

INSTRUCTIONS TO ASSESSORS.

TO THE ASSESSORS OF THE SEVERAL TOWNSHIPS AND BOROUGHS OF CENTRE COUNTY.

Gentlemen: The Commissioners of the county have heretofore experienced great difficulty in having an assessment of the taxable property in the county properly made. We deem it our duty to call the attention of the assessors of the several Townships and Boroughs to their duties in relation to making assessments as enjoined upon them by law.

To the several Acts of Assembly herein set forth by which your duties and the duties of all good citizens are fully prescribed, as well as to the instructions submitted, we ask your careful and considerate attention.

Assessors have difficulty in fixing the proper valuation of real as well as personal property. The law is plain. It directs that you shall "rate and value all objects of taxation according to the actual value thereof and at such price as the same would separately and in good faith sell."

Your oath to which we call your attention enjoins it upon you to assess and value every separate lot, piece or tract of land with the improvements thereon, and all personal property and other objects made taxable by the laws of the Commonwealth within the several Townships and Boroughs, whether for State or County purposes, at a rate or price which you shall after due examination and consideration believe the same would sell for if sold singly and separately at a bona fide sale after full public notice. If you follow your oath and the law you can not err.

There is no sense in valuing a horse that will sell for two hundred dollars cash at fifty dollars—nor in rating a tract of land or farm worth seventy-five or one hundred dollars per acre in cash at thirty dollars, or a block of buildings at less than half what it rents for, or in rating new carriages and buggies and like vehicles at one third their cost, or a first quality watch at less than its actual cost.

The carelessness of assessors heretofore practiced in reference to moneys at interest has simply been monstrous. We call your attention to the provision of the act of Assembly imposing a fine of one hundred dollars upon every person not giving the full and accurate amount of their moneys and stocks. Inform each citizen of his duty and insist on it being performed. It is made the duty of the assessors to "require of every taxable in his district to furnish a statement in writing, or partly written and partly printed, showing the aggregate amount of money due and owing by solvent debtors to such taxable."

No return has ever been made of moneys due on accounts from solvent debtors. Require men engaged in business and to whom accounts are due and owing from solvent debtors to make a full return. If they refuse, you follow the law. Persons are in the habit of loaning money and taking notes for the amount including interest, and then inform the assessor that they have no money at interest. It is your duty to assess all such moneys. A proper return of the money at interest in the county will increase the amount at least half a million of dollars.

In assessing money at interest note carefully in the proper column the character of securities whether mortgages, judgments or otherwise.

There has always been a great dearth of sound judgment in rating and valuing offices, posts of profit, professions, trades and occupations. Examine the requirements of your oath on this matter.

It is neither just nor right to rate or value a lawyer whose actual income from his profession is four thousand dollars a year at two hundred dollars, nor a minister or doctor who receives or makes two thousand dollars a year at one hundred and fifty dollars, nor is it right to rate and value a banker or lumberman whose actual income from his occupation may reach the sum of ten thousand dollars a year, the same as you would a carpenter or blacksmith whose income does not exceed five hundred dollars. It is highly improper to rate the college professor who receives a salary of from two to three thousand dollars a year the same as you would the country school teacher, or the public officer who receives a large salary at the same rate you would one who only receives five hundred.

For your information we give the legal definition of the several occupations mentioned in this statute.

An office is a right to exercise a public employment and to take the fees and emoluments thereunto belonging. A man is a public officer who hath any duty concerning the public.

Posts of profit. "Offices of profit" properly comprehends trustees, bank officers and persons occupying similar positions.

Professions. Includes persons who teach, practice law, physic or divinity.

Trades. Applicable to persons following a particular business, as carpenter, blacksmith, stone mason, machinist, &c.

Occupation. A business or mystery, as the occupation of a printer. It will include merchants, hotel keepers, saloon keepers, bankers and almost every other kind of regular business.

A man who does work as a day laborer has no occupation in its legal sense, and his business can not be taxed as an occupation.

