

MAINE STATE LEGISLATURE

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Sixty-Fifth Legislature.

HOUSE.

No. 308.

STATE OF MAINE.

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

An Act to amend chapter six of the Revised Statutes relating
to corporation taxes.

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

SECTION 1. Section forty-two of chapter six, Revised
2 Statutes is hereby amended so as to read as follows:

‘Section 42. The amount of the annual excise tax shall
4 be ascertained as follows: The amount of the gross trans-
5 portation receipts as returned to the railroad commission-
6 ers for the year ending on the thirtieth day of June pre-
7 ceding the levying of such tax, shall be divided by the
8 number of miles of railroad operated, to ascertain the
9 average gross receipts per mile, and the tax shall be
10 assessed on such receipts as follows: On the first thousand

11 dollars per mile of such receipts, or a fractional part
12 thereof, the tax shall be at the rate of five dollars per
13 mile, per thousand dollars of such receipts; on the second
14 thousand dollars per mile of such receipts, the tax shall be
15 ten dollars per mile; on the third thousand dollars of
16 such receipts, the tax shall be twenty dollars per mile;
17 on the fourth thousand dollars per mile of such receipts,
18 the tax shall be thirty dollars per mile, and so on for each
19 additional one thousand dollars per mile of such receipts,
20 the tax shall be increased ten dollars per mile for each
21 such one thousand dollars receipts, provided that the tax
22 shall in no event exceed sixty dollars per mile on any one
23 thousand dollars per mile of such receipts; on fractions
24 of a thousand dollars per mile, the tax shall be at the rate
25 of last entire thousand dollars per mile. When a rail-
26 road lies partly within and partly without the state, or is
27 operated as a part of a line or system extending beyond
28 the state, the tax shall be equal to the same proportion of
29 the gross receipts in the state, as herein provided, and its
30 amount shall be determined as follows: The gross trans-
31 portation receipts of such railroad, line or system, as the
32 case may be, over its whole extent, within and without
33 the state, shall be divided by the total number of miles
34 operated, to obtain the average gross receipts per mile,
35 and the tax shall be the tax per one mile on the several
36 thousands of dollars of such receipts, as hereinbefore pro-
37 vided, multiplied by the number of miles operated within
38 the state.'

SECT. 2. Section forty-seven of chapter six of the
2 Revised Statutes is hereby amended so as to read as fol-
3 lows:

‘Section 47. Street railroad corporations and associations
5 are subject to the eight preceding sections, and to section
6 four, except that the tax shall be ascertained as follows :
7 When the gross average receipts per mile do not exceed
8 one thousand dollars, the tax shall be equal to one-half of
9 one per cent per thousand per mile on the gross transpor-
10 tation receipts ; and for each thousand dollars additional
11 average gross receipts per mile, or fractional part thereof,
12 the rate shall be increased one-half of one per cent, pro-
13 vided that the rate shall in no event exceed two and one-
14 half per cent. When such tax is paid, the treasurer of
15 state shall credit to each town such proportion of the tax
16 of each company as the number of shares in said company
17 owned in said town bears to the whole number of said
18 company’s shares, the remainder to be retained for the
19 state.’

SECT. 3 Every joint-stock association, company or
2 corporation, incorporated under the laws of any other
3 state and conveying to, from and through this state or
4 any part thereof, passengers and travelers in palace cars,
5 drawing-room cars, parlor cars, sleeping cars or chair
6 cars, on contract with any railroad company, or the
7 manager, lessee, agent or receiver thereof, shall be held
8 and deemed to be a sleeping car company. Every such
9 sleeping car company doing business in this state shall
10 annually, between the first day of April and the first day
11 of June, report to the state assessors, under oath of an
12 officer or agent of such corporation, the gross amount of
13 all its receipts within or without the state for fares earned
14 or business done by such company within this state for
15 the year then next preceding the said first day of April ;

16 and in computing such gross receipts the same shall be in
17 the proportion that the distance travelled in this state
18 bears to the whole distance paid for. At the time of
19 making such report, such company shall pay into the
20 treasury of the state the sum of two dollars on every one
21 hundred dollars of such gross receipts. Every sleeping
22 car company failing or refusing, for more than thirty days
23 after the first of June, to render an accurate account of
24 such gross receipts, as above provided, and to pay the
25 required tax thereon, forfeits twenty-five dollars for each
26 additional day such report and payment shall be delayed,
27 to be recovered in the name of the state of Maine, at the
28 instance of the state treasurer, in any court of competent
29 jurisdiction, and the attorney general shall conduct such
30 suit; and such sleeping car company so failing or refusing
31 shall be prohibited from carrying on such business until
32 such payment is made. All railroad companies in this
33 state, or the persons managing or operating the same, are
34 prohibited from hauling any cars of any sleeping car com-
35 pany while so in default, and for each violation of this
36 prohibition shall be liable to pay to the State of Maine the
37 sum of one hundred dollars, to be recovered in the proper
38 action instituted by the attorney general in the name of
39 the state, at the request of the state treasurer.

SECT. 4. Section forty-eight of chapter six of the
2 Revised Statutes is hereby amended so as to read as follows :

‘Section 48. Every telegraph corporation, company, or
4 person doing business within the state shall annually pay
5 into the state treasury a tax of three per cent on the value
6 of any telegraph line owned by said corporation, company
7 or person within the state, including all poles, wires, insula-

8 tors, office furniture, batteries and instruments, whether
9 owned or leased.'

