

MAINE STATE LEGISLATURE

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

Legislative Document

No. 955

H. P. 663

House of Representatives, February 25, 1959

Referred to the Committee on Natural Resources. Sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Rollins of Belfast.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

**RESOLVE, Authorizing the Release of State of Maine's Claim on
T. 1, R. 13, W.E.L.S., Piscataquis County.**

Forest Commissioner authorized to give quit-claim deed. Resolved: That the Forest Commissioner be, and hereby is, authorized to make, execute and deliver to the estate of Harry F. Ross a deed in the name of the State, of all interest of the State in timber and grass on public lots No. 15 and No. 28 in Township 1, Range 13, W. E. L. S., Piscataquis County, formerly owned by Minnie Ross Holman under deed of life tenure; provided that the estate of said Harry F. Ross pay to the Treasurer of State the sum of \$732.25, being the sum of the amounts that would have been due the State for taxes on the said timber and grass since 1943, if taxes had been assessed on the said timber and grass for those years as the property of the said Harry F. Ross, or his estate, in accordance with the agreement of Council Order dated February 7, 1940, and the Resolves, 1943, chapter 48.

STATEMENT OF FACTS

Council Order No. 94, Feb. 7, 1940, was a contract by and between the State of Maine and Harry F. Ross—making an adjustment between the admitted over-valuation for taxes on T. 1, R. 13, W.E.L.S. and payment for the Gilbert Camps, so called, property of Harry F. Ross in T. 3, R. 9, which were unlawfully destroyed by an agent of the State.

(Forest Commissioner authorized to cancel all deeds and other records in his department relating to claims on said T. 1, R. 13—while no claim was to be made by Harry F. Ross against the State for the camps destroyed in Township 3, Range 9.)

Former State Tax Assessor Mr. Holley objected to this claim being settled by council order—therefore a resolve was presented to the 91st Legislature to authorize the Forest Commissioner to carry out this contract.

Former Forest Commissioner Rendall executed quit-claim deed under date of Sept. 3, 1943, which Mr. Ross thought fully reinstated his title to said lands in T. 1, R. 13 in accordance to contract of agreement by and between the State and himself, under Council Order No. 94 of Feb. 7, 1940.

Not until December 1951 when Mr. Nutting, former Forest Commissioner, called Mr. Ross about running the lines on the public lot, did he, Mr. Ross, realize that there was any question of his title to the grass and timber on the public lots, as when he originally purchased same.

No time during the negotiations from 1940 until Dec. 1951 was there any mention or question of the timber and grass on the public lots and Mr. Ross believed that the contract by and between the State and himself, was carried out by the proper process through the resolve passed by the 91st Legislature, which same made no reservations.

Now his estate prays that the Maine Legislature may deem it their duty to adjust hereby, with the passage of this resolve, an apparent misinterpretation by the previous Forest Commissioner by his deed of Sept. 3, 1943, of L. D. 877 passed by the 91st Legislature and thereby fulfill to the letter the contract of agreement entered into with the State in accordance to Council Order No. 94 of Feb. 7, 1940.