It is your duty to make return of all property specially exempt by Acts of the General Assembly from the payment of taxes in a separate list, said list to contain among other things the following, viz:

All churches, meeting-houses and other places of stated religious worship, with the grounds thereto annexed, not exceeding ten acres; all universities, colleges, academies and school-houses belonging to any county, borough or school district, or incorporated, erected, endowed or established by virtue of any law of this Commonwealth, with the grounds thereto annexed, not exceeding ten acres; also, all burial lots, the lands and premises of all cemetery companies, where such property is held in trust for the sole purpose of improving said lands and premises, and whose revenues of whatsoever kind are devoted to that object and in no way inure to the benefit or profit of the corporators or any of them; all lunatic asylums, alms houses, poor houses, houses of refuge, penitentiaries and asylums, schools and hospitals supported by the appropriations annually made there to by the Commonwealth, together with all lands attached to the same; also, all charitable institutions, provided by charitable gifts or otherwise, the chief revenues of the support of which are derived from voluntary contributions, together with the lands attached to the same, and, by decision of the Supreme Court, the following properties are also exempt, viz: the bed, berm-bank, towpath and

reservoirs of a canal; water stations and depots of a railroad; also, toll-houses of any incorporated company.

PROPERTY SUBJECT TO COUNTY TAX ALONE.

1. All houses, lands, lots of ground, and ground-rents, mills, and manufactories of all descriptions, all furnaces, forges, bloomeries, distilleries, sugar-houses, malt-houses, breweries, tan-yards and ferries, and all other real estate not exempt by law.

2. All horses, mares, geldings and cattle above the age of four years.

3. Salaries and emoluments of office, all offices, posts of profit, professions, trades and occupations, except the occupation of farmers.

4. All single freemen above the age of 21 years, who shall not follow any occupation or calling.

PROPERTY TAXABLE FOR STATE AND COUNTY PURPOSES.

All household furniture including gold and silver plate owned by any person or persons, corporation or corporations, when the value thereof shall exceed three hundred dollars.

All pleasure carriages, owned and kept for use, both of two and four wheels.

PROPERTY SUBJECT TO STATE TAX ALONE.

1. All mortgages, money owing by solvent debtors, whether promissory notes, penal or single bill, bond or judgment; also all articles of agreement and accounts bearing interest, owned or possessed by any person whatsoever, (except notes or bills for work or labor done, and all obligations given to banks for money loaned and bank notes) and all public loans or stocks whatsoever, except those issued by this Commonwealth or the United States, and all money loaned or invested on interest in any other State, and all other moneyed capital in the hands of individual citizens of the State, shall be and are hereby made taxable for State purposes, at the rate of four mills on the dollar of the value thereof annually. Act of June 10, 1881, Sec. 1, P. L. page 99.

2. All stages, omnibuses, hacks, cabs, and other vehicles used for transporting passengers for hire, owned, used or possessed within this Commonwealth by any person or persons, or by any body or bodies corporate, three mills upon every dollar of the value thereof.—P. L. 1846 p. 486, Sec. 1, and P. D. 1381, Sec. 152.

3. Upon all annuities over two hundred dollars, except those granted by the Commonwealth or the United States, three mills upon every dollar of the value above \$200.—P. L. 1846, p. 486 and P. D. 1381, Sec. 152.

4. Upon all personal property held, owned, used or invested by any person, company or corporation, excepting always such property as shall be held in trust for religious purposes, three mills upon every dollar of the value thereof.

5. Upon gold lever watches, and gold watches of equal value, each one dollar. Upon every other description of gold watches and upon silver lever watches, or other silver watches of like value, seventy-five cents. Upon every other description of watches, of the value of twenty dollars or upwards, fifty cents.

DUTIES OF ASSESSORS.

"It shall be the duty of the several assessors and assistant assessors, to assess, rate and value all objects of taxation, whether for State, county, city, district, ward, township or borough purposes, according to the actual value thereof, and at such prices for which the same would separately bona fide sell."—P. L. 1841, Sec. 4, and P. D. 1359, Sec. 9.

"It shall hereafter be the duty of each assessor within this Commonwealth, at the time of making the assessments in his ward, borough or township, to require every person, every firm and partnership, and the president, secretary, cashier, or treasurer of every company or corporate body subject to taxation therein, to deliver him a statement in writing, or partly printed and partly written, showing the aggregate amount of money due and owing by solvent debtors to such person, partnership, firm, company or corporate body, whether on mortgage, judgment, decree, bond, note, contract, agreement, accounts and settlements in the orphan's courts and courts of common pleas, and other accounts (excepting executory contracts and agreements, where possession has not been delivered to the vendee under such contracts, or accounts for work or labor done, and bank notes,) whether payable on demand or at any specified time, past, present, or future, or whether the time of payment be specified or not, and whether containing an agreement to pay interest or not, whether written or verbal; and also the amount of all shares or stock held or owned by such person, company, firm or corporate body, in any bank, institution, or company now or hereafter incorporated in pursuance of any law of any other State or government, and all public loans or stocks whatever, except those issued by this Commonwealth; and all money loaned or invested on interest in any other State; and the several items aforesaid, composing such aggregate: Provided, That this section shall not be construed to require any statement of notes discounted or negotiated, or held by any banking institution."—P. L. 1846, p. 486, Sec. 3, and P. D. 1386, Sec. 170.

