

MAINE STATE LEGISLATURE

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November 23, 1948

To Charles P. Bradford, Director, Park Commission
Re: Fort Knox

This department acknowledges receipt of your memo of November 10th with regard to the conveyance of Fort Knox to the State of Maine by the United States of America. You quote from a part of the deed, which is a condition annexed to the grant by the Government, providing that the conveyed premises shall be used for public purposes only, and upon cessation of such use the title and right of possession of the premises shall revert to the United States.

This land constitutes one of the State Parks and is open to the general public, and this use of it by the State would satisfy the conditions of the deed that the premises were to be used for public purposes only. The fact that the State charges a fee for the use of certain facilities, or plans to erect a building which it will let out as a concession to some person " . . . to sell sandwiches, tonics, icecream, souvenirs, etc. . . ." would not in any way detract from its being used for public purposes, since the general public without discrimination may have the use of any of the facilities erected to add to their comfort and enjoyment; nor does the fact that food and refreshments are there sold by a concessionnaire to the general public visiting said park violate the conditions in the deed. In fact, the condition is observed by the furnishing of these facilities.

Abraham Breitbard
Deputy Attorney General

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