

**SEC. 6. Supervisors to correct assessments—when and how.** In the event that any insurance corporation or association, affected by this act, shall pay to the treasurer of state prior to May first, 1900, a sum so that the amount of its payment to said treasurer of state for the year 1900 shall equal what said corporation or association would be compelled to pay to said treasurer of state had this act been in force prior to the granting of the annual certificate by the auditor of state for the year 1900, then such corporation or association shall, for the levy made in the year 1900, be subject to the provisions of this act, respecting the levy and assessment of taxes by local and municipal authorities, and upon presentation of the receipt from the said treasurer of state showing a compliance with this section by such insurance corporation or association, it is hereby made the duty of the board of supervisors of the proper county to alter and correct the assessment of such corporation, association or shareholder made in the year 1900, so that said assessment shall be the same in amount as though it had been made under the provisions of this act, and the tax levied by the local or municipal authorities against every such corporation or association or its shareholders entitled to the benefit of this section, is corrected accordingly. Any corporation or association entitled to, but failing to take advantage of, the provisions of this section, shall not be relieved from any local or municipal tax heretofore levied by any of the provisions of this act.

**SEC. 7. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved March 30, 1900.

I hereby certify that the foregoing act was published in the Iowa State Register and the Des Moines Leader, March 31, 1900.

G. L. DOBSON,  
Secretary of State.

## CHAPTER 44.

### ASSESSMENT OF TAXES.

S. F. 143.

AN ACT to amend section thirteen hundred and forty (1340) of the code, relating to the assessment of taxes.

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

**SECTION 1. Statement to show average daily service.** That section thirteen hundred and forty (1340) of the code be amended by adding thereto the following:

“Such statement shall show the average daily sleeping car and dining car service or wheelage operated on each part or division of the line or system within the state, designating the points on the line where variations occur, with the mileage of that part having the same daily service or wheelage.”

Approved March 21, 1900.

## CHAPTER 45.

### TAXATION OF EXPRESS COMPANIES.

S. F. 66.

AN ACT providing for the taxation of the property of express companies and repealing sections thirteen hundred and forty-five (1345) and thirteen hundred and forty-six (1346) of the code, and chapter thirty-one (31) of the acts of the Twenty-seventh General Assembly.

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

**SECTION 1. Express companies—annual statement—what to contain.** Every company engaged in conveying to, from, through, in, or across this state, or any part thereof, money, packages, gold, silver, plate, merchandise, or any other article, by express, under a contract, express or implied, with any railroad company, or the managers, lessees, agents, or receivers thereof, provided such company is not a railroad company, a freight line company, nor an equipment company, shall be deemed and held to be an express company within the meaning of this act, and every such express company shall on or before the first Monday in May, 1900, and annually thereafter between the first day of February and the first day of March, make out and deliver to the auditor of state a statement verified by the oath of an officer or agent of said company, making such statement, with reference to the first day of January next preceding, showing:

*First.*—The name of the company, and whether a corporation, partnership, or person, and under the laws of what state or country organized.

*Second.*—The principal place of business, and the location of its principal office and the name and postoffice address of its president, secretary, and superintendent or general manager and the name and postoffice address of its principal officers or managing agent in Iowa.

*Third.*—The total capital stock of said company; (a) authorized; (b) issued.

*Fourth.*—The number of shares of capital stock issued and outstanding, and the par face value of each share, and in case no shares of stock are issued in what manner the capital stock thereof is divided, and in what manner such holdings are evidenced.

*Fifth.*—The market value of said shares of stock on the first day of January next preceding, and if such shares have no market value then the actual value thereof; and in case no shares of stock have been issued state the market value, or the actual value, in case there is no market value of the capital thereof, and the manner in which the same is divided.

*Sixth.*—The real estate, buildings, machinery, fixtures, appliances, and personal property owned by said company and subject to local taxation within the state of Iowa, and the location and actual value thereof in the county, township, or district where the same is assessed for local taxation.

*Seventh.*—The specific real estate, together with the improvements thereon, and all bonds, mortgages, and other personal property owned by said company, situated outside of the state of Iowa, and used exclusively outside the conduct of the business, with a specific description of all bonds, mortgages, and other personal property, and the cash value thereof, the purposes for which the same are used, and where the same are kept or deposited, and each piece of real estate, where located, the purpose for which the same is used, and the actual value thereof, in the locality where situated.