If the several assessors of this Commonwealth, in the discharge of their respective duties shall have reason to believe any person or persons or corporation shall have rendered a false return of his, her or their property, trade, profession, occupation, or any article made taxable by law, or shall not make a full disclosure of the same, the said assessors shall return what they shall believe to be the full value and amount thereof to the Commissioners of the proper county."—P. L. 1841, Sec. 5, and P. D. 1359-60, Sec. 10.

PENALTIES FOR NEGLECT OF DUTY.

"If any assessor or assistant assessor shall knowingly and intentionally omit, neglect, or refuse to assess and return any property, person or thing made taxable by law, or shall knowingly and intentionally assess, rate, or value the same, at more or less than he shall know and believe the just cash value or rate thereof, or neglect or refuse to assess any tax required by law, he shall be guilty of a misdemeanor and in office, and on conviction thereof, be subject to imprisonment, not less than three nor more than twelve months, and fined in a sum not less than one hundred nor more than two hundred dollars."—P. L. 1841, p. 394, Sec. 3, and P. D. 1360, Sec. 11.

"If any assessor or assistant assessor who shall have taken upon himself the duties of such office, shall neglect or refuse to comply with any order or warrant issued to him by the commissioners of the same county in conformity with the law, or shall not perform the duties enjoined upon him by law, he shall forfeit any sum not exceeding forty dollars, to be recovered by the county as debts of a like amount are recoverable."—P. L. 1834 p. 515 Sec. 24, and P. D. 1360 Sec. 12.

DUTIES OF TAXABLE PERSONS.

Each person, the president, secretary or treasurer of each company, and some member of each firm or partnership, from whom statements may be required under the preceding sections, shall, within fifteen days after being so required by the assessor, respectively make out and deliver to such assessor the statement or statements aforesaid; (Sec. P. D. 1386, Sec. 170) and the person making such statement or statements shall certify over his proper signature, that the same is true and correct; and if any such person, member of a firm or partnership, or officer of such company or corporation shall refuse or neglect to furnish such statement as is required by the provisions of this act, the assessor shall proceed to make, from the best means he may be able to obtain, a statement or statements of money or stock specified in the preceding sections, owned by such person, firm, partnership company or corporation.—P. L. 1846, p. 487, Sec. 4 and P. D. 1386, Sec. 171.

PENALTY FOR REFUSAL.

"In case any person, company, firm or body corporate shall not exhibit and set forth in any statement made in pursuance of this act, the full aggregate amount of his, her, their or its money and stock, as required by the preceding sections of this act, such person, company, firm or corporate body shall forfeit and pay a sum of one hundred dollars, which shall be recoverable by any person suing for the same, in the name of the Commonwealth, as debts of like amount are by law recoverable; one half of which sum, when so recovered, shall be paid to the proper county treasurer, for the use of the Commonwealth, and the other half to the person at whose instance such suit shall or may be commenced and prosecuted to recovery. And nothing in this statement shall be construed to require that any statement hereinbefore mentioned, shall exhibit more or other facts than the whole or aggregate amount of stock specified in the said preceding section."—P. L. 1846, Sec. 5, and P. D. 1386, Sec. 172.

By the act of February 28, 1835, P. L. 46, Sec. 6, P. D. 1359, Sec. 6, assistant assessors are not "required to participate in taking an account of the names and surnames of the taxable inhabitants and of the personal and real property in their respective districts, wards and townships." But under the act of 15 of May, 1841, they must assist in rating and valuing all property subject to taxation.

After your returns have been made and examined by the board of revision, to determine whether the same has been made in conformity with the law, and whether all property to be valued for taxation, has been properly valued, the lists will be returned to you, when you will proceed in conformity with the law to give written or printed notices, at least five days, before the day of appeal, to every taxable inhabitant within your respective districts, of the amount or sum for which he stands rated and the rate per cent. of such amount, and the time and place fixed for such appeal.

Under the Act of 1849 all assessments in Centre county must be made in April. In obedience to this law you will begin your work on Monday the 2nd day of April and complete the work so you can make your return to this office on the _____ day of the month.

We expect the law to be strictly obeyed and carried out both in letter and spirit by you in the discharge of your duties. Returns made that are not in accord with the law will not be received, and the assessors will be required to complete the work as it should be. Negligent and careless work will not be paid for.

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