

AUDIT AND PAYMENT.

20.90 AUDIT AND PAYMENT. Every claim for compensation arising under this chapter shall be audited by the secretary of state and the amount allowed thereupon by him shall be paid out of the state treasury, but in certain cases such payment shall be charged as directed in section 20.91. The amount so allowed shall be endorsed on the copy of the document or job presented with the bill or account. Whenever necessary said secretary may employ an expert at the expense of the state to aid him in such audit.

20.91 PRINTING CHARGED TO APPROPRIATION, WHEN. The cost of all public printing, including paper and plates for illustrations, furnished to the university of Wisconsin, the state normal schools, and all institutions managed by the board of control, shall be charged against the general appropriations for the support of said university and other institutions, respectively, except the cost of printing the reports and bulletins of the agricultural experiment station of the university of such numbers, copies, and pages each as shall be approved and allowed by the governor, of such number of copies of the reports of the Washburn observatory, not exceeding seven hundred, as shall be approved and allowed by the governor and of such number of the scientific bulletins of the university as shall be so approved and allowed, which cost so excepted shall not be charged to the general appropriation for the university.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved July 12, 1911.

No. 573, S.]

[Published July 15, 1911.

CHAPTER 658.

AN ACT to create sections 1087m—1 to 1087m—30, inclusive, and amend section 1036; subsection 10, of section 1038; subsection 11, of section 1038; subdivision (a), of subsection 11a, of section 1038a; subdivision (h), of subsection 11a, of section 1038; and repeal subsection 10a, of section 1038 of the statutes, relating to taxation of incomes, and making an appropriation therefor.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. There are added to the statutes thirty new sections to read: Section 1087m—1. There shall be assessed, levied, collected and paid a tax upon incomes received during

the year ending December 31, 1911, and upon incomes received annually thereafter, by such persons and from such sources as hereinafter described; provided, that firms, copartnerships, corporations, joint stock companies and associations which customarily close their annual accounts on a date other than December 31, or which customarily estimate their income or profits on a basis other than of actual cash receipts and disbursements, may, with the consent and approval of the tax commission, return for assessment and taxation the income or profits earned during the business year for which the accounts of such person are customarily made up.

Section 1087m—2. 1. The term "person," as used in this act, shall mean and include any individual, firm, copartnership, and every corporation, joint stock company or association organized for profit, and having a capital stock represented by shares, unless otherwise expressly stated.

2. The term "income," as used in this act, shall include:

(a) All rent of real estate, including the estimated rental of residence property occupied by the owner thereof.

(b) All interest derived from money loaned or invested in notes, mortgages, bonds or other evidence of debt of any kind whatsoever.

(c) All wages, salaries or fees derived from services; provided that compensation to public officers for public service shall not be computed as a part of the taxable income in such cases where the taxation thereof would be repugnant to the constitution.

(d) All dividends or profits derived from stock or from the purchase and sale of any property or other valuables acquired within three years previous or from any business whatever.

(e) All royalties derived from the possession or use of franchises or legalized privileges of any kind.

(f) And all other income of any kind derived from any source whatever except such as is hereinafter exempted.

3. The tax shall be assessed, levied and collected upon all income, not hereinafter exempted, received by every person residing within the state, and by every nonresident of the state upon such income as is derived from sources within the state or within its jurisdiction. So much of the income of any person residing within the state as is derived from rentals, stocks, bonds, securities or evidences of indebtedness shall be assessed and taxed, whether such income is derived from sources within or without the state; provided that any person engaged in business within and without the state shall, with respect to in-

come other than that derived from rentals, stocks, bonds, securities or evidences of indebtedness, be taxed only upon that proportion of such income as is derived from business transacted and property located within state, which shall be determined in the manner specified in subdivision (e) of section 1770b, as far as applicable.

Section 1087m—3. Every corporation, joint stock company or association shall be allowed to make from its gross income the following deductions:

(a) Payments made within the year for personal services of officers and employes actually employed in the production of such income: provided, there be reported the name, address and amount paid each such officer or employe to whom a compensation of seven hundred dollars or more shall have been paid during the assessment year.

