessed against him. The poll is to be levied on all male citizens.)

ARTICLE XI.

Sec. 12. (The state taxes, derived hereafter from polls, shall be appropriated to educational purposes, in such manner as the general assembly shall direct by law.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessors, elected for a term of four years. In counties of 50,000 or over, there is one assessor for the whole county. In other counties each civil district is to elect an assessor.

(2) County board of equalizers, composed of five freeholders, elected by the quarterly court of each county. In taxing districts of 60,000 or over two members of the board are to be appointed by the city council; and in cities of 5,000 to 60,000 one member of the board is to be so appointed.

(3) State board of equalization, composed of the secretary of state, treasurer, and comptroller of the treasury.

(3½) County trustee, tax collector, elected for two years.

(4) Revenue commissioners, three in number, elected every two years by the quarterly courts, one of whom is to be an expert accountant. They are to inspect reports and examine accounts.

(5) Revenue agents, three in number, appointed by the comptroller for a term of two years. They are to examine the records of collections and disbursements, and may also bring suit against delinquent officers and corporations. To indemnify the state 15 per cent, which the revenue agent retains, is to be added to the recovery in all suits.

(6) State tax assessors, commonly known as the railroad commission, three freeholders, appointed by the governor biennially.

(7) Board of equalization of railroad assessments, composed of the governor, treasurer, and secretary of state.

[1] This compilation is derived mainly from the following sources:
Code of Tennessee, compiled by R. T. Shannon. Marshall & Bruce Co., Nashville, Tenn., 1896.
Acts of Tennessee, 1897: Nashville, Tenn., 1897.
Acts of Tennessee, 1898 (extra session): Nashville, Tenn., 1898.
Acts of Tennessee, 1899: Nashville, Tenn., 1899.
Acts of Tennessee, 1901: Nashville, Tenn., 1901.
Supplement to Code of Tennessee, 1897 to 1903, by R. T. Shannon. Marshall & Bruce Co., Nashville, Tenn., 1903.
Digest of the Tennessee Tax Laws, 1901, prepared by Theo. H. King, comptroller of the treasury: Nashville, Tenn., 1901.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property, real and personal, is subject to taxation for state, county, and municipal purposes, except such as is declared exempt.

(1) and (2) "Real property" and "personal property" are not defined for purposes of taxation.

(3) Exemptions in addition to public property are: All property belonging to any religious, charitable, scientific, or educational institution not used in secular business; all cemeteries; growing crops; the direct produce of the soil in the hands of the producer or his immediate vendee, and manufactured articles of the state in the hands of the manufacturer; personal property of the value of $1,000 in the hands of each resident taxpayer.

b. Assessment.—The assessment for state, county, and municipal purposes is made by the county assessors. Personal property is to be assessed annually, real estate (assessed in 1902) every two years, and both at their "actual cash value," which is defined to mean the price at which the property would sell at a fair voluntary sale. The assessment refers to January 10. The assessor is required to visit all realty, see personally each taxpayer, and take his statement of all property, real and personal, without regard to any exemption. The taxpayer must make oath to the amount of his property but not to the value which is computed by the assessor. The penalty for refusal to make the schedule or list or to take the oath is a fine of $10 to $50, upon conviction of the misdemeanor. Suits for collection can not be brought on notes and choses in action not listed.

Changes to the extent of $200 in the value of real estate are to be noted annually by the assessor, as well as any improvements thereon.

The amount of income of United States bonds and of all other stocks and bonds not taxed ad valorem is to be assessed as personalty. All other bonds and all shares of stock, except when the corporate property or capital stock is assessed in lieu thereof, are to be listed. All personal property which is a part of the capital invested in the business of a merchant, factor, or manufacturer, is not to be assessed separately as personalty, but as part of the capital.

Manufacturers are assessed on the raw materials and articles in process of manufacture, but the value of articles finished from the produce of the state in the hands of the manufacturer is to be deducted in assessing property or capital stock.

Merchants are assessed on the average capital invested in the business during the year, which is found by dividing the sum of the highest and the lowest amounts of stock by two.

Of stocks of merchandise sold at auction or on commission, one-third of the aggregate amount of the annual sales is to be returned for taxation.

Capital employed in trading, where there is no stock of goods on hand, forms the basis of assessment.

Corporations are assessed on their real estate and tangible personalty as individuals. They are also assessed on their capital stock as representing franchises, easements, incorporeal rights and privileges at the aggregate market value of the shares of stock and bonded debt, less the assessed value of tangible property. The stocks and bonds are not otherwise assessed to the corporation or individual holders.

Foreign corporations are assessed only on the actual cash value of the corporate property in the state, taking into consideration the franchise and intangible values in the state.

Bank stock is assessed in the name of the shareholders at its cash value less a proportionate share of the realty and tangible personalty taxed to the bank. This is in lieu of the tax on capital stock of banks.

Railroad, telegraph, and telephone companies are assessed by the state tax assessors on the basis of schedules of property made out by the companies. There is a penalty of $1,000 for failure to file the schedule. In making the valuation of property the assessors are to have in view the capital stock, the corporate property, the franchises of each company, and the gross receipts and market value of the shares of stock and bonded debt.

The "road" of any railroad property includes all tracks, switches, bridges, and superstructures of every kind. The "line" of any telegraph or telephone company includes all wires, poles, instruments, and rights of way.

The "distributable property" includes the roadbed, rolling stock, franchises, choses in action, and personal property having no actual situs. This is to be valued separately from other property and $1,000 exemption deducted. The valuation is then distributed according to the value per mile. The "localized property," including the depots and other property with an actual situs, is assessed where located, by regular county and city assessors.

Back assessment or reassessment of taxes on property that has escaped or been undervalued is made by the county court clerk in the case of merchants' taxes, or by the county trustee in the case of other taxes. A penalty of 25 per cent may be imposed for violation of the revenue provisions in the back assessment.

c. Equalization.—The county board of equalizers compares and equalizes the county assessments, eliminates property exempt, and hears complaints. The board may increase or lower the entire assessment roll, or any item therein, to conform to the actual cash value.

The state board of equalization at its biennial sessions is to equalize the assessments of all properties in the state, except such as are to be equalized by the governor, secretary of state, and treasurer.

The assessment of railroad, telegraph, and telephone companies, as made by the state tax assessors of railroads, is equalized by a board of equalization composed of the governor, secretary of state, and treasurer.

2. *Rate—*

Taxes are levied by statute at the rate of 50 cents on every $100 worth of property, of which 35 cents is for general state purposes and 15 cents for school purposes.

3. *Collection—*

All taxes, including state, county, railroad, municipal, highway, and school, are collected by the county trustee. Taxes are payable the first Monday in October, except municipal taxes of cities having a population of 100,000 or over and those of municipal corporations authorized to collect their own taxes. Taxes are a lien on the property assessed from the 10th of January, and are delinquent after the 1st of March, after which there is a penalty of 1 per cent a month. They may be collected by distress and sale.

Taxes on the stock of banks and loan and investment companies are to be collected from the president of the corporation.

Taxes assessed on railroad, telegraph, and telephone companies on behalf of the state are collected by the comptroller, but taxes due any county or city are collected by the county trustee.

If any property escapes assessment, it is the duty of the trustee to assess the same and report the taxes collected as "picked-up" taxes. The trustee can not receipt for the property tax if the poll tax is unpaid.

The trustee is compensated by commissions from the moneys collected.

II. *Poll tax.*

Every male inhabitant between the ages of 21 and 50 years, except persons who are deaf, dumb, blind, or incapable of labor and of earning a livelihood, are to pay an annual tax of $1 for school purposes. This tax is distributed among the school districts of the county where collected in proportion to the number of school children in such district. It appears only in reports of county revenue. This tax must be paid before the property tax will be received, and its payment is a prerequisite of the enjoyment of the elective franchise. Delinquent poll taxes may be collected by distress and sale or garnishment, and the officer is entitled to 12½ per cent commission and fees for his services.

III. *Inheritance tax.*

All estates, real, personal, or mixed, passing by will or under the intestate laws of the state, or transferred in contemplation of death, other than to the father, mother, husband, wife, and lineal descendants, are subject to a duty of $5 on every $100 of clear value. Estates valued at less than $250 are exempt.

IV. *Corporation taxes.*

Corporations, like individuals, are subject to the ad valorem tax on property. The value of intangible property is reached by an assessment of the capital stock and bonded debt.

Privilege taxes are collected annually by the comptroller from the following corporations, in lieu of all other taxes except ad valorem:

Express companies—if lines in the state are less than 100 miles, $500; more than 100 miles, $2,000; sleeping car companies, $2,500; news companies, $500. Railroad companies—companies exempt from ad valorem tax, per mile, $120 (special contracts from eleven companies to pay $4,500 for ten years in lieu of all other taxes authorized). Trading stamp companies, in each county, $500; merchants using stamps, $250. Telegraph companies—25 to 100 miles of wire, $20; 100 to 300 miles of wire, $200; 300 to 1,000 miles of wire, $700; 1,000 to 6,000 miles, for each 100 miles over 1,000, $20; for each 100 miles over 6,000, $10. Railroad terminal companies—counties of 90,000 inhabitants, $500; 70,000 to 90,000, $400; 50,000 to 70,000, $300. Telephone companies—counties of 50,000 inhabitants or over, each instrument, 50 cents; 30,000 to 50,000, each instrument, 35 cents; less than 30,000, each instrument, 20 cents Insurance companies are required to pay the insurance commissioner—foreign fire, life, and all other companies of other states, 2½ per cent of the gross premium receipts in the state, payable semiannually, January and July; mutual fire companies of the state doing business outside county of domicile, $300. Building and loan associations—capital paid in, up to $10,000, $20; $10,000 to $25,000, $47; $25,000 to $50,000, $95; $50,000 to $100,000, $140; $100,000 to $150,000, $187.50; $150,000 to $200,000, $280; $200,000 to $250,000, $375; $250,000 to $300,000, $468: $300,000 to $350,000, $562.50; $350,000 to $400,000, $656; $400,000 to $450,000, $750; $450,000 to $500,000, $893; each additional $100,000 or fractional part, $92.50.

There is a penalty of 1 per cent per day for the nonpayment of privilege taxes, and to exercise any privilege without first paying the tax is a misdemeanor for which the fine is $50 to $500.

V. *Business taxes and licenses.*

The following occupations are declared to be privileges, and the taxes thereon are collected annually by the county court clerk unless otherwise stated.

A privilege is defined to be the exercise of a business or occupation which requires a license. The imposition of a privilege tax is not to be construed as a release or exemption from the ad valorem tax unless specially provided.

Merchants are to pay, in addition to the ad valorem tax upon the average capital invested by them in their business of 50 cents on $100, a privilege tax of 15 cents on each $100, 7½ cents of which is for school purposes and 7½ cents for state purposes. This tax is never to be less than $5; $5 is to be paid when the license is taken out and equally divided between the state and the county.

Abstract companies—cities of 35,000 inhabitants or over, $50; 10,000 to 35,000, $25; less than 10,000, $10. Advertising companies—street cars, counties of 60,000 inhabitants or over, $100; counties of less than 60,000, $25; dummy cars or railroad cars, counties of 50,000 inhabitants or over, $50; counties of less than 50,000, $25; railroad depots in each county, $10. Artists and photographers—cities and taxing districts of over 20,000 inhabitants, $25; 6,000 to 20,000, $15; 2,000 to 6,000, $7.50; under 2,000, $5; galleries, outside cities and towns, $3; traveling galleries, for the state, $50; agents for picture enlarging outside state, $20. Auctioneers—cities of 35,000 inhabitants or over, $20; 20,000 to 35,000, $15; 6,000 to 20,000, $10; 6,000 or less, $5; outside of cities, transient auctioneers, $20 per week. Baseball parks—counties of 50,000 inhabitants or over, $25; 20,000 to 50,000, $15; less than 20,000, $10; traveling ball teams not playing in regular parks, $10. Breweries—agents of breweries in cities of 20,000 inhabitants or over, $250; from 7,500 to 20,000, $125; 7,500 or under, $50. Billposters—cities of 35,000 inhabitants or over, $50; 7,000 to 35,000, $30; 2,000 to 7,000, $10. Bicycle dealers or renters, $10. Bottlers (other than natural mineral waters)—counties of 50,000 inhabitants or over, $75; 35,000 to 50,000, $50; 25,000 to 35,000, $25; less than 25,000, $10. Brokers (other than real estate or merchandise)—cities of 30,000 inhabitants or over, $50; 20,000 to 30,000, $40; less than 20,000, $25; outside of cities, $25. Bankers and insurance companies must also pay this tax if engaged in brokerage business. Brokers (merchandise)—cities of 50,000 inhabitants or over, $30; 20,000 to 50,000, $20; 10,000 to 20,000, $15; less than 10,000, $7.50. Butchers—cities of 20,000 inhabitants or over, $15; 10,000 to 20,000, $10; 6,000 to 10,000, $7.50; 3,000 to 6,000, $5; 1,000 to 3,000, $5. Wholesale dealers in fresh meat and cold storage companies—counties of 50,000 inhabitants or over, $150; less than 50,000 and over 40,000, $75; less than 40,000, $10. Cigar stands—cities of 20,000 inhabitants or over, $10; under 20,000, $5. Check room—when the charge is 10 cents per day, $20; when the charge is less than 10 cents per day, $10. Circuses and menageries—counties of 50,000 inhabitants and over, $200 per day; 15,000 to 50,000, $150 per day; less than 15,000, $25 per day; sleight of hand, $20 per day; other exhibitions, $15 per day, $30 per week, $100 per month; traveling companies (outside taxed theaters), $5 per day, $25 per week, $100 per month; concerts, magic lantern shows, etc., $5 per day. Trained animal exhibitions—counties of 50,000 inhabitants or over, $30 per day; 30,000 to 50,000, $25 per day; less than 30,000, $15 per day. Wild West shows—counties of 50,000 inhabitants or over, $150 per day; less than 50,000, $75 per day. Coal and coke dealers—cities of 35,000 inhabitants or over, $30; 6,000 to 35,000, $15; less than 6,000, $5; outside cities, $5. Coal oil or petroleum products—cities of 30,000 inhabitants or over, $200; 10,000 to 30,000, $100; 5,000 to 10,000, $75; 2,000 to 5,000, $50; less than 2,000, $25. Collection agencies—cities of 20,000 inhabitants or over, $20; less than 20,000, $10. Commercial agencies—cities of 20,000 inhabitants or over, $125; under 20,000, $50; local, $11. Construction companies—foreign, in each county, $50; domestic, in each county, $15. Cottonseed-oil mills—plants pressing under 1,000 tons annually, $15; 1,000 to 5,000, $30; 5,000 to 10,000, $40; 10,000 to 20,000, $60; 20,000 to 30,000, $100; 30,000 to 50,000,

$150; 50,000 to 75,000, $200; 75,000 to 100,000, $300; 100,000 or over, $350. Cotton compresses—pressing 1 to 20,000 bales per annum, $25; 20,000 to 50,000 bales per annum, $50; 50,000 to 100,000 bales per annum, $100; 100,000 bales or over per annum, $150. Cotton factors—cities of 20,000 inhabitants or over, $25; 10,000 to 20,000, $15; 5,000 to 10,000, $7.50; less than 5,000, $5. Distillers of whisky—capacity 10 barrels per day or over, $250; 5 to 10 barrels per day, $150; 2 to 5 barrels per day, $75; 1 to 2 barrels per day, $25; less than 1 barrel per day, $10. Distillers of brandy—capacity 5 barrels or over per day, $10; less than 5 barrels per day, $5. Dealers in theater tickets—cities of 40,000 inhabitants or over, $15; 20,000 to 40,000, $10; 10,000 to 20,000, $5. Lunch houses and stands—cities of 8,000 inhabitants or over, $10; 5,000 to 8,000, $5; under 5,000, $2.50. Feather renovators, each county, $250. Buying fees of witnesses or officers of court—counties of 50,000 inhabitants or over, $100; 20,000 to 50,000, $50; 10,000 to 20,000, $5; less than 10,000, $2.50. Electric light companies—cities of 100,000 inhabitants or over, $750; 50,000 to 100,000, 10,000 lights[1] or over, $500; 7,500 to 10,000 lights, $100; 5,000 to 7,500 lights, $75; 2,500 to 5,000 lights, $50; under 2,500 lights, $20; cities of 20,000 to 50,000 inhabitants, 5,000 lights and over, $250; 2,500 to 5,000 lights, $50; under 2,500 lights, $20; cities of 10,500 to 20,000 inhabitants, 2,500 lights and over, $150; under 2,500 lights, $20; cities of 4,000 to 10,500 inhabitants, $75; 3,000 to 4,000, $40; 2,000 to 3,000, $20; under 2,000, $10. Ferries—cities of 10,000 inhabitants or over (within 5 miles), $50; 5,000 to 10,000, $30; 3,000 to 5,000, $20; less than 3,000, $5, counties more than 5 miles from cities, $5. Flying jennies—cities of 50,000 inhabitants, $100; 20,000 to 50,000, $50; 5,000 to 20,000, $25; under 5,000, $15; counties outside cities, $15. Fortune tellers, $10. Fruit stands—cities of 50,000 inhabitants or over, $5; under 50,000, $2.50. Futures on exchange—cities of 30,000 inhabitants or over, $400; 20,000 to 30,000, $300; less, than 20,000, $200. Games—billiard, pool tables, alleys, shooting galleries, etc.—cities of 20,000 inhabitants or over, $25; 10,000 to 20,000, $15; under 10,000, $10; counties outside cities, $25; throwing rings and other devices, $10. Gas companies—cities of 70,000 inhabitants or over, $700; 30,000 to 70,000, $350; 20,000 to 30,000, $250; 10,000 to 20,000, $125; 4,000 to 10,000, $75; under 4,000, $50 (cities of over 8,000 supplying gas for commercial purposes must pay this tax). Hotels—for each room, 50 cents; towns of 1,000 to 5,000 inhabitants, 25 cents; under 1,000, no tax; summer resort hotels, 50 cents. Hucksters—cities of 35,000 inhabitants or over, $5; 5,000 to 35,000, $3; 3,000 to 5,000, $2; under 3,000, $1. Ice—cities of 35,000 inhabitants or over, $100; 15,000 to 35,000, $75; 6,000 to 15,000, $50; 2,500 to 6,000, $10; 1,000 to 2,500, $5; ice sold from cars, in each county, $50; dealers using wagons, per wagon, $5 (tax does not apply in towns under 1,000). Intelligence offices, $10; itinerants, physicians, etc., $100. Land stock companies—capital $100,000 or over, $25; $50,000 to $100,000, $15; under $50,000, $10. Laundries—cities of 20,000 inhabitants or over, $50; 5,000 to 20,000, $25; 1,000 to 5,000, $7.50; under 1,000, no tax; agents for laundries outside of state, $10. Lightning rod dealers and agents, in each county, $100; lighting companies (other than electric and gas), $100; lights for streets, railroad and sleeping cars—cities of 50,000 inhabitants or over, $100; 20,000 to 50,000, $25; under 20,000, $10. Liquor dealers (in addition, taxed as other merchants)—wholesale, $200; retail—cities of 6,000 inhabitants or over, $200; under 6,000, $150; boats and cars, $200. Livery, sale, and feed stables—cities of 10,000 inhabitants or over, each stall, 40 cents; 5,000 to 10,000, 20 cents; under 5,000, 10 cents. Lumber dealers, privilege and ad valorem tax as merchants. Slot machines, music boxes, phonographs, etc.—nickel-in-the-slot, $10; penny-in-the-slot, $2.50. Chance or prize machines, or those kept by saloon keepers, $100. Insurance agents, commencing business between January 1 and April 1, $10; commencing business between April 1 and July 1, $7.50; commencing business between July 1 and October 1, $5; commencing business after October 1, $2.50. Parks (admission fee), $100. Pawnbrokers (also taxed as merchants)—cities of 30,000 inhabitants or over, $150; 8,000 to 30,000, $75; 6,000 to 8,000, $75; under 6,000, $50; outside cities, $10. Playing cards—wholesale, $20; retail, $5. Peddlers, on foot, in each county, $10; with horse and vehicle, each county, $20; more than one horse, in each county, $10; patent medicine, on foot or horse, in each county, $150; patent medicine, horse and wagon, in each county, $200; school apparatus, maps, charts, in each county, $150; horse and vehicle, $300; each additional horse, $100; coal oil and gasoline, $10. Park and race track associations, $200. Plumbers and gas fitters (taxed also as merchants)—cities of 35,000 inhabitants or over, $20; 10,000 to 35,000, $15; 5,000 to 10,000, $10; under 5,000, $5. Dealers in ranges and clocks (not required of merchants)—counties of 35,000 inhabitants or over, $25; 20,000 to 35,000, $20; under 20,000, $15. Race tracks and bookmakers—1 mile track, $200; one-half mile track, $150; one-fourth mile track, $100; bookmakers, per book, $100. Railroad ticket scalpers—cities of 25,000 inhabitants or over, $75; 10,000 to 25,000, $50; under 10,000, $25. Real estate dealers—cities of over 50,000 inhabitants, $40; 35,000 to 50,000, $30; 20,000 to 35,000, $20; 10,000 to 20,000, $15; under 10,000, $5; counties outside cities, $5. Stockyards, pens, etc.—counties of 60,000 inhabitants or over, $75; 40,000 to 60,000, $50; under 40,000, $15. Sewing machine companies and dealers—(in lieu of all taxes except merchants' privilege and ad valorem taxes), $200; for each agent (except merchants), $5. Securities (dealers in notes, etc.)—counties of 50,000 inhabitants or over, $50; 30,000 to 50,000, $25; 15,000 to 30,000, $10; under 15,000, $5. Street car companies and dummy railroads—cities of 35,000 inhabitants or over, per mile, $8; 25,000 to 35,000, per mile, $6; 10,000 to 20,000, per mile, $3; under 10,000, per mile, $1.50. Express or parcel cars—counties of over 50,000 inhabitants, $50; under 50,000, $25. Skating rinks—cities of 20,000 inhabitants or over, $30; 10,000 to 20,000, $15; 5,000 to 10,000, $10; under 5,000, $5; outside cities, $5. Theaters—cities of 40,000 inhabitants or over, $200; 20,000 to 40,000, $100; 10,000 to 20,000, $50; 5,000 to 10,000, $25; 3,000 to 5,000, $15; under 3,000, $10; counties outside cities, $50. Turnpikes per tollgate—toll both ways, counties of 50,000 inhabitants or over, $50; 30,000 to 50,000, $40; under 30,000, $12; companies increasing tolls, per gate, $250. Undertakers—cities of 50,000 inhabitants or over, $50; 20,000 to 50,000, $30; 10,000 to 20,000, $20; 6,000 to 10,000, $10; under 6,000, $5; counties outside cities, $5. Variety theaters, $200. Warehouses, elevators, and storage rooms—cities of 8,000 inhabitants or over, $50; under 8,000, $25; 8,000 or over (paying tax as commission merchants), $25; under 8,000 (paying tax as commission merchants), $15; counties over 30,000 outside cities, $25. Water companies—cities of 50,000 inhabitants or over, $800; 35,000 to 50,000, $600; 20,000 to 35,000, $400; 6,000 to 20,000, $100; under 6,000, $25.

VI. *Transfer tax.*

On all transfers of realty there is levied a state tax of $1 per $1,000 of consideration (which is not to be less than the value of the property). This tax on land sales is held to be not a privilege but a specific tax.

VII. *Litigation.*

The following taxes are to be charged to loser in bill of costs: Each suit in law or equity in court of record, $2.50; each indictment or presentment, $5; appeal to supreme court in criminal cases where defendant unsuccessful, $7.50; appeals from circuit or chancery to supreme court, $5; appeal from justice of the peace, $2.50.

B. FEES.

Secretary of state.—Recording domestic charter, $10; certified copy domestic charter, $10; certified copy foreign charter, $20; abstract, foreign charter, $20; filing foreign charter, $20; filing articles of consolidation (in addition to tax), $25; filing articles of agreement between corporations, $25; charter or certificate of municipal corporations, $50; commission of notary public, $3; commission of commissioner of deeds, $10; commission of appointee of governor, $5; charters of incorporation, not for religious or educational purposes, $25; foreign corporations, filing charter, $100 (insurance companies may deduct fees to insurance commissioner).

Foreign corporations on filing charter, for privilege of entering state pay to the secretary of state $100. (Insurance companies may deduct fees paid insurance commissioner.)

Charter tax on granting of charters or amendments is one-tenth of 1 per cent upon the capital stock fixed or the increase. This is to be collected by the secretary of state as a privilege tax. Corporations for literary or religious purposes are exempt.

Consolidation of companies, by transfer, lease, or otherwise, is subject to a tax of one-tenth of 1 per cent on the capital stock of both companies, which is to be collected by the secretary of state as a privilege tax.

Insurance commissioner.—Domestic mutual or assessment fire insurance—filing copy of charter, etc., $15; filing annual statement, $10. Other companies—filing copy of charter, $30; annual statement, life, $25; annual statement, other than life, $15; certificate to agent, $2.

[1] 16 candlepower incandescent light, 60 volts per hour.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate—*

The several county courts are authorized to levy an annual county tax on every $100 of taxable property, not exceeding 30 cents on $100, and exclusive of the tax for public roads, pikes, schools, and interest on the county debts and of the taxes for other special purposes.

3. *Collection—*

Same as for state taxes.

II. *Poll tax.*

Same as the state poll tax.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or corporation taxes.

V. *Business taxes and licenses.*

Each county is authorized to levy a privilege tax upon merchants and upon other occupations declared to be privileges, not exceeding in amount that levied by the state for state purposes. The imposition of a privilege tax is not to be construed as an exemption from an ad valorem tax unless so specially provided.

Marriage licenses (to be used for school purposes), $1.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for municipal taxation as for state.

2. *Rate—*

Municipalities of over 20,000 inhabitants, 15 mills on the dollar; 12,000 to 20,000, 12½ mills on the dollar; 5,000 to 12,000, 10 mills on the dollar: under 5,000, 7½ mills on the dollar.

3. *Collection—*

The collection is the same as for state, except that municipal corporations having power under their charter to collect their own taxes on property, privileges, and polls may provide therefor by ordinance.

II. *Poll tax.*

The municipal poll tax is not to exceed $1, and the same ratio between the amount of the poll tax and the rate on property is to be observed as in state taxation.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or corporation taxes.

V. *Business taxes and licenses.*

Each municipality is authorized to levy the same "privilege taxes" as the state and county.

Taxing District Revenues.

The several towns, cities, or communities in the state, the population of which does not exceed 30,000 and the charters of incorporation of which have been repealed or shall hereafter be repealed or abolished, are created taxing districts, to be styled taxing districts of the second class (and known by the name of the town or city at the time the corporation became extinct).

After the debts of the taxing districts have been compromised with the creditors, the commissioners may by ordinance levy taxes upon all property taxable for state purposes and upon all privileges and polls, to defray the expenses and pay the compromised debts. A tax of $1 on every $100 is levied on property and one on merchants equal to the state tax.

School Revenues.

The interest on the permanent school fund and other state school moneys is apportioned by the comptroller among the several counties according to their school population.

The state poll tax goes to the public schools in the district where collected, and the state tax of 1½ mills on the dollar assessed on all property is paid over to the county trustee in the county where collected for distribution to the school districts. In addition, when the income from the state fund and other sources is not sufficient to keep up a public school for five months in the year, counties may levy on property, polls, and privileges enough to keep them up six months, but such tax is not to exceed the entire state tax.

Municipal corporations may also impose an additional tax.

TEXAS.[1]

Texas depends primarily upon the general property tax for state, county, and local revenues. There is an elaborate system of "occupation" taxes on various lines of business, incorporation and franchise taxes on corporations, and some special taxes on the gross receipts of transportation and insurance companies. These taxes are in addition to the general property tax. There are also state, county, and municipal poll taxes, but no inheritance tax.

CONSTITUTIONAL PROVISIONS.

ARTICLE VIII.

SEC. 1. Taxation shall be equal and uniform. All property in this state, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value, which shall be ascertained as may be provided by law. The legislature may impose a poll tax. It may also impose occupation taxes, both upon natural persons and upon corporations other than municipal, doing any business in this state. It may also tax incomes of both natural persons and corporations other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax: *Provided*, That two hundred and fifty dollars' worth of household and kitchen furniture belonging to each family in this state shall be exempt from taxation: *And provided further*, That the occupation tax levied by any county, city, or town for any year on persons or corporations pursuing any profession or business shall not exceed one-half of the tax levied by the state for the same period on such profession or business.

SEC. 2. All occupation taxes shall be equal and uniform upon the same class of subjects within the limits of the authority levying the tax, but the legislature may by general laws exempt from taxation public property used for public purposes; actual places of religious worship; places of burial not held for private or corporate profit; all buildings used exclusively and owned by persons or associations of persons for school purposes (and the necessary furniture of all schools), and institutions of purely public charity; and all laws exempting property from taxation other than the property above mentioned shall be void.

SEC. 3. Taxes shall be levied and collected by general laws and for public purposes only.

SEC. 4. The power to tax corporations and corporate property shall not be surrendered or suspended by act of the legislature by any contract or grant to which the state shall be a party.

SEC. 5. All property of railroad companies of whatever description lying or being within the limits of any city or incorporated town within this state shall bear its proportionate share of municipal taxation, and if any such property shall not have been heretofore rendered, the authorities of the city or town within which it lies shall have power to require its rendition and collect the usual municipal tax thereon, as on other property lying within said municipality.

SEC. 6. (No money shall be drawn from the treasury but in pursuance of specific appropriations made by law; nor shall any appropriation of money be made for a longer term than two years, except by the first legislature to assemble under this constitution.)

SEC. 8. All property of railroad companies shall be assessed and the taxes collected in the several counties in which said property is situated, including so much of the roadbed and fixtures as shall be in each county. The rolling stock may be assessed in gross in the county where the principal office of the company is located, and the county tax paid upon it shall be apportioned by the comptroller, in proportion to the distance such road may run through any such county, among the several counties through which the road passes as a part of their tax assets.

SEC. 9. The state tax on property, exclusive of the tax necessary to pay the public debt and of the taxes provided for the benefit of public free schools, shall never exceed thirty-five cents on the one hundred dollars valuation; and no county, city, or town shall levy more than twenty-five cents for city or county purposes, and not to exceed fifteen cents for roads and bridges on the one hundred dollars valuation, except for the payment of debts incurred prior to the adoption of the amendment, September twenty-five, anno domini eighteen hundred and eighty-three; and for the erection of public buildings, streets, sewers, waterworks, and other permanent improvements, not to exceed twenty-five cents on the one hundred dollars valuation in any one year, and except as is in this constitution otherwise provided; and the legislature may also authorize an additional annual ad valorem tax to be levied and collected for the further maintenance of public roads: *Provided*, That a majority of the qualified property taxpaying voters of the county, voting at an election to be held for that purpose, shall vote such tax, not to exceed fifteen cents on the one hundred dollars valuation of the property subject to taxation in such county. And the legislature may pass local laws for the maintenance of public roads and highways without the local notice required for special or local laws.

SEC. 10. The legislature shall have no power to release the inhabitants of, or property in, any county, city, or town from the payment of taxes levied for state or county purposes, unless in case of great public calamity in any such county, city, or town, when such release may be made by a vote of two-thirds of each house of the legislature.

SEC. 11. All property, whether owned by persons or corporations, shall be assessed for taxation and the taxes paid in the county where situated; but the legislature may by a two-thirds vote authorize the payment of taxes of nonresidents of counties to be made at the office of the comptroller of public accounts. And all lands and other property not rendered for taxation by the owner thereof shall be assessed at its fair value by the proper officer.

SEC. 12. All property subject to taxation in and owned by residents of unorganized counties, shall be assessed and the taxes thereon paid in the counties to which such unorganized counties shall be attached for judicial purposes; and lands lying in and owned by nonresidents of unorganized counties, and lands lying in the territory not laid off into counties, shall be assessed and the taxes thereon collected at the office of the comptroller of the state.

SEC. 13. (Provision for tax sales and redemption.)

SEC. 14. (Election of county assessor for a two-year term.)

SEC. 15. (Taxes on land to be a lien thereon.)

SEC. 16. (Sheriff to be collector of taxes for the county, except in counties having over ten thousand inhabitants, when a collector is to be elected.)

SEC. 17. The specification of the objects and subjects of taxation shall not deprive the legislature of the power to require other subjects or objects to be taxed, in such manner as may be consistent with the principles of taxation fixed in this constitution.

SEC. 18. The legislature shall provide for equalizing, as near as may be, the valuation of all property subject to or rendered for taxation (the county commissioners' court to constitute a board of equalization); and may also provide for the classification of all lands and titles.

SEC. 19. Farm products in the hands of the producer and family supplies for home and farm use are exempt from all taxation until otherwise directed by a two-thirds vote of all the members elect to both houses of the legislature.

ARTICLE III.

SEC. 48. The legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the economical administration of the government, in which may be included the following purposes:

[1] This compilation is derived mainly from the following sources:
Sayles's Annotated Civil Statutes of the State of Texas. Sayles and Sayles: The Gilbert Book Company, St. Louis, Mo., 1898.
Supplement to Sayles's Annotated Civil Statutes, 1897 to 1904. W. W. Herron: The Gilbert Book Company, St. Louis, Mo., 1903.

The payment of all interest upon the bonded debt of the state.

The erection and repairs of public buildings.

The benefit of the sinking fund, which shall not be more than two per centum of the public debt; and for the payment of the present floating debt of the state, including matured bonds, for the payment of which the sinking fund is inadequate.

The support of public schools, in which shall be included colleges and universities established by the state; and the maintenance and support of the agricultural and mechanical colleges of Texas.

The payment of the cost of assessing and collecting the revenue; and the payment of all officers, agents, and employees of the state government, and all incidental expenses connected therewith with reference to their value in the several counties.

The support of the blind asylum, the deaf and dumb asylum, and the insane asylum, the state cemetery, and the public pounds of the state.

The enforcement of quarantine regulations on the coast of Texas.

The protection of the frontier.

ARTICLE XI.

SEC. 4. Cities and towns having a population of ten thousand inhabitants or less * * * may levy, assess, and collect an annual tax to defray the current expenses of their local government, but such tax shall never exceed for any one year one-fourth of one per cent, and shall be collectible in current money. And all license and occupation taxes levied, and all fines, forfeitures, penalties, and other dues accruing to cities and towns, shall be collectible only in current money.

SEC. 5. Cities having more than ten thousand inhabitants may * * * levy, assess, and collect such taxes as may be authorized by law, but no tax for any purpose shall ever be lawful for any one year which shall exceed two and one-half per cent of the taxable property of such city; and no debt shall ever be created by any city unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and create a sinking fund of at least two per cent thereon.

SEC. 6. Counties, cities, and towns are authorized, in such mode as may now or may hereafter be provided by law, to levy, assess, and collect the taxes necessary to pay the interest and provide a sinking fund to satisfy any indebtedness heretofore legally made and undertaken; but all such taxes shall be assessed and collected separately from that levied, assessed, and collected for current expenses of municipal government, and shall, when levied, specify in the act of levying the purpose therefor, and such taxes may be paid in the coupons, bonds, or other indebtedness for the payment of which such tax may have been levied.

SEC. 7. (All counties and cities bordering on the coast of the Gulf of Mexico are hereby authorized, upon a vote of two-thirds of the taxpayers therein (to be ascertained as may be provided by law), to levy and collect such tax for construction of sea walls, breakwaters, or sanitary purposes as may be authorized by law.)

SEC. 8. (The property of counties, cities, and towns held for public purposes is exempt from taxation.)

SEC. 10. The legislature may constitute any city or town a separate and independent school district. And when the citizens of any city or town have a charter, authorizing the city authorities to levy and collect a tax for the support and maintenance of a public institution of learning, such tax may hereafter be levied and collected, if, at an election held for that purpose, two-thirds of the taxpayers of such city or town shall vote for such tax.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Town and city assessors, elected every two years.
(2) Town and city collectors, elected every two years.
(1a) County assessor, elected by the county for a term of two years.
(2a) County collector, elected for two years in counties with a population of over 10,000; in others the sheriff is ex officio collector.
(3) County board of equalization, composed of the commissioners' court of the county.
(4) Comptroller of public accounts.
(5) Board of equalization for unorganized counties, consisting of the governor, attorney-general, and secretary of state.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property, real, personal, or mixed, except such as is expressly exempted, is subject to taxation.

(1) "Real property," for purposes of taxation, is construed to include the land itself, and all buildings, structures, and improvements or other fixtures thereon, and all rights and privileges appertaining thereto, and all mines, minerals, quarries, and fossils in and under the same.

(2) "Personal property" includes all goods, chattels, and effects, and all moneys, credits, and bonds owned by citizens of the state, whether the same be in or out of the state; all ships belonging to inhabitants if registered in the state, whether at home or abroad, and all capital invested therein; all moneys at interest within or without the state due to the owner above what he pays interest for, and all other debts due over and above a person's indebtedness; all public stock and securities; all stock in corporations (except national banks) out of the state owned by residents; all personal estate of moneyed corporations, whether the owners thereof are residents or nonresidents; the income of any annuity, unless the capital of such annuity be taxed within the state; all shares in any national bank; all improvements on land the title to which is still vested in the state or in any railroad company, or which have been exempted from taxation for the benefit of any corporation whose property is not subject to the same mode and rule of taxation as other property.

(3) Exemptions, in addition to public property, are: Public schools, colleges, academies, and all endowment of institutions of learning not used with a view to profit, but leasehold estates held under any college or university are not exempt; cemeteries; institutions of public charity; fire engines and horses; market houses; public libraries; household furniture of the value of $250 per family; and all annual pensions granted by the state.

b. Assessment.—In general there is but one assessment, made annually by the county assessors, which forms the basis of state and county taxes. All property is assessed as of January 1, at its true and full value, which is the price that could be obtained for it at a private sale where the property is situated. The taxpayer states to the assessor the list and value of his property, and the assessor is required to swear the owner that the inventory contains a true, full, and complete list of all his taxable property.

The valuation as rendered in the list of the taxpayer is to a certain extent binding upon the assessor, and if he is not satisfied, he must refer his estimate to the board of equalization of the county and notify the taxpayer. There are criminal penalties prescribed for failure to list, but not for misstatements of value.

Provision is made for the assessment of back taxes for previous years in which property escaped being rendered or assessed.

Credits are assessed only for the balance above indebtedness, but no deduction is allowed for insurance premium, notes, or subscription to capital stock or benevolence.

Property owned by residents and located in unorganized counties is to be assessed by the assessor of the county to which it is attached for judicial purposes. Lands of nonresidents lying in unorganized counties are to be assessed by the comptroller of public accounts. The board of equalization for this property consists of the governor, the attorney-general, and the secretary of state.

The property of corporations is assessed the same as other property, in accordance with the constitutional requirement. There are in addition, however, various special corporation taxes. But shares of

capital stock of corporations which are taxed on their capital and property need not be listed.

National banks are assessed on their real estate, and their shares are assessed to the individual holder thereof. All the property, both real and personal, of a state bank is subject to taxation. Bank officers must make a sworn statement of shareholders and their holdings and shares must also be listed by the shareholder. Shares are taxed, however, only for the difference between the actual cash value and the proportionate amount per share at which its real estate is assessed. Deposits are deducted from assets.

The railroad track and all the property of railroads that is located in organized counties, except the rolling stock, is to be assessed in the counties and incorporated towns and cities, like the property of individuals. But all railroad property, including the roadbed, in unorganized counties, must be listed with the comptroller of public accounts. Rolling stock is assessed by the assessor of the county in which the company's principal office is located. The assessment is then revised by the board of equalization of that county and apportioned by the comptroller of public accounts to the several counties in proportion to the distance that the road runs therein, and listed on the assessment roll as other personal property.

Collectors of taxes of counties, cities, and towns are authorized to make up a supplemental roll of unlisted property which they discover during collection, and they receive a commission of 4 per cent on property so assessed. Assessors are similarly compensated by commissions, one-half paid by the state and one-half by the county.

c. Equalization.—The county boards of equalization correct errors in the assessment lists and equalize the valuations between individuals. They can only act on matters of valuation, and the valuation fixed by them is final.

There is no state board of equalization and no central or supervisory power for the enforcement of uniform valuation between the counties.

2. *Rate*—

The rate for general purposes is fixed by statute at 16⅔ cents on $100 cash value of taxable property.

The rate fixed for schools is 18 cents on $100 cash value of all taxable property.

3. *Collection*—

In general, taxes for the state and county are collected by the county tax collector. Taxes are due the 1st of October, and the tax collector or his deputies attend at appointed places to receive payment. Taxes are delinquent the last day of December, and forced collections are to begin thereafter by levy and sale of personal property, but, if no such property is found, a list of delinquent lands and lots is to be made up by March 31, the sale of which is advertised and enforced by suit. All property is thus liable for taxes and may be levied on and sold, and taxes on real property are a lien thereon, which is superior to assignment, attachment, inheritance, or devise.

If any person fails to pay his taxes by January 31, a penalty of 10 per cent on the entire amount of such taxes accrues, to be paid proportionately to state and county.

Taxes on lands of nonresidents in unorganized counties are to be paid at the office of the comptroller of public accounts, who may enforce collection.

Special provisions are made for the assessment and collection of back taxes on lands not rendered or assessed since 1870.

Collectors are compensated by commissions on the amounts collected.

II. *Poll tax.*

Every male person between the ages of 21 and 60 years, resident within the state on January 1, is required to pay an annual poll tax of $1.50, $1 being for the benefit of free schools and 50 cents for general revenue purposes. Indians not taxed, and insane, blind, and deaf and dumb persons, and those who have lost one hand or foot, are exempted.

III. *Inheritance tax.*

There is no tax upon inheritance.

IV. *Corporation taxes.*

Corporations are, in general, taxed under the property tax above described. There are, in addition, the following so-called "occupation" taxes:

Railroads and steamboat lines pay the state a tax of 1 per cent on their gross receipts from all their passenger traffic within the state. This tax is collected by the comptroller for state purposes. County and municipal taxes on such receipts are not authorized.

Express companies pay a tax of 1½ per cent of their gross receipts within the state to the state treasurer. Upon failure to make the required report and payment there is a forfeit of $25 per day.

Street car companies are required to pay $2 per mile of track.

Sleeping, palace, or dining car companies pay a tax of 2½ per cent of their gross receipts from all passenger travel originating in and ending in this state, but no "occupation" tax in addition to property taxes is to be levied by any county, city, or town on said companies. This tax is collected by the state treasurer. A fine of $100 may be imposed for failure to make due report and a forfeit of $25 for each day the report and payment are delayed. These companies also pay to the state a tax of one-fourth of 1 per cent on the value of their capital stock in use in the state, based on reports to the comptroller, being that proportion of the whole capital stock, after deducting the amount invested in real estate, manufacturing plant, materials, and properties other than sleeping, palace, and dining cars and equipments, as the miles in the state bear to the total mileage.

Telegraph companies pay 1 cent on every full-rate message sent within the state and one-half that for any message less than a full-rate one. The tax, based on the sworn statement of the chief manager, is to be paid quarterly to the comptroller. Railroad messages for running trains and for company use and messages sent on official business by officers of the United States are exempt; messages, also, are exempt from any county or municipal tax.

Telephone companies are to pay an annual tax of 25 cents on each telephone in use by the company in the state, but no other "occupation" tax is to be levied by any county, city, or town. This tax is to be paid to the state treasurer. Any company failing to make reports on payment forfeits to the state as a penalty the sum of $200.

Every life insurance company and life and accident insurance company is required to pay an annual tax of 2 per cent; every fire insurance company, one-half of 1 per cent; and each marine, health, live stock, guarantee, or accident insurance company, 1 per cent on the gross premium receipts in the state reported to the commissioner of insurance on sworn statements. Payment is made to the state treasurer. No occupation tax is to be levied by any county, town, or city on such companies.

Gas companies, electric light companies, and waterworks companies in cities with a population of 10,000 or more are required to pay a tax of $35; in cities with a population of less than 10,000, $20.

Every domestic corporation chartered previously to May 15, 1897, is required to pay to the secretary of state an annual franchise tax of $10 by May 1.

Every domestic corporation chartered after May 15, 1897, is required to pay an annual franchise tax of $10, but if the authorized capital is over $50,000 and less than $100,000, $20; from $100,000 to $200,000, $30; over $200,000, $50.

Foreign corporations authorized to do business in the state pay the following franchise taxes: On capital of $25,000 or less, $25; from $25,000 to $100,000, $100; over $100,000, $100; for each additional $10,000 over $100,000, $1. Failure to pay forfeits the right to do business in the state and $5 for each month's delay.

Exempt from the franchise tax are corporations for religious worship, for agricultural fairs and the encouragement of agriculture, for educational purposes and public charity, and cemeteries not for private profit.

V. *Business taxes and licenses.*

There is an elaborate system of taxes on occupations, or privilege taxes, levied on every person, firm, company, or association of persons pursuing certain occupations, on every such occupation or separate establishment:

Foot peddlers, $5; peddlers with one horse or pair of oxen, $7.50; two horses or two pairs of oxen, $10; peddlers with sailboats, $10 for each county in which they peddle. Peddlers of clocks, agricultural implements, cooking stoves, wagons, carriages, etc., washing machines and churns, $250 in each county. Peddlers of patent medicines, $100. This tax does not apply to agents of wholesale dealers. Auctioneers, $10 per year; toll bridges, $7 per year; ship brokers, $10 per year; commission men, $10 per year; land agents, $5 per year; attorneys, $5 per year; traveling physicians, $50 per year; traveling dentists, $5 per year; local physicians, $5 per year; shooting galleries, in each county, $30 per annum; knife, cane, and doll racks, $25 per annum; billiard tables (used for profit), $20 per annum; pools on horse races, $5 per day; nine or ten pin alleys, $100 per annum; hobbyhorses or flying jennies, $15 per annum. Theaters—cities of under 1,500 inhabitants, $1 per day; 1,500 to 3,000, $2 per day; 3,000 to 5,000, $3 per day; 5,000 to 10,000, $4 per day; 10,000 or over, $5 per day. Opera houses and theaters pay an annual occupation tax of $25. Merchants—annual purchases amounting to less than $2,000, $3 per year; $2,000 to $5,000, $6 per year; $5,000 to $10,000, $12 per year; $10,000 to $15,000, $20 per year; $15,000 to $25,000, $25 per year; $25,000 to $50,000, $60 per year; $50,000 to $150,000, $125 per year; $150,000 to $250,000, $150 per year; $250,000 to $500,000, $200 per year; $500,000 to $750,000, $250 per year; $750,000 and over, $300 per year. Merchants removing from place to place and offering for sale "bankrupt stock," "fire sale," etc.—first month, $100; subsequent months, each, $20; if business is to continue six months, $10; if business is to continue twelve months, in addition to $100, the sum required of regular merchants. Fortune tellers, clairvoyants, and mesmerists, for each county, $10 per annum; brokers and bankers, $50; photograph galleries, $10; circuses—admission $1 for exhibition, $250; admission 75 cents for exhibition, $200; admission 50 cents for exhibition, $100. Menageries, museums, side shows, $10; acrobatic shows, $10; sleight of hand, $25; dog fights, $500; cockpits, $50; concerts, $2; livery stables—per stall, $30; per hack, $30. Wagon yards, $5; insurance adjusters and agents, annual tax, $50; local insurance agents, $5; local insurance agents, industrial life companies, $2; lightning rod agents—to state, $100; to county, $50; dealers—to state, $36; to county, $18. Cotton brokers—city of 10,000 inhabitants and over, $35; less than 10,000, $18. Pawnbrokers, $150; cotton, wool, or hide buyers, $10; sewing machine agencies—to state, $15; to county, $7. Loan agents—to state, $150; to county, $15. Credit agencies (no county, city, or town tax), $300; skating rinks, $25; baseball parks, in towns of 5,000 inhabitants or more, $25, steam laundries, $10; ice dealers—city of 20,000 inhabitants or more, $50; 10,000 to 20,000, $30; 5,000 to 10,000, $20; less than 5,000, $10. Race tracks—1 mile, $100; one-half mile, $50. Grain elevators—capacity over 100,000 bushels, $50; capacity 50,000 to 100,000 bushels, $25. Phonographs, etc., where fee is charged, $25; kinetoscopes, cinematographs, $25; panoramas—state, $10; county, $2. Dealers in cottonseed oil, $25; exhibitions for sale of medicines—to state, $50; per exhibition, to the county, $2.50. Commission merchants—city of 10,000 inhabitants or over, $50; less than 10,000, $25. Cigarette dealers, $10 per annum.

