

MAINE STATE LEGISLATURE

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Sixty-Seventh Legislature.

HOUSE.

No. 48.

STATE OF MAINE.

RESOLVES in favor of Cities and Towns where stock of the Dexter & Newport Railroad Company was owned, and which have not received their share of the Excise Tax.

Resolved. First. That the governor and council be
2 authorized to ascertain the number of shares of the capital
3 stock of the Dexter & Newport Railroad Company, under
4 lease to the Maine Central Railroad Company, owned in
5 cities and towns, on the first day of April, in the years
6 eighteen hundred and eighty-seven, eighty-eight, eighty-
7 nine, ninety and ninety-one. There shall be apportioned
8 by the governor and council, and paid by the state to the
9 several cities and towns in which on the first day of April
10 in each of said years, was held stock of the Dexter &
11 Newport Railroad Company, an amount equal to one per

12 cent of the value of such stock on said first days of April
13 as such may be determined by the governor and council.

Provided, however, that the amount thus apportioned,
15 shall not exceed the proportion which at those dates the
16 whole amount in actual value of the capital stock of the
17 Dexter & Newport Railroad Company bore to the whole
18 amount in actual value of the capital stock of the Maine
19 Central Railroad Company.

Second. This resolve shall only apply to cases in which
21 cities and towns have not already received the full benefit
22 of such apportionment under any laws now in force. Its
23 purpose is to provide a remedy for such cities and towns
24 to the extent that any such apportionment heretofore
25 made may fall short of the actual facts as found by the
26 governor and council under this resolve.

Third. If the returns required by law in relation to
28 railroads are not sufficient to furnish the basis of informa-
29 tion on which said apportionment is to be made, the gov-
30 ernor and council shall act on the best information that
31 they may obtain.

Fourth. The treasurer of the state of Maine shall pay
33 to said cities and towns such amounts as shall be so
34 apportioned, and a sum sufficient for the payment of such
35 amounts not exceeding the sum of six thousand, seven
36 hundred dollars is hereby appropriated out of any money
37 in the treasury of the state not otherwise appropriated.

See Revised Statutes chapter 6, sections 41, 42, 43, 44,
45, 46.

Statute 1887, chapter 75 and chapter 104.

1889 resolves chapter 137, relating to the European and North American Railway Company case.

STATEMENT OF FACTS.

The Newport & Dexter Railroad is, and has been, since it went into operation, operated by the Maine Central Railroad Company, under lease, the stockholders receiving six per cent net on their stock. Its earnings went into the gross receipts of the Maine Central Railroad Company, from which excise tax was collected by the State, and the amount of stock of said Newport & Dexter Railroad Company held in the different cities and towns of the State on the first day of April, 1887, 1888, 1889, 1890 and 1891, was not determined by the Governor and Council, and one per cent. of the value thereof was not apportioned by them among the different towns, and paid them by the State for those years, as required by law.

See Revised Statutes chapter 6, sections 41, 42, 43, 44 and 45; also Statutes of 1887, chapter 75 and chapter 104; also Resolves of 1889, chapter 137.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
January 30, 1895.

Reported by Mr. PLUMMER of Dexter, from Committee on Legal Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*