(b) Other ordinary and necessary expenses actually paid within the year out of income in the maintenance and operation of its business and property, including a reasonable allowance for depreciation of property from which the income is derived. All bonds issued by a corporation shall be deemed an interest in the property and business of such corporation; and so much of the interest payable on such bonds as is represented by the ratio between the property located and business transacted within this state to the total property and business of such corporation as provided in subdivision 3, of section 1087m—2, shall be subject to taxation under this act at the same rate as the income of such corporation. Such tax shall be assessed to the bondholders under the general designation "The Bondholders of....." (inserting the name of the corporation), but shall be a lien upon the property and business of such corporation prior to all other liens, and unless paid by the bondholders shall be enforced against the corporation. When paid by the corporation the amount of such tax may be deducted from the next interest payment on such bonds, unless otherwise provided by contract.

(c) Losses actually sustained within the year and not compensated for by insurance or otherwise.

(d) Sums paid by such person within the year for taxes imposed by any state of this union or subdivision thereof, or any territory or possession of the United States, upon the source from which the income taxed by this act is derived.

(e) Dividends or income received within the year from stocks or interest in any firm, copartnership or corporation, joint stock company or association, the income of which shall

have been assessed under the provisions of this act; provided, such firm, copartnership, corporation, joint stock company or association report at the time of assessment the name and address of each such person owning stocks or interest in the same and the amount of dividends or income paid such person during the assessment year.

(f) Interest received from bonds or other securities exempt from taxation under the laws of the United States.

Section 1087m—4. Persons other than corporations, joint stock companies or associations, in reporting incomes for purposes of taxation shall be allowed the following deductions:

(a) The ordinary and necessary expenses actually paid within the year in carrying on the profession, occupation or business from which the income is derived, including a reasonable allowance for depreciation of the property from which the income is derived. But no deductions shall be made for any amount paid for personal services unless these be reported, the name, address and the amount paid each such employe to whom a compensation of seven hundred dollars or more shall have been paid during the assessment year.

(b) Losses during the year and not compensated for by insurance or otherwise.

(c) Dividends or incomes received by any person from stocks, or interest in any firm, copartnership, corporation, joint stock company or association, the income of which shall have been assessed under the provisions of this act; provided, said firm, copartnership, corporation, joint stock company or association report at the time of assessment the name and address of each such person owning stock or interest in the same and the amount of dividends or income paid such person during the assessment year.

(d) Interest paid within the year on existing indebtedness; provided, the debtor reports the amount so paid, the form of the indebtedness, together with the name and address of the creditor.

(e) Interest received from bonds or other securities exempt from taxation under the laws of the United States.

(f) Salaries or other compensation received from the United States by officials thereof.

(g) Pensions received from the United States.

(h) Taxes paid by such persons during the year other than inheritance taxes upon the property or business from which the income hereby taxed is derived.

(i) All inheritances, devises and bequests received during the year upon which an inheritance tax shall have been paid to this state.

(j) Insurance to the total amount of ten thousand dollars received by any person or persons legally dependent upon the decedent, in payment of a death claim by any insurance company, fraternal benefit society or other insurer.

Section 1087—5. 1. There shall be exempt from taxation under this act income as follows, to-wit:

(a) To an individual income up to and including eight hundred dollars;

(b) To husband and wife, twelve hundred dollars;

(c) For each child under the age of eighteen years, two hundred dollars;

(d) For each additional person, for whose support the taxpayer is legally liable and who is entirely dependent upon the taxpayer for his support, two hundred dollars.

(e) The aforesaid exemptions shall not apply to incomes derived from sources within the state by nonresidents thereof, nor to firms, copartnerships, corporations, joint stock companies nor associations. In computing said exemptions and the amounts of taxes payable under section 1087m—7 of this act, the income of a wife shall be added to the income of her husband, and the income of each child under eighteen years of age to that of its parent or parents, when said wife or child is not living separately from said husband, parent or parents.

2. Income of any mutual savings or loan and building association, or of any religious, scientific, educational, benevolent or other association of individuals not organized or conducted for pecuniary profit.

