

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-fourth Legislature

OF THE

STATE OF MAINE

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Private and Special Laws
OF THE
STATE OF MAINE

As Passed by the Ninety-fourth Legislature

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Chapter 1

AN ACT Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift of Six Thousand Two Hundred Forty-seven (6,247) Acres and Five Hundred Thirty-six (536) Acres of Land in Township Six (6) Range Nine (9) W.E.L.S. Piscataquis County, and One Thousand Four Hundred Eighty-six (1,486) Acres of Land in Township Six (6) Range Eight (8) W.E.L.S. Penobscot County, and Also Accepting from Percival Proctor Baxter as Trustee the Conveyance and Deed of Gift of Six Thousand Seventeen (6,017) Acres of Land in Township Three (3) Range Ten (10) W.E.L.S. Piscataquis County, Baxter State Park, all in the State of Maine.

Be it enacted by the People of the State of Maine, as follows:

WHEREAS, Percival Proctor Baxter of Portland in the County of Cumberland State of Maine has heretofore donated and conveyed to the State of Maine as Trustee in Trust certain real estate in townships three (3), four (4) and five (5) range nine (9), and in townships three (3), four (4) and five (5) range ten (10) all W.E.L.S. in the Mount Katahdin area in Piscataquis County, State of Maine and known as BAXTER STATE PARK, all the said Gifts and Conveyances being subject to the Trusts and Conditions specified in the said Deeds of Conveyance; and

WHEREAS, all of the above mentioned Gifts of land have been accepted by the State of Maine as Trustee in Trust subject to the Trusts and Conditions therein specified, the list of said Gifts being recorded in Chapter 1 Private and Special Laws of 1947; and

WHEREAS, the said Baxter both as an individual and as Trustee now desires to convey and donate to the State of Maine as Trustee to be held by the said State in Trust, four (4) additional areas or parcels of land, two (2) of said areas being in Piscataquis County in township six (6) range nine (9) containing six thousand two hundred forty-seven (6,247) acres and five hundred thirty-six (536) acres respectively, one (1) of said areas of land being in township six (6) range eight (8) Penobscot County containing one thousand four hundred eighty-six (1,486) acres and one of said areas of land being in township three (3) range ten (10) Piscataquis County, containing six thousand seventeen (6,017) acres, all W.E.L.S.;

NOW THEREFORE the State of Maine by Act of the Legislature hereby accepts from Percival Proctor Baxter by Deeds of Gifts and Conveyances the said lands in township six (6) range nine (9), in township six (6) range eight (8), and in township three (3) range ten (10) all as described in the following Deeds of Conveyance, the same to be forever held by said State as TRUSTEE in TRUST for the benefit of the PEOPLE of MAINE, the same to be forever kept by said State in its natural wild state, the same to be forever held by said State for State Forest, Public Park and Public Recreational purposes and as a Sanctuary for wild beasts and birds, also forever to be held by said State as Trustee in Trust subject to the conditions set forth and expressed in the following Deeds of Conveyance.

DEED of PERCIVAL PROCTOR BAXTER

6,247 ACRES and 536 ACRES in TOWNSHIP 6 RANGE 9 PISCATAQUIS COUNTY and 1,486 ACRES in TOWNSHIP 6 RANGE 8 PENOBSCOT COUNTY.

KNOW ALL MEN BY THESE PRESENTS that I Percival Proctor Baxter of Portland, County of Cumberland, State of Maine in consideration of one dollar (\$1.00) and other valuable considerations paid by the State of Maine the receipt whereof is hereby acknowledged, and in furtherance of my desire to convey and donate to the State of Maine an extensive area of land in the Mount Katahdin region to be forever held by said State as TRUSTEE in TRUST for the benefit of the PEOPLE of MAINE, do hereby remise, release, sell and forever quit-claim unto said State of Maine the following described three (3) parcels of land in township six (6) range nine (9) Piscataquis County W.E.L.S. Maine, and in township six (6)

range eight (8) Penobscot County W.E.L.S. Maine, all as hereinafter described, and subject to the conditions as herein imposed: to wit

PARCEL 1—6,247 ACRES TOWNSHIP 6 RANGE 9

Certain real estate situate in the County of Piscataquis State of Maine and being located in the southeast corner of township six (6) range nine (9) bounded and described as follows:

The southeasterly portion of township six (6) range nine (9) Piscataquis County W.E.L.S. State of Maine, bounded and described as follows:

