

# MAINE STATE LEGISLATURE

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# DOCUMENTS

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# THE LEGISLATURE

OF THE

STATE OF MAINE.

1867.

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1867.

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# FORTY-SIXTH LEGISLATURE.

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HOUSE.

No. 46.

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## REPORT

OF

### COMMITTEE ON THE JUDICIARY.

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The Committee on the Judiciary to which was referred bill entitled an act providing for the discovery and taxation of certain kinds of personal property, and defining a penalty for withholding the same from taxation, have had the same under consideration, and ask leave to report that the same ought not to pass.

Per order.

GEO. E. DOWNES.

# STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN.

AN ACT providing for the discovery and taxation of certain kinds of personal property and defining a penalty for withholding the same from taxation.

*Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

SECTION 1. It shall be the duty of every holder of  
2 any United States, state, county, city or town securi-  
3 ties, bonds or certificates of stock, in any railroad  
4 company, bank or other corporation, promissory notes  
5 or other available securities, of a larger denomination  
6 than twenty dollars, not exempt by law from taxation,  
7 annually, on or before the fifteenth day of April, to  
8 make and file with the assessors of the city, town or  
9 plantation in which he may reside, a list in writing of  
10 all such securities, so held by him. Such list to con-  
11 tain a distinct specification of the kind of securities so  
12 held by him, as they existed on the first day of April,  
13 with the amount and date thereof, by whom and to

14 whom payable, the numbers, if numbered, and the  
15 fair cash value of the same.

SECT. 2. It shall be the duty of such assessors to  
2 safely keep on file, in their several offices, all such  
3 lists so filed with them, and also to make a true record  
4 of such lists with the names of the persons, companies  
5 or corporations by whom such securities are to be paid,  
6 alphabetically arranged, which record shall be open to  
7 public inspection.

SECT. 3. If the holder of any security described in  
2 this act, not exempt by law from taxation, shall inten-  
3 tionally refuse or neglect to file such list, as required  
4 by the first section of this act, or shall purposely  
5 secrete or withhold any such security from taxation,  
6 then the collection of any such security so withheld  
7 from taxation shall not be enforced by any court of this  
8 state.

SECT. 4. In any suit hereafter brought to recover  
2 pay on any of the securities mentioned in this act,  
3 proof that no such list, embracing said securities, has  
4 been filed as required by this act, in the city, town or  
5 plantation where the original payee of such security,  
6 or the plaintiff in the suit resided, shall be prima facie  
7 evidence that such securities have been unlawfully  
8 withheld or secreted from taxation.

SECT. 5. Assessors in assessing securities denomi-  
2 nated in this act shall be governed by the same rules  
3 as in assessing other property.

SECT. 6. All acts and parts of acts inconsistent with  
2 this act are hereby repealed.

SECT. 7. This act shall take effect from and after  
2 its approval by the governor.

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## STATE OF MAINE.

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HOUSE OF REPRESENTATIVES, }  
February 7, 1867. }

On motion of Mr. ATKINSON of Embden, laid on the table and  
ordered to be printed.

FRANKLIN M. DREW, *Clerk.*