3. Incomes derived from property and privileges by persons now required by law to pay taxes or license fees directly into the treasury of the state in lieu of taxes, and such persons shall continue to pay taxes and license fees as heretofore.

4. Income received by the United States, the state and all counties, cities, villages, school districts or other political units of this state.

Section 1087m—6. 1. The tax to be assessed, levied and collected upon the incomes of all persons, except as otherwise provided by law, after making such deductions and exemptions as are hereinbefore allowed, shall be computed at the following rates, to-wit:

(a) On the first one thousand dollars of taxable income or any part thereof, at the rate of one per cent;

(b) On the second one thousand dollars or any part thereof, one and one-fourth per cent;

(c) On the third one thousand dollars or any part thereof, one and one-half per cent;

(d) On the fourth one thousand dollars or any part thereof, one and three-fourths per cent;

(e) On the fifth one thousand dollars or any part thereof, two per cent;

(f) On the sixth one thousand dollars or any part thereof, two and one-half per cent;

(g) On the seventh one thousand dollars or any part thereof, three per cent;

(h) On the eighth one thousand dollars or any part thereof, three and one-half per cent;

(i) On the ninth one thousand dollars or any part thereof, four per cent;

(j) On the tenth one thousand dollars or any part thereof, four and one-half per cent;

(k) On the eleventh one thousand dollars or any part thereof, five per cent;

(l) On the twelfth one thousand dollars or any part thereof, five and one-half per cent;

(m) On any sum of taxable income in excess of twelve thousand dollars, six per cent.

2. Providing, however, that the tax to be assessed, levied and collected upon the incomes of corporations, joint stock companies or associations, after making due allowance for deductions as hereinbefore provided, shall be computed at the following rates, to-wit:

(a) If the taxable income equals one per cent or less of the assessed value of the property used and employed in the acquisition of such income, the rate of tax shall be one-half of one per cent of such income.

(b) If the taxable income equals more than one, but does not exceed two per cent of the assessed value of the property used and employed in the acquisition of such income, the rate of tax shall be one per cent of such income.

(c) If the taxable income equals more than two, but does not exceed three per cent of the assessed value of the property used and employed in the acquisition of such income, the rate of the tax shall be one and one-half per cent of such income.

(d) If the taxable income equals more than three, but does not exceed four per cent of the assessed value of the property

used and employed in the acquisition of such income, the rate of the tax shall be two per cent of such income.

(e) If the taxable income equals more than four, but does not exceed five per cent of the assessed value of the property used and employed in the acquisition of such income, the rate of the tax shall be two and one-half per cent of such income.

(f) If the taxable income equals more than five, but does not exceed six per cent of the assessed value of the property used and employed in the acquisition of such income, the rate of the tax shall be three per cent of such income.

(g) And in like manner the tax upon the taxable income shall continue to increase at the rate of one-half of one per cent for each additional one per cent or fractional part thereof that the taxable income bears to the assessed value of the property used and employed in the acquisition of such income, until the rate of profits equals twelve per cent of such assessed value of the property used and employed in the acquisition of such income, when such rate shall continue as a proportional rate of six per cent of such taxable income.

Section 1087m--7. The legislature intends subsection 2, of section 1087m--6 of this act, to be a separable part thereof, so that said subsection may fail or be declared invalid without adversely affecting any other part of the act; provided that in event of its failing or being declared invalid the incomes of corporations, joint stock companies and associations shall be subject and shall be construed to have been subject to taxation at the rates specified in subsection 1, of section 1087m--6, and said incomes shall be reassessed by the tax commission and taxed for the years for which the rates provided in subsection 2, of section 1087m--6, shall have failed.

Section 1087m--8. 1. The state shall be divided into assessment districts by the state tax commission, but in no instance shall a county be divided.

2. Not less than thirty days prior to the first of March, 1912, there shall be selected and appointed by the state tax commission an assessor of incomes for each assessment district in the state, who shall hold office for a term of three years unless sooner removed as hereinafter provided. Such assessor shall be a citizen and an elector of this state, but need not be a resident of the district in which he is appointed to serve; provided, however, that so far as practicable preference shall be given in making such appointments to residents of the districts.

