

MAINE STATE LEGISLATURE

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May 24, 1917

To Forrest H. Colby, Land Agent
Re: Gravel from Public Lots

In answer to your inquiry as to whether or no the State Land Agent has any authority to sell gravel on the public lots in Dallas Plantation, we advise you that we can find no authority for this. It has been decided by many cases in this State that the State holds the title to these public lots reserved for public uses for the benefit of the town in which they are situated. When a town is organized the title is transferred to the town. Until that time the statute gives the Land Agent authority to sell the timber and grass, and the proceeds are also kept for the benefit of the town.

The Land Agent only has authority to deal with these lots as the statute provides and the statute gives him authority to deal with the lots except for the aforementioned purposes of selling purposes of selling timber and grass. As the right to sell gravel is not specifically given to the land agent by the statute, he has no such authority.

Franklin Fisher
Assistant Attorney General

NOTE: See opinion of December 6, 1921.