Liquors—retail dealers, selling in quantities of 1 gallon or less, $300; wholesale dealers, selling in quantities of 1 gallon or more, $300; dealers selling malt liquors exclusively, $50; dealers selling on prescription in local option districts, $200.

These taxes are to be paid not less than three months before the occupation begins; all arrearages of taxes are a lien upon all the stock and fixtures used in the business which may be foreclosed by sale.

B. FEES.

Secretary of state.—Charters and amendments of railroads, telegraph lines, and street railways, recording over $100,000 capital, $100; for each additional $100,000 of capital, $25; charters and amendments of corporations for religious, benevolent, charitable, educational, literary, fine arts, innocent sports, and public cemetery purposes, $10; corporations for other purposes, $25; for each additional $10,000 of capital after the first, $5; commissions, official certificates, remission of fines, $1; charters of channel and dock corporations, $100; foreign corporations, capital stock less than $100,000, $25; $100,000 to $500,000, $50; $500,000 to $1,000,000, $200.

Commissioner of insurance.—Filing charter of insurance company, $25; annual statement or certificate, $20; certificate of authority, $1; valuing policies of life insurance companies, for each $1,000,000 of insurance, $10.

Different boards.—Dentists—license, $2; certificate, $10; pharmacists. examination and registration, $5; physicians, examination, $15.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county as for state taxes.

2. *Rate*—

The commissioners' courts of the several counties have power to levy for county revenue purposes a tax of one-fourth of 1 per cent ad valorem; for roads and bridges, 15 cents on each $100; for the payment of debts, erection of public buildings, and other permanent improvements, 25 cents on each $100; improvements of public roads, 15 cents; and for free public schools and school buildings by vote of the taxpayers, 20 cents on each $100.

3. *Collection*—

Same as for state taxes.

II. *Poll tax.*

No county is to levy more than 25 cents as a poll tax for county purposes. Persons subject to the tax are the same as for state poll taxes.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes for the county.

V. *Business taxes and licenses.*

Commissioners' courts of the several counties have, in general, the power to levy one-half the occupation tax levied by the state upon all occupations not specially exempted nor provided for otherwise, and including the sale of liquors.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property, real and personal, within the municipality, subject to taxation by the laws of the state, may be taxed by cities and towns. The city council has power to provide by ordinance for the assessment thereof. There are municipal boards of equalization.

2. *Rate—*

The city council or board of aldermen of any city or town has power to levy a tax, not exceeding one-fourth of 1 per cent on the assessed value; also 25 cents on each $100 for improvements and buildings.

3. *Collection—*

Collection is to be provided for by ordinance. There are statutory provisions also analogous to those for collection of state and county taxes.

II. *Poll tax.*

Cities may levy an annual poll tax not to exceed $1 on every male inhabitant over the age of 21 years (idiots and lunatics excepted) who is a resident thereof.

All males not exempt are required to work on the roads in rural districts or, in lieu thereof, to pay $3 per annum.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or special corporation taxes.

V. *Business taxes and licenses.*

The mayor and board of aldermen of any incorporated town or city may levy one-half of the occupation tax levied by the state on all occupations not specially exempted nor otherwise provided for, and they have the same power to levy taxes on occupations and the sale of liquors as the county commissioners' court.

School Revenues.

The constitution provides that one-fourth of the revenue derived from the state occupation taxes and a poll tax of $1 are to be set apart annually for the support of public free schools; and in addition there is to be levied an annual ad valorem state tax of not to exceed 20 cents on $100 sufficient, with the available school fund arising from other sources, to support free public schools for not less than six months in each year.

Counties are to be subdivided into school districts, and the commissioners' courts of the several counties may levy a special tax of not to exceed 20 cents on $100, provided it is authorized by vote of the taxpayers of the district.

The constitution establishes a permanent school fund from the proceeds of the sale of public land and from other sources, and the interest derived therefrom and the school taxes make up the available school fund, which is apportioned to the several counties of the state according to the school population of each.

UTAH.[1]

Utah depends primarily upon the general property tax for state, county, and municipal revenues. There are, however, an inheritance tax, both direct and collateral, and a system of fees for incorporation and on insurance companies. but no special corporation taxes except on insurance companies. Poll taxes and licenses are used as a source of county and municipal revenues.

CONSTITUTIONAL PROVISIONS.

ARTICLE XIII.

Sec. 1. The fiscal year shall begin on the 1st day of January, unless changed by the legislature.

Sec. 2. All property in the state not exempt under the laws of the United States or under this constitution shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article, is hereby declared to include moneys, credits, bonds, stocks, franchises, and all matters and things (real, personal, and mixed) capable of private ownership; but this shall not be so construed as to authorize the taxation of the stocks of any company or corporation, when the property of such company or corporation represented by such stock has been taxed. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. For the purpose of paying the state debt, if any there be, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.

Sec. 3. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe by general law such regulations as shall secure a just valuation for taxation of all property; so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property: *Provided*, That a deduction of debts from credits may be authorized: *Provided further*, That the property of the United States, of the state, counties, cities, towns, school districts, municipal corporations and public libraries, lots with the buildings thereon used exclusively for either religious worship or charitable purposes, and places of burial not held or used for private or corporate benefit, shall be exempt from taxation. Ditches, canals, and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed so long as they shall be owned and used exclusively for such purpose.

Sec. 4. All mines and mining claims, both placer and rock in place, containing or bearing gold, silver, copper, lead, coal, or other valuable mineral deposits, after purchase thereof from the United States, shall be taxed at the price paid the United States therefor, unless the surface ground or some part thereof of such mine or claim is used for other than mining purposes, and has a separate and independent value for such other purposes, in which case said surface ground, or any part thereof, so used for other than mining purposes, shall be taxed at its value for such other purposes as provided by law, and all the machinery used in mining, and all property and surface improvements upon, or appurtenant to, mines and mining claims, which have a value separate and independent of such mines or mining claims, and the net annual proceeds of all mines and mining claims, shall be taxed as provided by law.

Sec. 5. The legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may by law vest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

Sec. 7. The rate of taxation on property, for state purposes, shall never exceed eight mills on each dollar of valuation; and whenever the taxable property within the state shall amount to two hundred million dollars, the rate shall not exceed five mills on each dollar of valuation; and whenever the taxable property in the state shall amount to three hundred million dollars, the rate shall never thereafter exceed four mills on each dollar of valuation, unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied, be first submitted to a vote of such of the qualified electors of the state as, in the year next preceding such election, shall have paid a property tax assessed to them within the state, and the majority of those voting thereon shall vote in favor thereof in such manner as may be provided by law.

Sec. 10. All corporations or persons in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, or other purposes on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

Sec. 11. Until otherwise provided by law, there shall be a state board of equalization, consisting of the governor, state auditor, state treasurer, secretary of state, and attorney-general; also, in each county of this state a county board of equalization, consisting of the board of county commissioners of said county. The duty of the state board of equalization shall be to adjust and equalize the valuation of the real and personal property among the several counties of the state. The duty of the county board of equalization shall be to adjust and equalize the valuation of the real and personal property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

Sec. 12. Nothing in this constitution shall be construed to prevent the legislature from providing a stamp tax, or a tax based on income, occupation, licenses, franchises, or mortgages.

ARTICLE III.

Ordinance * * * the lands belonging to citizens of the United States residing without this state shall never be taxed at a higher rate than the lands belonging to residents of this state; nor shall taxes be imposed by this state on lands or property herein belonging to or which may hereafter be purchased by the United States or reserved for its use; but nothing in this ordinance shall preclude the state from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations, and has obtained title thereto, unless exempted by act of Congress granting the same.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Town board of equalization, composed of the board of trustees.

(2) City council, which acts as board of equalization in cities of the third class.

(3) County assessors, elected for a term of two years.

(4) County treasurer, elected for two years, who collects taxes.

(5) County board of equalization, composed of the board of county commissioners.

(6) State board of equalization of four members, appointed by the governor for a term of four years.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property in the state, not exempt by law, is to be taxed in proportion to its value. Property includes moneys, credits, bonds, stocks, franchises, and all other matters, real, personal, and mixed, capable of private ownership; but the stocks of any company or corporation, which is taxed on the property represented by the stock, are not to be taxed.

(1) "Real estate" includes the possession, claim to, ownership of, or right to land; all mines, minerals, and quarries in and under land; all timber belonging to individuals or corporations and growing on the lands of the state or the United States, and all rights and privileges appertaining thereto; improvements, buildings, and fixtures on land, whether title has been acquired or not.

(2) "Personal property" includes everything that is the subject of ownership not included within the meaning of the terms "real estate" and "improvements."

(3) Exemptions, in addition to public property, are: Public libraries; churches; cemeteries not held for private or corporate benefit; property used for charitable purposes; and ditches, canals, and flumes used for irrigating lands of the owners.

b. Assessment.—There is in general one assessment list for state, county, and municipal purposes. The assessment is made annually by the county assessor on the basis of sworn statements, which he may require the taxpayers to furnish, in regard to the amount and value of their property on the first Monday of February. Any person, after demand by the assessor, refusing to make the sworn statement as to his property or to appear and be examined, forfeits to the assessor $100 for each refusal and loses his standing before the county commissioners to secure a reduction of his assessment. All taxable property is to be assessed at its full cash value, the amount at which the property would be taken in payment of a just debt due from a solvent debtor.

Land and improvements thereon are to be assessed separately.

Bank stock, state and national, is to be assessed where the bank is located, on the basis of a verified statement by the cashier. Real estate is assessed to the bank and the proportionate value is deducted in the assessment of the stock. The bank is to pay the tax and has a lien on the shares therefor. The shares of national banks not in Utah are not subject to taxation.

Private bankers, brokers, and foreign banks are assessed on the average balance of credits over liabilities for the ninety days preceding the verified statement of the condition of the business required.

Every person is entitled to deduct from the gross amount of credits the amount of all bona fide debts owing by him, except insurance premium notes, unpaid subscriptions to any institution or society, or to the capital stock of any corporation, and surety-ship obligations.

The capital stock and franchises of corporations are to be listed and taxed where the principal office is located. But the stocks of any company or corporation which is taxed on the property represented by the stock are not to be taxed.

All property and franchises, except those derived from the United States, owned by railroad, street railway, car, depot, telegraph, and telephone companies are to be assessed by the state board of equalization. The assessment of telegraph and telephone lines, right of way,

[1] This compilation is derived mainly from the following sources:
The Revised Statutes of the State of Utah, in force January 1, 1898. Published by authority of the legislature, by Richard W. Young, Grant Smith, and William A. Lee, Code Commissioners: State Journal Company, Lincoln, Nebr., printers, 1898.
Laws of Utah, 1899: Tribune Job Printing Company, Salt Lake City, Utah.
Laws of Utah, 1901: The Deseret News, Salt Lake City, Utah.

track, and other real property is apportioned in proportion to the value thereof in each county; that of the rolling stock and franchises, according to mileage by the unit rule. The board of county commissioners apportions the assessment to the several cities, towns, schools, roads, or other taxing districts.

Mines are assessed on their gross yield of mineral during the year on the basis of verified statements by the producer, of which the record is kept in a special assessment book for mines. The assessment is apportioned to the county in which the mines are situated.

Improvements, buildings, erections, structures, and machinery or mines or mining claims which have a value independent of such mine, or supplies used in mills, reduction works, or mines are to be assessed as other property.

All stock brought into the state by nonresidents to be grazed for more than twenty days and all stock driven from one county to another for the purpose of being grazed is transient stock. The tax on transient stock owned by residents is to be paid in the county where owned and apportioned among the counties where the stock has ranged. When the stock is brought into the state, nonresidents pay the regular annual tax as on property permanently located in the state.

c. Equalization.—The county board of equalization equalizes between individuals and may abate the taxes of any insane, idiotic, infirm, or indigent person to an amount not exceeding $10, may enter omitted property, and correct false or incomplete assessments.

The state board of equalization equalizes the valuation between the several counties, and may add or deduct from the valuation of all such property or of certain classes of such property in order to raise or reduce it to its full value in money.

2. *Rate*—

The board of equalization determines the rate of state tax, which, after allowing 10 per cent of the proceeds for delinquencies and cost of collection, must be sufficient to raise the revenue required.

This rate, however, as limited by the constitution, is never to exceed 8 mills on each dollar of valuation; whenever the taxable property in the state amounts to $200,000,000, the rate is not to exceed 5 mills, and whenever it amounts to $300,000,000, is not to exceed 4 mills, unless by vote of the electors of the state who pay a property tax.

The rate levied for general state purposes in the fiscal years of 1901 and 1902 was 5 mills on the dollar, or such portion as the board of equalization should find necessary to raise $550,000 for each year.

The district school tax of 3 mills on the dollar is a state tax on all the taxable property in the state.

3. *Collection*—

Collection is made by the county treasurer, and notice of the amount of tax and of the time and place where payable is to be given by mail to the taxpayers. Taxes on personal property are a lien on the real property of the owner; those on real property, on the property assessed; and those on improvements, on the land and improvements, though assessed to others than the owners of the real estate; and the several liens attach as of the first Monday in February. Taxes fall due on the first Monday of September and become delinquent on the 15th of November. Delinquent taxes on personal property, except when real estate is liable therefor, may be collected by seizure and sale. The delinquent tax list is published and the real property is sold on the third Monday in December.

Taxes on railroads and street railway, depot, telegraph, and telephone companies assessed by the state board of equalization are collected in the same manner as other taxes; but for taxes on car companies the secretary of the state board of equalization is made collector and remits to the state treasurer and to the county, city, town, school, and other taxing districts the sums which he collects. He is authorized to enforce collection after the manner of the county treasurer.

II. *Poll tax.*

There is no state poll tax. (See County revenues.)

III. *Inheritance tax.*

All property in excess of $10,000 within the jurisdiction of the state, whether belonging to inhabitants or not, passing by will, descent, or transfer, taking effect after death, is subject to a tax of 5 per cent of its value.

The tax is a lien on the estate and is to be paid to the state treasurer by the executor within fifteen months.

IV. *Corporation taxes.*

In general, corporations are taxed under the general property tax.

Every insurance company doing business in the state is required to pay annually a tax of 1½ per cent on the gross premium receipts collected from policy holders in the state, less the gross amount of the property tax paid for general state purposes.

There is a penalty of $100 a day for delay in making the required statement or in making payment.

V. *Business taxes and licenses.*

These taxes are left to the counties and municipalities.

B. FEES.

Secretary of state.—Filing original or certified copies of articles of incorporation, per $1,000 of capital stock, 25 cents (these fees apply to foreign and domestic corporations; same fees charged for amendments increasing the capital stock); filing other amendments to articles, $5; certificate of incorporation, $5; recording official bonds, $2; commissions by governor, $5; filing trade-mark, $3; filing notice appointment of agent, $5; filing notice, removal of place of business, $5; annual statement, insurance company, $25; annual tax, insurance company, $2; renewal certificate authority, insurance agent, $2; renewal certificate authority, insurance company, $5; filing list of authorized attorneys for each insurance company, $1; preparing annual abstract of each insurance company and certifying the same, $5; annual statement, building and loan association, $5; annual statement, certified copy, $2; certificate of authority, $3; filing and certifying private banker's preliminary statement, $25; quarterly statement of each bank, $5; filing acceptance of provisions of constitution by corporations and issuing certificate, $3; warrant of arrest or requisition of other states, $5; filing papers generally, $5; copies of papers, per folio, 15 cents; recording, per folio, 20 cents.

The state auditor, the clerk of the supreme court, and the board of land commissioners charge certain fees.

Bank examiners for examination of banks, loan, trust, and guaranty associations or insurance companies receive $15 per day.

Dentists, examination, $5. Pharmacists—certificate, $3; examination, $5: renewal of registration, $2. Physicians and surgeons, examination, $15.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the assessment and equalization thereof are the same for county as for state taxes.

2. *Rate*—

The board of county commissioners was authorized to levy for the fiscal years of 1901 and 1902 an ad valorem tax not to exceed 5 mills on the dollar for general purposes and one not to exceed 4 mills on the dollar for county school purposes.

3. *Collection*—

Collection of county as for state taxes is made by the county treasurer.

II. *Poll tax.*

There is an annual road poll tax upon every man over 21 and under 50 years of age who is not physically incapacitated for work. Honorably discharged soldiers, sailors, or marines and firemen and militiamen are exempt. The tax may be paid by two days' work of eight hours each, or, in lieu thereof, by a money payment of $3.

All money collected in lieu of labor, except such as is collected by incorporated cities and towns, is paid into the county treasury to be expended on the public highways. Collection is made by the road supervisor of the road district.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or corporation taxes.

V. *Business taxes and licenses.*

The board of county commissioners has power to license, for purposes of regulation and revenue, all and every kind of business transacted in the county and all shows, exhibitions, and lawful games carried on therein outside the limits of incorporated cities; to fix the rate of said license tax; and to provide for the collection thereof.

The board also has power to grant licenses and franchises for toll roads when the expense of such roads is too great for the county.

Liquor licenses, outside of cities and towns, are granted by the boards of county commissioners at a rate of not less than $400 per year.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base*—

The property included and the assessment and equalization thereof are the same for city and town taxes as for state and county. The city councils in cities of the third class and the boards of trustees in towns act as boards of equalization so far as concerns the general municipal taxes.

2. *Rate*—

The city council of each city or the board of trustees of each town determines the rate of the general city or town tax. In towns the limit is one-half of 1 per cent.

3. *Collection*—

The collection, as for state and county taxes, is by the county treasurer, except in cities of the third class, where it is by the city treasurer, and in towns, where it is by the clerk.

II. *Poll tax.*

In incorporated cities and towns poll taxes are collected and expended for highway purposes, as prescribed by ordinance, similarly to the county poll tax.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

In cities the city council determines the amount, terms, and manner of issuing license for hawking, peddling, pawnbrokerage, employment agencies, the keeping of ordinaries, theatrical and other exhibitions, shows and amusements, and the business conducted by ticket scalpers, distillers, brewers, money changers, brokers, banks, express companies, laundries, hackmen, storekeepers, and the various lines of business.

The city council has power to license the liquor traffic for the municipal year and to determine the amount to be paid for such license. No further license is to be required by the county. The rate of such license tax is to be not less than $400 per year.

In towns the board of trustees has similar powers in respect to liquor and other licenses.

School Revenues.

The constitution establishes a school fund, which is apportioned to counties, from the proceeds of the sale of public lands granted by the United States and from other sources.

The county commissioners, at the time of the annual levy of other county taxes, levy a tax not to exceed 4 mills on a valuation of $1.

The county superintendent apportions the state and county school funds to the school districts of the county according to the number of school children over 6 and under 18 years of age.

Special school taxes may be voted in the districts to purchase school sites, to erect buildings, or to pay current expenses, in any sum not to exceed 2 per cent of all taxable property, on the basis of the county assessment. They are collected as state and county taxes.

VERMONT.[1]

Vermont's revenue system is that of a combined general property and poll tax, supplemented for state purposes by a series of special corporation taxes and an inheritance tax. The general property tax is in the main administered by the towns, and each town is held responsible in its corporate capacity for its share of state and county taxes.

The peculiar feature of the Vermont system is the "grand list." This was originally a list of polls, property, occupations, and incomes, each item being "set in the list" at an arbitrary valuation, the endeavor being made by these arbitrary values to represent the relative "faculty" or ability to pay taxes arising from each item. Eventually the endeavor was made to bring these arbitrary values into some relation to actual values. In so doing incomes and the valuations of different occupations were dropped and polls and property retained. Polls are given an arbitrary value of $2 each, and only 1 per cent of the appraised value of property is put in the list. The rate is expressed as so many cents on each dollar in the "grand list," or as so many dollars and cents and per cent, the latter being an inaccurate expression having reference to the fact that only 1 per cent of property is set in the list. A rate of $1.50 on each $1 in the "grand list" is therefore the same as a poll tax of $3 and a tax on property at the rate of $1.50 on each $100 of the true value of the property, or 15 mills on the dollar.

CONSTITUTIONAL PROVISIONS.

CHAPTER I, ARTICLE IX.

That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore is bound to contribute his proportion towards the expense of that protection and yield his personal service, when necessary, or an equivalent thereto, but no part of any person's property can be justly taken from him or applied to public uses without his own consent or that of the representative body of freemen, nor can any man who is conscientiously scrupulous of bearing arms be justly compelled thereto, if he will pay such equivalent; * * * and previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the legislature to be of more service to the community than the money would be if not collected.

CHAPTER II.

SEC. 9. (Provides that the quorum, ordinarily a majority, must be two-thirds of the representatives to pass a bill to raise a state tax.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The listers, three, four, or five, elected at the annual town meeting in each town.

(2) The collector of taxes, one, if the town so orders, elected annually at town meeting in each town. If the town does not order the election of a tax collector, taxes are collected by the constable.

(3) For unorganized towns and gores (sobrante), a commissioner in each county, who is lister and collector, appointed biennially by the governor.

(4) The board of civil authority, composed of the town clerk, selectmen, and justices, together with the listers, constitutes a board for the abatement of town taxes.

(5) The commissioner of state taxes, who administers the state taxes on corporations, appointed biennially by the governor.

STATE REVENUES.

A. TAXES.

I and II. *The general property and poll tax.*

The poll tax constitutes an integral part of the general property tax and can not be described separately. Polls are "set in the list" at $2 each, that is, given a valuation of $200 as though property.

1. *Base—*

a. The property and polls included and exempt.—The base is the so-called "grand list" composed of (*a*) the polls of all male inhabitants of the state over 21 and under 70 years of age, except disabled soldiers of the war of the rebellion, paupers, and members of the state militia and of fire companies if their towns so vote, which polls are "set in the list" at the arbitrary value of $2 each; (*b*) 1 per cent of the value in money on the 1st day of April in the year of their assessment of all real and personal estates, except such as are specially exempt.

(1) "Real estate" is not specially defined for purposes of taxation, but engines and boilers, except railway and steamboat, are "set in the list" as real estate.

When property is mortgaged, the mortgagor is treated as the owner until after foreclosure.

(2) "Personal estates" are not specially defined for purposes of taxation, but perpetual or redeemable leases are "set in the list" at a sum of which the rent is 6 per cent.

(3) Exemptions, in addition to all public property, are: Real estate of posts of Grand Army of the Republic; shares of stock in foreign corporations elsewhere taxed; personal estate situated and taxed in another state; railroad stock; real estate of any railroad for first eight years of operation; money loaned to towns, etc., at not over 3 per cent; all estates for public, pious, or charitable uses; public and free circulating libraries; lands leased by towns for educational purposes, and lands owned or leased by colleges, academies, or for the support of the gospel; lands of agricultural societies used for fairs; normal schools; cemeteries; household furniture of every person to $500; wearing apparel; private and professional libraries; mechanics' and farmers' tools; family provisions for one year; poultry to $20; one watch, one organ or piano; sheep, cattle, horses, and swine, not over 4 months old, and hay and produce to winter out the stock; and for each person one wagon, one sleigh, and harness for same, not over $100. Manufacturing establishments (except pulp, lumber, and charcoal), quarries, and mines if amount invested exceeds $1,000 may be exempted for ten years from commencement of business; unoccupied farms reclaimed may be exempted for five years. There are also some exemptions by legislative contract not mentioned in the statutes, such as a part of the property of certain persons connected with institutions of learning.