3. The tax commission may in its discretion transfer any assessor of incomes from one district to another and may remove any assessor of incomes or his deputy from office.

4. Before entering upon his duties such assessor of incomes shall subscribe to the constitutional oath and file the same in the office of the secretary of state.

5. The state tax commission may authorize any assessor of incomes to appoint such deputies and other assistants as may be required for the proper performance of his duties. Such deputies shall qualify in like manner and possess the same powers as the assessor.

Section 1087m—9. The salaries of the assessors of incomes and their deputies and assistants shall be fixed by the state tax commission, but such salaries, together with the expenses of such assessors and their deputies and assistants, shall not in any year exceed in amount five cents for every thousand dollars of the valuation of all property as fixed by the tax commission in the state assessment of the preceding year. The assessor shall be furnished all necessary printing, stationery and postage, and he and his deputies shall be entitled to receive their actual necessary expenses while traveling in the performance of their duties. The salaries of the assessor and his assistants, and all such expenditures shall be audited and paid out of the state treasury in the same manner as other similar salaries and state expenses are audited and paid.

Section 1087m—10. 1. The state tax commission and the assessors of incomes shall annually on the first day of January, or as soon thereafter as practicable, proceed to assess as hereinafter provided every income received during the preceding calendar year liable to taxation under the provisions of this act. The assessment of corporations, joint stock companies and associations shall be made by the state tax commission, and the assessment of persons, other than corporations, joint stock companies and associations shall be by the county assessor of incomes.

2. In the performance of such duty the state tax commission and the county assessors of incomes shall respectively possess all powers now or hereafter granted by law to the state tax commission or assessors in the assessment of personal property and also the power to estimate incomes.

3. Every corporation, joint stock company or association, whether taxable under this act or not, shall furnish to the tax commission a true and accurate statement at such time, in such manner and form and setting forth such facts as said commis-

sion shall deem necessary to enforce the provisions of this act. Such statement shall be made upon the oath or affirmation of the president, vice-president or other principal officer and the treasurer of said corporation, joint stock company or association.

4. Whenever in the judgment of the assessor of incomes any person in his district other than a corporation, joint stock company or association shall be subject to an income tax under the provisions of his act, he shall require such person to make report in such manner and form as the tax commission may prescribe, specifying particularly among other items the amount of income received from services, unsecured notes, mortgages, bonds, stocks, real estate and other such information as the commission shall deem necessary to enforce the provisions of this act.

5. Every guardian, trustee, executor, administrator, agent or receiver, and every other person or corporation acting in a fiduciary capacity, shall make and render to the assessor of incomes of the district in which such representative resides, a verified list or return as aforesaid of the amount of income of any such person, ward or beneficiary. The return so made shall be signed by the person rendering it, and by the president or secretary thereof, if a corporation.

6. For each question unanswered the assessor or deputy assessor, failing to present satisfactory cause for such omission to the state tax commission, shall be subject to a penalty of five dollars, and said penalty shall be deducted from the compensation of said assessor or deputy assessor at the time such compensation is paid.

Section 1087m—11. 1. Whenever evidence shall be produced before the state tax commission, which in the opinion of the commission, justifies the belief that in any one or more of the three next previous years the returns made by any corporation, joint stock company or association are incorrect, or are made with false or fraudulent intent, or when any corporation, joint stock company or association has failed or refused to make a return as required by law the state tax commission may require from every such corporation, joint stock company or association such further information with reference to its capital, income, losses, expenditures and business transactions as is deemed expedient. Upon the information so required the state tax commission may make such additions or corrections to the assessment as is deemed true and

just, such correction to be made in the next tax levy. Whenever the state tax commission shall so increase or make subject to tax any income, it shall give notice in writing to the person liable for the payment of the tax on said income of the amount of the assessment. Such notice may be served by registered mail.

2. In case any return made by any corporation, joint stock company or association is made with false or fraudulent intent or in case of a refusal or neglect to make a return as required by law, and an additional amount is discovered, the amount so discovered shall be subject to twice the original rate. The amount so added to the tax shall be collected at such time and in such manner as may be designated by the state tax commission.

