

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 1320

H. P. 1165

House of Representatives, March 10, 1953.

Referred to Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Murray of Baileyville.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

RESOLVE, Reimbursing Certain Taxpayers in Indian Township.

Certain taxpayers in Indian township; reimbursed. Resolved: That there be, and hereby is, appropriated from the general fund, the sum of \$995.26 to be paid to the taxpayers of Indian township, hereinafter named, in the sums set opposite their respective names, to reimburse them for school taxes erroneously assessed against them under section 148 of chapter 37 of the revised statutes of 1944, as amended by section 3 of chapter 260 of the public laws of 1951, and voluntarily paid by them.

James F. Cudahy Princeton, Maine	\$ 32.42
Maurice L. Dawe Princeton, Maine	3.51
Eastern Pulpwood Co. Calais, Maine	224.34
St. Croix Paper Co. Woodland, Maine	207.96
Clarissa P. Farrar 230 Riverside Drive New York 25, N. Y.	19.24

Calais Federal Savings and Loan Assn. Calais, Maine	11.22
Abbie D. Johnson Princeton, Maine	16.99
Charles and Helen Hilgenhurst c/o K. Savage Princeton, Maine	2.19
Clyde Legacy Princeton, Maine	8.76
Eugene McKechnie Princeton, Maine	12.62
Ronald T. Kennedy 17 Community Drive Cranston, R. I.	2.19
Alfred M. Nason Princeton, Maine	56.96
Earl W. Spaulding Hamden Highlands, Maine	60.85
Melina Perron c/o Sylva Harnois Princeton, Maine	2.64
William P. Plaisted Princeton, Maine	52.59
Kenneth R. Savage Princeton, Maine	108.67
Harriette M. French 35 Bugbee Street Plainville, Mass.	18.59
H. Quimby Tuell Princeton, Maine	100.43
Clarence H. Baldwin West Peabody, Mass.	15.78
Joseph N. Wheaton Princeton, Maine	20.81

George E. Phelps Waite, Maine	4.22
John E. Williams 32 Speen Street Natick, Mass.	12.28

STATEMENT OF FACTS

Upon the closing of the Indian School on Route No. 1 in Indian Township near Princeton, the department of education assumed the expense of transporting the Indian children from their homes on Route 1 near Princeton to the Indian school at Peter Dana Point. By Sec. 3, Chapter 260, P. L. 1951, the legislature directed that the cost of schooling in the unorganized territory be assessed against the property owners thereof, and the department of education included the cost of transporting such Indian children in the school tax assessment against white property owners of Indian Township. The attorney general has rendered an opinion that the cost of transporting such Indian children is properly the duty of the department of health and welfare, and that the amounts so disbursed by the department of education should not be included in the school tax assessment against the said white property owners. The attorney general is also of the opinion that taxpayers who have paid such excessive taxes voluntarily have no legal remedy against the state for recovery thereof, but that taxpayers who are required to pay under legal duress have a remedy by abatement. It is intent of this resolve to reimburse those taxpayers who voluntarily paid the excessive school tax for that portion of the tax that was excessive.