

**REVENUE LAWS OF THE  
STATE OF ILLINOIS.  
AUDITOR'S EDITION, 1916**

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Revenue Laws of the State of Illinois. Auditor's Edition, 1916 by James J. Brady

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**JAMES J. BRADY**

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# REVENUE LAWS <sup>159926</sup>

OF THE

STATE OF ILLINOIS



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AUDITOR'S EDITION

1916

*Illinois. Laws, statutes, etc.  
Tax laws.*

COMPILED BY

**JAMES J. BRADY**

Auditor of Public Accounts

[Printed by authority of the State of Illinois.]

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ARTICLE IX OF THE CONSTITUTION OF 1870.

REVENUE.

SECTION 1. The General Assembly shall provide such revenue as may be needful by levying a tax, by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property—such value to be ascertained by some person or persons, to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise; but the General Assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, innkeepers, grocery keepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, and persons or corporations owning or using franchises and privileges, in such manner as it shall from time to time direct by general law, uniform as to the class upon which it operates.

§ 2. The specification of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other subjects or objects to be taxed in such manner as may be consistent with the principles of taxation fixed in this Constitution.

§ 3. The property of the State, counties, and other municipal corporations, both real and personal, and such other property as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery and charitable purposes, may be exempted from taxation; but such exemption shall be only by general law. In the assessment of real estate incumbered by public easement, any depreciation occasioned by such easement may be deducted in the valuation of such property.

§ 4. The General Assembly shall provide, in all cases where it may be necessary to sell real estate for the nonpayment of taxes or special assessments for State, county, municipal or other purposes, that a return of such unpaid taxes or assessments shall be made to some general officer of the county having authority to receive State and county taxes; and there shall be no sale of said property for any of said taxes or assessments but by said officer, upon the order or judgment of some court of record.

§ 5. The right of redemption from all sales of real estate for the nonpayment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. And the General Assembly shall provide by law for reasonable notice to be given to the owners or parties interested, by publication or otherwise, of the fact of the sale of the property for such taxes or assessments, and when the time of redemption shall expire: *Provided*, that occupants shall in all cases be served with personal notice before the time of redemption expires.

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§ 6. The General Assembly shall have no power to release or discharge any county, city, township, town or district whatever, or the inhabitants thereof, or the property therein, from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

§ 7. All taxes levied for State purposes shall be paid into the State treasury.

§ 8. County authorities shall never assess taxes, the aggregate of which shall exceed 75 cents per \$100 valuation, except for the payment of indebtedness existing at the adoption of this Constitution, unless authorized by a vote of the people of the county.

§ 9. The General Assembly may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of contiguous property, or otherwise. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform in respect to persons and property, within the jurisdiction of the body imposing the same.

§ 10. The General Assembly shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes, but shall require that all the taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law, such taxes to be uniform in respect to persons and property, within the jurisdiction of the body imposing the same. Private property shall not be liable to be taken or sold for the payment of the corporate debts of a municipal corporation.

§ 11. No person who is in default, as collector or custodian of money or property belonging to a municipal corporation, shall be eligible to any office in or under such corporation. The fees, salary or compensation of no municipal officer who is elected or appointed for a definite term of office shall be increased or diminished during such term.

§ 12. No county, city, township, school district, or other municipal corporation, shall be allowed to become indebted in any manner or for any purpose, to an amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness. Any county, city, school district, or other municipal corporation incurring any indebtedness as aforesaid, shall before, or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof within twenty years from the time of contracting the same. This section shall not be construed to prevent any county, city, township, school district, or other municipal corporation, from issuing their bonds in compliance with any vote of the people which may have been had prior to the adoption of this Constitution in pursuance of any law providing therefor.

§ 13. The corporate authorities of the city of Chicago, are hereby authorized to issue interest bearing bonds of said city to an amount not exceeding five million dollars, at a rate of interest not to exceed five per

centum per annum, the principal payable within thirty years from the date of their issue, and the proceeds thereof shall be paid to the treasurer of the World's Columbian Exposition, and used and disbursed by him under the direction and control of the directors, in aid of the World's Columbian Exposition to be held in the city of Chicago, in pursuance of an act of Congress of the United States.

