

MAINE STATE LEGISLATURE

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STATE OF MAINE
DEPARTMENT OF THE ATTORNEY GENERAL
AUGUSTA

January 16, 1936

Honorable Waldo N. Seavy
Forest Commissioner
Augusta, Maine

Re: Lands reserved for public
uses in unincorporated
townships.

My dear Mr. Seavy:

In response to your recent inquiry I am pleased to suggest that by the Act of 1850, Chapter 196, it was provided that in all townships or tracts of land unincorporated or not organized for election purposes, sold or granted by the State, in which lands had been reserved for public uses the land agent should have the care and custody of such reserved lands until such tract or township was incorporated or organized for election purposes. And the land agent was directed to sell for cash the right to cut and carry away the timber and grass from off the reserved lands which had been located, the right to continue until the tract or township should be incorporated or organized for election purposes.

By the Act of 1915, Chapter 206, - Section 6 of Chapter 7 of the Revised Statutes was amended so as to read as follows:

"The land agent, under direction of the governor and council, shall sell at public or private sale and grant rights to cut timber and grass belonging to the state and may lease camp sites on lands belonging to the state, on such terms as they direct; also the right to cut timber and grass and lease camp sites on lots reserved for public uses in any township or tract of land until the same is incorporated. Preference in such sales or leases shall be given to citizens of the State of Maine."

Prior to the adoption of the 1915 amendment there does not appear to have been any provision of the statutes with reference to leasing camp sites on land belonging to the state. You will notice that by this amendment the power to lease camp sites was given to the land agent under direction of the governor and council. It does not appear that the Act of 1915 has been amended, and I do not find any provision of the statutes which authorizes the leasing of camp sites on the public lots by any other person.

Forest Commissioner, Jan. 16, 1936, Page 2.

By the Act of 1903, Chapter 232, the meaning of the language Timber and Grass, relating to the public lots, was defined as follows:

"The language Timber and Grass, as relates to the public lots, so-called, in unincorporated townships in the state of Maine, is hereby construed to mean all growth of every description on said lots."

Trusting that the foregoing will meet your requirements, I am

Very truly yours,

Deputy Attorney General

SLP H

AUGUST 14
DEPARTMENT OF THE ATTORNEY GENERAL
STATE OF MAINE

