

# 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**

April 23, 1923

To Hon. Percival P. Baxter, Governor of Maine  
Re: Public Lots

I have delayed answering your question about the power of the Governor and Council over the public lots, because it has taken a good deal of time to look it up.

I am satisfied that no power has ever been given the Governor and Council to sell or lease the lots reserved for public uses. Since the date of the Article of Separation from Massachusetts, the policy has been simply for the State to reserve the title to the lots in the various townships for the exclusive use of the people of the towns when organization into a municipality takes place. This is provided by the laws of 1821, chapter 48; by the laws of 1823, chapter 38, and was incorporated in the Revised statutes from time to time in chapter 3, section 11, of the Statutes of 1841; chapter 5, section 8, of the Revision of 1857; chapter 59 of the Public Laws of 1871, and chapter 5, section 12, of the Statutes of 1883.

By chapter 51, of the Public Laws of 1878, the land agent and the Governor and Council were given the right to sell all public land, and the right to cut timber and grass on the reserved lots, but no legislation has ever been enacted giving away the control of the reserved lots to anyone.

The legislature has full power to dispose of, sell or lease, the reserved lots, and I can discover no law that would authorize any disposition of the reserved lots without legislative action. . .

Ransford W. Shaw  
Attorney General