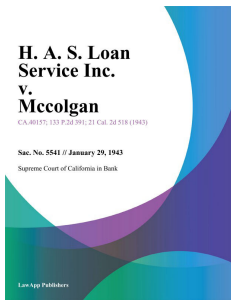


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Author: Supreme Court Of California In Bank

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CARTER, J. A tax at the rate of 8 per cent on the net income of plaintiff corporation was levied by the State of California for the year, August 31, 1936, to August 31, 1937, pursuant to the Bank and Corporation Franchise Tax Act. (Stats. 1929, p. 19, as amended in 1935; Deering's Gen. Laws, 1937, Act 8488.) The tax was paid under protest and plaintiff commenced this action to recover the amount so paid. The trial court rendered judgment in favor of defendant, and plaintiff prosecutes this appeal therefrom.

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