

Proposed Oregon Tax Law

(Continued from last week)

(Assessor to give notice of meeting of board of equalization.)

Section 36. That section 3060 of the Codes and Statutes of Oregon, compiled and annotated by Hon. Charles B. Bellinger and William W. Cotton, be and the same hereby is amended to read as follows:

Each assessor shall give three weeks' public notice in some newspaper printed in his respective county; if there be no such newspaper, then by posting up notice in six conspicuous places in his county, setting forth that on the first Monday in October the board of equalization will attend at the court house in his county, and publicly examine the assessment rolls, and correct all errors in valuation, description, or qualities of lands, lots, or other property assessed by such assessor; and it shall be the duty of persons interested to appear at the time and place appointed. Proof of such notice, if published in a newspaper, shall be made by affidavits as provided by law, filed with the clerk of the county where the newspaper is printed, on or before the first Monday in October in the year when such notice is printed; if such notice be posted, proof thereof shall be made by the affidavit of the assessor or his deputy, setting out the time, manner, and place of posting such notices, filed with the clerk of the county on or before the first Monday in October in the year when such posting is made.

(Changes the date of meeting of the board of equalization as specified in the notice, from the last Monday in August to the first Monday in October; provides for perpetuating the fact of jurisdiction of the board by requiring proof to be filed on the giving of notice, and prescribing the form. Section 3060 contains language reciting the duty of the board to make corrections, etc., which is almost a literal duplicate of section 3080, B. & C. Comp. This has been omitted as not properly belonging in a section which merely prescribes what notice shall be given of the meeting.)

(Word "assessor" shall include his deputy.)

Section 37. The word "assessor," as used in this act, shall be taken to include his deputy.

(New)
(County court may appoint special assessor in event of failure of assessor to act.)

Section 38. In event of the failure of the assessor to commence or continuously and vigorously prosecute the making of the assessment in the manner provided by law, the county court may summarily appoint a special assessor, who shall qualify in the same manner as the assessor, and who shall have all the duties, rights, privileges, and emoluments of the assessor in making the assessment for the current year, and whose acts shall have the same effect as if the same had been done by the assessor.

(Intended to provide a way to escape from the situation in which one county of the state found itself in 1905, when the assessor did not make the assessment and the county court undertook to appoint a deputy who actually made the assessment. The validity of the assessment was assailed by heavy taxpayers, but has not yet been determined. This contingency may occur in any of the counties of the state, and the public should not be prejudiced by the failure of an assessor to act as neither mandamus nor removal from office would give speedy and adequate relief as against a recalcitrant assessor.)

(Repealing section.)
Section 39. That sections 2709, 2710, 3041, 3042, 3044, and 3059 of the Codes and Statutes of Oregon, compiled and annotated by Hon. Charles B. Bellinger and William W. Cotton, be and the same hereby are repealed. That all acts and parts of acts in conflict herewith be and the same hereby are repealed.

(1. Sections 2709 and 2710 have long been obsolete; they provide for the assessment and collection of taxes, and equalization by the city and its officers. Compare section 3098. 2. The assessors of the state in annual conventions have twice recommended the abolition of the \$1 poll tax, or its transfer to the \$3 road poll tax. 3. Laws of 1903, page 286, covers the same ground as section 3042; and see section 6 of this act. 4. Section 3044 is included in section 3056, providing for the assessment of all lands, which, of course, includes that of corporations. 5. Section 3059 is merged with section 3070 in drafting section 23 of this act.)

(Saving clause as to assessment for current year.)

Section 40. That, notwithstanding anything to the contrary in this act contained, the provisions hereof shall not apply either as to the property subject to assessment or the mode of assessment thereof, to the assessment which but for this act would be made in the year 1907 upon the basis of ownership and valuation of property March 1, 1907; but the statutes which have heretofore been in force shall continue in full force as to the assessment for that year until all things in and about the same, necessary to a valid assessment for taxation, shall have been done as fully as if this act had not been enacted.

