

TITLE XXXV.—INTERNAL REVENUE.—CH. 8-9.

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pany is situated, or in which such person has his place of business, and one copy to the Commissioner of Internal Revenue. 8 Feb., 1875, c. 36, s. 21, v. 18, p. 311.

SEC. 3415. In default of the returns provided in the preceding section, the amount of circulation, deposit, capital, and notes of persons, town, city, and municipal corporations, State banks, and State banking associations paid out, as aforesaid, shall be estimated by the Commissioner of Internal Revenue, upon the best information he can obtain. And for any refusal or neglect to make return and payment, any such bank, association, corporation, company, or person so in default shall pay a penalty of two hundred dollars, besides the additional penalty and forfeitures provided in other cases. In default of return, Commissioner to estimate, &c.
30 June, 1864, c. 173, s. 110, v. 13, p. 278.
13 July, 1866, c. 184, s. 9, v. 14, p. 146.
24 Dec., 1872, c. 13, s. 2, v. 17, p. 402. 8 Feb., 1875, c. 36, s. 21, v. 18, p. 311.

SEC. 3416. Whenever any State bank or banking association has been converted into a national banking association, and such national banking association has assumed the liabilities of such State bank or banking association, including the redemption of its bills, by any agreement or understanding whatever with the representatives of such State bank or banking association, such national banking association shall be held to make the required return and payment on the circulation outstanding, so long as such circulation shall exceed five per centum of the capital before such conversion of such State bank or banking association. State banks converted into national banks; returns, how made.
3 Mar., 1865, c. 78, s. 14, v. 13, p. 486.
13 July, 1866, c. 184, s. 9 bis, v. 14, p. 146.

SEC. 3417. The provisions of this chapter, relating to the tax on the deposits, capital, and circulation of banks, and to their returns, except as contained in sections thirty-four hundred and ten, thirty-four hundred and eleven, thirty-four hundred and twelve, [thirty-four hundred and thirteen,] and thirty-four hundred and sixteen, and such parts of sections thirty-four hundred and fourteen, and thirty-four hundred and fifteen as relate to the tax of ten per centum on certain notes, shall not apply to associations which are taxed under and by virtue of Title "NATIONAL BANKS." Provisions for bank tax and returns not to apply to national banks.
30 June, 1864, c. 173, s. 110, v. 13, p. 278.
13 July, 1866, c. 184, s. 9, v. 14, p. 146.
18 Feb., 1875, c. 80, v. 18, p. 319.

CHAPTER NINE.

STAMP-TAXES ON SPECIFIC OBJECTS.

Sec.	Sec.
3418. Tax on bank-checks.	3430. Selling or removing articles for sale without affixing stamps; penalty.
3419. Tax on medicines or preparations, perfumery, cosmetics, &c.	3431. Removing stamps from articles in schedule; penalty.
3420. Official checks exempt.	3432. Selling articles in schedule without affixing stamps; penalty.
3421. Unstamped checks not admitted in evidence.	3433. Articles in schedule, intended for exportation, to be manufactured in bonded warehouses.
3422. Omission to stamp bank-checks, &c.; penalties and remedies.	3434. Removal in bond to Pacific coast for exportation.
3423. Cancellation of stamps; proprietary stamps; penalties.	3435. Persons offering for sale articles in schedule deemed manufacturers.
3424. Method of cancellation.	3436. Medicines compounded according to pharmacopoeias exempt.
3425. Stamps, how supplied.	3437. Assessment of unpaid taxes payable by stamps.
3426. Replacement of spoiled stamps, &c.	Schedule A.
3427. Stamps furnished to certain officers for sale.	
3428. Regulations as to disposal and safe-keeping of stamps.	
3429. Forging, counterfeiting, &c., or fraudulently using or selling stamps, &c.; penalties.	

SEC. 3418. There shall be levied, collected, and paid for and in respect of every bank-check, draft, or order for the payment of money, drawn upon any bank, banker, or trust company, at sight or on demand, by Tax on bank-checks.
30 June, 1864, c. 173 s. 151 v. 13 no

Tax on medicines or preparations, perfumery, cosmetics, &c.

