

MAINE STATE LEGISLATURE

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CHAPTER 211

STATE PARKS

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SUBCHAPTER I

GENERAL PROVISIONS

Sec.
801. Designation of certain forts and coaling station as state parks.

§ 801. Designation of certain forts and coaling station as state parks

All that portion of the state lands comprising Fort Machias at Machiasport; Fort Knox at Prospect; Fort Edgecomb at Edgecomb; Fort St. George's at St. George; Fort McClary at Kittery; Fort Baldwin, Fort Popham, and the North and South Sugar Loaf Islands at Phippsburg; Fort William Henry at Pemaquid, including all the property in Pemaquid to which the State now has title; and Lamoine Naval Coaling Station, to be known as Lamoine State Park, shall be maintained as public parks under the supervision, direction and control of the State Park and Recreation Commission.

R.S.1954, c. 36, § 40; 1963, c. 4, § 2.

SUBCHAPTER II

JOHN PAUL JONES MEMORIAL PARK

Sec.
851. Designation.

§ 851. Designation

The state park at Kittery, situate between Hunter Avenue and Newmarch Street and between Water and Government Streets in the Town of Kittery, County of York, shall forever be

known and designated as "John Paul Jones Memorial Park" in memory of the commander of the first American warship.

R.S.1954, c. 36, § 41.

SUBCHAPTER III

BAXTER STATE PARK

Sec.

- 901. Designation; payments to forestry district.
- 902. Public reserved lots in park.
- 903. Rules and regulations.
- 904. Agents and representatives.
- 905. Police supervision; power to arrest.
- 906. Restrictions on powers and duties of park authority.
- 907. Jurisdiction.

§ 901. Designation; payments to forestry district

All the lands in Townships 3, 4, 5 and 6, Range 9 W.E.L.S. and in Townships 3, 4 and 5, Range 10 W.E.L.S., Piscataquis County, and Township 6, Range 8 W.E.L.S., Penobscot County, that have been donated and conveyed to the State of Maine in trust by Percival Proctor Baxter and all lands in said Townships 3, 4, 5 and 6, Range 9 and in Townships 3, 4 and 5, Range 10, and in Township 6, Range 8 and all lands in Piscataquis and Penobscot Counties that hereafter shall be donated and conveyed to the said State by said Baxter in trust for state forest, public park and public recreational purposes shall be under the joint supervision and control of, and shall be administered by the Forest Commissioner, the Commissioner of Inland Fisheries and Game and the Attorney General, and the said commissioners and Attorney General shall have full power in the control and management of the same. They shall make payments to the Maine Forestry District in lieu of taxes on the basis of 3¢ per acre per year for all land within the Baxter State Park area for the prevention, control and extinguishment of forest fires.

All the lands described in this section in Townships 3, 4 and 5, Range 9 W.E.L.S. and in Townships 3, 4 and 5, Range 10 W.E.L.S., Piscataquis County that have been donated and conveyed to the State of Maine in trust by Percival Proctor Baxter, and all lands in said Townships 3, 4 and 5, Range 9, and in Townships 3, 4 and 5, Range 10, and all lands in Piscataquis and Penobscot Counties that hereafter shall be donated and conveyed

to the said State by said Baxter in trust for state forest, public park and public recreational purposes are named and shall hereafter be named "Baxter State Park" in honor of the donor, and the same hereafter shall forever be so designated on the official maps and records of the State.

R.S.1954, c. 36, §§ 42, 47.

§ 902. Public reserved lots in park

The public reserved lots in the area known as Baxter State Park shall be forever held in trusts, and are here declared to be so held, as part of said park not only as respects the interests conveyed to the State by Percival Proctor Baxter but as respects the basic title originally owned by the State. The basic title of each such lot is declared to be held in the same trusts and for the same purposes as are declared in the deed or deeds of the said Percival Proctor Baxter conveying to the State his interest in such lot.

1955, c. 80.

§ 903. Rules and regulations

The Baxter State Park Authority may from time to time establish such rules and regulations as it deems necessary for the protection and preservation of said park and of the monuments or structures thereon, for the protection and safety of the public and for the proper observance of the conditions and restrictions expressed in the deeds of trust of the park to the State. Before promulgating the same, they shall be submitted to the Attorney General, and if he shall certify that in his opinion they are in conformity with the law, they shall thereupon, together with the 2nd and 3rd paragraphs of this section, be published once a week for 2 successive weeks in a newspaper published and printed in whole or in part in either Penobscot County or Piscataquis County, and posted in at least 4 places within said park, whereupon they shall take effect. A certificate of such publication and posting shall be executed by a majority of the members of said park authority and filed with the Secretary of State, who shall record the same.

Whoever violates any of the rules and regulations of said park authority, promulgated in conformity with this section, shall be punished by a fine of not more than \$50 and costs or by imprisonment for not more than 30 days, or by both.

Whoever willfully mutilates, defaces or destroys any structure, monument or marker lawfully erected within the boundaries of said park, or any notice, rule or regulation of said park authority, posted in conformity with this section, shall be punished by a fine of not more than \$50 and costs or by imprisonment for not more than 30 days, or by both.

R.S.1954, c. 36, § 43.

§ 904. Agents and representatives

The Baxter State Park Authority shall appoint agents or representatives to carry out this subchapter. All appointed agents or representatives shall hold office under the rules of the Personnel Law. They shall be sworn to the faithful discharge of their duties and a certificate thereof shall be returned and filed in the office of the chairman of the authority. They shall receive such compensation for each and every day as determined by the authority, with approval of the Personnel Board, with allowance for actual necessary expenses of travel.

1961, c. 1.

§ 905. Police supervision; power to arrest

Said park authority shall exercise police supervision over Baxter State Park. The agents or representatives of the Baxter State Park Authority, designated for that purpose by said park authority, are authorized and empowered to arrest with or without warrant any person within the State who is committing, or to detain, until a warrant has been obtained, any person within the State who has been seen by said agents or representatives committing any offense against the state laws, or any violation of any rule or regulation of the Baxter State Park Authority within said park, but no dwelling house shall be searched for the purpose of such arrest without a warrant, and then only in the daytime, and no sealed railroad car shall be entered for the purpose of such arrest without such warrant.

R.S.1954, c. 36, § 44.

§ 906. Restrictions on powers and duties of park authority

The powers and duties of the Baxter State Park Authority shall not be so construed as to interfere or conflict in any way with the powers and duties of the Maine State Park and Recreation Commission, Department of Inland Fisheries and Game or

the Forestry Department and their duly appointed wardens, and the enforcement of the inland fisheries and game and forestry laws in respect to Baxter State Park or to the State generally.

R.S.1954, c. 36, § 46; 1963, c. 4, § 2.

§ 907. Jurisdiction

The District Court shall have original and concurrent jurisdiction with the Superior Court in all prosecutions under any provisions of this subchapter. Any person, arrested as a violator of said subchapter, shall with reasonable diligence be taken before the District Court in the division nearest to where the offense is alleged to have been committed for a warrant and trial, and in such case jurisdiction is granted to the District Court in adjoining divisions to be exercised in the same manner as if the offense had been committed in that division.

R.S.1954, c. 36, § 45; 1963, c. 402, § 70.