3. In case of neglect occasioned by the sickness or absence of an officer of any corporation, joint stock company or association required to make said return, or for other sufficient reason, the state tax commission may allow such further time for making and delivering such return as it may deem necessary, not to exceed thirty days.

4. If any of the corporations, joint stock companies or associations aforesaid shall fail or refuse to make a return at the time or times hereinbefore specified in each year, or shall render a false or fraudulent return, such corporation, joint stock company or association shall be liable to a penalty of not less than one hundred dollars and not to exceed five thousand dollars at the discretion of the court.

5. Any officer of a corporation, joint stock company or association required by law to make, render, sign or verify any return who makes any false or fraudulent return or statement, with intent to defeat or evade the assessment required by this act to be made, shall upon conviction be fined not to exceed five hundred dollars or be imprisoned not to exceed one year, or both, at the discretion of the court, with the cost of prosecution.

Section 1087m—12. 1. Whenever the assessor of incomes or the county board of review herein provided for shall have reason to believe that in any one or more of the three next previous years the returns made by any person other than a corporation, joint stock company, or association are incorrect or are made with false or fraudulent intent, or when any such person has failed or refused to make a return as required by law, the assessor or county board of review shall make such additions or corrections to the next assessment as he or they

shall deem true and just. Whenever the assessor or the county board of review shall so increase or make subject to tax any income he or they shall give notice in writing to the person liable for the payment of the tax on said income of the amount of the assessment. Such notice may be served by registered mail.

2. In case any return made by any person other than a corporation, joint stock company or association is made with false or fraudulent intent, or in case of a refusal or neglect to make a return as required by law, and an additional amount is discovered, the amount so discovered shall be subject to twice the original rate.

3. Any person, other than a corporation, joint stock company or association who fails or refuses to make a return at the time hereinbefore specified in each year or shall render a false or fraudulent return shall upon conviction be fined not to exceed five hundred dollars, or be imprisoned not to exceed one year, or both, at the discretion of the court, together with the cost of prosecution.

Section 1087m—13. Any corporation, joint stock company or association subject to assessment by the state tax commission, feeling aggrieved by the decision of said commission regarding the assessment of its income, shall be granted the same rights of hearing and appeal as are now granted corporations assessed by said commission.

Section 1087m—14. The state tax commission shall appoint three resident tax payers of each county to serve as a county board of review, and shall fix their compensation, which shall not be more than ten dollars per day, and shall be audited and paid in the same manner as the salary of assessors under this act is paid.

Section 1087m—15. The county clerk shall be clerk of such board, and shall keep an accurate record of all proceedings thereof, including a correct record of all changes in the assessment rolls made by the board. The county clerk shall take full minutes of all evidence given before the board; provided, however, that the board, with the approval of the assessor of incomes, may in cases where they deem it advisable, employ a stenographic reporter to take such evidence in shorthand, and extend the same in typewritten form. The county clerk shall preserve in his office a record of all such proceedings, minutes and evidence taken, and all documentary evidence offered. The stenographer shall be paid by the state,

but the board may, in its discretion, charge the expenses to the complaining party or parties appearing before the board.

Section 1087m—16. 1. The county board of review of each county, constituting an assessment district, shall meet annually on the last Monday of July at ten o'clock a. m. at the court house in said county to hear complaints and to review the assessments of income made by the assessor. A majority shall constitute a quorum.

2. In assessment districts composed of more than one county the board of review of the county designated by the assessor of incomes shall meet as provided above and the board of review of each remaining county of the district shall meet as soon thereafter as is possible for the assessor of incomes to be present. The date of such meeting shall be fixed by the assessor of incomes.

3. Notice of the annual meeting of each county board of review shall be published in a newspaper of the county at least one week previous to such meeting.

4. The board may adjourn from day to day, and from time to time, until its business is completed, but no adjournment other than from day to day shall be had except upon written request and for satisfactory cause shown.

5. Attendance of witnesses and the production of books and papers before said board may be compelled by subpoena, issued by the clerk thereof, a justice of the peace or a court commissioner.

