### ESSAYS IN TAXATION

#### BY

### EDWIN R. A. SELIGMAN

MCVICKAR PROFESSOR OF POLITICAL ECONOMY
IN COLUMBIA UNIVERSITY

TENTH EDITION
REVISED

THE MACMILLAN COMPANY
1925

All rights reserved



## THE MACMILLAN COMPANY NEW YORK - BOSTON - CHICAGO DALLAS - SAN FRANCISCO

MACMILLAN & CO., Limited London - Bombay - Calcutta Melbourne

THE MACMILLAN CO. OF CANADA, LTD. TORONTO

### PREFACE TO THE TENTH EDITION

THE changes in this tenth edition, which appears after an interval of almost four years, although not so numerous or so important as in the preceding edition, are nevertheless of some significance. Advantage has been taken of the opportunity to bring the discussion of the literature throughout down to date and to call attention to the most recent development of the different problems. This applies especially to the chapters on double taxation, on the inheritance tax, and on the taxation of corporations. Various minor errors and misprints have also been corrected.

EDWIN R. A. SELIGMAN.

COLUMBIA UNIVERSITY, May, 1925.

## FROM THE PREFACE TO THE NINTH EDITION

The well-nigh nine years that have elapsed since the last complete rewriting of this book have witnessed not only the Great War but important changes in state and local taxation here and abroad. Advantage has therefore been taken of this edition not only to bring the various chapters down to date but to add five new chapters, three of which are directly the outcome of the war discussion. In order to make room for these, the three chapters devoted to American Reports on Taxation have been compressed into one, although continued down to date. In the body of the book an attempt has been made to take account not only of the changes in legislation, but also of the recent discussions in fiscal science.

E. R. A. S.

COLUMBIA UNIVERSITY, August, 1921.

# FROM THE PREFACE TO THE EIGHTH EDITION

This book was originally published in 1895, and the favor with which it was received has rendered necessary a new edition every two or three years. Owing partly to the pressure of other occupations and partly to a shrinking from the arduous labor which would have been required to keep the presentation up to date, these successive editions contained but slight changes. Now however, after the lapse of almost eighteen years, the progress of the world, both in fiscal facts and in economic theory, has been so marked as to render any further delay impossible if the book is to remain a half-way satisfactory interpretation of actual conditions.

I therefore determined to subject the volume to a careful revision and, where necessary, to rewrite entire sections or even chapters. Moreover, in the interval, not a few of my addresses and articles on germane topics have appeared; and it seemed opportune to incorporate a selection from these into the book, even at the risk of some inevitable repetition in a few pages here and there. As a consequence, the thirteen chapters of the earlier editions have grown to twenty-one; and this together with the additions to the remainder of the work has resulted in a volume of almost double the size of the original. To a large extent, therefore, the present edition may be regarded as a substantially new work.

E. R. A. S.

COLUMBIA UNIVERSITY, NEW YORK, March, 1913.

### CONTENTS

### CHAPTER I

THE DEVELOPMENT OF TAXATION								1	PAGE	
I.	Voluntary and Compulsory Payments								1	
II.	Direct versus Indirect Taxation								6	
III.	The Forms of Direct Taxation								10	
IV.	Changes in the Basis of T	axat	ion					٠	14	
CHAPTER II										
THE GEN	ERAL PROPERTY TAX									
ĭ.	Practical Defects .								19	
11.	History of the Property	Tax it	ı Ant	iquit	y				32	
III.	Early Mediæval History	of the	e Pro	perty	Tax				38	
IV.	Later Mediæval and Mod	lern l	Histor	ry of	the !	Prope	rty T	ax	45	
V.	Theory of the Property T								56	
VI.	Conclusion								61	
	СНАР	TER	Ш							
THE SING	ele Tax									
I.	What is the Single Tax?					•			66	
II.	The General Theory								68	
III.	Practical Defects .								75	
	1. Fiscal Defects .								75	
	2. Political Defects								77	
	3. Ethical Defects							,	79	
	4. Economic Defects.	(a)	Effec	t on	poor	comi	nuni-			
	ties; (b) On farmers	(c) (	On <b>r</b> i	ch c	Ommi	ınitie	8,		83	
IV.	Conclusions	•							96	
						٠				
CHAPTER IV										
DOUBLE	Taxation									
I.	By the Same Authority					4			100	
	1. Property and Incom-	e							100	
	2. Property and Debts.								102	
	3. Corporations and Ir		rs				,		107	
	4. Corporate Property								109	
II.	By Competing Authorities								110	
	- v - v G - v								_	