*Provided*, that if at the election for the adoption of this amendment to the Constitution, a majority of the votes cast within the limits of the city of Chicago, shall be against its adoption, then no bonds shall be issued under this amendment.

And said corporate authorities shall be repaid as large a proportionate amount of the aid given by them as is repaid to the stockholders on the sums subscribed and paid by them, and the money so received shall be used in the redemption of the bonds issued as aforesaid, provided that said authorities may take in whole or in part of the sum coming to them any permanent improvements placed on land held or controlled by them.

*And provided further*, that no such indebtedness so created shall in any part thereof be paid by the State, or from any State revenue, tax or fund, but the same shall be paid by the said city of Chicago alone.



## REVENUE LAWS OF THE STATE OF ILLINOIS.

AN ACT for the assessment of property and for the levy and collection of taxes. Approved March 30, 1872. In force July 1, 1872.

1. WHAT PROPERTY ASSESSED AND TAXED.] SECTION 1. That the property named in this section shall be assessed and taxed except so much thereof as may be, in this act exempted:

*First*—All real and personal property in this State.

*Second*—All moneys, credits, bonds or stocks and other investments, the shares of stock of incorporated companies and associations, and all other personal property, including property *in transitu* to or from this State, used, held, owned or controlled by persons residing in this State.

*Third*—The shares of capital stock of banks and banking companies doing business in this State.

*Fourth*—The capital stock of companies and associations incorporated under the laws of this State, except companies and associations organized for purely manufacturing and mercantile purposes, or for either of such purposes, or for the mining and sale of coal, or for printing, or for the publishing of newspapers, or for the improving and breeding of stock. [As amended by act in force July 1, 1905. L. 1905, p. 353; Legal News Ed., p. 277. See Const., art. 9, § 1—Taxing dogs, ch. 8, § 17 et seq., par. 4, unconstitutional and void. See Consolidated Coal Co. v. Miller, 236 Ill., 149.

### PROPERTY EXEMPT FROM TAXATION.

2. PROPERTY EXEMPT FROM TAXATION.] § 2. All property described in this section, to the extent herein limited, shall be exempt from taxation, that is to say:

*First*—All lands donated by the United States for school purposes, not sold or leased; all property of schools, including the real estate on which the schools are located, not leased by such schools or otherwise used with a view to profit. Unconstitutional. See *People v. Deutsche*, etc., 249 Ill., 132.

*Second*—All property used exclusively for religious purposes, or used exclusively for school and religious purposes or for orphanages and not leased or otherwise used with a view to profit. Constitutional. *People v. Deutsche*, etc., 249 Ill., 132.

*Third*—All lands used exclusively as graveyards or grounds for burying the dead.

*Fourth*—All unentered government lands; all public buildings or structures of whatsoever kind, and the contents thereof, and the land on which the same are located belonging to the United States.

*Fifth*—All property of every kind belonging to the State of Illinois.

*Sixth*—All property belonging to any county, town, village, or city used exclusively for the maintenance of the poor; all swamp or overflowed lands belonging to any county, so long as the same remain unsold by such county; all public buildings belonging to any county, township, city or incorporated town, with the ground on which such buildings are erected, not exceeding in any case ten acres.

*Seventh*—All property of institutions of public charity, all property of beneficent and charitable organizations, whether incorporated in this or in any other state of the United States and all property of old peoples' homes when such property is actually and exclusively used for such charitable or beneficent purposes, and not leased or otherwise used with a view to profit; and all free public libraries.

*Eighth*—All fire engines or other implements used for the extinguishment of fires, with the buildings used exclusively for the safe keeping thereof, and the lot of reasonable size on which the building is located, when belonging to any city, village or town.

*Ninth*—All market houses, public squares or other public grounds used exclusively for public purposes; all works, machinery and fixtures belonging exclusively to any town, village or city, used exclusively for conveying water to such town, village or city; all works, machinery and fixtures of drainage districts, when used exclusively for pumping water from the ditches and drains of such district for drainage purposes.