Beginning at the southeast corner of township six (6) range nine (9) W.E.L.S. Piscataquis County; thence westerly along the south line of said township six (6) a distance of four (4) miles more or less, to the southeast corner of lot No. 32 in said township; thence northerly along the east line of said Lot No. 32 and along the east line of Lot No. 26 in said township six (6) to Trout Brook so called both said Lots No. 32 and No. 26 formerly belonging to the Great Northern Paper Company; thence from the point where the east line of Lot No. 26 intersects said Trout Brook by and along the thread of said Trout Brook in a northeasterly direction following the meanderings of its course to a point in the First Grand Lake so called where said Trout Brook enters said Lake; thence easterly in a straight line parallel with said south line of said township six (6) range nine (9) across said Lake to the dividing line between said township six (6) range nine (9) and township six (6) range eight (8); thence southerly along said dividing line to the southeasterly corner of said township six (6) range nine (9) the point of beginning. The same containing six thousand three hundred eighty-three (6,383) acres more or less.

There is, however, expressly and specifically excepted and reserved to the Eastern Corporation its successors and assigns, the following properties, rights and easements, namely:

TROUT BROOK FARM (136 ACRES)

1—the following described land being that part of Trout Brook Farm properties lying within the granted premises as above described, the same being bounded and described as follows: Commencing at a point on the southerly bank of Trout Brook and on the fence line at the west end of the McCarthy Field so called on Trout Brook Farm; thence in a generally easterly direction following the various courses of said fence line fifty-two (52) chains more or less to a point at an angle in said fence line near the west edge of the pasture on said farm; thence south 21° west twenty-five (25) chains to a point; thence south 69° east (in a course par-

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allel to the south line of the town) twenty (20) chains to a point; thence north 21° east (in a course parallel with the east line of the town) fifty-six (56) chains more or less to a point on the southerly bank of said Trout Brook; thence in a generally southwesterly direction following the south bank of said Brook to the point of beginning, containing one hundred thirty-six (136) acres more or less and known as Trout Brook Farm, which said one hundred thirty-six (136) acres are subject to the right of the State of Maine to use in common with others lawfully entitled thereto for all purposes of a way that portion of Trout Brook Road so called that crosses the above described reserved parcel of one hundred thirty-six (136) acres all as provided in Deed of Eastern Corporation to Percival Proctor Baxter of August 30, 1947, recorded in Piscataquis Registry book 289, page 174, and THIS CONVEYANCE of said 6,247 acres also is made subject to all the rights, privileges and easements excepted and reserved to said Eastern Corporation in said Deed to said Baxter dated August 30, 1947 and recorded as aforesaid and SUBJECT ALSO to the right of the Garfield Land Company and others to use the said Trout Brook Road in said township six (6) range nine (9) as described in the PERMISSION given by said Baxter dated December 12, 1947 and recorded in Piscataquis Registry book 289, page 334, to both of which Deeds reference is hereby made for a more particular description.

PARCEL 2—536 ACRES TOWNSHIP 6 RANGE 9

Certain land situate in township six (6) range nine (9) W.E.L.S. County of Piscataquis State of Maine, bounded and described as follows, viz:

Beginning at the southwest corner of township six (6) range nine (9) W.E.L.S.; thence north along the west line of township six (6) range nine (9) to the center of Wadleigh Brook; thence east and northeast along the thread of Wadleigh Brook and Trout Brook to the point in the east line of Lot No. 26 where said Trout Brook crosses said east line; thence southerly on the east line of lots 26 and 32 to the south line of said township; thence westerly along said township line to the point of beginning. Said parcel containing five hundred thirty-six (536) acres more or less, and the same is subject to certain easements and other rights granted by the within named Percival Proctor Baxter to the within named Eastern Corporation by deed dated November 1, 1948 recorded in Piscataquis Registry book 290 page 380 to which reference is made for a more particular description.

PARCEL 3—1486 ACRES TOWNSHIP 6 RANGE 8

Nineteen twentieths (19/20ths) in common and undivided in and to two (2) certain lots or parcels of land in township six (6) range eight (8)

W.E.L.S. in the County of Penobscot and State of Maine, being all wild lands, bounded and described as follows:

FIRST LOT OF PARCEL 3: Beginning at the southwest corner of said township; thence running north along the west line of said township which is also the east line of land conveyed to the Grantor herein by Eastern Corporation by Deed dated August 30, 1947, and recorded in the Piscataquis County Registry of Deeds in book 289, page 174, three miles more or less to a small cove on the west side of First Grand Lake so called; thence running easterly and southerly along the west shore of said Lake to the point where the said west shore intersects the north line of the Dam Lot so called which was conveyed to the East Branch Dam Company by Deed dated October 28, 1902 and recorded in the Penobscot County Registry of Deeds in book 727, page 335, and reputed to be now owned by the East Branch Improvement Company; thence running west along the north line of said Dam Lot to the northwest corner thereof; thence running south along the west line of said Dam Lot to the southwest corner thereof; thence running east along the south line of said Dam Lot to the East Branch of the Penobscot River; thence running south by said East Branch to a point in the south line of said township where the said East Branch intersects the same; thence running west along the said south line of said township to the point of beginning.