### CONTENTS

### CHAPTER V

									1	PAGE
THE INH	eritance Tax .	•	•		•	•	•	•	•	126
		C177 A 31	en en en	***						
	•	CHAP	TER	AT						
THE TAX	ATION OF CORPORAT				RY					
I.	Early Taxation of	Corpor	ation	18						145
II.	Development of th	e Cor	porat	ion T	ах					148
	1. Banks .									157
	2. Insurance Cor	npanie	19							161
	<ol><li>Railroads .</li></ol>							•		170
	4. Other Public-S	Service	Cor	porati	ions					182
	5. The General (	Corpor	ation	Tax						195
	6. The Tax on C	orpora	te C	harte	ro					215
III.	Bases of the Tax						•	•		218
	0	HAP.	reb	<b>3/71</b>						
	ATION OF CORPORAT				CIPLE	8				
I.	The Franchise Tax		•	•	•	•	•	•	•	221
II.	Economic Theory	•	•	•	•	•	٠	•	•	238
	Practical Reforms	-	•	•		•	•	•	•	250
IV.	The Legal Situation	n	•	٠	•	٠	•	٠	•	264
	C	НАРТ	ER	VIII						
THE TA	XATION OF CORPO	RATIO	NS	TTT	Сом	PLIC	TONS	1 4 107	T.	
THE TA		RATIO	NS.	III.	Сом	PLIC	ATIONS	AN	D	
Conc	LUSIONS		NS.	III.	Сом	PLIC#	ATIONS	AN	D	271
Conc I.	LUSIONS Property and Deb	ots	•	III.	Сом	•	ATIONS	AN	D	271 273
Conc I. II.	LUSIONS Property and Deb Income and Prop	ots erty		III,		PLICA	ATIONS	AN	D .	273
Conc I. II. III.	LUSIONS Property and Deb Income and Prop Property and Sto	ots erty ck						AN		273 276
Conc I. II.	Property and Det Income and Property and Store Double Taxation	ots erty ek due to	Соп	: : flicts	of Ju	risdi	ction			273 276 280
Conc I. II. III.	Property and Del Income and Property and Store Double Taxation 1. Interstate 7	ots erty ck due to l'axatio	. Con	flicts Corp	of Ju orate	risdi	ction			273 276 280 280
Conc I. II. III.	Property and Del Income and Property and Stor Property and Stor Double Taxation 1. Interstate 7 2. Of Corporate	ots erty ck due to raxatio	Con on of uritie	flicts Corp	of Ju orate	risdi Pro	ction			273 276 280 280 282
Conc I. II. III.	Property and Del Income and Property and Stor Property and Stor Double Taxation 1. Interstate 7 2. Of Corporat 3. Of Non-resi	ots erty ck due to laxatio te Secu	Con on of urities	flicts Corp s ty-ho	of Ju orate	risdi Pro	ction			273 276 280 280 282 282
Conc I. II. III. IV.	Property and Del Income and Property and Store Double Taxation  1. Interstate Taxation 2. Of Corporata Of Non-resident Of Receipts	ots erty ck due to faxatio te Secu dent S	Con on of urities	flicts Corp ty-ho	of Ju orate lders	risdi Pro	ction			273 276 280 280 282 285 292
Conc I. II. III. IV.	Property and Del Income and Property and Stor Double Taxation  1. Interstate 7  2. Of Corporat  3. Of Non-resi  4. Of Receipts The Corporation	ots erty ck due to faxatio te Secu dent S	Con on of urities securi	flicts Corp ty-ho	of Ju orate lders	risdi Pro	etion perty			273 276 280 280 282 285 292 297
Conc I. II. III. IV.	Property and Del Income and Property and Stor Double Taxation  1. Interstate 7  2. Of Corporat  3. Of Non-resi  4. Of Receipts The Corporation Incidence	ots erty ck due to faxatio te Secu dent S	Con on of urities	flicts Corp ty-ho	of Ju orate lders	risdi Pro	ction perty			273 276 280 280 282 282 285 292 297 308
Conc I. II. IV. V. VI. VII.	Property and Del Income and Property and Stor Double Taxation  1. Interstate T  2. Of Corporat  3. Of Non-resi  4. Of Receipts The Corporation Incidence Local Taxation	ots erty ck due to faxatio te Secu dent S	Con on of urities securi	flicts Corp ty-ho	of Ju orate lders	risdi Pro	etion perty			273 276 280 280 282 285 292 297 308 310
Conc I. II. III. IV.	Property and Del Income and Property and Stor Double Taxation  1. Interstate T  2. Of Corporat  3. Of Non-resi  4. Of Receipts The Corporation Incidence Local Taxation	ots erty ck due to faxatio te Secu dent S	Con on of urities securi	flicts Corp ty-ho	of Ju orate lders	risdi Pro	ction perty			273 276 280 280 282 282 285 292 297 308
Conc I. II. IV. V. VI. VII.	Property and Del Income and Property and Stor Double Taxation  1. Interstate Taxation  2. Of Corporata 3. Of Non-resi 4. Of Receipts The Corporation Incidence Local Taxation Conclusion	ots erty ck due to faxatio te Secu dent S	Con on of urities de Sec	flicts Corp ty-ho curity	of Ju orate lders	risdi Pro	ction perty			273 276 280 280 282 285 292 297 308 310
Conc I. III. IV. V. VI. VII.	Problems in Taxat	ots erty ck due to laxatio te Secudent S and th CHAP	Con on of urities Securi e Sec	flicts Corp ty-ho urity	of Ju orate lders -hold	Pro	etion perty			273 276 280 280 282 285 292 297 308 310
Conc I. III. IV. V. VI. VII.	Problems in Taxat	ots erty ck due to laxatio te Secudent S and th CHAP	Con on of urities Securi e Sec	flicts Corp ty-ho urity	of Ju orate lders -hold	Pro	etion perty			273 276 280 280 282 285 292 297 308 310
Conc I. III. IV. V. VI. VII. VIII.	Problems in Taxat  Justice and the New  Justice and the New  Lusions  Property and Store  Double Taxation  1. Interstate The Corporation  3. Of Non-resist  4. Of Receipts  The Corporation  Incidence  Local Taxation  Conclusion  Problems in Taxat  Justice and the New	ots erty ck due to laxatio te Secu dent S and th character chap	Con Con of urities decurities e Sec	flicts Corp s tty-ho urity IX	of Juorate	risdi Pro	etion perty			273 276 280 280 282 285 292 297 308 310 314
Conc I. III. IV. V. VI. VII. VIII.	Problems in Taxat	ots erty ck due to Taxatio te Secut dent S and th  CHAP TON w Econ and F	Con Con of urities decurities e Sec	flicts Corp s tty-ho urity IX	of Juorate	risdi Pro	etion perty			273 276 280 280 282 285 292 297 308 310 314

