

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Seventh Legislature

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL
Augusta, Maine

HOUSE

Tuesday, January 18, 1955

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Edwin W. Grilley of Augusta.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

The following Bills and Resolves which were referred to the 97th Legislature by the 96th Legislature:

Resolve in favor of Gordon M. Stewart of Paris, Administrator d.b. n.c.t.a. of the Estate of Eva M. Elliot, late of Otisfield, Deceased (S. P. 29) (L. D. 18)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate:

Bill "An Act relating to Bartlett's Island as a Game Preserve" (S. P. 30) (L. D. 19)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act relating to Registers of Deeds" (S. P. 32) (L. D. 21)

Came from the Senate referred to the Committee on Towns and Counties.

In the House, referred to the Committee on Towns and Counties in concurrence.

From the Senate:

Resolve in favor of Florence Watson of Richmond (S. P. 31) (L. D. 20)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Resolve in favor of Caribou Armory Project (S. P. 33) (L. D. 28)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Resolve in favor of the Cary Memorial Hospital in Caribou (S. P. 34) (L. D. 22)

Resolve in favor of the Cary Memorial Hospital in Caribou (S. P. 35) (L. D. 23)

Came from the Senate referred to the Committee on Claims.

In the House, referred to the Committee on Claims in concurrence.

From the Senate:

Bill "An Act relating to Embezzling by Certain Public Officers" (S. P. 36) (L. D. 26)

Bill "An Act relating to Depositions in Probate Courts" (S. P. 37) (L. D. 24)

Bill "An Act relating to Descent of Real Estate in Divorce Cases" (S. P. 38) (L. D. 27)

Bill "An Act relating to Jurisdiction in Equity of Probate Courts" (S. P. 39) (L. D. 25)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills and Resolves were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Agriculture

Bill "An Act Repealing Expiration Date of Milk Tax" (H. P. 34) (Presented by Mr. Brockway of Milo)
(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Resolve in favor of the Town of Milo (H. P. 32) (Presented by Mr. Brockway of Milo)

(Ordered Printed)

Resolve in favor of Calais Armory Project (H. P. 33) (Presented by Mr. Davis of Calais)

(Ordered Printed)

Sent up for concurrence.

Claims

Resolve in favor of Moro Plantation (H. P. 35) (Presented by Mr. Soule of Merrill)

(Ordered Printed)

Resolve in favor of Anastasea Johnston of Milo (H. P. 36) (Presented by Mr. Brockway of Milo)

Resolve in favor of Raymond Butler of New Gloucester (H. P. 37) (Presented by Mr. Edwards of Raymond)

Resolve in favor of Harriett and George L. Christianson of Portland (H. P. 38) (Presented by Mr. Roundy of Portland)

Resolve in favor of Dr. H. D. Stevens of Smyrna Mills (H. P. 39) (Presented by Mr. Soule of Merrill)

Resolve in favor of H. Tabenken & Co., Inc., of Bangor (H. P. 40) (Presented by Mr. Totman of Bangor)

Sent up for concurrence.

Highways

Bill "An Act relating to Expenditure of Town Road Improvement Funds" (H. P. 41) (Presented by Mr. Caswell of New Sharon)

(Ordered Printed)

Sent up for concurrence.

Inland Fisheries and Game

Bill "An Act relating to Open Season on Muskrats in Washington County" (H. P. 42) (Presented by Mr. Denbow of Lubec)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act relating to Stipend to Agricultural Societies" (H. P. 43) (Presented by Mr. Caswell of New Sharon)

(Ordered Printed)

Bill "An Act relating to the Superintending School Committee of the City of Presque Isle" (H. P. 44) (Presented by Mrs. Christie of Presque Isle)

(750 copies Ordered Printed)

Sent up for concurrence.

Retirements and Pensions

Resolve providing for State Pension for Leon C. Haynes of Dennysville (H. P. 45) (Presented by Mr. Palmeter of Meddybemps)

Resolve providing for State Pension for Louise Bernice Hunt of Parkman (H. P. 46) (Presented by Mr. Ross of Brownville)

Resolve providing for an Increase in State Pension for Alabama Dumphry of North New Portland (H. P. 47) (Presented by Mr. Shaw of Bingham)

Resolve providing for an Increase in State Pension for Velma Lawlor of Oakfield (H. P. 48) (Presented by Mr. Soule of Merrill)

Sent up for concurrence.

Sea and Shore Fisheries

Resolve Opening Brooks and Rivers in Hancock County to Taking of Salt Water Smelts (H. P. 49) (Presented by Mr. Edgar of Bar Harbor)

(Ordered Printed)

Sent up for concurrence.

Towns and Counties

Bill "An Act relating to Appropriations by Municipalities for Advertising" (H. P. 50) (Presented by Mr. Edgar of Bar Harbor)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Sanford of Dover-Foxcroft, it was

ORDERED, that Mr. Anderson of Greenville be excused from attendance for the duration of his illness.

