

# 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)

STATE OF MAINE

---

REPORT

OF THE

ATTORNEY GENERAL

---

for the calendar years

1941--1942

June 4, 1943

To:  
David H. Stevens

Assessor

From:  
Frank I. Cowan

Attorney General

*Town Hall, Silver Ridge Plantation*

I have your memo of April 8 asking if you have authority to sell an abandoned town hall located in what was formerly the plantation of Silver Ridge. While there is a close question as to the authority which you may have to sell a building that has been dedicated to public use, it seems to me that in the present instance it is best to lay down a practical rule, this not to serve as a precedent in any other case. The building was originally a school and under the statutes it would pass at deorganization under the control of the Commissioner of Education, had it not long since been abandoned as a school by the plantation itself. From the information you have given me, it seems that after its abandonment as a school it was used as a town hall. This department knows nothing about the origin of the title and whether or not the failure to continue using the building as a school caused the real estate to revert to the original grantor or his heirs. It would depend on the form of the deed which the plantation received.

Assuming that Silver Ridge owned the property in fee and that it some years ago changed the use of the property from that of a school house to that of a town hall and that it has now wholly abandoned it as a building for public uses, so that there is danger of this building's falling into decay and being a total loss, in my opinion you have authority to preserve the property rights of the town by selling the building and the land on which it stands. The proceeds of the sale, of course, must be held in trust for the people of the community.

FRANK I. COWAN  
Attorney General

June 15, 1943

To:  
A. L. Huot, Auditor

Bureau of Taxation

From:  
Frank A. Farrington, Deputy

Attorney General

*Church Buildings at Edmunds*

Title to real estate in deorganized towns is in the State in trust for the deorganized town, and under the general powers given to the State Tax Assessor in managing the affairs of such deorganized towns, he has broad enough power to make use of such property for the benefit of the community.

It is the opinion of this department that the church building in Edmunds, if it is the property of the deorganized town, may properly