co	N	$\boldsymbol{T}$	F	N	T	2

ìх

433

436

444

CHAPTER X A QUARTER CENTURY'S PROGRESS IN TAXATION PAGE I. General Progress 330 II. Social Considerations and the Benefit Theory . 333 III. Social Considerations and the Faculty Theory . 338 IV. Conflicts between Tax Jurisdictions . . . . 342 CHAPTER XI SEPARATION OF STATE AND LOCAL REVENUES I. Present Difficulties . . . 347 II. Meaning and Advantages of Separation . 350 III. Objections to Separation . . . 357 IV. History of Separation . 368 V. The Outcome . . . 372 CHAPTER XII THE RELATIONS OF STATE AND FEDERAL FINANCE I. The Principles of Efficiency and Suitability . II. The Principle of Adequacy . . . 383 III. The Apportionment of Federal Revenues 386 CHAPTER XIII THE IMPORTANCE OF PRECISION IN ASSESSMENTS I. Democracy and Administration 390 II. American Conditions . 393 CHAPTER XIV THE CLASSIFICATION OF PUBLIC REVENUES I. The Primary Classification 400 II. Police Power versus Taxing Power . 402 III. Fees . . 406 IV. Special Assessments 413 V. Prices . 421 VI. Conclusions . 430 CHAPTER XV