*Eighth.*—All mortgages upon the whole or any part of its property, together with the dates and amounts thereof.

*Ninth.*—The total length of lines or routes over which the company transports such merchandise, freight, or express.

(b.) The total length of such lines or routes as are outside of the state of Iowa.

(c.) The length of such lines or routes within each of the counties, townships, and assessment districts within the state of Iowa.

**SEC. 2. Statements—where and when filed—penalty.** Upon the filing of such statements, the auditor of state shall examine each of them, and if he shall deem the same insufficient, or in case he shall deem that other information is requisite, he shall require such officer or agent to make such other and further statements as said auditor of state may call for. In case of the failure or refusal of any company to make out and deliver to the

auditor of state any statement or statements required by this act, such company shall forfeit and pay to the state of Iowa one hundred dollars for each day such report is delayed beyond the first Monday in May, 1900, and the first Monday in March annually thereafter, to be sued and recovered in any proper form of action in the name of the state of Iowa, on the relation of the auditor of state, and such penalty when collected shall be paid into the general fund of the state.

**SEC. 3. Assessment by executive council.** The executive council shall meet on the first Monday in May, 1900, and on the first Monday in March in each year thereafter, at which meeting the auditor of state shall lay such statements, with such information as may have been furnished him, before said executive council, and it shall thereupon value and assess the property of such company, in the manner hereinafter set forth, after examining such statements, and after ascertaining the actual value of the property of such company therefrom, and from such other information as it may have or obtain. For that purpose the executive council may require such company, by its agents or officers, to appear before said council with such books, papers, or statements as the council may require, or it may require additional statements to be made by such company, and may compel the attendance of witnesses, in case said council shall deem it necessary, to enable it to ascertain the actual value of such property; any such company interested may, upon written application, appear before the executive council at such meeting, and be heard in the matter of the valuation of the property of such company for taxation.

**SEC. 4. Actual value—how ascertained.** The executive council shall first ascertain the actual value of the entire property owned by said company, from said statements or otherwise, for that purpose taking the aggregate market value of all shares of capital stock, in case said shares have a market value, and in case they have none taking the actual value thereof or of the capital of said company, in whatever manner the same is divided, in case no shares of capital stock have been issued; provided, however, that in case the whole or any portion of the property of said company, shall be encumbered by a mortgage or mortgages, such council shall ascertain the actual value of such property by adding to the market value or the aggregate shares of stock or to the value of the capital, in case there shall be no such shares, the aggregate amount of the market or cash value of such mortgage or mortgages, and the result shall be deemed and treated as the actual value of the property of such company. The executive council shall, for the purpose of ascertaining the actual value of the property within the state of Iowa, next ascertain, from such statements or otherwise, the actual value in localities where the same is situated, of the several pieces of real estate, and all bonds, mortgages, and other personal property situated without the state of Iowa, and used exclusively outside of the general business of such company, which said actual value shall be by the executive council deducted from the gross actual value of the property as above ascertained. The executive council shall next ascertain the actual value of the property of such company within the state of Iowa, and for that purpose may take into consideration the proportional value of the company's property without and within the state, and shall take, as a basis of the valuation of the company's property in this state, the proportion of the whole aggregate value of said company, as above ascertained after deducting the actual value of such real estate without the state, which the length of the routes within the state of Iowa bears to the whole length of the routes of such company, and such amount so ascertained shall be considered and taken to be the entire actual value of the property of said companies within the state of Iowa. From the entire actual value of the property within the state so ascertained, there shall be deducted by the said council the actual value of all the real estate, buildings, machinery,

appliances, and personal property not used exclusively in the conduct of the business within the state that are subject to local taxation within the counties, townships, and other assessment districts as hereinbefore described in the sixth item of section one of this act.

**SEC. 5. Actual value per mile—taxable value.** The executive council shall thereupon ascertain the value per mile of the property within the state, by dividing the total value as above ascertained, after deducting the specific properties locally assessed within the state, by the number of miles within the state, and the result shall be deemed and held to be the actual value per mile of the property of such company within the state of Iowa. The assessed or taxable value shall be determined by taking that percentage of the actual value so ascertained, as is provided by section thirteen hundred and five of the code, and such valuation and assessment shall be in the same ratio as that of the property of individuals.