A BILL.

For an act to provide a more efficient and equitable system for the assessment of bank stocks, shares and banking capital for taxation; to define what bank stocks, shares, and banking capital shall be subject to assessment and taxation, to whom assessed and taxed; to define the duties of the county assessor in reference to the assessment of the same; to prescribe the manner of determining the cash value of such banking stock, shares, and banking capital; to prescribe the duties of the companies, corporations, associations, copartnerships, and persons subject to the provisions of this act, and the cashier, managing officer, or accounting officer of either of them; and to provide penalties for the violation of such duties; to create a charge for the payment of taxes on dividends, stock, shares, and banking capital; to provide for the sale to pay delinquent taxes thereon of shares, stocks, and other interests; to amend an act entitled "To fix the place of assessing

national bank stock and private banks, loan and trust companies," approved February 24, 1903; to repeal sections 3042, 3063, 3064, 3065, 3067, and 3068 of the Codes and Statutes of Oregon, compiled and annotated by Hon. Charles B. Bellinger and William W. Cotton, and to repeal all acts and parts of acts in conflict herewith.

Be it enacted by the people of the state of Oregon:

(Assessment and taxation of stock and shares in national and state banks.)

Section 1. The stockholders or shareholders of every corporation bank located within this state, engaged principally in the business of banking, lending money, receiving money on deposit, buying or selling bullion, bills of exchange, notes, bonds, stocks, or other evidences of indebtedness, a view to profit, whether such bank be organized for banking purposes under the laws of this state or of the United States, shall be assessed and taxed on the value of their shares of stock therein. Such shares shall be assessed only with regard to the ownership and value thereof on the first day of March, at the hour of 1 o'clock a. m., in each year, at the place required by law.

(Statement to be furnished assessor by cashier or accounting officer.)

Section 2. To aid the assessor in determining the value of such shares of stock, the cashier or other accounting officer of every such bank mentioned in the first section of this act is hereby required to furnish a statement to the assessor of the county where the same is located, between the first day of April and the fifteenth day of May in each year, verified by oath, showing the amount and number of such shares of the capital stock of such bank, the amount of its surplus or reserve funds, and the amount of its undivided profits at the hour of 1 o'clock a. m. of the first day of March preceding, the actual and cash value of all real estate owned by it in this state, or elsewhere, and the location of the same; also the cash value of the securities of the United States owned by it.

(Ascertainment of value of stock—Deductions for real estate and exempt property.)

Section 3. Real estate owned by such bank and situate in this state shall be assessed and taxed as other real estate is assessed and taxed. The assessor shall deduct the amount of all investments in real estate from the aggregate amount of such capital stock, surplus fund, and undivided profit, and the remainder shall be taken as a basis for the valuation of such shares of stock in the hands of the stockholders subject to the provisions of law requiring all property to be assessed and taxed at its full and actual cash value.

(Shares of national banks not located within state exempt.)

Section 4. The shares of capital stock of national banks not located in this state, held in this state, shall not be required to be assessed or taxed.

(Bank to keep and furnish list of stockholders.)

Section 5. In every bank and banking office mentioned in section 1 of this act there shall be kept at all times a full and correct list of the names and residences of stockholders, owners, and parties interested therein, showing the number of shares and the amount held, owned, or controlled by each party in interest, which list shall be subject to the inspection of the officers authorized to assess property for taxation. It shall be the duty of the cashier or other accounting officer of each bank or banking institution to furnish the assessor with a copy of such list annually, between the first day of April and the fifteenth day of May in each year, showing the facts in this section specified as of the hour of 1 o'clock a. m. on the first day of March previous.

(Assessment of foreign banks, etc., and local companies and persons not principally engaged in banking.)

Section 6. Every company, association, building and loan association, trust company, or other corporation, joint stock company, or copartnership, or person, not incorporated for banking purposes under the corporation laws of this state or of the United States, who shall keep an office or place of business and engage in the business of banking, lending money, receiving money on deposit, buying or selling bullion, bills of exchange, notes, bonds, stocks, or other evidences of indebtedness, with a view to profit; and it is hereby made the duty of the cashier, managing officer, and accounting officer of every company or association, including building and loan and trust companies, incorporated under the laws of this state which engages in, but not as its principal business, the business of banking, lending of money, the receiving of money on deposit, buying and selling bullion, bills of exchange, notes, bonds, stock, or other evidences of indebtedness, with a view to profit, between the first day of April and the fifteenth day of May in each year, to make out and furnish to the assessor a statement, setting forth and showing such reference to such banking business in this state on the first day of March of the current year at the hour of 1 o'clock a. m.:

1. The amount of money on hand and amount of money in transit.
2. The amount of funds in the hands of other banks, bankers, brokers, or others subject to draft.
3. The amount of checks or other cash items not included in any of the preceding items.
4. The amount of bills receivable, discounted, or purchased, and other credits due or to become due, including accounts receivable, interest due and unpaid; also the value of such bills receivable, notes, and credits.
5. The amounts of stocks and bonds of every kind, and shares of every kind, and shares of the capital stock or joint stock or other companies or corporations held as an investment, or in any way representing assets, showing and deducting therefrom securities of the United States and other such stocks, bonds, and shares which are exempt from taxation, if any, and also showing those subject to taxation, and the amount of each; also showing the value of such bonds, stocks, and shares.
6. All other property pertaining to its business other than real estate (which real estate shall be assessed and taxed as other real estate is assessed and taxed).
7. The amount of deposits.
8. The aggregate amount of the above first, second and third items shall be listed, and the aggregate amount of the taxable property embraced in the fourth, fifth and sixth items above shall be listed, and from the aggregate sum of said first, second and third items, and the aggregate sum of the taxable property embraced in the fourth, fifth and sixth items, there shall be deducted the amount of the above seventh item, and the amount remaining shall be assessed to each company, association, or person at its full amount as money and credits, the same as other property is assessed, at the place required by law.

(Taxes to be a charge on dividends, stock and banking capital—Sale for tax.)

Section 7. To secure the payment of taxes on bank stocks or shares, or upon banking capital, such taxes are hereby made a charge upon said shares of stock or banking capital or interest against which the said taxes are assessed and levied, and upon any dividend or dividends thereon. It shall be the duty of every bank, or the managing officer or officers thereof, to retain so much of any dividend or dividends belonging to such stockholders, shareholders, or owners as shall be necessary to pay any tax assessed and levied upon their shares of stock or interest respectively until it shall have been made to appear to such bank or its officers that such taxes have been paid. Any officer of any bank who shall pay over, or authorize the paying over, of any such dividend or dividends, or any portion thereof, contrary to the provisions of this section, shall thereby become liable for such taxes. If such taxes shall not be paid before the same become delinquent, on or immediately after the first Monday in May in each year, the tax collector of the county where such bank is located shall proceed to sell such share or shares, stock, or interest to pay the same, together with interest, accruing interest, penalties, and other lawful charges, in the same manner other personal property is sold for delinquent taxes, and in case of such sale the provisions of law in regard to the transfer of stock when sold on execution shall apply to such sale.

(Penalty for neglect or refusal to furnish statement required.)

Section 8. The cashier, managing or other accounting officer of any company, association, copartnership, or person who shall neglect or refuse to make and furnish any statement required by this act of such person or such company, association, copartnership, or persons, within the time and in the manner by this act provided, shall forfeit the sum of \$1,000 for each offense, to be recovered by indictment, for the use of the county in which said bank is located.

(Penalty for making or furnishing false or fraudulent list or statement.)

Section 9. The cashier, managing or other accounting officer of any company, association, copartnership, or person who shall willfully present to or furnish the county assessor with any statement required by this act, which statement shall be false or fraudulent, shall be deemed guilty of perjury, and upon conviction thereof, shall be punished by law as otherwise provided for such crime.

(Repealing clause.)

Section 10. That sections 3042, 3063, 3064, 3065, 3067 and 3068 of the Codes and Statutes of Oregon, compiled and annotated by Hon. Charles B. Bellinger and William W. Cotton, and all acts and parts of acts in conflict herewith, be and the same hereby are repealed.

(To be continued next week)

Stealing a March.

"Hang it all!" exclaimed Mr. Subbs, arriving home from the office, "we'll have to call on the Dubleys to-night."
"Why, George, you said you wanted to stay home with me in comfort to-night," exclaimed his wife.
"Yes, but Dubley told Balklotz he and his wife meant to call on us to-night. We can leave their house earlier than we could make them leave ours."—Philadelphia Press.

IMPROVE COAL LAW

Congress Will Endeavor to Help Situation This Session.

MANY DEFECTS IN PRESENT LAW

Was Passed for Benefit of Individual, Who Is Unable to Work Land After Taking It.

Washington, Dec. 15.—Strenuous efforts will be made at the present session of congress to secure the repeal or modification of the coal land law along the lines recommended by President Roosevelt in his message. That something will be accomplished seems quite probable, but what form of law will be substituted for that under which gigantic frauds have been perpetrated has not yet been made apparent. The influence of the administration will be behind a bill proposing to cut off further sales of government coal land, though permitting them to be worked by individuals or companies on a royalty plan.

The president, like every other practical western man, knows that the existing coal land law is not sensibly framed. That law was built on the theory that the individual could take up and develop a quarter section of coal land, just as the homestead law gives the individual a like area of agricultural land. But no individual can develop a quarter section or a whole section of coal land. He could not afford to install the necessary machinery, or if he could, his profits on a quarter section would not recompense him for the outlay. Moreover, no railroad would think of building a spur onto an isolated quarter section of land and the owner of the land could not afford to assume that expense. So the individual with a quarter section of coal land in his possession would have a white, or rather a black, elephant on his hands. The mineral wealth might be there in abundance, but he could not get it out and could not get it to market.

How to cure this evil is a question for congress to decide, and some solution is likely to be forthcoming this winter. Some favor a change in the law increasing the area of coal land that may be purchased by individuals or by companies or corporations to such size that they can profitably invest and put the coal on the market. These men would increase the price of coal land so that the government would reap a larger benefit from the sales.

EVILS OF CHILD LABOR.

Miss Adams Declares America Is in Class with Russia.

Cincinnati, Dec. 15.—Before the first session of the child labor convention here last night, Dr. Felix Adler, chairman of the national child labor committee and professor of political and social ethics in Columbia university, spoke on "The Attitude of Society Toward the Child as an Index of Civilization." Professor Adler spoke of the inadequacy and inefficiency of state laws and urged the necessity for a national law to furnish a background for effective state and local activity and make the enthusiasm of the people contagious in its effect on local bodies, thus inducing greater efforts for the child and a more glorious future for the republic.

Addresses by Miss Jane Adams, of Hull house, Chicago, and United States Senator Beveridge followed. A resolution was adopted emphasizing the belief that it is the duty of the several states to correct evils of child labor in local manifestations, but indorsing "cordially the principle of the Beveridge-Parsons bill for a national child labor law."

Miss Adams urged the desirability of uniform legislation against the evils of child labor, and declared that the census reports show America behind every European country except Russia in so far as child labor and its effects are concerned.

Urges Immediate Action.

Washington, Dec. 15.—Senator Flint, of California, talked with the president today about the break in the Colorado river, which has resulted in such a disastrous flood in Imperial valley, California. When he asked that proper representations be made to Mexico, with a view to securing financial redress for those persons whose property had been injured, the president told him that the State department had already addressed a note on the subject to the Mexican government, but that thus far no reply had been received.

Why Is Lumber Costly?

