

College of William & Mary Law School
William & Mary Law School Scholarship Repository

William & Mary Annual Tax Conference

Conferences, Events, and Lectures

1955

1955 Schedule

Repository Citation

"1955 Schedule" (1955). *William & Mary Annual Tax Conference*. 648.
<https://scholarship.law.wm.edu/tax/648>

Copyright c 1955 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.
<https://scholarship.law.wm.edu/tax>

THE
HISTORY AND PHILOSOPHY
OF TAXATION

CONFERENCE PAPERS

BY

RANDOLPH PAUL

E. BARRETT PRETTYMAN

ROY BLOUGH

JOEL BARLOW

BOLON B. TURNER

MARK RICHARDSON

C. LOWELL HARRISS

COLLEGE OF WILLIAM AND MARY IN VIRGINIA

THE HISTORY AND PHILOSOPHY OF TAXATION

CHIEF JUSTICE JOHN MARSHALL

John Marshall is appropriately called the "Father of American Constitutional Law." He was born on September 24, 1755, on the Virginia frontier, served under General George Washington, suffered the hardships of Valley Forge, attended Wythe's law lectures at the College of William and Mary, and was appointed by President John Adams to be the fourth Chief Justice of the United States. His long term of office was marked by decisions which are established landmarks in the relations of the States to the Federal government both politically and commercially, thereby laying the basis for a strong national economy which is an essential for a strong national government.

In honoring the memory of John Marshall, the College of William and Mary has chosen as the theme for the Bicentennial Program:

The Rededication of the Anglo-American Bench and Bar to its Traditions of Representative Constitutional Government.

THE
HISTORY AND PHILOSOPHY
OF
TAXATION

*A Conference Held at the College
of William and Mary in Virginia
April 15, 1955*



JOHN MARSHALL BICENTENNIAL PROGRAM
1755-1955

WILLIAMSBURG, VIRGINIA
1955

Additional copies are available at the COLLEGE OF WILLIAM AND MARY, Williamsburg, Virginia, at one dollar per copy.

Printed in the United States of America
by THE WILLIAM BYRD PRESS, INC., RICHMOND, VIRGINIA

Foreword

On April 15, 1955, as a part of its John Marshall Bicentennial Program, the Marshall-Wythe School of Law of the College of William and Mary conducted a one day conference on the *History and Philosophy of Taxation* at Williamsburg, Virginia. At this conference papers pertinent to the subject were presented by seven distinguished scholars and writers in the field of taxation. Those papers are reproduced in this volume; they contain a critical analysis of our past accomplishments and failures in the realm of taxation, suggest areas in which improvements could well be made in our present tax structure, and generally point hopefully toward the future.

All too often those engaged in the day-to-day activities of interpreting existing tax statutes and of determining the legal liability of a particular taxpayer for the payment of a specific amount of tax under prevailing law lose sight of the underlying principles of governmental finance. It is indeed refreshing and inspiring to have our attention diverted, from time to time, from the routine, and focused, even though briefly, upon the historical and philosophical principles that undergird our tax structure.

While the thoughtful reader may not necessarily agree unreservedly with the interpretation of the past or with the predictions for the future, as recorded in the pages that follow, the papers reproduced herein reflect the stimulating ideas of some of the foremost authorities on

taxation in the United States and add materially to the substantive thinking in the field of taxation. This volume is, therefore, commended to the serious attention of students of taxation, tax practitioners, tax administrators, and the general public.

C. H. MORRISSETT

*Tax Commissioner of the Commonwealth
of Virginia*

Richmond, Virginia

July 12, 1955

Order of Program and Table of Contents

SESSION I

	Page
Chairman.....C. H. Morrisett, <i>Tax Commissioner of the Commonwealth of Virginia</i>	
Greetings from The College.....Alvin Duke Chandler, <i>President of The College of William and Mary</i>	3
History of Taxation in the United States.....Randolph Paul, <i>Paul, Weiss, Rifkind, Wharton and Garrison, Washington, D. C.</i>	5
Basic Tax Issues.....Roy Blough, <i>Dept. of Economic Affairs, United Nations</i>	17
The Tax Court of the United States, Its Origin and Functions Bolton B. Turner, <i>Judge, The Tax Court of the United States</i>	31

SESSION II

Chairman.....Dudley W. Woodbridge, <i>Dean of The Marshall-Wythe School of Law</i>	
Enforcement.....E. Barrett Prettyman, <i>Judge, United States Court of Appeals for the District of Columbia</i>	49

SESSION III

	Page
Chairman.....William L. Zimmer III, <i>McGuire, Eggleston, Boccock and Woods, Richmond</i>	
Introductory Remarks to Session III.....William L. Zimmer III,	57
Influence of the Courts on Tax Policy.....Joel Barlow, <i>Covington and Burling, Washington, D. C.</i>	59
Accounting Theory and Taxation.....Mark E. Richardson, <i>Lybrand, Ross Bros. & Montgomery, New York City</i>	71
The Role of Taxation in a Free Enterprise System C. Lowell Harriss, <i>Department of Economics, Columbia University</i>	81