THE BETTERMENT TAX

I. The Origin

II. Betterment and Taxation .

III. The Principle . . .

### CHAPTER XVI

	REFORMS IN TAXA	rion.							PAGE
I.									. 452
II.	New Zealand								. 459
III.	Holland .			•					466
IV.	Prussia .								. <b>473</b>
	•	$CH_{L}$	APTI	ER X	VII				
D	D		ът	л I	n		1000	1010	
	REFORMS IN TAXA						1909	-1910	400
I.	Great Britain	٠	•	•		•	•		482
11.	The Land Taxes Germany The Tax on Unes Australasia The Exemption o The Income Tax		-	•	•	•	•		. 488
III.	Germany			٠.	٠	•	•		496
17.	The Tax on Unca	irned .	rnere	ment	•	•	•		. 505
٧.	Australasia .	<u>.</u> .	٠		•	•			516
V 1.	The Exemption o	t Imp	rover	nents		·	٠	:	522
VII.	The Income Tax	and	the	Relat	on of	State	to.	redera.	i
	rmance.		•			4			. 551
V111.	Conclusion .		•	-		•			538
	1	CHAI	PTEF	$\mathbf{x}$	$\Pi$				
December	LITERATURE IN TA	T L TOTAL	NT.						
I.	Comment	AAITU	PPN						543
IÎ.	Eropeo	•	•	•	•	•	•		553
ПΪ.	Italy Halland on	I San	:	•	•	•	•		
IV.	Spritzerland	u Spa	ш	•	•		•		
V.	Switzerjand England		•	•			,		568
¥.	United States	•	•	•	٠		•		572
¥I.	Germany . France . Italy, Holland an Switzerland England . United States	•	•		•		•		580
		CHA	PTE.	R XI	$\mathbf{X}$				
AMERICA	N REPORTS ON TAX	CATTO	v						
	The Preliminary I							_	596
	From 1870 to 190	0		•	•			• •	598
	From 1901 to 191	ŏ		-	•		•	• •	609
IV.		mmis	เล่าการ		•	•	•	• •	621
	From 1911 to 192	1	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	•	•	•			628
	Conclusion	•		•	•	•	•	• •	639
, 4.	Continuon	•	•	•	•		,		000
		CITA	ner	D 323	r				
				R XX	7				
THE NE	CT STEP IN TAX RE	FORM							
I.	The Classification	of Pr	opert	v					641
• II.	The Income Tax								650
								•	
		CITA	ייזידעז	D 373	7 <b>T</b>				
			_	R XX					
The Rei	ATION OF FEDERAL	, Sta	TE AN	o Lo	CAL RE	EVENU	E8		
I.	The Problem								660
II.	The Five Methods The Choice	3							663
III.	The Choice		•						669
•			-	-		•		•	~~~

		cc	NTI	ENTS						X
		СНА	PTE	R XX	Œ					
THE WA	REVENUE ACTS									
I.	Historical Retro	spect				•				679
	Summary .							•		683
III.	The Tax Burden	ι				•	•	•		686
IV.	The Income Tax						-			693
V.	The Excess-Profi	its Tar	ĸ		•		•	•	•	700
VI.	Conclusion .	•	•	•	•	•	•	•	•	<b>70</b> 0
		СНА	PTEI	R XX	III					
LOANS V	ersus Taxes in V	WAR F	INAN	CE						
I.	What are War C									717
II.	Can War Costs !	be Sha	red w	ith th	e Fut	ure				720
III.	Ought War Bure	iens be	e Sha	red wi	th th	e Futi	ure			732
	The Disadvanta									736
V.	The Comparativ	e Mer	its of	Taxes	3					741
	Conclusion .	•		•	•	•	•	٠	•	747
		CHA	PTE	R XX	αv					
THE Cos	ET OF THE WAR AN	то Ног	w it '	Was N	<b>AET</b>					
Ĭ.	The Expenditure	es					•	•		750
	The Revenues					•	•	•		757
	The War Taxes	•	•				•			767
IV.	The Loans .	•	•	•	•	•	•	•	٠	772
Index										783