

said railroads owning, holding, hiring, using or leasing the same, as other personal property is valued, assessed and taxed under the provisions of this Article and the valuation, assessment, taxation and apportionment of said rolling stock for county and Baltimore City purposes shall be made in the following manner and not otherwise: All such railroads as hereinbefore provided shall on or before the fifteenth day of March in each and every year report under oath of one of its officers a complete and detailed return of all such rolling stock showing the average value thereof during the preceding calendar year, said return to be in such form as may be required by the State Tax Commission so that it may be enabled to perform the duties and exercise the authority imposed and conferred by this Section. After receiving said returns and before the first day of July in each and every year, the State Tax Commission shall value and assess all such rolling stock at the average value thereof during the preceding calendar year as determined by the State Tax Commission for purposes of county and Baltimore City taxation, and after such valuation and assessment, shall notify each railroad corporation so reporting of the amount of the proposed assessment to be entered with an opportunity to the corporation for hearing before the said Commission within fifteen days from the date of such notification. The State Tax Commission shall certify and apportion the assessment entered against each of the railroads to the counties and Baltimore City in the proportion which the mileage of each of said railroads in each county and Baltimore City bears to its entire mileage in the State. If any such railroad company owning, holding, hiring, using or leasing rolling stock has part of its road in this State and part thereof in another State, States or the District of Columbia, such company shall return a statement of its entire mileage or whole length of its line, and the length of its line in this State, and the following rule shall be followed by the State Tax Commission for ascertaining in such case the valuation of such rolling stock, namely, the valuation of said rolling stock shall bear that proportion to the total value of said rolling stock as the mileage of said railroad in Maryland bears to the total mileage, but this proviso shall not apply to rolling stock as is located permanently within the limits of this State.¹

Rolling stock of a railroad company whose road extends through other counties of the state is not taxable in county in which principal office of corporation is located, since acts of 1896, chs. 120 and 140—see also sec. 213—provide a special mode for assessment of rolling stock. The act of 1896 is not in conflict with art. 3, sec. 51, of state Constitution, that provision being applicable to natural persons only. *B., C. & A. Ry. Co. v. Wicomico County*, 93 Md. 131. (And see *Wicomico County v. Bancroft*, 203 U. S. 117.)

The appeal given by this section is to comptroller and treasurer as provided in sec. 170. Pending such appeal, an injunction restraining comptroller and treasurer from taking certain prospective action will not be granted. *Graham v. Harford County*, 87 Md. 323; *Fowble v. Kemp*, 92 Md. 636.

Palace and sleeping cars built and owned by a foreign corporation having its principal place of business outside of Maryland, and leased to railroad companies which use them upon their various roads in Maryland, held not taxable under act of 1876, ch. 260. *Appeal Tax Court v. Pullman Co.*, 50 Md. 456.

¹ Sec. 2 of ch. 293 of acts of 1924 repeals all laws inconsistent with said act to extent of such inconsistency.

The act takes effect December 31, 1924.