

and had enough income to keep her the rest of her days. So that is the reason we declined the claim. Thank you.

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, I, too, serve on the Business and Labor Committee and heard, in Executive Committee, the reading of the will that outlined the grantor's intent at the time the lands passed to the purposes of this state and the language is very clear, unfortunately. Unfortunately, for the lady in this case it was not couched in any kind of terms that would include a growth factor. It simply said that in return for the land and in return for the consideration of the wife refusing to use her homestead election, that she was to be paid roughly \$1,400 dollars a year and that has been met. It has been met, however, in the rather generous way of allowing her the income from the land which has, of course, always been far more than that original grant of money and, of course, in time, you take a grant of \$1,400 in the '40s and what that means now and you have a miniscule amount of the same buying power with that \$1,400. However, unfortunately for the woman, the declaration by the grantor, the husband, is very clear. The land is to be transferred in return for the payment to this woman, roughly \$1,400 a year, and the change in the lease by the School Boards and Lands group does not seek to change in any way that obligation. They remain willing to give her that amount of money every year. They, however, are not willing to turn over to her the income from the land because they can make more satisfactory and more profitable arrangements with other lessees and that is why we are in the predicament that we are. I can say from strictly a legal standpoint then and it was for that basis on which I voted on this claim, the woman is entitled to no more than what was originally contained in the will. The will was read into the record, is available to any senator. The terms of the will are met and she is being paid pursuant to that document \$1,400 a year, and since we have complied with that original granting document, I think we have sufficed in our responsibilities and it is unnecessary to pay this claim.

SPEAKER MARVEL: Senator Maresh, you weren't in here when your turn came up. Senator Cope had a question and then you may have some other comments. Senator Cope, do you want to ask your question of Senator Maresh?

SENATOR COPE: Senator Maresh, do you think this lady has a legitimate claim?