Section 1087m—17. 1. The board shall hear, and examine, and permit the assessor to examine, any aggrieved or other person upon oath who shall appear before it in relation to any assessment or commission of income, and may increase or lessen the amount of any income assessed, if satisfied from the evidence submitted and the statements of the assessor, that such change should be made.

2. The board shall not increase any assessments, nor assess any income not on the roll without notice in writing to the person liable for payment of the tax thereon, or his agent, if either be resident of the county, of such intention in time to appear and be heard before the board in relation thereto.

Section 1087m—18. No person subject to assessment by the county assessor shall be allowed in any action or proceeding to question any assessment of income, unless objections thereto shall first have been presented to the county board of review in good faith and full disclosure made under oath of any and all income of such party liable to assessment.

Section 1087m—19. 1. Any person dissatisfied with any determination of the county board of review may appeal within twenty days of the state tax commission, to whom a copy of the record of the board shall be certified, together with all evidence or a copy thereof, relating to such assessment.

2. The tax commission shall review such assessments from the record thus submitted and shall make necessary corrections and certify its conclusion to the county clerk, who shall duly notify the person liable for the tax and enter upon the assessment roll any change made by the commission.

Section 1087m—20. 1. The state tax commission shall complete the assessment of income for each corporation, joint stock company, and association on or before the fifteenth day of October in each year, and compute the tax thereon, and shall thereupon forthwith certify to each county clerk a statement of the assessment of each corporation, joint stock company and association in his county and the amount of tax levied against each.

2. The state tax commission shall submit in their biennial report the amount of income tax collected for each county in the state, and shall designate the several general classes of property from which the incomes were received, the cost to the state and each county for the administration of the law, and all such facts as shall be required to give a definite understanding of the financial operations of the law.

Section 1087m—21. The tax upon the income of persons other than corporations, joint stock companies and associations shall be computed by the county clerk, assisted by the assessor of incomes and said clerk shall on or before November first, certify to each town, city and village clerk the names of all persons whose incomes are assessed in his own town, city or village, and the amount of tax levied against each such person, and such amount shall be entered by the town, city and village clerks in a separate column designated "income tax" upon the tax roll of the year, and shall be collected and paid as personal property taxes are now collected and paid.

Section 1087m—22. The place at which the income tax herein provided for shall be assessed, levied and collected shall be determined as follows:

1. In their return for purposes of assessment persons deriving incomes from within and without the state, or from more than one political subdivision of the state, shall make a separate accounting of the income derived from without the state and from each political subdivision of the state in such form and manner as the tax commission may prescribe.

2. The entire taxable income of every person deriving income from within and without the state or from within different political subdivisions of the state, when such person resides within the state, shall be combined and aggregated for the purpose of determining the proper exemptions and proper rate of taxation. The taxable income so computed shall be assessed, and taxes at such rate shall be paid, in the several towns, cities and villages in proportion to the respective amounts of income derived from each counting that part of the income derived from without the state when taxable as having been derived from the own, city or village in which said person resides.

3. Income derived by non-residents of the state from sources within the state or within its jurisdiction, shall be separately assessed and taxed in the town, city or village from which such income is derived, at a rate determined by the total income derived from within any single town, city or village.

4. All laws not in conflict with the provisions of this act regulating the time, place and manner of payment of taxes on personal property, the collection thereof by action, distress or otherwise and the return of personal property taxes unpaid, shall apply to the income tax herein provided for.

Section 1087m--23. The revenue derived from such income tax shall be divided as follows, to-wit: Ten per cent to the state, twenty per cent to the county and seventy per cent to the town, city or village in which the tax was assessed, levied and collected, which shall be remitted and accounted for in the same manner as the state and county taxes collected from property are remitted and paid.

Section 1087m--24. 1. No commissioner, assessor of incomes, deputy member of a county board of review, or any other officer, agent, clerk or employe shall divulge or make known to any person in any manner except as provided by law any information whatsoever obtained directly or indirectly by him in the discharge of his duties or permit any income return or copy thereof or any paper or book so obtained to be seen or examined by any person except as provided by law.