The following polls are exempt: Actual poor and persons applying therefor who served in war of rebellion.

[1] This compilation is derived mainly from the following sources:
The Vermont Statutes of 1894.
The Session Laws, 1896, 1898, 1900, and 1902.
Some assistance was also obtained from History of Taxation in Vermont, by Frederick A. Wood, Columbia College, New York, 1894.

b. Assessment.—This is called "listing." The valuations refer strictly to April 1 in each year. Only 1 per cent of all property is "set in the list."

Real estate is listed or appraised quadrennially (1898, 1902), the listing being completed by the first Tuesday in July, except in towns of 5,000 or more inhabitants, and in these by the fourth Tuesday in July. Buildings not having more than ten acres of land, mills, factories, stores, forges, furnaces, mines, and quarries are listed as first-class real estate; all other, and particularly farm buildings, as second-class real estate. Real estate of railroads not used in operating the road is listed as other real estate. The quadrennial appraisal is corrected annually for alterations only.

Each taxpayer is required to furnish the listers a sworn inventory of his property subject to taxation, but the appraisal is made by the listers. The appraisal is to be "at such sum as they would appraise the same in payment of a just debt due from a solvent debtor."

Listers deduct from the appraised value of the personal estate of each taxpayer a sum equal to the excess, if any, of debts owing by the taxpayer over the aggregate amount of his United States bonds and other stocks and bonds exempt from taxation, and the amount of his deposits in all savings banks in the state not exceeding $1,500 (made $2,000 in 1902), and take 1 per cent of the balance as the list of personal estate of such taxpayer. But no deduction of debts is allowed unless the name of the creditor is stated.

Willfully omitting to make, swear to, and deliver an inventory or delivering a false inventory renders the taxpayer liable to double appraisal and deprives him of his right to have a hearing before the board of abatements. False statements as to deposits in excess of $1,500 ($2,000) work forfeiture of the excess, and deposits in the name of another person to evade taxation are also forfeited.

Savings banks are required to make return of the names and addresses of depositors, if any, with deposits in excess of $1,500 ($2,000), and the amount of such individual excess.

Shares of stock in corporations, except those taxed by the state (see IV, Corporation taxes), are to be set in the list like other personal estate to the owner, in the town where he resides, if he resides in the state; otherwise, in the town where the corporation has its place of business.

c. Equalization.—There is no "equalization," so called, between individuals, but between April 25 and May 12 the board of abatements hears persons aggrieved by their appraisals, and may correct the list.

2. *Rate—*

The rate, usually expressed in cents on each dollar of the grand list, is fixed and levied for state and county purposes by the general assembly.

There is a regular levy of 5 cents on the dollar for schools and 5 cents on the dollar for highways.

3. *Collection—*

State and county taxes are collected by the constables or town collectors of taxes on warrants issued by the state or county treasurers, but those of unorganized towns and gores (sobrante), by the commissioner. Taxes are a lien on any property, and those on polls and personal property may be collected by seizure of real estate. Taxes are due on six days' notice and may then be collected by distraint and sale, and if the taxpayer has no property, he may be imprisoned. Distraint may be made at any time up to six years from the issue of the warrant.

Towns are held liable as corporations for their shares of state taxes, and the goods and chattels of any inhabitants may be seized by the sheriff for such taxes. Owners of goods thus seized have recourse, however, against the town with 12 per cent interest.

II. *Poll tax.*

The poll tax is incorporated with the general property tax. (See State revenues, I and II.)

III. *Inheritance tax.*

All property within the jurisdiction of this state, and any interest therein, whether belonging to inhabitants of this state or not, which passes by inheritance or gift other than to the father, mother, husband, wife, lineal descendant, adopted child, the wife or widow of a son, husband of a daughter, or to charitable, educational, or religious societies whose property is exempt, is subject to a tax of 5 per cent. But estates of less than $2,000 clear value are exempt. (This law was amended in 1905.)

IV. *Corporation taxes.*

The classes of corporations described below are not taxable on the "grand list" or under the general property tax. Some of them are taxable on their property or, at their option, on gross receipts, but when taxable on their property, the rate is fixed and the machinery for assessment and collection is so different from that generally used that they are set here as special taxes.

A state tax for the payment of state expenses is assessed upon the property, business, or corporate franchises (of this state) (struck out in 1902) of railroad, insurance, guaranty, express, telegraph, telephone, steamboat, car and transportation companies, sleeping car companies, mortgage, loan or investment companies, and other corporations and persons, as specified below, and the corporations or persons so taxed are not taxable on the "grand list."

These taxes are administered by the commissioner of state taxes.

Railroads may at their option pay either a tax of seven-tenths of 1 per cent on their property in the state appraised by the unit rule on a mileage basis, or a tax of 2½ per cent on their gross earnings similarly appraised by the unit rule on a mileage basis. The same provisions apply to steamboat, car, and transportation companies (1902).

Telephone companies pay 3 per cent on gross earnings in the state or (since 1902) 40 cents each on the average number of transmitters, and 30 cents per mile of wire.

Telegraph companies may, at their option, pay either 60 cents per mile of poles and one wire and 40 cents per mile for each additional wire or 3 per cent of gross earnings in the state.

Sleeping and palace car companies pay 5 per cent of their gross earnings in the state.

Express companies pay 4 per cent of gross receipts from business done in the state.

Steamboat, car, and transportation companies pay at their option either seven-tenths of 1 per cent on property and franchises, or 2 per cent of entire gross earnings. (Made 2½ per cent in 1902.)

Insurance and guaranty companies pay 2 per cent per annum on gross amount of premiums and assessments collected, less return premiums, dividends to policy holders, and reinsurance with domestic companies.

Life insurance companies, domestic, pay in addition 1 per cent on the surplus above the necessary reserve at 4 per cent, but may deduct the value of real estate locally taxed.

Savings banks and trust companies pay seven-tenths of 1 per cent on the average amount of deposits and accumulations, less not over 10 per cent of their assets when invested in United States bonds, the assessed valuation of real estate locally taxed, and also the amount, if any, of individual deposits in excess of $1,500 each, listed to the depositors in towns of this state where such depositors reside. These taxes are payable in semiannual installments.

Building and investment companies and agents for the same pay 1 per cent upon the aggregate amount of moneys received to be loaned without the state and upon the aggregate amount of bonds, mortgages, choses in action, and securities negotiated, unless they return the name and address of the person for whom the investment was made, in which case the tax is assessed to him.

V. *Business taxes and licenses.*

Every foreign corporation and every domestic corporation having capital stock or deposit of $50,000 or less, pays an annual license tax of $10; for each $50,000 or fraction thereof over $50,000, $5, but no tax exceeds $50; to sell fertilizers, annually, $100; itinerant vendors, state license, annual, $25.

B. FEES.

By the insurance commissioners.—For a state license or renewal thereof to foreign insurance corporations, $5; for license to an insurance agent for foreign companies, annually, $2; for license to insurance broker, or renewal, annually, $10; for filing charter, $30; for filing annual statement, $20.

By the board of dental examiners.—For examination and license, $5.

By the state board of pharmacy.—For examination and license, $5.

County Revenues.

A. TAXES.

I. *The general property and poll tax.*

1. *Base—*

The property included and the method of assessing polls with property, as well as the method of assessment and of equalization, have been described under state revenues.

2. *Rate—*

The rate for county purposes is determined by the legislature.

3. *Collection—*

Taxes for the county are collected by the local tax collectors as are other taxes.

II. *Poll tax.*

The poll tax is incorporated with the general property tax.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or corporation taxes.

V. *Business taxes and licenses.*

Peddlers—on foot, annually, $15; with a horse or horses, or by railroad, annually, $30; selling watches, jewelry, or patent medicines, annually, $60. Paid to county treasurers, remitted to state treasurers, and reapportioned among the counties on basis of population.

Municipal Revenues.

A. TAXES.

I. *The general property and poll tax.*

1. *Base—*

The property and polls included and the method of assessment and of equalization are the same as for state taxes.

2. *Rate—*

The proper legislative authorities of the towns, school districts, incorporated villages, and cities may levy taxes and determine the rates of municipal taxation. This is usually done in town meeting.

The selectmen must levy a highway tax of 20 cents on the dollar.

3. *Collection—*

Local taxes are collected as state taxes.

II. *Poll tax.*

The poll tax is incorporated with the general property tax.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

Itinerant vendors are taxed an amount equal to the sum which would be produced if the rate of state and local taxes for the year was levied upon the goods of such vendors as appraised by the listers.

Dogs, in towns: For a male or spayed female, $1; for a female, $4. Selectmen may license and tax circuses for two days' exhibition not more than $100 nor less than $60; menageries, $50 to $10.

School Revenues.

The funds deposited by the United States were apportioned among the towns in proportion to the population and are to be invested by the school trustees, the interest being used to support the schools. The "Huntington fund" is, however, held by the state, and 6 per cent interest apportioned among the towns.

The state levies an annual tax of 5 cents on each dollar on the grand list for schools, the proceeds being divided among the towns in proportion to the number of legal schools. (A legal school is one kept twenty-six weeks by a registered teacher.)

The selectmen have control usually of the town school fund, consisting of the investments for schools, and are also to appropriate annually for school purposes a sum not exceeding one-half nor less than one-fifth of the grand list of the town district and to assess a tax to meet such appropriation.

VIRGINIA.[1]

The revenue laws of Virginia underwent extensive revision in 1903, pursuant to the new constitution, which went into effect July 10, 1902. This compilation relates as strictly as may be to the fiscal year of 1902, for which the assessment refers to February 1, 1902, and collection is made between July 1 and December 1, and therefore is concerned with the new provisions in but a few instances.

In 1902, in addition to the general property tax, there were poll and income taxes, a system of license taxes designed to tax various lines of business that could not readily be reached by the ad valorem system, taxes on suits, wills, administrations, deeds, and seals, corporation taxes on transportation, building and loan, and insurance companies, and a collateral inheritance tax.

The constitution of 1902 and the act of April 16, 1903, extend the tax system most comprehensively. The tax on incomes, the tax on collateral inheritances, and other taxes are continued. There was introduced an elaborate system of fees on the charters of transportation, transmission, and other companies, annual registration fees on all corporations, and an annual state franchise tax graduated according to capital. A system of taxation for railroads, street railways, and canals is established by the constitution, to remain in force till January 1, 1913, after which date it may be altered by the legislature. Whenever a franchise tax is imposed on a domestic corporation, or whenever all the capital of a domestic corporation is taxed, its shares of stock are exempt.

CONSTITUTIONAL PROVISIONS.

(1869.)

ARTICLE X.

Sec. 1. Taxation, except as hereinafter provided, whether imposed by the state, county, or corporate bodies, shall be equal and uniform, and all property, both real and personal, shall be taxed in proportion to its value, to be ascertained as prescribed by law. No one species of property, from which a tax may be collected, shall be taxed higher than any other species of property of equal value.

Sec. 2. No tax shall be imposed on any of the citizens of this state for the privilege of taking or catching oysters from their natural beds with tongs in the waters thereof; but the amount of sales of oysters so taken by any citizen in any one year may be taxed at a rate not exceeding the rate of taxation imposed upon any other species of property.

Sec. 3. The legislature may exempt all property used exclusively for state, county, municipal, benevolent, charitable, educational, and religious purposes.

Sec. 4. The general assembly may levy a tax on incomes in excess of six hundred dollars per annum and upon the following licenses, viz: The sale of ardent spirits, theatrical and circus companies, menageries, jugglers, itinerant peddlers, and all other shows and exhibitions for which an entrance fee is required; commission merchants, persons selling by sample, brokers and pawnbrokers, and all other business which can not be reached by the ad valorem system. The capital invested in all business operations shall be assessed and taxed as other property. Assessment upon all stock shall be according to the market value thereof.

Sec. 5. The general assembly may levy a tax, not exceeding one dollar per annum, on every male citizen who has attained the age of twenty-one years, which shall be applied exclusively in aid of public free schools, and counties and corporations shall have power to impose a capitation tax not exceeding fifty cents per annum for all purposes.

Sec. 6. The general assembly shall provide for a reassessment of the real estate of this state in the year 1869, or as soon thereafter as practicable, and every fifth year thereafter (1899) (1904); provided, in making such assessment no land shall be assessed above or below its value.

Sec. 16. Every law which imposes, continues, or levies a tax shall distinctly state the tax and the object to which it is to be applied, and it shall not be sufficient to refer to any other law to fix such tax or object.

Sec. 20. No other or greater amount of tax or revenue shall at any time be levied than may be required for the necessary expenses of the government or to pay the existing indebtedness of the state.

(1902.)

The constitution of 1902 was framed by a convention which assembled in Richmond, June 12, 1901. The instrument was proclaimed by the convention, June 6, 1902, and became operative, July 10, 1902.

ARTICLE XIII.

Sec. 168. All property, except as hereinafter provided, shall be taxed; all taxes, whether state, local, or municipal, shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws.

Sec. 169. Except as hereinafter provided, all assessments of real estate and tangible personal property shall be at their fair market value, to be ascertained as prescribed by law. The general assembly may allow a lower rate of taxation to be imposed for a period of years by a city or town upon land added to its corporate limits than is imposed on similar property within its limits at the time such land is added. Nothing in this constitution shall prevent the general assembly, after the first day of January, nineteen hundred and thirteen, from segregating for the purposes of taxation the several kinds and classes of property, so as to specify and determine upon what subjects state taxes and upon what subjects local taxes may be levied.

Sec. 170. The general assembly may levy a tax on incomes in excess of six hundred dollars per annum; may levy a license tax upon any business which can not be reached by the ad valorem system, and may impose state franchise taxes, and in imposing a franchise tax may, in its discretion, make the same in lieu of taxes upon other property, in whole or in part, of a transportation, industrial, or commercial corporation. Whenever a franchise tax shall be imposed upon a corporation doing business in this state, or whenever all the capital, however invested, of a corporation chartered under the laws of this state shall be taxed, the shares of stock issued by any such corporation shall not be further taxed. No city or town shall impose any tax or assessment upon abutting landowners for street or other public local improvements except for making and improving the walkways upon then-existing streets and improving and paving the existing alleys, and for either the construction or for the use of sewers, and the same when imposed shall not be in excess of the peculiar benefits resulting therefrom to such abutting landowners. Except in cities and towns no such taxes or assessments for local public improvements shall be imposed on abutting landowners.

Sec. 171. The general assembly shall provide for a reassessment of real estate in the year nineteen hundred and five and every fifth year

[1] This compilation is derived mainly from the following sources:
The Code of Virginia, approved May 21, 1887. Published by James E. Goode, Richmond, Va., 1887.
General Laws of Virginia. J. G. Pollard. 1887–1894. Containing an act approved March 6, 1890.
Supplement to the Code of Virginia. J. G. Pollard. 1887–1898: Richmond, Va., 1898.
Session Laws, 1899–1900, 1901.
The Tax Laws of Virginia, 1900, published by the auditor of public accounts, with amendment down to 1902.
The Code of Virginia, as amended, to adjournment of the general assembly, 1904. J. G. Pollard.

thereafter, except that of railway and canal corporations, which, after January the first, nineteen hundred and thirteen, may be assessed as the general assembly may provide.

SEC. 172. The general assembly shall provide for the special and separate assessment of all coal and other mineral land, but until such special assessment is made such land shall be assessed under existing laws.

SEC. 173. The general assembly shall levy a state capitation tax of, and not exceeding, one dollar and fifty cents per annum on every male resident of the state not less than twenty-one years of age, except those pensioned by this state for military services, one dollar of which shall be applied exclusively in aid of the public free schools, in proportion to the school population, and the residue shall be returned and paid by the state into the treasury of the county or city in which it was collected, to be appropriated by the proper county or city authorities to such county or city purposes as they shall respectively determine; but said capitation tax shall not be a lien upon, nor collected by legal process from, the personal property which may be exempt from levy or distress under the poor debtor's law. The general assembly may authorize the board of supervisors of any county or the council of any city or town to levy an additional capitation tax not exceeding one dollar per annum on every such resident within its limits, which shall be applied in aid of the public schools of such county, city, or town, nor for such other county, city, or town purposes as they shall determine.

SEC. 174. After this constitution shall be in force, no statute of limitations shall run against any claim of the state for taxes upon any property; nor shall the failure to assess property for taxation defeat a subsequent assessment for and collection of taxes for any preceding year or years, unless such property shall have passed to a bona fide purchaser for value, without notice; in which latter case the property shall be assessed for taxation against such purchaser from the date of his purchase.

SEC. 176. The state corporation commission shall annually ascertain and assess, at the time hereafter mentioned, and in the manner required of the board of public works, by the law in force on January the first, nineteen hundred and two, the value of the roadbed, and other real estate, rolling stock, and all other personal property whatsoever (except its franchise and the nontaxable shares of stock issued by other corporations) in this state of each railway corporation, whatever its motive power, now or hereafter liable for taxation upon such property; the canal bed and other real estate, the boats and all other personal property whatsoever (except its franchise and the nontaxable shares of stock issued by other corporations) in this state, of each canal corporation empowered to conduct transportation; and such property shall be taxed for state, county, city, town, and district purposes in the same manner as authorized by said law, at such rates of taxation as may be imposed by them, respectively, from time to time, upon the real estate and personal property of natural persons: *Provided*, That no tax shall be laid upon the net income of such corporations.

SEC. 177. Each such railway or canal corporation, including also any such as is exempt from taxation as to its works, visible property, or profits, shall also pay an annual state franchise tax equal to one per centum upon the gross receipts hereafter specified in section one hundred and seventy-eight for the privilege of exercising its franchises in this state, which, with the taxes provided for in section one hundred and seventy-six, shall be in lieu of all other taxes or license charges whatsoever upon the franchises of such corporation, the shares of stock issued by it, and upon its property assessed under section one hundred and seventy-six: *Provided*, That nothing herein contained shall exempt such corporation from the annual fee required by section one hundred and fifty-seven of this constitution, or from assessments for street and other public local improvements authorized by section one hundred and seventy: *And provided further*, That nothing herein contained shall annul or interfere with or prevent any contract or agreement by ordinance between street railway corporations and municipalities as to compensation for the use of the streets or alleys of such municipalities by such railway corporations.

SEC. 178. The amount of such franchise tax shall be equal to one per centum of the gross transportation receipts of such corporations for the year ending June the thirtieth of each year, to be ascertained by the state corporation commission, in the following manner:

(*a*) When the road or canal of the corporation lies wholly within this state, the tax shall be equal to one per centum of the entire gross transportation receipts of such corporation.

(*b*) When the road or canal of the corporation lies partly within and partly without this state, or is operated as a part of a line or system extending beyond this state, the tax shall be equal to one per centum of the gross transportation receipts earned within this state, to be determined as follows: By ascertaining the average gross transportation receipts per mile over its whole extent within and without this state and multiplying the result by the number of miles operated within this state: *Provided*, That from the sum so ascertained there may be a reasonable deduction because of any excess of value of the terminal facilities or other similar advantages in other states over similar facilities or advantages in this state.

SEC. 179. (Reports required of corporations to the state corporation commission to form basis of assessment of property and franchise taxes.)

SEC. 180. (Application by corporations for relief from the assessment.)

SEC. 181. (Taxation of corporations as stated in sections 176 to 180, inclusive, to remain fixed from January 1, 1903, to January 1, 1913, and thereafter until modified by the general assembly.)

SEC. 182. (Taxation of shares of stock of trust or security companies and incorporated banks.)

SEC. 183. (Exemption.)

SEC. 186. (Collection and disposition of state revenue.)

SEC. 188. (Limit of tax or revenue.)

SEC. 189. (Rate of taxation.)

ARTICLE XII.

SEC. 157. (Fees from corporations.)

ARTICLE IX.

SEC. 136. (Local school taxes.)

ARTICLE X.

SECS. 134–5. (School funds.)

ARTICLE IV.

SEC. 50. (Enactment of tax laws.)

ARTICLE II.

SEC. 21. (Payment of state poll taxes as a condition of voting.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors, specially appointed by the county, corporation, and hustings courts of the several counties and cities of the state by the first of January in 1890, and every fifth year thereafter, to assess lands and improvements thereon. One is appointed for each district in which there is a commissioner of the revenue.

(2) Commissioners of the revenue, elected in cities and counties for a term of two years.

(3) City treasurer, elected for a term of three years, who acts as collector in the city.

(4) County treasurer, elected for a term of four years, who is collector of taxes for the county.

(5) Auditor of public accounts, elected for two years.

(6) Board of public works, consisting of the governor, auditor, and treasurer of the commonwealth, which formerly (before 1902) assessed railroads, and performed certain other duties connected with taxation.

(7) By the constitution of 1902 there was established a state corporation commission, composed of three members appointed by the governor for six years, to take the place of the board of public works.

STATE REVENUES.

PREFATORY NOTE.—There is a special classification of taxes provided for in the revenue laws of Virginia. That classification has not been adopted in the following analysis, because it seemed to be somewhat desirable to present the tax system in the same form as that for the other states. But as the classification used in the laws may throw some light upon the working of the system, and specially upon the relation of the different parts one to the other, an abstract of it is here presented:

1. Taxes on lands and lots.
2. Taxable subjects:
Schedule A.—Male inhabitants, white and colored, poll tax.
Schedule B.—Personal estate (in goods and chattels).
Schedule C.—Choses in action, moneys, credits, and capital, also toll bridges.
Schedule D.—Incomes.
3. On business and other subjects, to wit, on wills and administrations, on deeds, on suits, on seals, on banks, on insurance companies, on railroad and canal companies, on sleeping car and similar companies, on express companies, and on telegraph and telephone companies.
4. Licenses:
Schedule A.—Merchants, etc. (See more complete list under licenses in the general analysis, below.)
Schedule B.—Repealed.
Schedule C.—Inns, restaurants, etc.
Schedule D.—Theaters and amusements, etc.
Schedule F.—Attorneys at law, etc.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All real estate and improvements, and all personal estate situated within the commonwealth, and the moneys and credits of persons residing therein wherever situated, except as specially exempted, are to be taxed.

(1) and (2) Real and personal property are not specially defined for purposes of taxation.

(3) Exemptions, in addition to public property, are: Bonds of the state issued since 1882; churches; parsonages; cemeteries, public and private; property of educational institutions and of deaf and dumb, blind, lunatic, and orphan asylums; the real estate of the Ladies' Mt. Vernon Association, and of the Norfolk county ferries, so long as used for a highway; free libraries; property devoted to charitable and benevolent purposes; property of fire companies; public libraries, and property of ministers of the gospel and of seminaries of learning; the personal property of religious societies and charitable institutions; the King's Daughters' Hospital, of Portsmouth, Va.; and the Home for Friendless Children, of Chesterfield county, Va.

b. Assessment.—There is but one assessment for the purpose of state and county taxation, and in cities and towns the assessment of real estate for municipal taxation is to be the same as that for the state. The constitution of 1902 makes this provision as to personal property also.

The general assessment of lands throughout the state is made every five years, the assessment on which the taxes were extended in the fiscal year of 1902 being that of 1900. Assessors are appointed especially for this purpose in the counties and cities of the state, and are required forthwith to assess the cash value of each tract and lot of land and the improvements thereon, and to note whether the owner is white or colored.

The annual land book or list of the taxable real estate is made by the commissioners of the revenue in the several counties and cities, who ascertain to whom the real estate is chargeable with taxes as of February 1 in each year. The value of lands and lots as ascertained by the assessor is not to be changed except on account of improvements. Each commissioner takes with him the last land book and requires every person charged to swear to the correctness of the entry of his land and to state transfers and omissions, which information is verified by the records. Lists of deeds and lands devised and judgments are supplied the commissioner by clerks of court and registers of the land office. Tracts of land in counties and town lots are taxed separately. The commissioner is to assess the value or the increase in value of any building or inclosure of the value of $100 and upward not already assessed and is to deduct for similar reduction in value.

