

MAINE STATE LEGISLATURE

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May 28, 1948

To General George M. Carter, The Adjutant General
Re: Deeds to the State

I have your memo of May 19th attaching quitclaim deed from the City of Calais, conveying to the State of Maine a piece of land in Calais, said piece of land to be accepted by the State Military Defense Commission as an armory lot, on which it is hoped that the State, and the community with federal assistance, may be able to build an armory in the near future. You say that you would like to know if this deed appears to be correct in form, so as to be presented at the next meeting of the Commission.

In reply I will state that the State does not accept quitclaim deeds, and this is a quitclaim deed, as the City of Calais apparently acquired title on tax lien deeds by virtue of unpaid taxes, and the purpose of the deed is to convey the interest the grantee may have in the foregoing property by virtue of such unpaid taxes for certain tax years.

Many times these tax deeds are invalid or rendered void by reason of the fact that the municipal officers have not followed the provisions of the statute; and if this deed should be knocked out by a suit by some heir, the title of the State of Maine would be in Jeopardy.

Therefore I have drafted a form of warranty deed for the City of Calais to execute through its treasurer, Donald H. Blatt; and if you will send this to the proper authority in Calais and tell him to have the warranty deed executed, I shall be very glad to approve same as to form. In other words, if there is a defect in the tax title, the City of Calais must stand behind it, and not the State of Maine.

Ralph W. Farris
Attorney General

RWF:c