30 June, 1864, c. 173, s. 168, v. 13, pp. 296, 301.

13 July, 1866, c. 184, s. 9, v. 14, p. 146. 5 Mar., 1872, c. 33, v. 17, p. 36.

Official checks exempt.

30 June, 1864, c. 173, s. 154, v. 13, p. 292.

13 July, 1866, c. 184, s. 9, v. 14, p. 141.

Unstamped checks not admitted in evidence.

30 June, 1864, c. 173, s. 163, v. 13, p. 295.

13 July, 1866, c. 184, s. 9, v. 14, p. 143.

18 Feb., 1876, c. 13, r. 19, p. 5.

Omission to stamp bank-checks, &c.; penalties and remedies.

30 June, 1864, c. 173, s. 158, v. 13, p. 293.

13 July, 1866, c. 184, s. 9, v. 14, p. 142.

14 July, 1870, c. 255, s. 5, v. 16, p. 257.

23 June, 1874, c. 462, r. 18, p. 250.

18 Feb., 1875, c. 80, r. 18, p. 319.

27 Feb., 1877, c. 69, r. 19, p. 248.

SEC. 3419. There shall be levied, collected, and paid on the articles mentioned in Schedule A, and in the manner hereinafter provided, the taxes mentioned in said schedule; and all the provisions of this chapter relating to dies, stamps, adhesive stamps, and stamped duties, shall extend to and include (except where otherwise provided for, or manifestly impracticable) all the articles or objects enumerated in schedule marked A, subject to stamp duties, and shall apply to the provisions in relation thereto.

SEC. 3420. All bank-checks, drafts, or orders, as aforesaid, issued by the officers of the United States Government, or by officers of any State, county, town, or other municipal corporation, are exempt from taxation: *Provided*, That it is the intent hereby to exempt from liability to taxation such State, county, town, or other municipal corporations in the exercise only of functions strictly belonging to them in their ordinary governmental and municipal capacity.

SEC. 3421. No bank-check, draft, or order, required by law to be stamped, which is issued without being duly stamped, nor any copy thereof, shall be admitted or used in evidence in any court until a legal stamp, denoting the amount of tax, is affixed thereto, as prescribed by law. And it shall not be lawful to record any instrument, document, or paper required by law at the time of its issue to be stamped, unless a stamp or stamps of the proper amount shall have been affixed, and canceled in the manner required by law; and the record of any such instrument, upon which the proper stamp or stamps aforesaid shall not have been duly affixed and canceled, shall be utterly void and shall not be used in evidence.

SEC. 3422. Any person or persons who shall make, sign, or issue, or who shall cause to be made, signed, or issued, any instrument, document, or paper of any kind or description whatsoever, or shall accept, negotiate, or pay, or cause to be accepted, negotiated, or paid, any draft, or order, for the payment of money, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the tax chargeable thereon, and canceled in the manner required by law, with intent to evade the provisions of this Title, shall, for every such offense, forfeit the sum of fifty dollars, and such instrument, document, [or] paper, draft, [or] order, not being stamped according to law, shall be deemed invalid and of no effect: *Provided*, That hereafter, in all cases where the party has not affixed to any instrument the stamp required by law thereon, at the time of making or issuing the said instrument, and he or they, or any party having an interest therein, shall be subsequently desirous of affixing such stamp to said instrument, or if said instrument be lost, to a copy thereof, he or they shall appear before the collector of the revenue of the proper district, who shall, upon the payment of the price of the proper stamp required by law, and of a penalty of double the amount of tax remaining unpaid, but in no case less than five dollars, and where the whole amount of the tax denoted by the stamp required shall exceed the sum of fifty dollars, on payment also of interest, at the rate of six per centum on said tax from the day on which such stamp ought to have been affixed, affix the proper stamp to such instrument or copy, and note upon the margin thereof the date of his so doing, and the fact that such penalty has been paid; and the same shall thereupon be deemed and held to be as valid, to all intents and purposes, as if stamped when made or issued: [*And provided further*, That where it shall appear to said collector upon oath or otherwise to his satisfaction that any