Personal property is assessed annually as of February 1 by the commissioners of the revenue in the several counties, districts, and cities. Every person must fill out lists under oath of all his personal estate, moneys, credits, and capital, with the value thereof, under penalty of $30 to $1,000. The commissioner, upon his own view or upon information derived from sworn interrogatories answered by the taxpayer, is to assess a fair cash valuation and to make up personal property books containing lists of persons and personal property, separate books being made up for white and colored persons, and on the assessments in these books the various levies are extended. Disagreements are to be referred to arbitration.

Debts due by the taxpayer to others may be deducted from the amount of moneys, credits, and capital.

No tax is to be assessed upon the capital of any bank, state or national, but the real estate is to be assessed as that of individuals. The stockholders are assessed and taxed on the market value of their shares of stock at the same rate as other moneyed capital in the hands of individuals residing in the state, and no deduction is made for real estate taxed to the bank. The bank is required to pay into the state treasury the tax on the shares by June 1. If such tax be not paid within thirty days from the assessment, the cashier of the bank failing to make payment and his sureties are liable for the same and 20 per cent penalty in addition.

Certain quasi public corporations are assessed by a state board.

The board of public works assesses the property of railroad and canal companies on the basis of an elaborate report by such companies. A company failing to make the report or to pay the tax assessed upon its property is to be immediately assessed under the direction of the auditor of public accounts, who rates the real estate and rolling stock at $20,000 per mile and assesses a fair valuation of all their other property upon his own view, or upon such information as he may obtain.

Railroads owned by mining, lumber and like companies which transport passengers and freight for persons other than the owners are to be assessed by the board of public works; all other property of such companies not used in operating the railroad must be assessed by the commissioner of the revenue in the counties and cities where located.

The rolling stock of foreign corporations doing business in the state is to be assessed on the average amount of such property habitually used in the state.

The secretary of the board of public works, after the assessment of these railroad and canal companies, makes an apportionment or statement of valuation to counties, cities, and school districts of property situated therein upon which taxes may be levied.

Stocks, bonds, and securities of domestic companies in excess of their indebtedness, within or without the state, are for the purposes of the

act to be considered at the principal office of the company in this state.

Express companies and steamship and steamboat companies for the transportation of passengers or freight are assessed by the board of public works on the basis of reports, similarly to railroads. In case of failure to report or to pay the tax assessed on property or license tax imposed by the board, the property is to be assessed under direction of the auditor of public accounts, and a penalty of 20 per cent is added to the tax.

Pullman, sleeping, palace, or dining car companies and steam ferry companies are similarly assessed on the proportion of the capital stock invested and used in the state.

Telegraph and telephone companies are assessed on the basis of reports to the auditor of public accounts for line and wires located in the state by the commissioner of the revenue of the county or corporation where the chief office is located. Property is assessed where located. A company failing to make a report is to be assessed by rating each mile of telegraph or telephone line at $125 for one wire and $25 for each additional wire per mile, and by ascertaining the value of other property as that of individuals. There is also a fine imposed of $500 to $2,000.

Oysters are assessed as personal property by the inspectors of oysters annually on the 1st day of October.

The assessors are compensated at the rate of $2 per day, and the commissioners of revenue by commissions and fees.

c. Equalization.—There is no equalization, strictly interpreted, of any part of the assessment. But the assessors of counties and cities meet for consultation with a view to equalizing the assessment of lands in their respective counties, districts, and corporations.

Persons feeling themselves aggrieved by any entry in the land book or personal property book may, within one year, apply for relief to the court in which the commissioner gave bond. The attorney for the commonwealth defends the application. The court may order the assessment corrected and the money refunded or the treasurer restrained from collecting.

Redress from erroneous assessments of county and of local taxes is to be had in the county or corporation court.

Any railroad or canal company, express or transportation company, steamship, steamboat, or sleeping car company, or any steam ferry company aggrieved by the assessment by the board of public works may apply for redress to the circuit court of the city of Richmond. Notice of the application is to be given the board of public works, and the attorney for the commonwealth for the city of Richmond defends the application.

2. *Rate*—

The annual rate on real estate is fixed by statute at 30 cents on every $100 of assessed value for the support of the state government, and 10 cents for the support of public free schools; on tangible personal property and on choses in action, moneys, credits and capital, and toll bridges, turnpikes, and ferries the rates are the same.

3. *Collection*—

State, county, and city taxes are collected by the county and city treasurers.

Taxes are due and payable on July 1, and the treasurer attends in each magisterial district by appointment to receive them. After December 1, it is his duty to call for taxes that remain unpaid and to collect them by distress of goods and chattels or garnishment, and if there is found no property liable to distress, he is to return lists of delinquent taxes, which are then enforced by sale of lands. The lien of the state on land for taxes is paramount to that of the counties, cities, and towns, and all liens attach December 15 in the year in which the taxes are assessed.

Taxes on oysters are collected by the oyster inspectors; they are due on September 1 in each year.

Collection officers are paid for their services commissions similar to those allowed the commissioners of the revenue for assessing the taxes.

II. *Poll tax.*

All male persons, white and colored, over the age of 21 years pay a capitation tax of $1 for public free school purposes. The tax is a lien upon real estate.

III. *Inheritance tax.*

When any estate within the state of any decedent passes, by will or descent, to any other person than the grandfather, grandmother, father, mother, husband, wife, brother, sister, or lineal descendant of such decedent, the estate so passing is subject to a tax of 5 per cent. Exemptions are, all property to be used for state, county, municipal, benevolent, charitable, educational, and religious purposes.

IV. *Corporation taxes.*

In addition to the general property tax, railroad and canal companies pay an income tax of 1 per cent per annum, which income is ascertained by deducting the cost of operation from the amount received.

There is also a tax for expenses of the railroad commissioner, not to exceed $400 per annum, to be borne by the several railroad companies operating in the state according to their gross income. This tax is to be apportioned by the auditor of public accounts.

Pullman, sleeping, palace, or dining car companies are taxed on their capital stock, based on that proportion which is invested and used in Virginia, determined by the unit rule from the cash value of the shares constituting the entire capital stock. The rate is 30 cents per $100 for the state and 10 cents for schools.

Steamship companies and car and transportation companies, except express, pay an income tax of 1 per cent per annum on net earnings in excess of $600. (The property is also taxed at the regular property rate.)

Mutual insurance companies transacting business in not more than four counties and fraternal orders are exempt.

V. *Business taxes and licenses.*

A large number of license taxes are levied annually for state purposes.

Merchants pay license taxes for the privilege of transacting business in the state, to be graduated by the amount of purchases during the period, reported under oath to the commissioner of the revenue. Purchases up to $1,000, $5; $1,000 to $2,000, $10; $2,000 to $50,000, 30 cents on $100; over $50,000, 10 cents on excess per $100.

This license tax is in lieu of all taxes for state purposes on capital actually employed in the business as stock in trade.

The capital stock of mercantile corporations is not to be taxed if the license amounts to as much as the tax on capital stock.

Railroad companies which sell mineral or forest products are to be taxed as other merchants.

Privilege and license taxes on corporations (annual):

Express companies, in addition to the general property tax, pay for the privilege of doing business between points within the state, where the mileage is 200 miles or less, $250; 200 to 1,000 miles, $1,250; 1,000 to 1,500 miles, $2,000; 1,500 miles or over, $2,750.

Telegraph companies pay a license tax for the privilege of operating, per mile of wire in the state, $2; also 2 per cent of gross earnings on state business.

Telephone companies, license tax—600 phones or less, per phone, 50 cents; 600 to 1,000 phones, per phone, 75 cents; 1,000 to 2,000 phones, per phone, $1; 2,000 phones or over, per phone, $1.50.

Building and loan associations—license, specific tax, capital $25,000, $50; $25,000 to $50,000, $75; $50,000 to $100,000, $100; $100,000 to $150,000, $125; $150,000 to $200,000, $150; $200,000 to $350,000, $175; $400,000, $250 (with $50 for each additional $100,000).

Nonresident companies pay upon capital invested in this state, and the shares are not taxable.

On companies doing business on the purely mutual plan, confining their business to the city or county where organized, the tax is $50, to be levied only where the principal office of the company is located.

Insurance companies, surety companies, and every mutual aid society, mutual benefit, guarantee, accident, plate glass, steam boiler, assessment, security, marine, United Brethren, live stock, travelers' company, and all like companies, in addition to the general property tax, pay a specific license tax of $200 for the privilege of doing business in the state. In addition they are to pay 1 per cent upon the gross amount of all assessments, premiums, dues, and fees derived from business in the state. In the case of assessment companies these taxes are in lieu of all other taxes.

Commission merchants, $50; when commissions exceed $1,000, $60; for each $1,000 in excess of $2,000, $10 extra; also, in addition, the amount to be paid by liquor merchants and stock brokers, if dealing in those lines.

The specific tax on a live stock company is $100, and there is a forfeit of 5 per cent for every month in default.

Peddlers—on foot, $250; otherwise, $300; lightning rod peddlers, $20; sale of patent rights, except by the patentee, $25. Agents—land agents, $10 and one-eighth of 1 per cent on amount of sales; if in a town of 2,000 to 3,000 inhabitants, $10 additional; 3,000 to 4,000, $20; 4,000 to 5,000, $30; over 5,000, $40 additional; book agents, $10. Fertilizers, $20; less than 100 tons, $10 in one county; additional counties, $5 each; but when tax on capital is $30 there is no license tax. Auction sales—general auctioneers, $50 (if city of 5,000 inhabitants or over, $2 additional per 1,000 inhabitants, but maximum is $130; also one-fourth of 1 per cent of sales per year); real estate auctioneers, $50 (if city of 5,000 inhabitants or over, $100; also one-fourth of 1 per cent of sales; for privilege of negotiating loans on real estate, $100 additional); tobacco auctioneers, $25; cities of 15,000 inhabitants, $50. Junk dealers, $50; canvassing for junk dealers, $25; retailers of tobacco, $5; common crier, $5; ship brokers, $50; stock brokers, $100 (towns of 5,000 to 10,000 inhabitants, $150 for each office). Private bankers—capital $5,000 or under, $50; over $5,000 to $10,000, $100; $10,000 to $20,000, $150; $20,000 to $30,000, $150 and $5 for each $1,000 over $30,000. Pawnbrokers, $250; commercial and insurance brokers, $100. Coupon brokers, $500; $1,000 in counties, cities, and towns over 10,000 inhabitants; also 20 per cent on the face value of all coupons sold (tax-receivable coupons from bonds of state of Virginia). Private entertainment house, $5 (also 5 per cent on the annual rent over $100); boarding house, $5 (also 1 per cent on the annual rent over $100); eating house, $25; rental value per annum is $100 to $1,000, 3 per cent additional; $1,000 to $2,000, 5 per cent additional. Bowling saloons, $25, and $10 for each alley over one; billiard saloons, $50, and $25 for tables over one; bagatelle saloon $10, and $5 for tables over one; theaters, each performance, $3; by week, $10; shows, circuses, and menageries, per day, $20; in cities of 1,000 to 10,000 inhabitants, $100, also 5 per cent on the gross receipts in addition to the specific tax; merry-go-rounds, $10; public rooms, $20; skating rinks, $5 to $10 per quarter. Attorneys-at-law—licensed less than five years, $15; licensed over five years, $25 (provided that no attorney whose receipts are less than $500 per annum need pay over $15). Special license to sue the state or its officers for recovery of money for coupons tendered as taxes, $250. Physicians, surgeons, and dentists—licensed for less than five years, $10; licensed for over five years, $15; in cities over 5,000 inhabitants, $25, provided that when receipts are less than $500 per annum license tax is $10. Daguerrean and photograph artists and their agents, $10; cities 2,000 to 10,000 inhabitants, $30; 10,000 to 20,000, $40; over 20,000, $50; for each additional county, $5. Stallions and jackasses for letting to mares, $10; agents for renting houses, $30; in towns less than 2,000 inhabitants, $10. Labor agents, $25. Storage and impounding house, $25; city of 5,000 inhabitants or over, $50. Yards and wagon yards, $10 (only in cases where compensation of owner is more than $50 per year); livery stables, $15; cities over 2,000 inhabitants, $25, and 50 cents for every stall therein; hack drivers, $10; baggage wagon, $5 for each conveyance. Sewing machine agents, $200 to manufacturers; canvassers, $20; machine agents, $15, and $10 in other counties. Liquor license—wholesale of all kinds, $350; malt liquors only, $150; retail of all kinds—population 1,000 or less, $75; over 1,000, $125; malt liquors only, in towns less than 5,000, $30; privilege of keeping a barroom—population less than 1,000, $75, and also 15 per cent of the rental value of the rooms used; population 1,000 and over, $125 and 15 per cent on the rental. Restaurants, towns of 2,000 or less, $75; over 2,000, $125 (also 8 per cent of the rental value of the house and furniture up to $1,000 of such annual value; $1,000 to $2,000; 5 per cent on the excess; above $2,000, 3 per cent); inns, same as for restaurants. Holders of one class of liquor or restaurant license may obtain the others by payment of one-half of the specific sum required. Malt liquor saloon, county or towns less than 1,000, $40; sample liquor merchants, $350; cities over 1,000, $60 (above amounts in lieu of all taxes upon capital actually employed, except manufacturers, distillers, and rectifiers); rectifiers (not manufacturers), $150. Druggists pay as retail liquor dealers. Manufacturers who mash and distill—10 bushels or less per day, $30; 10 to 20 bushels per day, $50; 20 to 30 bushels per day, $75; 30 to 45 bushels per day, $125; 45 to 75 bushels per day, $200; 75 to 100 bushels per day, $250; 100 to 150 bushels per day, $300; 150 to 200 bushels per day, $400; 200 to 250 bushels per day, $450; 250 to 300 bushels per day, $500; on each 100 bushels per day in excess of 300, $200 per 100 bushels per day (manufacturer may sell at the factory without further license). Distillers of brandy—over 40 gallons and distillery run only three months, $10; three to six months, $20; over six months, $50. Breweries, $50. Dogs—commissioner of the revenue may license dogs, which will then be deemed personal property, one dog, $1; for each additional dog, 50 cents; special taxes on dogs may be imposed by cities and counties. Dealers in cast-off clothing in Accomac and Northampton counties, per annum, $25; dealers in pistols and cartridges in Accomac and Northampton counties, per annum, $10. Slot machines, each, per annum, $2.50.

VI. *Income tax.*

Incomes in excess of $600, whether received or merely due within the year preceding the 1st of February, are to be ascertained by the commissioner of the revenue. "Income" includes all rents, salaries, interest upon notes, stocks, bonds, or other securities not otherwise taxed, of the United States or any other state, corporation, firm, or individual, less the interest due and paid by the owner during the year; the amount of all premiums on gold, silver, or coupons; the amount of sales of live stock and meat of all kinds, less the value thereof at the time of the assessment of the same; provided, the said value has heretofore been taxed as capital; the amount of sales of wood, butter, cheese, hay, tobacco, grain, or other vegetable, agricultural, or other production grown or produced by said person; provided, that the amount derived by the producer from the sale of any agricultural production during the preceding year, whether the same was grown or produced during the preceding year or not, is to be assessed and taxed as income; all other gains and profits derived from any source whatsoever, and the shares of the gains and profits of all companies, whether incorporated or partnership, of any person who would be entitled to the same if divided, whether said profits have been divided or not.

Deductions from income, in addition to the sum of $600, are: All losses sustained during the year; all losses incurred in trade; all sums actually paid for labor, ditches, fences, taxes, and rents; all fertilizers, and all clover or other seed purchased and used by any person who cultivates land, except sums paid out for improvements, new buildings, and betterments made to increase the value of property or estate; and provided further, that only one deduction of $600 is to be made from the aggregate income of any family, except that guardians may make a separate deduction of $600 in favor of each ward out of the income coming to said ward.

This tax is at the rate of 1 per cent, and is collected as the general property tax, except that the tax on salaries of officers of the state, payable at the treasury, is collected at the time that the salary is audited and paid.

VII. *Tax on wills and administrations.*

The probate of every will or grant of administration, where the legal situs of estate for taxation is in the state, of estates of $1,000 or less, is taxed $1; every additional $100, 10 cents additional.

VIII. *Tax on deeds and contracts.*

On every recorded deed, and every contract relating to real estate and personal property, recorded, 50 cents; consideration or value of property $300 to $1,000, $1; over $1,000, per $100, 10 cents additional. Deed of release, 50 cents. Deeds of trust and mortgage are taxed on the amount of the obligation secured; railroad mortgages and those of other internal improvement companies are taxed upon such proportion of the consideration as the portion of the line, property, and works of such company in this state bears to the whole property conveyed by deed. Deeds of partition, 50 cents.

IX. *Tax on suits.*

Upon any original suit, except a suit in chancery, in a circuit or corporation court, or removed thereto from the justice's court, where amount does not exceed $500, there is a tax of $1; when debt or demand for damages exceeds $500, the additional tax per $100 is 10 cents.

Upon every appeal, writ of error, or supersedeas in a circuit court there shall be a tax of $3; in the supreme court of appeals the tax is $6; and the nonpayment of these taxes for thirty days from granting the appeal is cause for dismissal.

Upon every chancery suit originating in a corporation or circuit court the tax is $1.50.

Upon every writ of mandamus the tax is $3.

The payment of these taxes is a condition precedent to the issuing of any writ or docket, recording deeds or wills, or to granting letters of administration. The clerks receive a commission of 5 per cent for collection.

B. FEES.

(See Taxes: VII, VIII, and IX, above.)

Secretary of the commonwealth.—Issuing charter of corporation, $1; tax on seals—seal of state, $2; seal of courts and notaries, $1. There are also small fees for filing papers, copies thereof, etc.

By the act of April 16, 1903, corporations must pay:

(1) Fees on charters—(*a*) Domestic or foreign corporations operating a public service line or road of any kind are required to pay a fee on the granting or the extension of the charter, or obtaining a license to do business in the state, according to capital, graduated from $25 on $5,000 up to $5,000 on $90,000,000; (*b*) all other corporations pay a fee of $10 on $50,000, with an additional fee of 20 cents for each $1,000 in excess of $50,000.

(2) Fees for registration—An annual fee, domestic and foreign, graduated according to capital of $5 on $15,000 up.

(3) Annual state franchise tax—In addition to charter fees, taxes on property, income, and receipts and registration, every corporation must pay a fee of from $10 to $200, according to capital.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization are the same for county as for state purposes.

2. *Rate—*

The rate is fixed by the board of supervisors; but for roads it is not to exceed 15 cents upon every $100, nor for schools 10 cents.

3. *Collection—*

In the same manner as for state taxes.

II. *Poll tax.*

The board of supervisors of the county may levy a capitation tax not to exceed 50 cents on all male persons over 21 years of age.

III, IV, and V. *Inheritance tax, corporation taxes, and business taxes and licenses.*

There are no such taxes or licenses for county purposes.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment are the same for municipal as for state taxation. Manufacturing establishments are, however, sometimes exempted for a period of years from municipal taxes.

2. *Rate—*

The council levies so much as is, in its opinion, necessary to meet all sums chargeable to the town or city.

3. *Collection—*

Same as for state taxes.

II. *Poll tax.*

The council may levy poll taxes on all male persons over 21 years of age.

III and IV. *Inheritance tax and corporation taxes.*

No such taxes are used by the municipalities.

V. *Business taxes and licenses.*

In addition to the state tax on businesses, the council of any city or town may require a local license and impose a tax. They may also tax the privilege of keeping for hire any wheeled carriage.

School Revenues.

The schools are administered according to school districts, which are subdivisions of the cities and counties.

State school funds.—The state funds applicable to public free school purposes are apportioned to the counties and cities of the state separately. These funds embrace the annual interest on the literary fund, consisting of the proceeds of the sale of public lands donated by Congress, escheated property, fines, etc., the capitation tax not exceeding $1 on every male citizen over 21 years of age, and a tax of 10 cents on $100 of assessed valuation of property. These taxes are kept separate from other state revenue.

County school levy.—The board of supervisors levies upon property in the county for county school purposes a tax of not to exceed 10 cents on the dollar of valuation.

District school levy.—The board of supervisors of the county levies a tax for district school purposes not to exceed 10 cents on $100 of assessed value therein.

Municipal levies.—The council may raise, by property and capitation taxes, which are not to exceed 3 mills on the dollar nor 50 cents per poll, moneys for the support of public schools within the municipality.

WASHINGTON.[1]

Washington depends almost entirely upon the general property tax for state, county, and municipal revenues. There are, however, poll taxes, levied in districts for streets and roads, and an inheritance on both lineal and collateral transfers. No special corporation taxes are levied, except a small one on franchises and one on insurance premiums.

CONSTITUTIONAL PROVISIONS.

ARTICLE VII.

Sec. 1. All property in the state, not exempt under the laws of the United States, or under this constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying a tax annually sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.

Sec. 2. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property: *Provided*, That a deduction of debts from credits may be authorized: *Provided, further*, That the property of the United States, and of the state, counties, school districts, and other municipal corporations, and such other property as the legislature may by general laws provide, shall be exempt from taxation: (*And provided, further*, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of three hundred dollars ($300.00) for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual and bona fide owner as amended in 1902.)

Sec. 3. The legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

Sec. 4. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

Sec. 5. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

Sec. 6. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

Sec. 7. An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the legislature may provide.

Sec. 8. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

Sec. 9. The legislature may vest the corporate authorities of cities, towns, and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

ARTICLE XI.

Sec. 9. No county, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

Sec. 12. The legislature shall have no power to impose taxes upon counties, cities, towns, or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

ARTICLE II.

Sec. 28. (This section prohibits the legislature from enacting any special or private laws for assessment or collection of taxes or for extending the time for collection thereof.)

[1] This compilation is derived mainly from Pierce's Code, a compilation of all the laws in force in the state of Washington, including the regular and extraordinary session of 1901; compiled by Frank Pierce: Seattle, Wash., 1902.

ARTICLE XXVI.

(This article provides that lands belonging to citizens of the United States residing without the limits of the state shall never be taxed at a higher rate than the lands belonging to residents thereof, and that Indians owning lands in severalty are to be taxed, unless their land is exempted by grant.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor, elected for two years.
(2) The county treasurer, elected for two years.
(3) County board of equalization, composed of the three county commissioners, elected biennially.
(4) State board of equalization, composed of the secretary of state, the commissioner of public lands, and the auditor of state. (Since 1905 also the three members of state tax commission.)
(5) City assessors and collectors, elected for one year. (In cities of the second class only.)
(6) An advisory state tax commission of three members (created by legislature in 1905).

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property now existing, or that is created or brought into the state, is subject to taxation, except as expressly exempted.

(1) "Realty," for the purposes of taxation, includes the land and all structures and fixtures thereon, and rights and privileges appertaining thereto.

(2) "Personalty," for the purposes of taxation, includes all goods, chattels, moneys, stocks; all improvements upon lands the fee of which is still in the state or the United States, or in any railroad company; credits, whether secured or not, but subject to deductions of debts.

Gas and water mains laid in roads, streets, and alleys shall be held to be personal property.

Ships registered in any United States custom-house in the state, used in trade with other states and counties, are not deemed property within the state nor subject to taxation.

(3) Exemptions, in addition to public property, are: Cemeteries; churches whose seats are free; free public libraries; charitable and benevolent institutions; ships in construction and materials thereof; personal property of heads of families up to $300; fire engines, implements, and buildings of fire companies; fruit trees, not nursery stock, for four years after being transplanted in orchard form.

b. Assessment.—In general, there is but one complete assessment roll for state, county, and municipal taxes, the county being the unit, and the assessment is made with reference to March 1.

Real property is assessed biennially in the even-numbered years, the list and valuation being made by the assessor, but corrections are made annually. Personalty is assessed annually on the basis of a detailed list made by the taxpayer under oath. The assessor, however, fixes the "true and fair" value, which is that which the property would bring at private sale. The penalty for failure to furnish a list or for a false list is $10 to $2,000.

