

[Act No. 1338, April 27, 1905]

AN ACT AMENDING THE INTERNAL REVENUE LAW OF NINETEEN HUNDRED AND FOUR.

By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," is hereby amended in the following particulars:

- a. Paragraph eight of section sixty-eight of said Act is hereby amended by adding at the end thereof the following words:

"Every person who sells or offers to sell, for himself or on commission, foreign or domestic distilled spirits or wines or fermented liquors to other persons for the purpose of resale, shall likewise be deemed to be a wholesale liquor dealer, or wholesale dealer in fermented liquors, as the case, may be, irrespective of the quantities of such distilled spirits, wines, or fermented liquors sold at one time."

- b. Paragraph twelve of section sixty-eight of said Act is hereby amended so as to read as follows:

"12. Every peddler of manufactured tobacco or distilled, manufactured, or fermented liquors, or both, when traveling with more than two horses, mules, or other animals, shall pay eighty pesos; when traveling by boat, or with two horses, mules, or other animals, shall pay forty pesos; when traveling with one horse, mule, or other animal, shall pay twenty-four pesos; when traveling on foot or by public conveyance, shall pay sixteen pesos. Every person who, for himself or on commission, sells or offers to sell and deliver manufactured tobacco, snuff, cigars, cigarettes, or distilled, manufactured, or fermented liquors, traveling from place to place in the town or country, shall be regarded as a peddler and subject to the license tax imposed in this paragraph. Every such peddler shall at all times have in his possession such license, which he shall produce upon the demand of any internal-revenue officer."

- c. Section seventy-four of said Act is hereby amended so as to read as follows:

"SEC. 74. There shall be levied and collected on all distilled spirits and manufactured liquors manufactured in the Philippine Islands for domestic sale or consumption a tax of twenty centavos on each liter of proof spirits, until January first, nineteen hundred and six, and thereafter a tax of twenty-five centavos on each such liter of proof spirits, to be paid by the distillery owners or persons having possession thereof before removal from the distillery or bonded warehouse. The tax on such spirits shall be collected on the whole number of proof liters, and shall be increased in proportion for any greater strength than the strength of proof spirit as declined in this article, and any fractional part of a liter, amounting to a half liter or over in a cask or package, shall be taxed as a liter, and any fractional part of a liter less than half a liter in a cask or package shall be exempt from the tax: *Provided*, That any package

of spirits the total contents of which are less than a liter shall be taxed as one liter."

d. Section eighty-seven of said Act is hereby amended so as to read as follows:

"SEC. 87. Persons engaged in the concoction or manufacture of liquors shall be subject to all the requirements in this Act contained relating to distillers in regard to the registration of their establishments and the execution of bonds, and shall be subject to all of the regulations as to the manner of conducting their business and of the inspection thereof, the marking and numbering of all the casks and receptacles and packages, removal of spirits, payment of taxes, returns and reports of operations as are provided in this Act for the control of the operations of distillers and prevention of frauds on their part, and shall be subject to all the provisions of this Act imposing penalties, punishments, and forfeitures for noncompliance with the law."

e. Section eighty-eight of said Act is hereby amended so as to read as follows:

"SEC. 88. Distilled spirits containing amyl or other higher alcohols (fusel oil), aldehyde, or methyl alcohol (wood alcohol) may lie removed from the place of their manufacture to some other distillery or to some rectifying establishment for the purpose of their rectification without the prepayment of the tax imposed in section seventy-four. But in all such cases the distiller removing such spirits and the rectifier receiving them shall file with the Collector of Internal Revenue a joint bond, in such form and in such amount as the Collector, with the approval of the Secretary of Finance and Justice, may require, conditioned for the future payment by the rectifier of the tax imposed in section seventy-four on each proof liter of such rectified spirits removed for domestic sale or consumption."

f. Section one hundred and seven of said Act is hereby amended by changing the words "first day of July, nineteen hundred and five" in the third paragraph of said section to "first day of January, nineteen hundred and six."

g. Section one hundred and nine of said Act is hereby amended by adding at the end thereof the following words :

"Provided, however, That matches imported by the Army or Navy of the United States, or sold within the Philippine Islands by a manufacturer of matches therein directly to the Army or Navy of the United States, shall be exempt from the payment of the taxes in this article mentioned."

h. Section one hundred and twelve of said Act is hereby amended so that the first four lines of said section shall read as follows:

"The taxes provided in the preceding section shall be for the first six months immediately preceding the first day of January and the first day of July, respectively, and shall be due and payable on the first day of February and the first day of August, respectively."

i. Paragraph six of section one hundred and sixteen of said Act is hereby amended so as to read as follows:

"Sixth. Except as limited by section one hundred and eighteen of this Act, on each certificate of damage, or otherwise, and on every other certificate or document issued by any captain of any port, marine surveyor, or other person acting as such, and on each certificate issued by a notary public, and on each certificate of any description required, by law, or by rules or regulations of a public office, or which is issued for the purpose of giving information, or establishing proof of a fact, and not otherwise specified in this Act, twenty centavos."

j. Paragraph seven of section one hundred and sixteen is hereby amended by striking out therefrom the words "whether for services rendered, rent, or interest paid, or money received, by virtue of any contract or agreement"

k. Paragraph eight of section one hundred and sixteen is hereby amended by adding at the end thereof the following words:

"Provided, That a receipt given by one employee to another employee or by an employee to the proprietor of a public or private warehouse for the storage of its own goods, wares, or merchandise, by any firm, company, or corporation, shall not be deemed to be a warehouse receipt."

l. Paragraph nine of section one hundred and sixteen of said Act is hereby amended by changing clause (a) thereof to read as follows:

"(a) On each set of bills of lading or receipts, except charter part)', for any goods, merchandise, or effects to be exported from a port in the Philippine Islands to any foreign port, twenty centavos."

Said paragraph nine is also further amended by adding at the end thereof the following words:

"Provided, however, That bills of lading issued for shipments worth five pesos or less shall be exempt from documentary-stamp taxes."

m. Paragraph thirteen of section one hundred and sixteen of said Act is hereby amended by changing the words "nine thousand pesos" in the last line of said paragraph, before the first proviso thereof, to "three thousand pesos."

n. Section one hundred and eighteen of said Act is hereby amended by adding at the end thereof the following words:

"And the existing remedies for the enforcement of stamp taxes due prior to January first, nineteen hundred and five, are hereby continued in force and effect until said taxes are collected, notwithstanding anything in this Act contained, and such taxes shall be collected and the remedies provided by law enforced by the authorities authorized to collect such taxes and enforce such remedies prior to the passage of this Act: And provided further. That the following papers shall be exempt from documentary-stamp taxes, namely, certificates of oaths administered to any Government official, in his official capacity, or of acknowledgment by any Government official in the performance of his official duties; written appearances in any court by any Government