Washington, Dec. 15.—The house today after some discussion, adopted a resolution of Mr. Miller, of Kansas, authorizing the secretary of Commerce and Labor to investigate the cause of the high price of lumber in the various stages of manufacture and sale, with the object of ascertaining whether present high prices are the result of a trust.

SHOWS BIG DEFICIT.

Postal Department Runs Behind \$10,-516,995.94 in Year.

Washington, Dec. 11.—The annual report of Postmaster General Cortelyou shows receipts for the past year were \$167,932,782.95, while expenditures were \$178,449,778.89. The deficit is \$10,516,995.94.

Th postmaster general discusses the deficit but says he is less concerned about that than about the efficiency of the department. He attributes the failure to show a profit to the growing public demand for increased postal facilities. The deficit is not charged to any one branch of the service.

The remarkable efficiency of some departments is commented upon, particularly of the registry service. For half a century all causes of loss, including burglary, theft and fire, have shown a loss of only three one-thousandths of 1 per cent. Mr. Cortelyou recommends that a deputy postmaster general be appointed, who shall relieve the burden borne by the postmaster general and his four assistants. The department has 320,000 persons in its employ and it is recommended that the deputy's position be made permanent and that he shall be general manager of the postal service. Greater accuracy in statistics is recommended and Mr. Cortelyou asks that provision be made for expert statisticians and accountants. The congestion of mail in New York City is indicated and attention called to the new postoffice building, a site for which has been acquired at the proposed terminal station of the Pennsylvania railroad.

PRESIDENT CASTRO ILL.

Chief Executive of Venezuela Removed to Seacoast Town on a Bed.

Fort de France, Martinique, Dec. 11.—Reliable advices here from Venezuela set forth that President Castro was moved down to the little seacoast village of Macuto, near La Guayra, last week. The president is described as being very ill. He made the trip from Caracas in a bed. When he arrived at Macuto, he appeared to be absolutely unconscious. It is generally believed that he has no chance of recovery.

Violently worded posters have been circulated in Caracas declaring that no one is today deceived regarding the gravity of President Castro's illness, and insisting that the exercise of the executive power be assured through a vice president, which is provided for in the constitution. For a long time past the poster continued, only routine government matters have been attended to, and important questions are being held in abeyance.

General Parades, an ex-revolutionist, now in exile, is organizing a serious insurrectionary movement, and declares that he will soon take the field. He claims to have 15,000 rifles at his disposition.

FROM PRESIDENT'S VIEW.

Gives Reasons for Dismissing Former Ambassador Storer.

Washington, Dec. 11.—President Roosevelt tonight made public a long letter addressed to Secretary Root, giving correspondence between the president and ex-Ambassador Bellamy Storer, in which he says that Mr. Storer's refusal to answer his letters and the publication of various private letters justified the ambassador's removal; that Mr. Storer's publication of private correspondence was peculiarly ungentlemanly and that he (the president) had stated with absolute clearness his position, the reason why it was out of the question for him as president to try to get any archbishop made cardinal, though expressing his admiration for Archbishop Ireland as well as leaders of other denomination.

The president's action follows the publication of a "confidential pamphlet" which Mr. Storer last week sent to the president, the cabinet and the senate and foreign relations committee.

Shinamura in Command.

Victoria, B. C., Dec. 11.—The steamer KaguMaru brought news that Admiral Shinamura will probably command the Japanese squadron, consisting of the cruisers Matsushima, Itsukushima and Hashidare, which will leave Japan next month for Honolulu, San Francisco and the Puget sound. The vessels will be commanded respectively by Captains Nawa, Nomaguchi and Yamagata. Reports are current that Rear Admiral Tomerka, president of the Yotajima naval college, may also accompany the fleet.

Sampans Sunk in Squall.

Tokio, Dec. 11.—A number of sampans (small harbor boats) belonging to the Japanese cruiser Chitose were sunk in a squall here today while she was returning from a trip. A number of the boats were overturned and 60 men were drowned.