The real and personal property of corporations are by the constitution to be assessed as that of individuals.

There is no assessment or apportionment of railroad property by state authorities, but the assessment is made by local assessors of railroad track and rolling stock in the counties in the proportion that the main track in the county bears to the whole length in the state.

Bank stock is assessed to the owners in the town where the bank is located, whether the owner is there resident or not, a proportionate part of the value of real estate of the bank being deducted. The bank is made responsible for payment of the taxes.

Itinerant merchants are required to notify the county assessor, and to pay a tax assessed at the rate assessed for state, county, and local purposes upon their stock in trade.

c. Equalization.—The county board of equalization equalizes between individuals and corrects the county roll, and it may adjust the valuation of a class or classes of property.

The state board of equalization equalizes between counties according to classes of property to ascertain the just proportion due for state purposes from the several counties.

2. *Rate—*

The state board of equalization apportions the amount of tax for state purposes among the several counties in proportion to the valuation as equalized by the board. It is the duty of the county auditor to fix the rates necessary to raise the amount so apportioned and to place the same on the tax rolls of the county. The maximum tax for state purposes is 3 mills on the dollar of the property valuation of the entire state.

3. *Collection—*

In general, all taxes for state, county, municipal, school, road, and other purposes are extended upon the tax books of the county, and the county treasurer is the receiver and collector. Taxes on real estate are a lien on the property from the assessment day, March 1, and are due May 31, after which date they become delinquent and 15 per cent interest is charged. If, however, they are paid before March 15 a rebate of 3 per cent is allowed, or, if one-half is paid before May 31, the rest may go over until November 30.

Taxes on personal property are a lien, on all real and personal property, after the first Monday in February, the day on which they become due. If they are not paid within 30 days after notice, the county treasurer may distrain the goods and chattels.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

All property within the jurisdiction of the state, whether belonging to inhabitants or not, passing by transfer which takes effect at death, is subject to this tax at the following rates:

(1) On all sums above the first $10,000, where the same passes to the father, mother, husband, wife, lineal descendant, adopted child or his lineal descendant, 1 per cent.

(2) On all sums not exceeding the first $50,000 which passes to collateral heirs to and including the third degree of relationship, 3 per cent, and to collateral heirs beyond the third degree or to strangers to the blood, 6 per cent.

(3) On all sums above the first $50,000, and not exceeding $100,000, to collateral heirs of the third degree, 4½ per cent; to collateral heirs beyond the third degree and strangers to the blood, 9 per cent.

(4) On all sums in excess of the first $100,000 to collateral heirs of the third degree, 6 per cent; to collateral heirs beyond the third degree and strangers to the blood, 12 per cent.

IV. *Corporation taxes.*

On domestic and foreign corporations having capital stock there is an annual franchise tax in the form of a license fee of $10. This tax does not apply to corporations not for pecuniary profit, nor to such insurance companies as pay an annual license. Other than the general property tax, there are no corporation taxes, except on insurance companies. Insurance companies are charged $10 annually for a certificate of authority, and in addition must pay a premium tax of 2 per cent on the excess of premiums collected over losses paid in the state.

V. *Business taxes and licenses.*

Insurance agent—fire, per annum, $2; marine, per annum, 50 cents; commission merchant, per annum, $5. Fisherman's license—seines, traps, wheels, monthly, $2.50 to $50; packer's license, per season, $100 to $1,000 (new canneries pay a license of $250 until their pack is definitely known); packers and dealers, annual fee, $2.50; hunters, residents, $1; hunters, nonresidents, $10; milk wagons, per annum, $1; sale of milk at a stand, per annum, $1; peddlers of medicines, per month, $1 to $25; pilots, issue of license, per annum, $5 (and 5 per cent on his charges); owners of coal mines, 4 mills per ton sold or used.

Licenses for selling intoxicating liquors at retail are issued by the mayor and common council of cities and incorporated towns, and by county commissioners for territory outside of the limits of incorporated towns. The license fee can not be less than $300 nor more than $1,000 annually. Ten per cent of all licenses are paid to the state. The balance of city licenses is paid to the general city treasury. Of county license receipts, 35 per cent goes to the county school fund and 55 per cent to the general county fund.

B. FEES.

By secretary of state.—Filing articles of incorporation of foreign and domestic corporations, $10; supplemental articles, $10; medicine, practice, examination fee, $50; dentistry, practice, examination fee, $25.

By commissioner of insurance.—Filing articles of incorporation, $25; issuing certificate of authority annually, $10; filing annual statement, $10; agent's license, $2.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization are the same for the county taxes as for the state.

2. *Rate—*

The county taxes are levied by the county commissioners. The tax for the payment of county indebtedness is not to exceed 5 mills on the dollar; that for current expense, 8 mills; the school tax, 8 mills; the road tax, 5 mills; the bridge tax, 3 mills. All taxes are computed at the aggregate rate per cent under the head of consolidated tax, and the county treasurer distributes to the different funds pro rata after collection.

3. *Collection—*

Collection of county taxes is made by the county treasurer, as are state and township taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

The counties levy no poll, inheritance, or special corporation taxes. (See municipal poll tax, page 816.)

V. *Business taxes and licenses (annual).*

Hawkers of goods, per annum (limit), $25; billiard tables and bowling alleys (limit), $25; ferries (limit), $1 to $100. Liquors—wholesale, quantities over 1 gallon, $100; grocery, to sell beer, $100; saloons (at discretion), $300 to $1,000. Cigarettes—retail, $10; wholesale, $25.

(See also state revenue, with reference to licenses to retail intoxicating liquors (saloons).)

Municipal Revenues.

The divisions of local government are: Cities of four classes—(1) those having over 20,000 inhabitants, (2) 10,000 to 20,000 inhabitants, (3) 1,500 to 10,000 inhabitants, (4) 300 to 1,500 inhabitants; townships, where such organization is adopted by the county, embracing that portion of the county outside of incorporated cities and towns; school districts; and road districts.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of assessment are, in general, the same as for state taxes, with certain local peculiarities in procedure. In cities of the first class that portion of the county assessment roll embracing persons and property subject to taxation in the city constitutes also the roll for the city. Cities of the second, third, and fourth classes may have independent rolls made by city assessors to conform, as nearly as possible, to the county roll. The township assessor performs the same duties as the county assessor.

The cities appoint committees of their city councils to equalize or assist the county board in equalization.

2. *Rate—*

In cities the city council fixes the rate for municipal revenues, with various restrictions; in cities other than of the first class the maximum rate is 10 mills.

In townships taxes are levied by the electors in town meetings, subject to certain restrictions.

In road districts the electors may levy, by vote, a tax of from 1 to 10 mills on the dollar.

3. *Collection—*

Collection is, in general, the same as for state and county taxes. In cities of the first, third, and fourth classes the county treasurer is ex officio collector of the city taxes. Cities of the second class have their own

collectors. Delinquent taxes are enforced by the same procedure as delinquent county and state taxes.

Road district taxes may be paid in labor.

II. *Poll tax.*

Every male person over 21 and under 50 years of age residing outside the limits of an incorporated city or town for six months or more is required to pay, by March 1 in each year, a road poll tax of $2. In practice, this is a county poll tax, receipts therefrom being included with those of the county.

Cities and towns may levy an annual street poll tax not exceeding $2 in cities of the third class, or $4 in cities of the fourth class. These taxes are payable in labor in lieu of money.

III and IV. *Inheritance tax and corporation taxes.*

There are no inheritance or special corporation taxes for municipalities.

V. *Business taxes and licenses.*

The city councils of cities and towns may license, for purposes of regulation and revenue, all and every kind of business, including the sale of intoxicating liquors.

Dog license, per annum, not to exceed $2; liquor licenses, per annum, $300 to $1,000 (10 per cent must be paid to the state); billiard tables, not to exceed $25 each.

School Revenues.

The constitution prescribes a permanent school fund, derived from various sources, the income of which is to be applied to the current use of the common schools. Among them is 35 per cent of the county liquor licenses.

A state tax is to be levied by the state board of equalization, which, with the income from the permanent fund, is to make up $10 for each child of school age; but the tax is not to exceed 5 mills on the dollar. The counties levy a school tax of 8 mills.

A district school tax may be levied by the board of directors of the district, not to exceed 10 mills on the dollar. No tax exceeding 5 mills can be levied without a vote of the electors of the district.

WEST VIRGINIA.[1]

West Virginia depends primarily on the general property tax for state, county, and municipal purposes. There are, besides, a collateral inheritance tax, a system of annual license or franchise taxes on corporations, including insurance, telegraph, and express companies, and license taxes on various acts, businesses, and occupations. The poll tax is devoted to the school fund.

In 1904 and 1905 the entire revenue law of the state was revised. The changes made at that time have not been included in this compilation.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

SEC. 1. Taxation shall be equal and uniform throughout the state, and all property, both real and personal, shall be taxed in proportion to its value, to be ascertained as directed by law. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of equal value; but property used for educational, literary, scientific, religious or charitable purposes, all cemeteries, and public property may, by law, be exempted from taxation. The legislature shall have power to tax, by uniform and equal laws, all privileges and franchises of persons and corporations.

SEC. 2. The legislature shall levy an annual capitation tax of one dollar upon each male inhabitant of the state who has attained the age of twenty-one years, which shall be annually appropriated to the support of free schools. Persons afflicted with bodily infirmity may be exempted from the tax.

SEC. 5. The power of taxation of the legislature shall extend to provisions for the payment of the state debt, and interest thereon, the support of free schools, and the payment of the annual estimated expenses of the state; but whenever any deficiency in the revenue shall exist in any year it shall, at the regular session thereof held next after the deficiency occurs, levy a tax for the ensuing year sufficient, with the other sources of income, to meet such deficiency, as well as the estimated expenses of such year.

SEC. 7. County authorities shall never assess taxes in any one year the aggregate of which shall exceed ninety-five cents per one hundred dollars valuation, except for the support of free schools; payment of indebtedness existing at the time of the adoption of this constitution and for the payment of any indebtedness, with the interest thereon, created under the succeeding section, unless such assessment, with all questions involving the increase of such aggregate, shall have been submitted to the vote of the people of the county and have received three-fifths of all the votes cast for and against it.

SEC. 8. (No county, city, school district, or municipal corporation may become indebted to an amount exceeding five per cent of the assessed valuation of the property in such civil division, nor without providing for a direct annual tax sufficient to pay annually the interest on the debt and the principal thereof within thirty-four years.)

SEC. 9. The legislature may, by law, authorize the corporate authorities of cities, towns, and villages, for corporate purposes, to assess and collect taxes; but such taxes shall be uniform with respect to persons and property within the jurisdiction of the authority imposing the same.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors in towns, cities, and villages, who are elected for one year.

(2) Sergeant, who is elected for one year, and is collector of taxes for towns, cities, or villages.

(3) County assessors, who are elected for a term of four years.

(4) Sheriff, who is elected for a term of four years, and who acts as tax collector for the county.

(5) County court, composed of three commissioners, elected for a term of six years.

(6) The board of public works, consisting of the governor, the attorney-general, the superintendent of free schools, the auditor, and the treasurer, together with the secretary of state ex officio, forms a state board of assessment.

(7) A state board of equalization, authorized by the legislature at each decennial assessment of real estate.

[1] This compilation is derived mainly from the following sources:
The Code of West Virginia, fourth edition, as amended, to and including the year 1899. Compiled by John A. Worth. Published by Mail Tribune Book Room, Charleston, 1900.
Acts of West Virginia, Regular Session, 1901: The Tribune Company, Charleston, 1901.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property in the state is subject to taxation, unless specially exempted.

(1) "Real property" includes all interest in land and its appurtenances.

(2) "Personal property" includes all fixtures attached to land, if not included in the valuation of land; all things of value, movable and tangible, which are the subjects of ownership; and money, credits, and investments. All personal property belonging to residents of the state, whether situated in or out of the state, and all personal property in the state, although owned by persons residing out of the state, is subject to taxation. But personal property permanently located in another state, where it is subject to taxation, is not to be taxed here.

(3) Property exempted, in addition to public property, includes: Churches and parsonages, cemeteries, libraries; property used for educational, charitable, and benevolent purposes; fire companies; the products and increase in number of live stock and the produce of mines, salt wells, and oil wells, and all such manufactured articles and products of mechanical skill and labor produced within the state during the year preceding the 1st day of January and remaining unsold on that day and in the possession of the producer.

b. Assessment.—There is, in general, but one assessment for state, county, and municipal purposes. The county is the assessment district, except that certain counties are divided into two districts with an assessor elected for each. The assessment refers to the 1st of April. The land books of the county are to be made out when ordered by the legislature, usually decennially, by the clerk of the county court. Changes of ownership or of value are entered annually by the clerk on the basis of information obtained by the assessors, who take with them the land books of the preceding year and require each taxpayer under oath to state whether his land is correctly entered. Values are, however, determined by the assessors. There is a penalty of $50 on taxpayers failing to give the required information.

Every person of full age and sound mind is required to list the personal property belonging to him and make a valuation thereof under oath. Any person may refuse to value any personal property listed by him if he exhibits the same to the assessor, who must thereupon assess the value thereof.

Disagreement between the owner and the assessor in regard to the fair cash value of any personal property may be referred to two discreet voters, one to be chosen by each, and their decision or that of an umpire chosen by them is final.

Mortgages or deeds of trust to secure a debt or liability are assessed to the mortgagor until the mortgagee or trustee takes possession, after which he is deemed the owner. Personal property mortgaged or pledged is likewise assessed to the party who has possession.

In listing credits or investments the debts owned as principal debtor may be deducted, but not those for which the taxpayer is liable merely as surety, indorser, or guarantor, unless the principal be insolvent. Investments and credits are to be rated at their market value.

The real estate of corporations is assessed as that of individuals. The actual value of the capital invested in the business, exclusive of real estate, is estimated by taking the aggregate value of the personal property of the company and deducting from credits and investments the amount they owe.

When the property, stock, or capital of any company is assessed to the company, no person owning any share or interest therein is to be assessed on such shares.

Toll bridges and ferries are assessed at ten times their annual value for purposes of taxation. Railroad bridges on which a separate toll or fare is charged are also assessed at ten times their annual value.

Railroad companies, including street railroads, sleeping, parlor, and dining car companies, and freight-line and equipment companies are taxed upon the general property valuation. Property used in the operation of the road is assessed by the board of public works of the state on the basis of elaborate returns by the railroad. Property not used in operation of the railroad, but owned by it, is assessed like property of individuals. The assessment of the state board is apportioned to the counties, and by the counties to the municipalities.

The value of the capital used in trade or business of merchants and firms not incorporated is assessed on the basis of elaborate special returns.

Banks are assessed on capital employed. Debts may be deducted from moneys and credits only.

c. Equalization.—The county court hears complaints as to the assessment and equalizes between individuals. There is an appeal to the circuit court of the county. Railroads may also appeal to the circuit court from the assessment of the board of public works. The prosecuting attorney represents the interest of the state in such appeals.

There is no state board of equalization and no equalization between counties, except as provided by the legislature in the case of the decennial assessment of real estate.

2. *Rate—*

The rate for state purposes, in every year for which a different rate is not prescribed, is 25 cents on every $100 valuation for general state purposes, and 10 cents on such valuation for the support of free schools.

3. *Collection—*

Both state and county taxes are collected by the sheriff of the county, or by collectors appointed by the auditor.

Taxes are a lien on real estate from April 1, the assessment day, and are due and payable on the 1st day of August, and become delinquent on the 1st day of November. A discount of 2½ per cent is allowed for payment before that date. Delinquent taxes may be collected by distraint of personal property, by garnishment of money or property in the hands of another, and by sale of lands by the sheriff.

Taxes assessed on railroads, both state and local, are collected by the state auditor, and if delinquent on the 20th of January, are then collected by the sheriff with a penalty of 10 per cent.

The sheriff or collector is compensated by fees out of the taxes collected.

II. *Poll tax.*

The assessor is to list for taxation all male persons over 21 years of age residing in his district on April 1. The rate of the tax is $1 per year.

III. *Inheritance tax.*

All property passing by will, descent, or transfer, taking effect after death, except to the father, mother, husband, child, or lineal descendant of the grantor, where the estate so passing is valued at not less than

$1,000, is subject to an inheritance tax of 2½ per cent on every $100 of clear value. The tax is collected by the clerk of the county court.

IV. *Corporation taxes.*

In addition to the general property tax certain taxes are levied on corporations:

Corporations incorporated and having their principal place of business in the state (termed resident corporations) are required to pay an annual license tax as follows, according to capital stock: $10,000 or less, $10; over $10,000 to $25,000, $15; $25,000 to $50,000, $20; $50,000 to $100,000, $25; $100,000 to $1,000,000, $25 plus 5 cents on each $1,000 in excess of $100,000; $1,000,000 and over, $70 plus $10 on each $1,000,000 in excess of $1,000,000.

Domestic corporations which are nonresident are required to pay an annual license tax as follows, according to capital stock: $25,000 or less, $20; over $25,000 to $100,000, $50; $100,000 to $1,000,000, $50 and 40 cents on each $1,000 in excess of $100,000; $1,000,000 to $2,000,000, $410 and 30 cents on every $1,000 in excess of $1,000,000; $2,000,000 to $3,000,000, $710 and 25 cents on every $1,000 in excess of $2,000,000; $3,000,000 to $4,000,000, $910 and 10 cents on every $1,000 in excess of $3,000,000; $4,000,000 and over, $1,010 and $50 on each $1,000,000 in excess of $4,000,000.

Foreign corporations on complying with certain conditions are entitled to the rate of "resident" corporations, according to the proportion of their capital stock which is represented by the property owned and used in this state, when the value of the property amounts to at least $5,000. In no case is the license tax to be less than $100.

This tax does not apply to foreign insurance, telegraph, telephone, or express companies, for which an annual license tax is specially provided.

Corporations chartered for educational, literary, agricultural, scientific, religious, or charitable purposes, and cemeteries and lodges, not incorporated for profit to the stockholders, are exempt.

Domestic insurance, express, telegraph, and telephone companies are taxed as other corporations.

V. *Business taxes and licenses.*

The state requires licenses for various acts, occupations, and businesses, to be issued by the county court of the place in which the same are to be carried on, except in incorporated cities, villages, or towns, in which cases the license is to be issued by the council thereof. It is the duty of the assessor to ascertain from time to time all persons in his district from whom state licenses are required; but it is also the duty of every person to apply to the assessor and cause himself to be properly listed and licensed.

The following taxes are levied annually unless otherwise stated:

Permit for goods sold at auction, $2 on each $100 valuation of goods so offered, when the same are not assessed as the capital used in trade or business by merchants. Hawkers and peddlers—without a horse, $100; with one horse, $150; with two horses, $200. Traveling salesmen of sewing machines, $10; of lightning rods, $50; of organs and musical instruments, $20. Shooting galleries, $25; theaters and opera houses—in cities of 20,000 inhabitants or over, $20 per week, $100 per year; 10,000 to 20,000, $15 per week, $75 per year; under 10,000, $10 per week, $25 per year. Circus, for each exhibition, $50; circus and menagerie, $75; merry-go-round, $25 per week; side shows, $10 per exhibition; ten-cent shows, $20 per week. Tax on state seal, $1. Cigarettes, retail dealer, $10; wholesale dealer, $50. Hotel, tavern, or restaurant, 3 per cent of the yearly value of the premises occupied. Druggists, $10, in addition to all other taxes. Bowling alleys for public use, $40 for first alley, $15 each additional alley; billiard table, $75 for first table, $25 for each additional table; bagatelle table, $25 for first table, $10 for each additional table. Roller skating rinks for public resort—cities of 10,000 inhabitants or more, $100; 5,000 to 10,000, $50; below 5,000, $25. Auctioneers, $5, with $2 additional for every 1,000 inhabitants of the town. Stock brokers, $50; money brokers, $100; pawnbrokers, $100. Sale of patent rights, $10. Licenses of distilleries and breweries—annual capacity 25,000 barrels, $550; 15,000 to 25,000 barrels, $350; 5,000 to 15,000 barrels, $200; 1,000 to 5,000 barrels, $125; up to 1,000 barrels, $50. Sale of liquors—at retail, $350; in theaters, $150; wholesale, $350; apple and peach brandy by distiller (5 gallons or over at a sale), $100. No license for the sale of intoxicating liquors in incorporated city, town, or village may be granted by the county court without the consent of the authorities of such city, town, or village.

B. FEES.

The clerk of county court receives from corporations for issue of certificate of incorporation, $1; for original declaration, 50 cents.

The secretary of state receives small fees for issuing commissions, for copies of papers, etc.

The auditor receives fees from insurance companies—for examination of statements, $10; for certificate of authority, $5.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment thereof are the same for county as for state purposes.

2. *Rate—*

The levy is made by the county court, and the rate is limited to 95 cents per $100, except for schools and the payment of debt existing at time of adoption of the constitution and of certain special debts. This rate, however, may be increased by a three-fifths vote of the electors voting in a special election therefor.

3. *Collection—*

Collection is made by the sheriff at the same time and in the same manner as that of the state taxes. Taxpayers may apply to the county court for relief against county levies improperly charged.

The sheriff receives a commission of 5 per cent on county levies unless the county court prescribes a different compensation.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no poll, inheritance, or corporation taxes for the county.

V. *Business taxes and licenses.*

The county court in counties where the dog tax is adopted by vote of the people is annually to levy a license tax on dogs listed by the assessor of 50 cents on males and $1 on females. Hunter's license, nonresidents, $25.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—The property included is the same as for state taxation, and in addition dogs are included.

b. Assessment.—Municipalities with a population of over 10,000 may make an assessment of their own substantially in the manner and form of that made by the assessor of the county. The assessor is also to list the dogs and their owners.

c. Equalization.—There is no provision for equalization.

2. *Rate—*

Taxes are to be levied by the council, the rate being limited not to exceed $1 on every $100 valuation.

3. *Collection—*

Collection is made by the sergeant in a manner analogous to that for state taxes.

II, III, and IV. *Poll tax, inheritance tax, and corporation taxes.*

There are no poll, inheritance, or corporation taxes for cities, towns, and villages.

V. *Business taxes and licenses.*

The council may require a city, town, or village license for anything for which a state license is required, but liquor licenses are under the control of the state.

Magisterial Districts.

Each county is laid off into districts, not less than three nor more than ten in number, as nearly equal as may be in territory and population.

District taxes, based on the county assessment, are levied for the use of the school fund, the building fund, and the opening, constructing, and repairing of roads and bridges.

District taxes are collected by the sheriff of the county in the same manner as the state and county taxes are collected.

Road taxes, based on the county assessment, are levied according to districts by the county court. The taxpayer may work out his road tax. The county court may also levy, for road purposes, a poll tax of $1 on every male inhabitant over 21 and under 50 years of age.

School Revenues.

The constitution provides a permanent "school fund" and the interest on this fund, the revenue from the state tax of 10 cents on every $100 valuation, the proceeds from all forfeitures, confiscations, and fines, and from the annual capitation tax are set apart as the general school fund and distributed to the several counties in proportion to the school population. The county superintendents then apportion the shares of their respective counties to the school districts.

Every magisterial district of the county is a school district. For a building fund the board of education of the district is to levy a tax annually on the first Monday in July on the property taxable for state and county purposes in the district, the tax not to exceed the rate of 40 cents on every $100 of the state and county assessment; and for the support of primary schools, it is to levy one not to exceed 50 cents on every $100. Provision is made for a special additional levy of 30 cents.

WISCONSIN.[1]

Wisconsin depends principally upon the general property tax for state, county, and municipal revenues. There is a system of license fees so called, consisting of taxes on gross receipts levied on quasi public corporations and insurance companies, which are in lieu of ad valorem taxes. The inheritance tax was adopted in 1899, but declared unconstitutional in 1902 (March), and the poll tax is a local road tax only.

CONSTITUTIONAL PROVISIONS.

ARTICLE VIII.