SECT. 5. Section fifty-two of chapter six of the Revised
2 Statutes is hereby amended so as to read as follows :

'Section 52. Every telephone corporation, company or
4 person doing business within the state, shall annually pay
5 into the state treasury a tax of two and one-half per cent
6 on the value of any telephone line owned by said corpora-
7 tion, company or person, within the state, including all
8 poles, wires, insulators, transmitters, telephones, batteries,
9 instruments, telephonic apparatus and office furniture ;
10 and also a tax of two and one-half per cent on the value
11 of any such telephones or other telephonic apparatus of
12 any description used but not owned by such corporation,
13 company or person, and under lease from or subject to
14 the payment of royalty for its use to any corporation or
15 person beyond the limits of this state.'

SECT. 6. Section fifty-five of chapter six of the Revised
2 Statutes is hereby amended so as to read as follows :

'Section 55. Every express corporation or company
4 doing express business on any railroad, steamboat or
5 vessel in the state, shall, annually, before the first day of
6 May, apply to the treasurer of state for a license
7 authorizing the carrying on of said business ; and every
8 such corporation or company shall annually pay to the
9 treasurer of state, one and one-half per cent of the gross
10 receipts of said business for the year ending on the first
11 day of April preceding. Said one and one-half per cent
12 shall be on all of said business done in the state, including
13 a *pro rata* part on all express business coming from other
14 states or countries into this state, and on all going from

15 this state to other states or countries, *provided, however,*
16 that nothing herein applies to goods or merchandise in
17 transit through the state.'

SECT. 7. Section fifty-nine of chapter six of the Re-
2 vised Statutes is hereby amended so as to read as follows :

'Section 59. Every insurance company or association
4 and surety company which does business in the state, not
5 incorporated or associated under its laws, shall, as herein-
6 after provided, annually pay a tax upon the gross amount
7 of all premiums received, whether in cash or in notes ab-
8 solutely payable, on contracts made in the state for insur-
9 ance of life, property or interests or cotracts of guar-
10 anty therein at the rate of two per cent a year ; *provided,*
11 *however,* that so much of any of said premiums as may
12 have been returned during the year to the insured or per-
13 son guaranteed, as not earned, shall first be deducted
14 from said gross amount ; and *provided further,* that
15 nothing in this section shall be so construed as to allow
16 dividends in scrip or otherwise in stock, mutual or mixed
17 companies to be considered return premiums. This sec-
18 tion shall not apply to fraternal benefit societies.'

SECT. 8. Section sixty-four of chapter six of the Re-
2 vised Statutes is hereby amended so as to read as follows :

'Section 64. Every savings bank and institution for sav-
4 ings, incorporated under the laws of the state shall semi-
5 annually, on or before the second Mondays of May and
6 November, make a return to the state assessors, signed
7 and sworn to by its treasurer, of the average amount of
8 its deposits and reserve fund for the six months ending
9 on the last Saturdays of the preceding April and October
10 respectively, deducting an amount equal to the amount

11 of United States bonds and shares of corporation stocks
12 such as are by law of this state free from taxation to the
13 stockholders and the assessed value of real estate owned
14 by said bank, institution. For wilfully making a false
15 return the corporation treasurer forfeits not less than five
16 hundred nor more than five thousand dollars. Such treas-
17 urer shall pay to the treasurer of state a tax on account of
18 its deposits and reserve fund, as shown by said returns, of
19 three-fourths of one per cent a year. On all deposits
20 over two thousand dollars standing in the name of one
21 depositor said bank shall pay a tax of one-fourth of one per
22 cent a year on the excess over two thousand dollars, in
23 addition to the tax hereinbefore provided. And said bank
24 may deduct the tax paid on said excess from any dividends
25 due said depositor.'

SECT. 9. Chapter six of the Revised Statutes is hereby
2 amended by adding the following :

'Every trust company and trust and loan association,
4 incorporated under the laws of the state shall, semi-annu-
5 ally, on or before the second Mondays of May and
6 November, make a return to the State assessors, signed
7 and sworn to by its treasurer, of the average amount of
8 its interest bearing time deposits for the six months ending
9 on the last Saturdays of the preceding April and October
10 respectively deducting an amount equal to the amount of
11 United States bonds and shares of corporation stocks such
12 as are by law of this state free from taxation to the stock-
13 holders and the assessed value of real estate owned by
14 said company or association, together with a statement
15 detail of its loans, investments and deposits within and
16 without the state in separate columns with aggregates.

17 For wilfully making a false return, the corporation treas-
18 urer forfeits not less than five hundred nor more than
19 five thousand dollars. Such treasurer shall pay to the
20 treasurer of state a tax on account of its interest bearing
21 time deposits as shown by said returns of three-quarters
22 of one per cent a year, and in addition thereto, the shares
23 of stock in said companies shall be subject to municipal
24 taxation, the same as shares in banks.

The provisions of sections sixty-five, sixty-six and sixty-
26 seven of said chapter shall be applicable to the taxes
27 assessed upon trust companies and deposits therein and to
28 the returns to be made by the treasurers thereof.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 26, 1891. }

Reported by Mr. SAVAGE of Auburn, from Joint Select Committee
Taxation, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*