

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

April 5, 1938

Mr. Fred C. Merry
Tax Collector
Winterport, Maine

Dear Sir:

Mr. Elbert D. Hayford, Secretary of the Farm Lands Loan Commission, has handed me your letter of March 30, in regard to the taxes on the Raymond Carleton farm.

I had some correspondence sometime ago with Mr. Shaw, chairman of your board of selectmen, in regard to the taxes on this farm for the year 1937, and, while I feel very definitely that the town is not justified in assessing and collecting a real estate tax on property owned by the State, I do realize that your town has some moral right to object to non-payment of taxes.

Mr. Hayford tells me that he is negotiating for the sale of this farm.

The first of April having passed, the property still belonging to the State, it would not in my opinion be subject to taxation by the town; but I have advised Mr. Hayford that in the event the commission sells this farm in the near future, it should either pay the tax for 1938, or obtain an agreement from the purchaser to pay it so that your town would not lose its tax for this year. I assume that if it could be worked out in this manner some compromise could be made on the 1937 claim which you have for tax, and if we thus assume the payment of the 1938 taxes you would be willing to waive any claim you had for the 1937 assessment.

If you will write and advise me that you will do this I shall be very glad to use my best efforts to obtain a payment of an amount equal to the 1938 taxes.

Very truly yours,

Franz U. Burkett
Attorney General

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