Passed to Be Enacted

An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Two Thousand (2000) Acres in Township Six (6) Range Nine (9) W.E.L.S. Piscataquis County, State of Maine (S. P. 40) (L. D. 29)

An Act Interpreting the Trust Deed of Percival Proctor Baxter to State of Maine January 12, 1954 (Piscataquis Registry Book 309 Page 86) and Interpreting the Phrases "Natural Wild State" and "Sanctuary for Wild Beasts and Birds" in Deeds from Said Baxter to Said State of Maine (S. P. 41) (L. D. 30)

An Act Ratifying and Confirming the Acceptance by the State of Maine Under the Following Resolves of the Governor and Executive Council of the Gifts of Land in Trust Made by Percival Proctor Baxter the Same to be Added to Baxter State Park (S. P. 42) (L. D. 31)

An Act Amending by Mutual Consent of Percival Proctor Baxter and the State of Maine the Deed of Gift of Lands in Piscataquis County Dated January 12, 1954 of Fourteen Thousand Five (14,005) Acres of Land and Five-sixths (5/6ths) of the Public Lot in Township Six (6) Range Nine (9) W.E.L.S. Piscataquis County Recorded in Said Registry Book 309 Page 86 Made by Said Percival Proctor Baxter to the State of Maine as Trustee and Accepted by the Said State IN TRUST by the Governor and Executive Council Acting Under the Provisions of Section 15, Chapter 11 of the 1944 Revised Statutes Wherein the Governor and Executive Council are Empowered to Accept Gifts Made to the State of Maine, and ACCEPTING the Deed of Gift of Said Land as Modified and Amended by Deed of Gift of Said Baxter Dated December 1, 1954 (S. P. 43) (L. D. 32)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Medway, Mr. Potter.

Mr. POTTER: Mr. Speaker and Members of the House: Inasmuch as Baxter Park lies adjoining the district which I represent in this House, it is my pleasure to state that the people in our district, and I think all of the people in the State of Maine, very much appreciate this gift which Governor Baxter has given to the State.

The people in the northern part of the county, especially, appreciate his removing the restrictions on hunting in the new gift of land and I move that these bills be enacted.

The SPEAKER: The gentleman from Medway, Mr. Potter, moves that the foregoing bills be now passed to be enacted. Is this the pleasure of the House?

The motion prevailed and the four Bills were passed to be enacted,

signed by the Speaker and sent to the Senate.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Childs.

Mr. CHILDS: Mr. Speaker, at this time in behalf of the members of the House, I would like to give thanks to Honorable Percival P. Baxter for his most generous gift. This is one more link in the chain of his deeds to the State of Maine. We are most fortunate to have this man as a citizen of our State. Our deepest and most sincere thanks to our former Governor Percival P. Baxter. (Applause)

The SPEAKER: It is the pleasure of the Speaker to have with him on the rostrum this morning distinguished former Governor Percival P. Baxter. If Governor Baxter would care to make a few remarks, the Chair is certain that the House would, without objection, welcome him in so doing. (Applause, members rising)

Former Governor Percival Proctor Baxter addressed the House as follows:

Mr. Speaker and Ladies and Gentlemen of the House of Representatives: It is good to be here with you, today, and I thank you for your cordial greeting. As I stand here, my mind naturally goes back to the past. The past, however, is only interesting because of the lessons it teaches for the future. I am interested in what is going on today and what is going to happen tomorrow and the days following and I know that the welfare of the State of Maine in your hands is absolutely safe. This is a most unusual body of men and women and the State of Maine has every reason to be proud of you.

Whatever I have done for the State of Maine comes from my heart and I want to do these things while I am here and if you ladies and gentlemen approve I am well repaid for all that has been accomplished and I look forward to being with you for many years to come.

Mr. Speaker, I thank you for allowing me to speak a few mo-

ments to this body and I am very happy that these bills meet with their approval.

The SPEAKER: Governor Baxter, we are honored by your presence with us this morning. Will the Sergeant-at-Arms kindly escort Governor Baxter from the rostrum and to the Senate.

Thereupon, former Governor Baxter was escorted to the Senate amid the applause of the House, the members rising.

The following paper from the Senate was received out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, in order that the records of the Gifts by Percival Proctor Baxter to the State of Maine as Trustee in Trust of seventy-six and eight-tenths (76.8) acres in township six (6) range eight (8) Penobscot County, fourteen thousand five (14,005) acres one hundred thirty-six (136) acres five-sixths (5/6ths) of the Public Lot and two thousand (2000) acres all in township six (6) range nine (9) Piscataquis County, and eight thousand (8000) acres in township three (3) range nine (9) in Piscataquis County.

TOGETHER with an Act amending

certain restrictions in said above mentioned Deed of Gift of fourteen thousand five (14,005) acres and five-sixths (5/6ths) of the Public Lot and also TOGETHER with an Act interpreting the Trust conditions relating to the phrases "natural wild state" and "sanctuary for wild beasts and birds" as used in the several deeds of Baxter State Park be complete and in enduring form, the Communication dated January 11, 1955, addressed by said Baxter to Honorable Edmund S. Muskie, Governor, and to the Honorable Senate and House of Representatives of the 97th Legislature, together with the Message of Governor Edmund S. Muskie transmitting the said documents to the said Legislature be printed in the Laws of Maine for 1955 (S. P. 24)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Orders of the Day

The SPEAKER: The next order of business is Orders of the Day. Apparently there are none.

On motion of Mr. Browne of Bangor,

Adjourned until ten o'clock tomorrow morning.