

# MAINE STATE LEGISLATURE

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# E I G H T Y - E I G H T H L E G I S L A T U R E

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**Legislative Document**

**No. 175**

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S. P. 136

In Senate, January 28, 1937.

Referred to Committee on State Lands and Forest Preservation. Sent down for concurrence and 500 copies ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Senator Hussey of Kennebec.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
THIRTY-SEVEN

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**RESOLVE, Authorizing the Forest Commissioner to Convey Certain Interests of the State in a Certain Lot of Land to the Augusta Trust Company.**

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**Conveyance of certain land, authorized. Resolved:** That the forest commissioner as land agent be, and hereby is, authorized to convey the interest of the state in an undivided  $\frac{1}{4}$  part of the south half of township 3, range 6, B. K. P. W. K. R. (Upper Enchanted Township), according to a survey and plan of said township made and returned to the land office of the state of Maine by S. F. Weston et als in 1850; also the right to cut and carry away timber and grass from an undivided  $\frac{1}{6}$  part of the reserved lands on said south half of said township, which lands and rights were sold for taxes of the year 1931, to Augusta Trust Company of Augusta, Maine, in consideration of the payment by said Augusta Trust Company of the sum of \$1,298.27, said payment representing the total of the state, county and district taxes on said property and rights for the years 1931 to 1936, both inclusive, together with interest thereon to February 1, 1937.

## STATEMENT OF FACTS

Among the assets of the Augusta Trust Company taken over by its receivers were some 2,000 real estate mortgages, many of them greatly in arrears as regards taxes. These lands were scattered from the great woods on the north to the sea. The interest of the receivers in the real estate covered by this resolve was acquired by a first mortgage from W. D. Hutchins Company to Augusta Trust Company, under date of January 27, 1927, and a second mortgage of W. B. Kendall to W. D. Hutchins, assigned by said Hutchins to Augusta Trust Company on July 2, 1931. The title to the township is greatly involved and the various conveyances confused. The matter was further complicated by a trust indenture executed by W. D. Hutchins to Elmer E. Newbert trustee, under date of November 16, 1932. The interest of the Augusta Trust Company is still that of mortgagee although foreclosure of the 1st mortgage was instituted by said receivers on March 5, 1936. Evidently the state officials and the bureau of taxation were unacquainted with the interest of the Augusta Trust Company in this property, as their description in the tax deed states that the land "is reputed to be owned by William D. Hutchins, et als." The Augusta Trust Company received no notices or tax bills covering the same, and had no knowledge of the sale by the state until the year 1935 when its representative checked up with the state the matter of all delinquent taxes.