

SENATE No. 236.

Commonwealth of Massachusetts.

IN SENATE, April 3, 1872.

The Committee on the Taxation of Bank Shares, to whom was committed the petition of George F. Bigelow President of Massachusetts Society for Propagating the Gospel among the Indians, and 37 others; the petition of various joint stock insurance companies; of the Bay State, People's and First National Fire Insurance Companies; of the Gloucester Fire Insurance Company; of the Holyoke Mutual Fire Insurance Company; of William Northey and others; of certain insurance companies in the city of Boston; of Edmund Freeman and others; of Andrew T. Hall and others; of the Collateral Loan Company; of Joseph A. Denney, treasurer, &c.; of Lansing J. Cole and others; of Trustees of the Worcester County Free Institute; of the Children's Friend Society; of Edward S. Moseley, treasurer, &c.; and an Order for repealing or modifying chapter 390 of 1871, have considered the same, and report the accompanying Bills.

T. L. WAKEFIELD, *Chairman.*

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-
Two.

AN ACT

Concerning the collection of Taxes upon Bank Shares.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. It shall be the duty of every bank or
2 other corporation mentioned in section one of chapter
3 three hundred and ninety of the acts of the year
4 eighteen hundred and seventy-one, to pay to the col-
5 lector or other person authorized to collect the taxes
6 of the city or town in which such bank or other cor-
7 poration is located, at the time in each year when
8 other taxes assessed in the said city or town become
9 due, the amount of the tax assessed in such year
10 upon the shares in such bank or other corporation,
11 in pursuance of the provisions of the said chapter.
12 If such tax shall not be so paid, the said bank or other
13 corporation shall be liable for the same; and the said

14 tax, with interest thereon at the rate of twelve per
15 cent. per annum from the day when the tax became
16 due, may be recovered in an action of contract
17 brought by the treasurer of such city or town ; and
18 the said bank or other corporation shall be further
19 liable, on the application of such treasurer therefor
20 to any one of the justices of the supreme judicial
21 court, to an injunction restraining the said bank or
22 other corporation from the further prosecution of its
23 business until the said tax and penalty and interest
24 shall have been fully paid, with costs.

1 SECT. 2. The shares of such banks or other cor-
2 porations shall be subject to the tax paid thereon by
3 the corporation or the officers thereof, and said offi-
4 cers may retain so much of any dividend or dividends
5 belonging to stockholders as may be necessary to pay
6 any taxes assessed thereon ; and the corporation and
7 the officers thereof shall have a lien on all the shares
8 in such bank or other corporation, and on all the
9 rights and property of the shareholders in the cor-
10 porate property for the payment of said taxes.

1 SECT. 3. Sections two and three of chapter three
2 hundred and ninety of the acts of the year eighteen
3 hundred and seventy-one, are hereby repealed ; but
4 this repeal shall not defeat any rights which have
5 already accrued, or affect the collection of taxes
6 already assessed.

1 SECT. 4. Shares in such banks and other corpo-
2 rations shall be included in the returns required to be
3 made by the provisions of section two of chapter two

4 hundred and eighty-three of the acts of the year
5 eighteen hundred and sixty-five.

1 SECT. 5. The tax commissioner shall, as soon as
2 may be after the first Monday in December in each
3 year, certify to the treasurer the amount assessed and
4 collected in respect of shares in such banks or other
5 corporations owned absolutely by any society, district
6 or institution of any of the classes specified in the
7 third, fourth or ninth divisions of section five of
8 chapter eleven of the General Statutes for that year,
9 and the treasurer shall thereupon pay over such
10 amounts to the corporations owning such shares.

1 SECT. 6. It shall be the duty of the assessors of
2 each city or town, upon request of any person resident
3 in such city or town, who is the owner of any shares
4 in such banks or other corporations which, under the
5 provisions of the tenth and thirteenth divisions of sec-
6 tion five of chapter eleven of the General Statutes would
7 be entitled to exemption from taxation, to give such
8 owner a certificate setting forth such fact, and it shall
9 be the duty of the treasurer of such city or town,
10 upon request therefor and the deposit with him of
11 such certificate, to pay over to such owner the amount
12 so collected in respect of such shares, immediately,
13 upon the allowance of the amount which shall be made
14 to such city or town under the provisions of chapter
15 three hundred and ninety of acts of the year eighteen
16 hundred and seventy-one, and the provision of this
17 section shall apply to the tax already collected for the
18 year eighteen hundred and seventy-one.

1 SECT. 7. The Collateral Loan Company is hereby
 2 exempted from the operation of this act until the
 3 year eighteen hundred and seventy-five.

1 SECT. 8. This act shall take effect upon its pas-
 2 sage.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Seventy-Two.

AN ACT

In addition to an Act to levy taxes on certain Insurance Companies and on Deposits in Savings Banks.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:—

1 SECT. 1. Insurance companies which are subject
2 to the provisions of chapter two hundred and eighty-
3 three of the acts of the year eighteen hundred and
4 sixty-five, shall not be required to make returns or
5 pay taxes under the provisions of the first and sixth
6 sections of chapter two hundred and twenty-four of
7 the acts of the year eighteen hundred and sixty-two.

1 SECT. 2. This act shall take effect upon its pas-
2 sage.