

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**This document is from the files of the Office of
the Maine Attorney General as transferred to
the Maine State Law and Legislative Reference
Library on January 19, 2022**

June 14, 1938

Mr. A. Edwin Smith
City Auditor
Portland, Maine

Dear Sirs:

Some time ago you wrote to this office inquiring about an additional proportionment to Portland from the proceeds of the railroad excise tax based upon certain shares of stock in their leased lines owned by the Cumberland County Power and Light Company and the Maine Central Railway Company. I cannot find that any apportionment based upon stocks so owned has ever been made by this office. Mr. Winship, Deputy Treasurer of State for many years, recalls that in 1915, or 1916, the matter was under discussion and that advice was sought by the then Attorney General to rule that stocks so held could not furnish the basis for payment to the City of Portland. Since that time these stocks have not figured in the computation of the amount due to Portland. In view of this situation and the number of years during which these stocks have not entered into the computation, I do not feel that I should change the method of computation for this year, or that any additional sums should be paid to Portland for the current fiscal year without direct authorization from the Legislature.

As you know, a warrant issued by me for the payment of any additional sums to Portland is of no effect unless signed by the State Controller, and Mr. Runnells concurs with me in the position I have outlined above.

Last week, at the suggestion of the Attorney General, my office prepared a complete list of the stocks in these corporations

Mr. A. E. Smith
June 14, 1938
Page 2

owned by residents of Portland and also the number of shares held by the two before mentioned railway companies in their leased lines and this list was sent to W. Mayo Payson your Corporation Counsel.

If any further information is desired of this office we should be pleased to furnish it.

Very truly yours,

Belmont Smith
Treasurer of State