**SEC. 6. Assessment in each county—how certified.** Said executive council shall thereupon, for the purpose of determining what amount shall be assessed by it to the said company, in each county of the state, through, across, into, or over which the route of said company extends, multiply the value per mile, as above ascertained, by the number of miles in each of such counties, as reported in said statements, or as otherwise ascertained, and the result thereof shall be by said council certified to the auditor of state, who shall thereupon certify the same to the auditors respectively of the several counties through, into, over, and across which the routes of said company extend, together with a statement of the length of the routes in each township and assessment district in each county.

**SEC. 7. Levy and collection of tax—rates, etc.** At the first meeting of the board of supervisors held after such statement is received by the county auditor, it shall cause the same to be entered on its minute book and make and enter therein an order stating the length of the routes and the assessed value of each in each city, town, township, or other assessment district in its county, through or into which said routes extend, as fixed by the executive council, which shall constitute the taxable value of said property for taxing purposes, and the taxes on said property, when collected by the county treasurer, shall be disposed of as other taxes. The county auditor shall transmit a copy of said order to the councils of cities or towns, and to the trustees of each township, in the county. The county auditor shall also add to the value so apportioned the assessed value of the real estate, buildings, machinery, fixtures, appliances, and personal property not used exclusively in the conduct of the business situated in any township or assessment district as returned by the assessors thereof, and extend the taxes thereon upon the tax list as in other cases. All such property shall be taxable upon said assessment at the same rates, by the same officers, and for the same purposes as the property of individuals within such counties, townships, or assessment districts. The property so included in said assessment and the shares of stock in such companies so assessed shall not be taxed in this state, except as provided in this act.

**SEC. 8. Penalty.** In case any such company shall fail or refuse to pay any taxes assessed against it in any county, township, or assessment district in the state, in addition to other remedies provided by law for the collection of taxes, an action may be prosecuted in the name of the state of Iowa by the county attorneys of the different counties of the state, on the relation of the auditors of the different counties of the state, and judgment in such action shall include a penalty of fifty per cent of the amount of the taxes so assessed and unpaid, together with reasonable attorney's fees for the prosecution of such action, which action may be prosecuted in any county into, through, over, or across which the routes of any such company shall

extend, or in any county where such company shall have an office or agent for the transaction of business.

SEC. 9. "Company" defined. The word "company," as used in this act, shall be deemed and construed to mean and include any person, co-partnership, association, corporation, or syndicate that may own or operate, or be engaged in operating, any express route as herein defined, whether formed or organized under the laws of this state, any other state or territory, or of any foreign country.

SEC. 10. Acts in conflict repealed. The provisions of this act are intended to take the place of sections thirteen hundred and forty-five, and thirteen hundred and forty-six of the code, and such sections and each of them, and all other laws and parts of laws in conflict with this act are hereby repealed; provided, that all moneys now due the state on account of any assessment or charge made against any of such persons, co-partnerships, associations, corporations, or syndicates, and all penalties and charges thereon growing out of any of said repealed section[s], shall be paid and collected under the provisions of said repealed sections, the same as if said sections were not repealed, and it is hereby expressly provided that all rights of the state now accrued under said sections are hereby saved from the operation of the aforesaid repealing clauses.

SEC. 11. In effect. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Approved April 7, 1900.

I hereby certify that the foregoing act was published in the Des Moines Leader April 13, 1900, and in the Iowa State Register April 14, 1900.

G. L. DOBSON,  
Secretary of State.

#### CHAPTER 46.

##### RELATING TO LICENSE OF PEDDLERS.

H. F. 144.

AN ACT to amend section one thousand three hundred and forty-eight (1348) of the code, relative to license of peddlers.

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

SECTION 1. "License" instead of "certificate." That section one thousand three hundred and forty-eight (1348) of the code be and the same is hereby amended by striking out all of said section to and including the word "and" in the third line thereof, and by striking out the words "certificate" in the fourth and ninth lines respectively and inserting in lieu thereof the word "license."

Approved April 6, 1900.

#### CHAPTER 47.

##### CORRECTION OF ASSESSMENT AND TAX LIST.

H. F. 145.

AN ACT to repeal section one thousand three hundred and eighty-five (1385) of the code and enact a substitute therefor, relative to the correction of assessment and tax list.

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

SECTION 1. Repealed. That section one thousand three hundred and eighty-five (1385) of the code be and the same is hereby repealed and the following enacted in lieu thereof: