

session, as a *bond* [board] of equalization, and at each annual equalization thereafter, add to the state tax to be levied in said county, city, or town, a sufficient rate to realize the amount of principal or interest past due and to become due prior to the next levy, and the same shall be levied and collected as a part of the state tax, and paid into the state treasury, and passed to the credit of such county, city, or town, as bond tax, and shall be paid by warrant as the payments mature to the holder of such obligation, as shown by the register in the office of the state auditor until the same shall be fully satisfied and discharged; *Provided*, That nothing in this act shall be construed to limit or postpone the right of any holder of any such bonds, to resort to any other remedy which such holder might otherwise have.

The State board of equalization shall add to the state tax a sufficient rate to pay amount due. And same shall be levied and collected as a part of state tax. *Proviso:* Bondholder may resort to any other remedy.

Sec. 6. This act, being deemed by the general assembly of immediate importance, shall take effect from and after its publication in the Iowa State Register, and Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved, March 20, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Register*, and *Iowa State Leader*, March 22, 1878.

JOSIAH T. YOUNG, *Secretary of State*.

CHAPTER 59.

TAXATION OF TELEGRAPHS.

AN ACT to Provide for the Assessment and Taxation of Telegraph Lines within the State of Iowa. Additional to Code, Title X., Chapter 6: "Of Telegraphs." H. F. 90.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. That all telegraph lines built and operated within the state of Iowa shall be subject to taxation, as hereinafter required. All telegraphs shall be subject to taxation.

SEC. 2. It shall be the duty of the president, vice-president, general manager or superintendent of every telegraph company operating a line in this state, to furnish the auditor of state, on or before the first Monday of May in each year, a statement under oath, and in such form as the auditor may prescribe, showing the following facts: *First*—The total number of miles owned, operated or leased, within the state, with a separate showing of the number leased. *Second*—The total number of miles in each separate line or division thereof, together with the number of separate wires thereon, and stating the counties through which the same is carried. *Third*—The total number of telegraph stations on each separate line, and the total number of telegraphic instruments in use therein, together with the total number of Every telegraph company shall report annually to auditor of State.

stations, other than railroad stations, maintained. *Fourth*—The average number of telegraph poles, per mile, used in the construction and maintenance of said lines.

Upon which report the State board of equalization shall assess.

SEC. 3. Upon the receipt of the said statement from the several companies, the auditor of state shall lay the same before the state board of equalization at its meeting on the second Monday in July in each year, which shall proceed to assess said telegraph lines at the true cash value thereof.

And shall determine the rate of tax to be levied.

SEC. 4. The said state board shall also, at said meeting, determine the rate of tax to be levied and collected upon said assessment, which shall not exceed the average rate of taxes, general, municipal and local, levied throughout the state during the previous year, which rate shall be ascertained from the records and files in the auditor's office, which tax shall be in lieu of all other taxes, state and local, and shall be payable into the state treasury.

When tax shall become due.

SEC. 5. The taxes levied as provided by this chapter, shall become due and payable at the state treasury on the first day of February, following the levy thereof, and if said taxes are not paid as herein provided, it shall be the duty of the treasurer of state to collect the same by distress and sale of any property belonging to such company in the state, in the same manner as required of county treasurers, in like cases, by section 858 of the Code; and the record of the state board in such case shall be sufficient warrant therefor.

Proviso: Telegraph line used by, and taxed as property of railroad exempt from provisions of this act.

SEC. 6. *Provided*, however, That any telegraph line which may be owned and operated by any railroad company exclusively for the transaction of the business of such company, and which has been duly reported as such in the annual report of such company, and been duly taxed as part of the property thereof under the laws providing for the taxation of railway property, shall be exempt from the provisions of this act.

Penalty for not filing report as per § 2.

SEC. 7. If the officers of any company fail to make and file the report required by section two (2) of this act such neglect shall not release its lines from taxation, but the state board shall proceed to assess the line notwithstanding, adding thereto thirty per centum on the assessable value thereof.

Repealing clause.

SEC. 8. All acts in conflict herewith are hereby repealed.

Publication.

SEC. 9. This act, being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register, and Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved, March 21, 1878.

I hereby certify that the foregoing act was published in the *Iowa State Register*, and *Iowa State Leader*, March 23, 1878.

JOSIAH T. YOUNG, *Secretary of State*.