Sec. 1. The rule of taxation shall be uniform, and taxes shall be levied upon such property as the legislature shall prescribe.

Sec. 5. The legislature shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year; and whenever the expenses of any year shall exceed the income the legislature shall provide for levying a tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency as well as the estimated expenses of such ensuing year.

Sec. 6. (Taxes are to be provided for in laws authorizing creation of public debts by the state which will pay the principal and interest within five years.)

Sec. 8. (Any law which imposes, continues, or renews a tax must be passed by yeas and nays in a house of which three-fifths of all the members elected are required to constitute a quorum.)

ARTICLE VII.

Sec. 18. The legislature shall impose a tax on all civil suits commenced or prosecuted in the municipal, inferior, or circuit courts, which shall constitute a fund to be applied toward the payment of the salary of judges.

ARTICLE IV.

Sec. 31. The legislature is prohibited from enacting any special or private laws in the following cases: * * * 6th. For assessment or collection of taxes, or for extending the time for collection thereof.

ARTICLE X.

Sec. 4. Each town and city shall be required to raise by tax, annually, for the support of common schools therein, a sum not less than one-half the amount received by such town or city, respectively, for school purposes from the income of the school fund.

ARTICLE XI.

Sec. 3. (Municipal corporations are to be restricted by the legislature in their power of taxation, assessment, and contracting debts. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness must, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on the debt as it falls due and also the principal within twenty years.)

[1] This compilation is derived mainly from the following sources:
Wisconsin Statutes of 1898, edited by Arthur L. Sanborn and John R. Berryman: Madison, Wis., 1898.
Laws of Wisconsin, sessions of 1899, 1901: Madison, Wis., 1899, 1901.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The town, city, and village assessors, elected for one year.

(2) The town, city, and village treasurers, who act as collectors, elected for one year.

(3) The board of review, in towns, composed of the supervisors, clerk, and assessor; in cities, of the mayor, clerk, and assessor; in villages, of the president, clerk, and assessor.

(4) The county clerk, elected for two years.

(5) The county board, composed of supervisors, elected annually from cities and towns.

(6) The county supervisor of assessments, elected every three years by the county board, except in Buffalo county, to oversee local assessors (office created in 1901).

(7) The state tax commission, composed of the tax commissioner and two assistants, appointed by the governor for ten years. In 1901 this commission was made a state board of assessment.

(8) A state board of assessment, composed of the state tax commission, assesses the property of express companies, sleeping car companies, freight-line companies, and equipment companies.

STATE REVENUES.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property in the state except such as is exempted is subject to taxation.

(1) "Real property" includes not only the land itself, but all buildings, fixtures, improvements, rights, and privileges appertaining thereto, all swamp and overflowed lands contracted for sale by any county board, and all public lands sold and not patented, without regard to any balance of purchase money.

(2) "Personal property" includes toll bridges, sawed logs, timber and lumber, either upon land or afloat; steamboats and ships at home or abroad; buildings upon leased lands, if not assessed with the lands; ferryboats, including their franchises; ice, cut and stored; all debts due from solvent debtors, whether on account, note, contract, bond, mortgage, or other security; and all goods, wares, and effects having any real or marketable value not included in the term "real property."

Improvements on homestead lands of settlers on the public domain are to be assessed as personal property.

All property, including real estate, owned or used by persons or corporations engaged in supplying municipalities with water, electric light, and gas is treated as personal property.

(3) Exemptions, in addition to public property, are: Personal property owned by any religious, scientific, literary, or benevolent association, and the real property necessary for location and convenience of buildings of same, not exceeding ten acres; the lands of a chartered college or university not exceeding forty acres; parsonages; public libraries; state or county agricultural societies; fire engines, buildings, and grounds of organized fire companies; the property of Indians who are not citizens, except lands held by them by purchase; cemeteries; pensions; wearing apparel, family portraits, private libraries, and household furniture not exceeding $200 in value; growing crops; provisions and fuel sufficient to sustain a family for six months; the Home of the Friendless in Milwaukee; fair grounds; tree belts; public parks; monument grounds; armories; zinc-producing plants for three years; the Turner societies; capital stock, installments paid in, and securities of any mutual savings fund or loan and building association; public art galleries; capital stock of certain cooperative societies; wide-tired wagons and wide-gauge sleighs; personal property of certain trust or annuity corporations; Milwaukee Orphan Asylum; plants of beet sugar refineries for five years from April 2, 1897; plank or toll roads; boulevards and pleasure grounds held in trust for cities; Lawrence Institute of Wisconsin.

b. Assessment.—The assessment or valuation of property is made by the local assessors in the towns, villages, and cities, and refers in the case of real estate to any date after May 1 and before the time of sitting of the board of review; in the case of personal property, except lumber, to the 1st day of May, and in the case of lumber, to April 1. A separate roll by counties is made up by the state board of assessment and is the basis of the apportionment of state taxes. (See Equalization.)

Taxes may be assessed in cities, villages, and towns independent of the state assessment.

Real and personal property is to be valued annually by the assessor, either from actual view or the best information available, at the full value that could be obtained at private sale. Taxpayers are required to make a statement under oath of the average amount of money, notes, bonds, mortgages, or other securities held by them and the average amount of indebtedness to be deducted; and the net average valuation for the year ending May 1 is to be assessed for taxation. If the assessor has reason to believe that there is other property liable to taxation, he may add to the aggregate valuation of personal property such amount as he estimates to be just and equitable. The assessor has authority also to examine the taxpayer under oath as to personal property not required to be listed in his sworn statement of securities.

Bank stock of state and national banks is to be assessed where the bank is located. Banks must furnish the assessor with the names of stockholders, their addresses, and the amounts held by them. The value of real estate owned by banks, excepting the bank building, is not deducted.

Corporations, except when otherwise provided, are assessed on their property in the same manner as individuals. Stock in corporations so taxed is not assessed. The fixtures and appurtenances of waterworks and gas and electric light plants, and the franchises thereof, not owned by municipalities, are assessed together as a single item or unit where the principal place of business is located. The valuation is then apportioned to the municipalities where the plant is situated.

Since April 6, 1899, sleeping car companies and freight-line and equipment companies have been taxed on their property. The assessment is made by the state board of assessment. "Sleeping car company" includes dining, buffet, chair, parlor, and palace car companies. From the actual value of the entire amount of capital stock used in the business is deducted the value of real estate used out of the state; this amount is then divided by the total number of miles of railroad over which the cars are operated, to obtain the value per mile, which is then multiplied by the number of miles over which the cars are run within the state. The result is taken as the actual value of the property within the state subject to taxation. A tax is then levied for the use of the state, at the average rate of taxation, state and local consolidated.

Express companies are assessed by the state board of assessment upon the actual value of their property operated in the state, in the same manner as car companies are assessed.

Up to 1903, a mortgage of real estate was deemed personal property and liable to taxation according to its value, while the real estate covered by the mortgage was also liable to taxation without deduction on account of the mortgage. By the act of May 23, 1903, the mortgage is to be deemed an interest in the real estate and assessed as such where the land lies. At the option of the mortgagor both said interests may be assessed and taxed together, without separate valuation, to the mortgagor or occupant, the same as unencumbered real estate. The interest of the mortgagor is to be assessed only for such value as remains after deducting the interest assessed to the mortgagee. The exemption of credits on account of debts owing does not apply to mortgage credits assessed as an interest in real estate.

Three cents per net ton of the registered tonnage of the vessel may be paid in lieu of all other taxes, state or municipal. One-half is then paid to the county.

c. Equalization.—The board of review of the towns and cities equalizes the assessment between individuals of the municipality and corrects the assessment roll. It can change not only the valuation of specific articles assessed, but also the aggregate valuation of any kind or class of property.

The county board equalizes between towns, cities, and villages in the county.

The state board of assessment equalizes the assessment as between different counties, according to the relative values and in accordance with statistics of population, local valuation of property, and other data furnished by the secretary of state. The method is to make up a separate roll for the state by counties, the arbitrary valuation assigned each county being the basis for the apportionment of state taxes.

2. *Rate—*

The legislature is to provide for such an annual tax upon the aggregate valuation of the state as is sufficient to meet the estimated expenses of the state for each year, and the deficiency, if any, from the previous year. The sum to be raised is apportioned by the secretary of state among the several counties in proportion to the relative valuation of each county as determined by the state board.

There is to be levied annually a state tax of 1 mill on the dollar to be appropriated to the common school fund income. (Changed in 1903 to seven-tenths of 1 mill.)

3. *Collection—*

All taxes for state, county, school, and local purposes are collected by town or city treasurers. On May 1, taxes become a lien on the land upon which they are levied and upon the timber cut from the land. Taxes are due January 31 and 5 per cent is remitted for voluntary payment before that date. The treasurer may collect by distraint and sale of goods and chattels, or may also bring an action to collect the tax on personal property and, after advertising such sale, he may sell on the third Tuesday in May any lands upon which taxes are delinquent.

II. *Poll tax.*

There is no state poll tax.

III. *Inheritance tax.*

In 1899 an inheritance tax, direct and collateral, was imposed on personal property passing after death. It was enforced and taxes were collected under it until March 1, 1902, when it was declared unconstitutional on the ground that the exemption ($10,000) applied to the estates and not to the distributive shares. A new law was enacted in 1903.

Under the former law all real estate was exempt; also $10,000 worth of personal property in each estate. The rates were: In the case of property passing to the father, mother, husband, wife, child, brother, sister, wife or widow of a son, or the husband of a daughter, adopted child, or lineal descendant, 1 per cent; in all other cases, 5 per cent.

IV. *Corporation taxes.*

Since 1903 railroads have been taxed on an ad valorem basis. In 1902 they were taxed upon their gross earnings, the tax being described as an annual license fee for operation within the state. This tax exempts property used in operation of the road from further taxation, except for special assessments for local improvements.

The rate of tax, or license fee so-called, was as follows:

(*a*) Four per cent of the gross earnings of all railroads, except those operated on pile or pontoon bridges, when their annual earnings equal or exceed $3,000 per mile of operated railroad.

(*b*) Three and one-half per cent of the gross earnings of such railroads when the gross earnings equal or exceed $2,500 and are less than $3,000 per mile.

(*c*) Three per cent of the gross earnings of such railroads when the gross earnings are between $2,000 and $2,500 per mile.

(*d*) Five dollars per mile on such railroads when the gross earnings are between $1,000 and $1,500 per mile, and, in addition, 2½ per cent of their gross earnings when the earnings are in excess of $1,500 and under $2,000 per mile.

(*e*) Five dollars per mile on all railroads whose earnings are less than $1,500 per mile.

(*f*) Two per cent of the gross earnings of all railroads which are operated on pile or pontoon bridges.

One-half of the license fee is to be paid at the time the license is issued and one-half by the 10th of August in each year. For failure to obtain the license the company is subject to a penalty of $10,000 and the forfeiture of corporate rights. The money is paid into the general funds of the state and not apportioned.

Telegraph companies pay license fees for state purposes as follows: For a single wire, $1 per mile; for the second wire, 50 cents per mile; for the third wire, 25 cents per mile; and for each additional wire 20 cents per mile for every mile operated in the state. Payment is to be made by June 1 in each year. (This tax was changed in 1903 to an ad valorem tax.)

Telephone companies pay an annual license fee on gross earnings as follows: Over $100,000, 3 per cent; under $100,000, 2¼ per cent. A penalty of $5,000 and forfeiture of corporate rights is imposed for failure to obtain the license. (Amended in 1905 to 4 per cent on gross earnings over $100,000.)

Street railroads pay to the city or village from which the franchise is derived license fees as follows: Companies whose gross cash receipts equal $800,000 per annum pay 3 per cent on the first $800,000 and 4 per cent on all amounts over $800,000. Companies whose gross receipts are less than $800,000 pay 1½ per cent on the first $250,000 and 2½ per cent on all amounts over $250,000.

The latter tax applies also to electric light and power companies operated in connection with street railways. Apportionment is to be made between different municipalities according to the number of miles of track or feet of wire in each. When the track extends beyond the limits of the principal municipality to a town or village, the principal town receives for every mile three portions of such fee to one for the

town or village merely touched by the road. Of these license fees the state receives 9 per cent, the county, 3 per cent, and the municipalities, 88 per cent, apportioned to wards and taxing districts. In 1905 the rate was made 5 per cent on gross receipts over $400,000 and 2½ per cent when less. Further changes were made to take effect in 1908.

Trust, annuity, and guaranty companies pay to the state treasurer as an annual license fee the sum of $300 by the 1st of March, and, in addition thereto, 2 per cent of their net annual income. This tax is in lieu of all taxes for any purpose except those upon real estate. The tax was made $500 and 3 per cent in 1905.

Life insurance companies, except fraternal insurance societies, organized under the laws of the state, when they are not purely assessment companies, pay an annual license fee of 3 per cent on all premiums collected from residents of the state.

All foreign life insurance companies, except fraternal societies and purely assessment companies, pay an annual license fee of $300 except when retaliatory taxes exceed $300, when the license fee shall be deducted therefrom. New rates to take effect in 1908 were fixed in 1905. A retaliatory increase of tax is laid on all foreign insurance companies on principles of reciprocity.

Every other life insurance company, domestic or foreign, except fraternal societies, and including assessment companies, pay an annual license fee of $300.

These license fees are in lieu of all taxes except taxes on real estate.

Marine insurance companies pay 2 per cent of the gross amount of premiums from business in the state.

Fire and navigation insurance companies, except town, church, and mutual insurance companies, pay as license fee 2 per cent of the gross income.

Casualty companies pay an annual license fee of 2 per cent of their gross premiums.

Title guaranty companies, in lieu of all other taxes, pay the same license fees as fire insurance companies.

Plank and toll roads are to pay as license fee 3 per cent of the gross receipts of such roads by the 1st of July each year. This is in lieu of all other taxes. A penalty of $500 is imposed for failure to make return or pay the license fee.

Boom companies which operate structures in the waters of the state for handling logs pay license fees of 2 per cent of the gross earnings of the business. Local taxes on the property may be deducted from the license fees.

V. *Business taxes and licenses.*

The following annual taxes and licenses are levied:

Peddlers—who carry goods themselves, $30; with one horse, $45; with two or more horses, $75. Transient merchants, $50; circuses, shows, etc., $100; side shows and curiosities, $20; dealers in bankrupt stock, $100 (held unconstitutional and amended in 1905).

B. FEES.

Secretary of state.—Filing articles of incorporation—corporations for manufacture of beet sugar and dairy products, $10; amendments, $5; other corporations, $25; for each additional $1,000 of capital stock over $25,000, $1; amendments, $10; foreign corporations, filing articles, $25. Physicians—examination, $10; certificate to practice medicine, $5; pharmacists—registration, $5; renewal, $2; dentists—examination, $10; registration, annual, $1.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of assessment and equalization are the same for the county as for the state. Equalization between the towns is peculiar to the county and is made by the county board to determine the true relative value of all the taxable property in each city, town, and village. The list of property so equalized is the basis of the county assessment. Towns aggrieved by the equalization made by the county board may appeal to the judge of the circuit court for the county to appoint three commissioners of equalization to review the action of the board.

2. *Rate—*

The county board determines the amount of tax to be levied for county purposes. There is a limit of 3 per cent on the total assessed valuation of the county, as fixed by the state board of equalization. The county tax and the state tax levied upon the county are apportioned among the several towns, cities, and villages by the county clerk.

3. *Collection—*

County taxes are collected, as are state and municipal taxes, by the town treasurer.

II, III, IV, and V. *Poll tax, inheritance tax, corporation taxes, and business taxes and licenses.*

Counties levy none of these. They receive, however, 3 per cent of the taxes on street railroads and electric light and power companies and 15 per cent of inheritance taxes collected by the county treasurer for the state.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the methods of assessment and of equalization are practically the same as for state and county purposes. Local taxes are levied on the tax roll as corrected for the county without necessarily being corrected for state equalization.

2. *Rate—*

In towns the electors at town meeting may vote a tax for town purposes not to exceed 2½ per cent of the total assessed valuation of the town. In cities the common council levies the taxes for such sums as it considers necessary, provided that the tax levied for municipal purposes, the tax required to be levied for state, county, county school, and school district purposes, and the delinquent taxes for the preceding year do not exceed 3½ per cent of the assessed value of the property in the city. The county board determines the amount to be raised in each town for the support of common schools.

3. *Collection—*

Municipal taxes are collected with the state and county taxes by the town and city treasurers, as described above.

II. *Poll tax.*

Every male inhabitant between 21 and 50 years of age, with certain exemptions, is required to pay a highway poll tax of $1.50.

III and IV. *Inheritance tax and corporation taxes.*

There are no municipal inheritance or corporation taxes.

V. *Business taxes and licenses.*

The following annual taxes and licenses are levied:

Peddlers, at rates fixed by municipal boards; dealers in bankrupt stock, auctions, and auctioneers, $10 to $300; (in addition, certain percentages are required); liquor license fees—towns having within their boundaries no villages or cities of 500 inhabitants or more, $100; cities, villages, and all other towns, $200. These fees may be increased by vote in towns having within their boundaries no villages or cities of 500 inhabitants or more, to $250 or $400; in cities, villages, and all other towns, to $350 or $500.

Wyoming draws her state revenues primarily from the general property tax. There is no state inheritance tax,[2] and there are no special taxes on corporations except insurance companies. Counties draw also from poll and license taxes, while the municipal revenues are drawn chiefly from the general property tax and business taxes and licenses.

WYOMING.[1]

CONSTITUTIONAL PROVISIONS.

ARTICLE XV.

Sec. 1. All lands and improvements thereon shall be listed for assessment, valued for taxation and assessed separately.

Sec. 2. All coal lands in the state from which coal is not being mined shall be listed for assessment, valued for taxation and assessed according to value.

Sec. 3. All mines and mining claims from which gold, silver, and other precious metals, soda, saline, coal, mineral oil, or other valuable deposit, is or may be produced shall be taxed in addition to surface improvements, and in lieu of taxes on the lands, on the gross product thereof, as may be prescribed by law: *Provided*, That the product of all mines shall be taxed in proportion to the value thereof.

Sec. 4. For state revenue there shall be levied annually a tax not to exceed four mills on the dollar of the assessed valuation of the property in the state except for the support of state educational and charitable institutions, the payment of the state debt and the interest thereon.

Sec. 5. For county revenue there shall be levied annually a tax not to exceed twelve mills on the dollar for all purposes, including general school tax, exclusive of state revenue, except for the payment of its public debt and the interest thereon. An additional tax of two dollars for each person between the ages of twenty-one years and fifty years, inclusive, shall be annually levied for county school purposes.

Sec. 6. No incorporated city or town shall levy a tax to exceed eight mills on the dollar in any one year, except for the payment of its public debt and the interest thereon.

Sec. 9. Board of equalization for state. There shall be a state board, composed of the state auditor, treasurer, and secretary of state.

Sec. 10. The duties of the state board shall be as follows: To fix a valuation each year for the assessment of live stock, and to notify the several county boards of equalization of the rate so fixed at least ten days before the day fixed for beginning assessments; to assess at their actual value the franchises, roadway, roadbed, rails, and rolling stock and all other property used in the operation of all railroads and other common carriers, except machine shops, rolling mills, and hotels in this state; such assessed valuation shall be apportioned to the counties in which such roads and common carriers are located, as a basis for taxation of such property: *Provided*, That the assessment so made shall not apply to incorporated towns and cities. Said board shall also have power to equalize the valuation on all property in the several counties for the state revenue and such other duties as may be prescribed by law.

Sec. 11. All property, except as in this constitution otherwise provided, shall be uniformly assessed for taxation, and the legislature shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal.

Sec. 12. The property of the United States, the state, counties, cities, towns, school districts, municipal corporations, and public libraries, lots with the buildings thereon used exclusively for religious worship, church parsonages, and public cemeteries, shall be exempt from taxation, and such other property as the legislature may by general law provide.[3]

Sec. 13. No tax shall be levied, except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

Sec. 14. The power of taxation shall never be surrendered or suspended by any grant or contract to which the state or any county or other municipal corporation shall be a party.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors of incorporated towns and cities, as provided by charter and ordinance.

(2) The town and city treasurers, who are ex officio collectors.

(3) County assessor, one in each county, elected for two years.[4] Sal-

School Revenues.

The constitution establishes the school fund, derived from the proceeds of state lands granted by the United States and from various other sources. The income and the proceeds of the state tax of 1 mill are to be apportioned among the several counties. Further apportionment is then made among the towns, cities, villages, and districts. Each town and city is required to raise for the support of the common schools a sum not less than the amount received from the school fund.

School districts may be formed by the town and city boards and taxes are assessed as for town and county purposes. The amount, not to exceed 5 per cent of the property valuation, is to be voted by the inhabitants of the district.

[1] This compilation is derived mainly from the following sources:
Revised Statutes of Wyoming, in force December 1, 1899. Compiled by J. A. Van Orsdel and Fenimore Chatterton, by authority of the fifth state legislature: Chaplin, Spofford & Mathison, Laramie, Wyo., 1899.
Laws of Wyoming, 1901: Chaplin, Spofford & Mathison, Laramie, Wyo., 1901.

[2] State inheritance tax law enacted in 1903.

[3] Subsequent law exempts coupon or registered interest bearing bonds of the state or any county, school district, or municipality of the state of Wyoming when owned by actual residents of the state, provided that the owner shall list same annually on the assessment schedule, describing name and the amount thereof, and shall mark opposite thereto on schedules the word "exempt."

[4] Assessors now appointed by the board of the county commissioners, under law passed subsequent to 1902; appointments made annually.

aries are graded according to total valuation as fixed by the state and county boards of equalization.

(4) The county treasurer, one in each county, elected for two years, who is ex officio collector of taxes therein.

(5) County board of equalization, composed of the board of county commissioners.

(6) State board of equalization, composed of the secretary of state, treasurer, and auditor.

State Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

a. The property included and exempt.—All property, real and personal, not exempted by law is subject to taxation:

(1) "Real property" includes land, possessory claims, buildings and improvements, ferries, franchises, and toll bridges.

(2) "Personal property" includes domestic animals and dogs, bank deposits and specie, credits, mortgages, stock and securities, annuities, and all other property not specified.

(3) Exemptions, in addition to public property, are: Public libraries; churches; parsonages; public grounds and cemeteries; fire engines and station houses; household and kitchen furniture, beds, bedding, wearing apparel of every person, and the food provided for each family, not to exceed in all the value of $100; property used in the manufacture of beet sugar in the state for a period of ten years where 75 per cent of the beets are grown in the state; pensions, salaries, and payment for services expected to be rendered. By act of February 1, 1901, lands and buildings used for schools, orphan asylums, or hospitals, and lodge rooms of secret, benevolent, and charitable societies not for private profit are exempt.

b. Assessment.—In general, for state and county taxes there is but one assessment roll, of which the county is the unit. Cities and towns may have independent rolls. The county assessor lists all persons in his county and assesses all property on the basis of schedules made out by the assessor or his deputies, but sworn to by the owner, and property is assessed at its full market value as of April 1, except as the valuation of such property is fixed or limited by the state board of equalization. Anyone who refuses to take oath to his list and it is found that such person did not list all his property, is to be assessed on omitted property at double the ordinary assessed value. The valuation at which live stock is to be assessed is fixed by the state board of equalization.

Bona fide debts may be deducted from credits, except notes given as premiums of insurance, unpaid subscriptions to institutions or societies, or unpaid subscriptions to capital stock.

The assessment of railroads, express companies, telegraph and telephone lines, and car companies of all sorts, for state and county purposes, is made by the state board of equalization on the basis of statements made by the companies, and the assessment so made is apportioned to the counties on the basis of mileage in the counties, where it is reapportioned to school districts by the county commissioners. Property not used in connection with the operation of the railroad or telegraph lines, such as machine shops, rolling mills, and hotels, are assessed by the county assessors as real estate.

The assessment made by the board of equalization does not apply to incorporated towns and cities, which are left to fix their own valuation in accordance with the needs of their respective governments.

Merchants are to list the average value of their capital during the year previous; commission merchants, the average monthly amount since the last assessment.