2. Any officer, agent, clerk or employe violating any of the provisions of this section shall upon conviction thereof be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than one month nor more than six months, or by imprisonment in the state prison for not more than two years, at the discretion of the court.

3. Such officer, agent, clerk or employe upon such conviction shall also forfeit his office or employment and shall be incapable

of holding any public office in this state for a period of three years thereafter.

4. Nothing herein shall be construed as preventing the assessment roll, the tax roll and all proceedings had before the county board of review and all evidence taken at such hearing from being open to public inspection at such times and under such conditions as the state tax commission may direct.

Section 1087m—25. 1. On and after the first Monday in January, 1912, the office of county supervisor of assessment is hereby abolished.

2. The assessor of incomes shall on and after the first Monday of January, 1912, in addition to the duties and powers herein imposed and conferred upon him, perform all the duties and possess all the powers heretofore imposed and conferred by law upon the said county supervisor of assessment. The assessor of incomes shall be under the direction and control of the state tax commission, and shall make such reports to the commission, to the county board of review and the county board of supervisors, and perform such other duties as the commission shall direct.

Section 1087m—26. Any person who shall have paid a tax upon his personal property during any year shall be permitted to present the receipt therefor to, and have the same accepted by, the tax collector to its full amount in the payment of taxes due upon the income of such person during said year. Any bank which has paid taxes during any year upon its shares assessed to the individual stockholders thereof shall be entitled, under the provisions of this section, to present the receipt therefor, and have the same accepted by the tax collector to its full amount in the payment of taxes due upon the income of such bank during said year.

Section 1087m—27. Nothing contained in this act shall be construed to affect the assessment or collection of taxes assessed in the year 1911 or prior thereto, under present laws, nor to limit the power of assessors and boards of review relative to correcting assessment rolls, placing omitted property thereon, and reassessing property whenever such correction, insertion of omitted property, or reassessment might be made under the laws as they now exist.

Section 1087m—28. The state tax commission is hereby empowered to make such rules and regulations as it shall deem necessary in order to carry out the foregoing provisions.

Section 1087m—29. The state tax commission is hereby authorized to employ such clerks and specialists as are necessary to carry into effective operation this act.

Section 1087m—30. There is hereby appropriated from the general fund of the state, out of any money in the state treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this act.

SECTION 2. Section 1036 of the statutes is amended to read: Section 1036. The term "personal property," as used in this title, shall be construed to mean and include toll bridges, saw logs, timber and lumber, either upon land or afloat; steam boats, ships and other vessels, whether at home or abroad; buildings upon leased lands, if such buildings have not been included in the assessment of the land on which they are erected; ferry boats, including the franchise for running the same; ice cut and stored for use, sale or shipment; * * * and all goods, wares, merchandise chattels, * * * and effects, of any nature or description, having any real or marketable value, and not included in the term "real property," as above defined.

SECTION 3. Subsection 10, of section 1038 of the statutes is amended to read: 10. *All moneys, all * * * debts due or to become due to any person, and all stocks and bonds not otherwise specially provided for. * * * Nothing herein shall be construed to exempt from taxation any mortgagee's interest in real estate.*

SECTION 4. Subsection 10a, of section 1038, of the statutes is repealed.

SECTION 5. Subsection 11, of section 1038, of the statutes is amended to read: (Section 1038.) 11. *Wearing apparel, including personal ornaments and jewelry habitually worn, family portraits, private libraries, not exceeding in value two hundred dollars, kitchen and other household furniture and furnishings, * * * one piano, organ or melodeon and other musical instruments, * * * and also growing crops, including ginseng and other medicinal plants.*

SECTION 6. Subdivision (a), of subsection 11a, of section 1038, of the statutes is amended to read: (Section 1038, 11a.) (a) *The tools of a mechanic kept and used in his trade and farm, orchard and garden machinery implements and tools, * * * actually used in the operation of any farm, orchard or garden.*

SECTION 7. Subdivision (h), of subsection 11a, of section 1038, of the statutes is amended to read: (Section 1038, 11a.) (h) *One watch carried by the owner. * * **

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved July 13, 1911.