*Tenth*—All property which may be used exclusively by societies for agricultural, horticultural, mechanical and philosophical purposes, and not for pecuniary profit. [Approved June 28, 1915. In force July 1, 1915. L. 1915, p. 575.]

#### RULES FOR VALUING PERSONAL PROPERTY.

3. RULES FOR VALUING PERSONAL PROPERTY.] § 3. Personal property shall be valued as follows:

*First*—All personal property, except as herein otherwise directed, shall be valued at its fair cash value.

*Second*—Every credit for a sum certain, payable either in money or labor, shall be valued at a fair cash value, for the sum so payable if for any article of property, or for labor or services of any kind, it shall be valued at the current price of such property, labor or service.

*Third*—Annuities and royalties shall be valued at their then present value.

*Fourth*—The capital stock of all companies and associations now or hereafter created under the laws of this State, except companies and associations organized for purely manufacturing and mercantile purposes or for either of such purposes, or for the mining and sale of coal, or for printing, or for the publishing of newspapers, or for the improving and breeding of stock, shall be so valued by the State Board of Equalization as to ascertain and determine respectively, the fair cash value of such capital stock, including the franchise over and above the assessed value of the tangible property of such company or association, such board shall adopt such rules and principles for ascertaining the fair cash value of such capital stock as to it may seem equitable and just, and such rules and principles when so adopted, if not inconsistent with this act, shall be as binding and of the same effect as if contained in this act, subject, however, to such change, alteration or amendment as

may be found from time to time, to be necessary by said board: *Provided*, that in all cases where the tangible property or capital stock of any company or association is assessed under this act, the shares of capital stock of such company or association shall not be assessed or taxed in this State. This clause shall not apply to the capital stock, or shares of capital stock of banks organized under the general banking laws of this State or under any special charter heretofore granted by the Legislature of this State. [As amended by act in force July 1, 1905. L. 1905, p. 353; Legal News Ed., p. 277. *Porter v. R., R. I. & St. Louis R. R. Co.*, 76 Ill., 561; *Republic Life Ins. Co. v. Pollock*, 75 Ill., 293; *C., B. & Q. R. R. Co. v. Cole*, 75 Ill., 591; *Taylor v. Secor*, 8 Legal News, 249; *Pacific Hotel Co. v. Pollock*, 8 Legal News, 396; *Hub v. Hanburg*, 211 Ill., 43. See *Raymond v. Chicago Un. T. Co.*, 28 Supreme Court Reporter, 7. See § 312.

#### RULES FOR VALUING REAL ESTATE.

4. RULES FOR VALUING REAL ESTATE.] § 4. Real property shall be valued as follows:

*First*—Each tract or lot of real property shall be valued at its fair cash value, estimated at the price it would bring at a fair, voluntary sale.

*Second*—Taxable leasehold estates shall be valued at such a price as they would bring at a fair, voluntary sale for cash.

*Third*—When a building or structure is located on the right of way of any canal, railroad or other company leased or granted for a term of years to another, the same shall be valued at such a price as such building or structure and lease or grant would sell at a fair, voluntary sale for cash.

*Fourth*—In valuing any real property on which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell at a fair, voluntary sale for cash. [See § 312.

#### PERSONAL PROPERTY—WHEN LISTED.

5. PERSONAL PROPERTY—WHEN LISTED.] § 5. Personal property shall be listed between the 1st day of May and the 1st day of July of each year, when required by the assessor, with reference to the quantity held or owned on the 1st day of May, in the year for which the property is required to be listed. Personal property purchased or acquired on the 1st day of May shall be listed by or for the person purchasing or acquiring it. [See § 309.

#### WHO SHALL LIST—WHAT LISTED.

6. PERSONAL PROPERTY—WHO SHALL LIST—WHAT LISTED.] § 6. Personal property shall be listed in the manner following:

*First*—Every person of full age and sound mind, being a resident of this State, shall list all his moneys, credits, bonds or stocks, shares of stock of joint stock or other companies (when the capital stock of such company is not assessed in this State), moneys loaned or invested, annuities, franchises, royalties, and other personal property.

*Second*—He shall also list all moneys and other personal property invested, loaned or otherwise controlled by him as the agent or attor-