Manufacturers are to list the average value of the raw materials in their hands.

Capital stock of domestic companies, except banks, is not assessed for taxation. Capital stock of foreign companies doing business in the state, together with the accumulated surplus, not including real estate situated in any other state, is to be assessed to the company, and shareholders are not to be assessed therefor.

Shares of stock in banks are assessed to the owners at their par value

Mines are assessed on gross product in lieu of tax on lands.

Personalty brought, driven, or coming into the state prior to the last day of the year which remains for a period of not less than thirty days is assessed in the same manner as if it had been in the county at the time of the annual assessment.

All live stock upon the open range, for the purpose of taxation, has its situs in the county wherein is located the "home range." If the "home range" of any herd or brands of live stock is located in two or more counties, the assessment is apportioned. Live stock is to be assessed where located on April 1, or if brought into the state after that date, in the county where first brought in. The owner of any live stock which is to be brought into the state is required to give 10 days' notice of the removal of the stock to the assessor of the county into which the stock is first to be brought, who may, if necessary, make up a supplemental assessment roll. The penalty for failure to give notice to the assessor is a fine of $50 to $500 or imprisonment for six months, or both. The owner of any live stock which has been assessed must give notice of any removal from the county, and a copy is transmitted to the county where the stock is to be taken and filed therein. The penalty for failure to give this notice is a forfeit of $10 to $100.

c. Equalization.—The county board of equalization equalizes between individuals, hears complaints on the assessments, adds omitted property and assesses the value thereof, and corrects the valuations in the assessment roll.

The state board of equalization equalizes the valuation of real property among the several counties and towns in the state, and adds to or deducts from the aggregate valuation of real property in the county.

2. *Rate—*

The rate for state revenues, except for the support of state educational and charitable institutions, and for the payment of the state debt and the interest thereon, is limited, by the constitution to 4 mills on the dollar, and the tax to be levied and collected by each county is at this rate unless a lower one is determined by the state board of equalization.

For maintenance of state institutions, the rates authorized are: General hospital fund, one-eighth of 1 mill on each dollar; fund for the insane, one-half of 1 mill on each dollar; university tax, one-fourth of 1 mill on each dollar; capital building, one-eighth of 1 mill on each dollar; charitable institutions, 1 mill on each dollar; interest on state bonds and tax sufficient to pay said interest; extraordinary special levy 1902 for the University of Wyoming was five-tenths of 1 mill on the dollar.

Special tax levies for 1902 were as follows: Big Horn Hot Springs, state lands, irrigation and improvement, one-tenth of 1 mill on the dollar; gubernatorial residence, one-eighth of 1 mill on the dollar; hospital for insane, one-eighth of 1 mill on the dollar; Rowlins penitentiary, three-sixteenths of 1 mill on the dollar; University of Wyoming, five-sixteenths of 1 mill on the dollar; Wyoming general hospital, one-eighth of 1 mill on the dollar. In the case of live stock and personalty remaining in the state more than thirty days and less than six months only one-half the tax of that upon other like property is levied.

3. *Collection—*

Collection of state taxes is the same as that of county taxes. The county is liable to the state for the amount of tax levied for state purposes, except erroneous assessments, and no credit is to be given to any county for any part other than that of such tax levy remaining uncollected. All state, county, and school district taxes are due and payable, without demand, after the third Monday in September, at the office of the county treasurer. After December 31 all unpaid taxes are delinquent, and a penalty of 8 per cent is added and the whole draws interest at that rate. Taxes are a lien on personal property assessed and on real property for both real and personal taxes from December 31. Delinquent taxes are collected by distress and sale.

II and III. *Poll tax and inheritance tax.*

There is no state poll tax, and there was no inheritance tax in 1902, but in 1903 one was enacted.

IV. *Corporation taxes.*

Corporations are, in general, taxed under the general property tax.

Insurance companies pay 2½ per cent of the gross premiums received from business in the state on the basis of annual reports to the insurance commissioner, who collects the tax between February 1 and March 31 in each year. Insurance companies are subject to no other taxation except taxes on real and personal property and such fees as are imposed as a condition precedent to the transaction of business within the state.

(Every insurance company is subject to an additional tax of 2 per cent of premiums received upon policies held by residents which have become forfeited, but fraternal organizations are exempt.)

V. *Business taxes and licenses.*

Foreign building and loan associations pay the state auditor $25; foreign life and accident insurance, assessment plan (insurance commission), $25.

B. FEES.

Secretary of state.—Incorporation fees, capital $5,000 or less, $5; over $5,000 to $100,000, $10; over $100,000, $10 plus 5 cents additional for each $1,000 in excess of $100,000. These fees are in full of all charges for filing and recording articles of incorporation. Foreign corporations, filing copies of charters (register of deeds), $1; foreign building and loan association, annual statement (auditor), $10; foreign life and accident insurance companies, examination and first annual statement (insurance commission), $50; subsequent statements, $25; certificate of authority to agents, $1; domestic insurance companies, $50; filing and examination of first application, $25; annual statements, $1; certificate of authority—copies of papers and seals, minor fees.

Physicians and surgeons, examination, $5; pharmacist, certificate, $3; examination, $10; annual registration fee, $2; foreign fraternal insurance associations—permit to do business in state, $15; annual report, $10.

County Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included and the assessment and equalization thereof are the same for county as for state purposes.

2. *Rate—*

County taxes are levied by the county commissioners, of which the aggregate, including the general school tax, is limited to 12 mills on the dollar, exclusive of state revenue and the payment of the public debt and interest thereon.

3. *Collection—*

Collection is made by the county treasurer the same as for state taxes.

II. *Poll tax.*

a. General.—A tax of $2 is to be levied on every person between the ages of 21 and 50 years for county school purposes. It is the duty of the assessor to list each and every person in his county, and poll taxes when properly assessed become due and payable on the delivery of the tax list to the treasurer. The polls of persons who have arrived at the age of 50 years are exempt.

Delinquent poll taxes may be collected by the sale of the taxpayer's property. From the proceeds of such a sale the collector deducts the amount of the tax and $1 as his fee, and returns the remainder to the taxpayer.

b. Road.—The county commissioners may levy on men between 21 and 50 years of age a special road tax of $2, which is to be collected according to road districts, and may be worked out. Members of fire companies and the state national guard are exempt.

III and IV. *Inheritance tax and corporation taxes.*

There are no county inheritance or special corporation taxes.

V. *Business taxes and licenses.*

Licenses are issued by the sheriff of each county as follows:

Auctioneers, permanently located, $60 per year; auctioneers and peddlers generally, $300 per year; pawnbrokers, $25 per quarter; intelligence office, $15 per quarter; exhibitions, $10 to $50 per day; circuses, $50 per day; gaming license—faro, monte, keno, rondo, lansquenet, roulette, vingt et un, and props, $150 per quarter;[1] billiard table license, not for private use, $5 per quarter; bowling alley, $10 per quarter; game license, $1 per annum, to nonresidents, $40, guides, $10. Liquor licenses—sale within 5 miles of a railway station or town, city, or village, $300 per annum; other cases, $100 per annum; wholesale dealers, $175 per annum; car liquor license, $10 per car. License taxes for liquor selling, billiard tables, and gaming within the corporate limits of any city, village, or town go to the municipality.

Municipal Revenues.

A. TAXES.

I. *The general property tax.*

1. *Base—*

The property included is the same for municipal as for state taxation. Incorporated towns and cities

[1] But all gambling was prohibited in 1902.

make their own assessment rolls, as provided by ordinance, and have their own boards of equalization.

In cities of the second class, 5,000 to 8,000 inhabitants, the city assessment is taken by the city clerk from the county assessment roll.

2. *Rate*—

No incorporated city or town shall levy a tax to exceed 8 mills on the dollar, except for the payment of its public debt and interest thereon.

3. *Collection*—

Collection is made by town and city treasurers in a manner similar to county collection.

II. *Poll tax.*

See County poll tax, above.

III. *Inheritance tax.*

There is no municipal inheritance tax.

IV. *Corporation taxes.*

Cities granting exclusive franchises for water or light, or any franchises for street railways, or electric or gas lighting or heating must contract to receive at least one-fifth of all the net earnings and revenues in excess of 6 per cent net profits upon the capital actually invested, under such franchise.

V. *Business taxes and licenses.*

All taxes on licenses issued by the county for the sale of liquors, keeping billiard tables, and gaming, when the licensee carries on the business in the corporate limits of any incorporated town, city, or village is to be collected by the municipality and applied to the general revenue purposes thereof.

Cities have power to raise revenue by collecting license taxes on any corporations or businesses within the limit of the city, including the sale of liquor. The license tax on dogs is from $1 to $3.

Incorporated towns may license and tax dogs, hucksters, peddlers, pawnbrokers, exhibitions, shows, the sale of liquors, billiard tables, bowling alleys, games and gaming tables, drays, hacks and carriages, and other vehicles, as the town council may prescribe.

Underwriters are required to pay to cities a duty or rate of 1 per cent upon the amount of all premiums.

School Revenues.

The county is subdivided by the county superintendent of schools into school districts, not to exceed twenty-five to a population of 10,000. The county assessor at the time of making the county assessment also assesses the property of the district. The board of county commissioners equalizes the assessment of the several school districts. There is levied by the county commissioners at the time of the levy for county purposes the tax voted in the district, upon the district assessment, and that of railroad and telegraph property as made by the state board of equalization. Collection is made the same as for county taxes.

The tax rate is limited to 10 mills on the dollar, and to 5 mills where the total valuation is over $3,000,000 or less than $200,000.

Apportionment of school funds in the county treasury is made by the county superintendent as follows: $150 to each school district for the payment of teachers, and all moneys remaining pro rata in accordance with the number of pupils, except that all poll taxes collected for school purposes by the county treasurer are to be paid over to the school district in which they were collected.

All fines and penalties under the general laws of the state belong to the public school fund of the respective counties.

REVENUE SYSTEM OF PORTO RICO.

Professor Plehn's compilation does not include any reference to the revenue laws of Porto Rico. A summary of these laws was given in Census Bulletin 24, prepared by Hon. William F. Willoughby, treasurer of the insular government. The most important paragraphs of that bulletin relating to the insular and municipal revenue systems of Porto Rico are here reproduced. In addition to the facts stated in these paragraphs mention should be made of the fact that the insular government is in receipt of what are properly grants from the Government of the United States, the moneys so granted being derived from the collection of custom duties. The present revenue system of Porto Rico differs very materially from that which prevailed before the American occupation. The extracts from Bulletin 24 relate only to the "new" system introduced since the island came under the control of the United States Government:

Revenue law.—The new revenue law provided for five distinct taxes: (1) A general property tax upon real and personal property in the island; (2) a system of excise taxes upon liquors, tobacco, and certain other articles and upon certain documents; (3) an inheritance tax; (4) a tax upon surety and insurance companies; and (5) a special license tax upon foreign corporations doing business in the island.

General property tax.—The general property tax is similar in all essential respects to the general property tax as found in most of the states of the Union. All property, real and personal, not specially exempt by the law is assessed to its owner at its fair market value without regard to what might be its price at a forced sale. Every effort is made to carry out this provision of having the property valued at its full market value. The exemptions are on a rather liberal scale. They include, in addition to public property, all property used exclusively for religious, charitable, educational, literary, and scientific purposes, cemeteries, professional tools, household furniture other than that in boarding and eating houses, wearing apparel and the like, growing crops and products of the land actually owned by and still in the hands of the producer, and all property of whatever description belonging to persons whose total property is assessed at less than $100. This latter exception is of especial importance, owing to the large number of persons in the island coming within its terms. Mortgages upon real estate are assessed as an interest in real estate to the mortgagee, and the mortgagor is allowed a corresponding deduction from the assessment of the property involved in all cases, except where an express covenant in writing exists between the mortgagor and mortgagee that the former shall pay the tax. In the assessment of personal property taxpayers are required to list all of their credits, from which they are allowed to deduct their bona fide debts, but in no case can the debts be set off against or deducted from the assessment of other property. Corporations are so far as practicable treated as individuals. They pay taxes upon real property in the districts in which it is located and upon the actual present value of their capital less the value of the real estate upon which they pay separately. In assessing the value of their capital the law requires that it shall in no case be less than the value of the capital stock plus the surplus and undivided earnings, or less than the market value of the real and personal property owned by the corporation in Porto Rico. In the case of railroad companies having their tracks in more than one municipality the value of the rolling stock and roadbed is apportioned to the different municipalities in proportion to the length of the roadbed in each.

Assessment of taxes.—The provisions of the law relating to the machinery of assessment and the manner of its operation are particularly important. The entire work of assessing property is centralized in the hands of the insular treasurer. On the occasion of the making of the first assessment, which was carried through in the spring and early summer of 1901, the island was divided into a large number of assessment districts, for each of which local assessors were appointed. The taxpayers in each district were required to make sworn returns of their taxable property to these assessors upon forms supplied them for that purpose. The assessors revised these returns where, in their opinion, the valuations fixed by the taxpayers were not satisfactory, and notified the persons interested of their action. From the decision of the assessor the taxpayers had a right to appeal to district boards of review and from them to the executive council as the final board of review. A supervisor of assessments acting under the treasurer had general charge of the whole work.

In 1902 this system was changed in a number of important particulars. It was provided that the future work of revising assessments should be done by a small and select force of official assessors permanently attached to the treasury department instead of by a force temporarily employed for the work. The old system by which the action of assessors was passed in review, first by district boards and later by the executive council, was abolished, and in its place provision was made for a single board of review and equalization composed of the treasurer as chairman, the secretary and commissioner of the interior as ex officio members, and two other persons, natives of Porto Rico, to be appointed by the governor by and with the consent and approval of the executive council. This board not only passes upon all appeals made to it by taxpayers, but has the power to make on its own initiative such changes in the assessment of property as it deems proper. In all cases where it makes such changes, however, the owners of the property involved have to be informed of the proposed action and given an opportunity to present any facts or arguments that they may desire if they believe that their rights are injuriously affected.

Collection of taxes.—As in the case of the assessment of property, the work of collecting the taxes due and enforcing the law in all particulars is concentrated in the hands of the treasurer. The revenue law as originally passed in 1901 provided for the division of the island into nine collection districts and the appointment by the treasurer of nine collectors and twenty-seven deputy collectors. The amending act made provision for nine collectors and fifty-one deputy collectors, so that practically each municipal district of the island should have its own collector and deputy collector. No extra expense was occasioned, since at the same time the forty-one agencies for the sale of internal revenue stamps were abolished and the duties connected with them imposed upon the collectors and deputy collectors of taxes. The proper performance of their duties by these officers is enforced through two traveling examiners attached to the treasury department.

The system for the enforcement of the payment of delinquent taxes is similar in most respects to that in force in the United States. Taxes are due and payable in two installments, July 1 and January 1 of each fiscal year. If not paid within sixty days they become delinquent, and a penalty in the form of interest at the rate of 1 per cent a month begins to run. Within thirty days after taxes become delinquent each collector and deputy collector must post a list of all delinquent taxpayers in his district, showing the amount of taxes due, accompanied by a notice stating that if the taxes are not paid within twenty days from its date the property will be attached and sold. In thus proceeding against delinquent taxpayers the written order of the treasurer for the sale must in all cases be obtained. The effort must first be made to secure the amount due through the sale of the personal property of the delinquent, and if this can not be done, then through the sale of a sufficient amount of his real estate. Property not sold to third parties is bid in in the name of the people of Porto Rico. The real estate so sold can be redeemed by the taxpayer at any time within ninety days after the sale upon the payment of all taxes, penalties, and costs. The rate of the tax was fixed at one-half of 1 per cent of the assessed value of the property, and it was also provided that the municipalities might levy a further rate of not to exceed one-half of 1 per cent for the purpose of obtaining income for their local needs. The work of assessing properties began immediately after the passage of the law, but the payment of taxes did not become due until July 1, 1901.

Excise taxes.—The system of excise taxes that was established by the same law can be much more briefly described, as it follows so closely that of the Federal Government in force in the United States. There are three schedules, known respectively as "Schedule A," "Schedule B," and "Schedule C." Schedule A provides for the payment of specific duties on distilled spirits, beers, wines, cigars, cigarettes, manufactured tobacco, matches, playing cards, and oleomargarine, and advalorem duties on proprietary medicinal preparations, patent medicines, toilet articles, perfumery, cosmetics, and arms and ammunition manufactured in, or imported for consumption into, Porto Rico. Schedule B consists of a scale of license taxes imposed upon dealers in, or importers of, the articles enumerated in Schedule A. Schedule C imposes moderate documentary taxes on custom-house entries and notarial documents. The rates imposed by the original law were in some cases increased somewhat by the amending act of 1902. Thus the rate on wine and malt liquors was raised from 15 to 21 cents a gallon, and the license taxes upon dealers and importers were increased from 25 to 50 per cent.

The following statement shows the rate of these taxes as fixed by the amending law of 1902 and in force during the fiscal year 1902–3.

Schedule A.

1. Rum and bay rum produced in Porto Rico or imported from the United States, per gallon	$0.60
Rum and bay rum imported from foreign countries, per gallon	1.00
Other distilled liquors, per gallon	0.80
2. Adulterated distilled liquors, per gallon	0.40
3. Wines and beers, per gallon	0.20
Champagnes, per gallon	1.00
4. Adulterated wines and beers, per gallon	0.15
5–8. Cigars and cigarettes produced in Porto Rico or imported from the United States:	
Not exceeding 3 pounds per thousand in weight, per thousand	1.00
Exceeding 3 pounds per thousand in weight, per thousand	1.80
Cigars and cigarettes imported from foreign countries:	
Not exceeding 3 pounds per thousand in weight, per thousand	2.00
Exceeding 3 pounds per thousand in weight, per thousand	3.60
9. Manufactured tobacco produced in Porto Rico or imported from the United States, other than cut plug (*tabaco hilado*), per pound	0.05
Cut plug (*tabaco hilado*), per pound	0.02
Manufactured tobacco imported from foreign countries, per pound	0.10
10. Playing cards, per pack	0.02
11. Medicinal preparations	5 per cent ad valorem
12. Oleomargarine, per pound	0.10
13. Arms and ammunition	25 per cent ad valorem
14. Matches produced in Porto Rico or imported from the United States, per hundred boxes (100 sticks per box)	0.15
Matches imported from foreign countries, per hundred boxes (100 sticks per box)	0.30

SCHEDULE B.

1. Wholesale dealers in distilled spirits, per annum	$100.00
2. Wholesale dealers in fermented liquors, per annum	48.00
3. Retail liquor dealers:	
First class, per annum	28.00
Second class, per annum	16.00
Third class, per annum	8.00
4. Wholesale dealers in tobacco, per annum	48.00
5. Retail tobacco dealers:	
First class, per annum	20.00
Second class, per annum	10.00
Third class, per annum	6.00
6. Dealers in arms and ammunition, per annum	24.00

SCHEDULE C.

1. Entries of imports from foreign countries, per copy	$1.00
2. Notarial instruments and documents of record, per copy	$0.50 and $1.00

All articles exported from Porto Rico are exempt from the payment of excise taxes.

For the enforcement of the law provision was made for a force of internal revenue agents having the same general powers as revenue agents of the United States. The treasurer has the power to issue such regulations having the force of law as may be necessary for the proper enforcement of the laws. By the act of 1902 he was also empowered to impose administrative fines of not exceeding $10 in any one case for violations of the law or his regulations. Cases of deliberate fraud are sent to the courts for prosecution.

All excise taxes are paid by the affixture of stamps. The receipts from the sale of such stamps are in the first instance paid into the insular treasury. Of the sum thus realized the original act provided that until July 1, 1901, 50 per cent, and thereafter 15 per cent, should be paid to the municipalities, being apportioned among them according to population. The act of 1902 changed this so that only 7.5 per cent should be so apportioned during the fiscal year 1903–4, and that thereafter such payments should be entirely discontinued, excise taxes thus being made exclusively a source of insular revenue. The system of excise taxes went into force upon the passage of the act, January 31, 1901.

Inheritance tax.—The inheritance tax is slightly progressive, varying in accordance with the relationship of the heirs and the value of the inheritance. The first $200 of any devise, and all property passing to the wife, child, adopted child, or grandchild of the deceased, is exempt; husband and lineal descendants not specifically exempt pay 1 per cent and other heirs 3 per cent on inheritances from $200 to $5,000; 1.5 and 4.5 per cent, respectively, on from $5,000 to $20,000; 2 and 6 per cent, respectively, on from $20,000 to $50,000; and 3 and 9 per cent, respectively, on all over the latter amount.

Tax on surety and insurance companies.—The tax upon surety and insurance companies consists of, first, an annual tax of 3 per cent of the gross amount of all premiums or dues collected in Porto Rico; and, second, a special stamp tax, paid by the affixture of internal revenue stamps as follows: For each bond or obligation of the nature of indemnity for loss, damage, or liability, and each bond, undertaking, or recognizance conditioned for the performance of the duties of any office or position issued or executed or received by any surety company, one-half of 1 cent on each $1 of the amount of the premium charged; for each policy of insurance instrument, whereby any insurance is made upon any life or lives, 8 cents on each $100 of the amount insured; for each policy of insurance by which insurance is made or renewed upon any property of any description against peril by sea, fire, lightning, or otherwise, one-half of 1 cent on each $1 of the amount of the premium charged. These corporations, unless they have money invested in Porto Rico, pay no general property tax. The license tax upon foreign corporations is a specific annual tax of $25 upon all such corporations for the right to do business in the island.

Interest on deposits.—In addition to the above taxes, which constitute its revenue system proper, the insular government obtains a considerable income from its telegraph service, harbor dues, fees paid by corporations for the filing of papers in the secretary's office, fines, royalties on franchises, and interest on deposits.

MUNICIPAL REVENUES.

The local governments of Porto Rico are those of the 46 (formerly 66) municipalities. In section 60 of the general laws of the island are found the provisions relating to the revenue of these municipalities. That section is as follows:

SEC. 60.—That any municipality shall have power to derive its revenue from the following sources; and no taxes, imports, excises, other than those herein enumerated, shall be levied by a municipality unless expressly authorized by this act or by the laws of Porto Rico:

(1) The incomes from municipal markets, slaughterhouses, cemeteries, waterworks, gas works, or other property owned by the municipality.

(2) The incomes from any taxes apportioned to the municipality by the laws of the island.

(3) The proceeds of any tax on real and personal property situated within the municipal district duly authorized by the legislative assembly and not exempted by the laws of the United States nor by any act of the legislative assembly.

(4) Such license taxes as may be authorized in pursuance of the act entitled "An act to provide temporary revenue for the municipal districts of Porto Rico," approved January thirty-first, nineteen hundred and one, which act is hereby continued in force from and after June thirtieth, nineteen hundred and two, until repealed or modified by act of the legislative assembly.

(5) Fines imposed by police and municipal courts.

(6) Fees for issuance of certificates of registration of cattle brands at the rates fixed in this act.

(7) Charges for licenses for vehicles, boats, peddlers, billiard tables, pawnbrokers, and river and harbor ferries at the rates fixed by ordinance.

(8) Charges for permits to place seats for hire or booths in public places.

(9) Charges for permits for public amusements and shows.

(10) Charges for dog licenses.

(11) Charges for permits for sewer connections.

(12) Contingent receipts and interest on public funds.

The revenues accruing to the municipalities under the provisions of paragraph (2), are those which represent their share, or 50 per cent of the insular excise taxes described above. Under the provisions of paragraph (3) there is levied for the benefit of the municipalities, a general property tax of one-half of 1 per cent of the assessed valuation. In addition to this general levy and in accordance with the authority granted by general law, many municipalities levy special taxes for schools or for the payment of interest on the bonded debt; one, or both.

The license taxes and permits authorized by paragraphs (4), (7), (8), (9), (10), and (11) are similar to the business and other license taxes levied and permits issued by the cities of the various states of the American Union. The particular businesses licensed and the amount of taxes collected in connection therewith vary somewhat in the different municipalities.