SECOND LOT OF PARCEL 3: A small point of land, likewise part of said township six (6) range eight (8) W.E.L.S. located immediately north of the northwest corner of said FIRST LOT hereinbefore described, and bounded on the west by the west line of said township, on the north and east by said First Grand Lake and on the south by the said small cove immediately north of the parcel hereinbefore described. The two (2) parcels or lots hereby conveyed contain one thousand four hundred eighty-six (1,486) acres more or less:

The CONVEYANCE of said FIRST and SECOND LOTS of Parcel 3 is made subject to all the rights, privileges and easements excepted and reserved to the Garfield Land Company, a Maine Corporation, and to the other Grantors in said Garfield Deed to said Baxter dated December 12, 1947 and recorded in Penobscot Registry book 1282, page 2, and the said lots also are subject to the flowage rights conveyed to the East Branch Dam Company by Deed dated October 28, 1902 recorded in Penobscot Registry book 727, page 335, and the said lots also are subject to certain easements and other rights granted by the within named Percival Proctor Baxter to the within named Eastern Corporation by Deed dated November 1, 1948, recorded in Penobscot Registry of Deeds volume 1295, page 1 to which Deeds reference is made for a more particular description.

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TO HAVE AND TO HOLD the above described premises with all the privileges and appurtenances thereto to the State of Maine as TRUSTEE to be forever held in Trust for the PEOPLE of MAINE upon the following conditions, that the premises herein donated and conveyed to the State of Maine, 1—shall forever be kept for and as a State Forest and Public Park and for Public Recreational Purposes, 2—shall forever be kept in their natural wild state and as a sanctuary for wild beasts and birds, 3—that the use of fire-arms, trapping and hunting, not including fishing, shall forever be prohibited upon or within the same, 4—that air-craft forever be forbidden to land on the ground or on the waters within the same, and I the said Percival Proctor Baxter COVENANT with the State of Maine that I will Warrant and Defend the said premises to the said State of Maine against the lawful claims and demands of all persons claiming by through or under me.

IN WITNESS WHEREOF I the said Percival Proctor Baxter being unmarried have hereunto set my hand and seal this third day of January in the year of our Lord one thousand nine hundred forty-nine.

Signed and Sealed in the presence of
ALICE M. GURNEY.

PERCIVAL PROCTOR BAXTER.
Seal

State of Maine:
Cumberland: SS.

Portland, January 3, 1949

Personally appeared the above named Percival Proctor Baxter and acknowledged the above instrument to be his free act and deed.

Before me

Seal

CHARLES J. NICHOLS,
Notary Public.

DEED of PERCIVAL PROCTOR BAXTER as TRUSTEE UNDER THE DECREE of HONORABLE RAYMOND FELLOWS, JUSTICE OF THE SUPREME JUDICIAL COURT OF THE STATE OF MAINE IN EQUITY dated AUGUST 11, 1948.

PARCEL 4—6,017 ACRES TOWNSHIP 3 RANGE 10, PISCATAQUIS COUNTY

KNOW ALL MEN BY THESE PRESENTS that I PERCIVAL PROCTOR BAXTER of Portland County of Cumberland, State of Maine, as TRUSTEE UNDER A DECREE of Honorable Raymond Fellows, Jus-

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tice of the Supreme Judicial Court of the State of Maine in Equity, dated August 11, 1948, and recorded in Piscataquis County Registry book 294, page 44, and IN COMPLIANCE with the mandate of said Decree and also IN CONSIDERATION of one dollar (\$1.00) and other valuable considerations paid by the State of Maine, and also IN FURTHERANCE of my desire to convey and donate to the State of Maine an extensive area of land in the Mount Katahdin region to be forever held by said State as Trustee in Trust for the benefit of the PEOPLE of MAINE, DO HEREBY REMISE, RELEASE, SELL AND FOREVER QUIT-CLAIM unto the State of Maine the following described lands in township three (3) range ten (10) W.E.L.S. Piscataquis County, Maine, together with the right to cut and carry away the timber and grass in a portion of said township, which said lands and right were purchased by me from Honorable Edward P. Murray and Lucille C. O'Brien, both of Bangor in the County of Penobscot, sole acting Trustees under the last Will and Testament of John Cassidy late of Bangor, deceased, by Deed of said Trustees dated August 23, 1948, recorded August 25, 1948 in Piscataquis Registry book 290, page 294, the said Deed being in compliance with the Mandate of said Decree of said Honorable Raymond Fellows, Justice of the Supreme Judicial Court of the State of Maine in Equity, dated August 11, 1948, to wit:

THREE CERTAIN AREAS OF WILD LANDS TOTALING 6,017 ACRES LOCATED IN TOWNSHIP THREE (3) RANGE TEN (10) AND THE RIGHT TO CUT AND CARRY AWAY THE TIMBER AND GRASS FROM THE PUBLIC LOT IN SAID TOWNSHIP ALL AS HEREINAFTER DESCRIBED AND LOCATED IN TOWNSHIP THREE (3) RANGE TEN (10) PISCATAQUIS COUNTY, STATE OF MAINE W.E.L.S. as follows:

(A) one-fourth ($\frac{1}{4}$) in common and undivided of the right to cut and carry away the timber and grass on the Public Lot in said township three (3) range ten (10) W.E.L.S. Piscataquis County, State of Maine, said one-fourth ($\frac{1}{4}$) represents an undivided ownership of two hundred fifty (250) acres more or less out of a total area in said Public Lot of one thousand (1,000) acres;

(B) one hundred ten two hundred fifty-fourths ($\frac{110}{254}$ ths) in common and undivided of the southwest one-quarter ($\frac{1}{4}$) of township three (3) range ten (10) W.E.L.S. in Piscataquis County, State of Maine, said one hundred ten two hundred fifty-fourths ($\frac{110}{254}$ ths) represent an undivided ownership of two thousand two hundred eighty-five (2,285) acres more or less out of a total area in said southwest one-quarter ($\frac{1}{4}$) of five thousand two hundred seventy-six (5,276) acres;

(C) one hundred ten two hundred fifty-fourths ($\frac{110}{254}$ ths) in com-

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mon and undivided of the northeast one-quarter ($\frac{1}{4}$) of township three (3), range ten (10) W.E.L.S. Piscataquis County, State of Maine; together with

(D) one hundred ten two hundred fifty-fourths ($\frac{110}{254}$ ths) in common and undivided of that portion of the southeast one-quarter ($\frac{1}{4}$) of said township three (3) range ten (10) lying EAST of the following described line, the description of said line being as follows:

Beginning at a cedar post marked "N. M. L. Co. 1908 \uparrow X" on its northwest face standing on the south line of said township and two (2) miles sixty-four (64) rods more or less EAST of the west line of said southeast one-quarter ($\frac{1}{4}$); thence north eighteen (18°) degrees twenty (20) minutes EAST three (3) miles eleven (11) rods more or less, parallel to the west line to a spruce post marked "N. M. L. Co. \uparrow X 1908" on its southwest face, standing in the north line of said southeast one-quarter ($\frac{1}{4}$) and two (2) miles sixty-four (64) rods more or less EAST of the northwest corner of said southeast one-quarter ($\frac{1}{4}$); THE SAID one hundred ten two hundred fifty-fourths ($\frac{110}{254}$ ths) fractional interests in the land in the northeast one-quarter ($\frac{1}{4}$) of township three (3) range ten (10) AND in the two hundred fifty (250) rod strip of land in the southeast one-quarter ($\frac{1}{4}$) of said township three (3) range ten (10) as described in PARAGRAPHS NUMBERED C and D herein represent an undivided ownership of three thousand four hundred eighty-two (3,482) acres of land more or less out of a total area of eight thousand forty (8,040) acres more or less in said northeast one-quarter ($\frac{1}{4}$) and in said two hundred fifty (250) rod strip in the southeast one-quarter ($\frac{1}{4}$) both as described in paragraphs C and D herein.

The total area of the land purchased from the said Cassidy Estate (A B C D) herein described and conveyed by the grantor herein to the State of Maine including the two hundred fifty (250) acres in the Public Lot is six thousand seventeen (6,017) acres more or less.

TO HAVE AND TO HOLD the above described premises with all the privileges and appurtenances thereto to the State of Maine as Trustee to be forever held in Trust for the PEOPLE of MAINE upon the following conditions that the premises herein donated and conveyed to the State of Maine 1—forever shall be kept for and as a State Forest and Public Park and for Public Recreational purposes, 2—forever shall be kept in their natural wild state and as a sanctuary for wild beasts and birds, 3—that the use of firearms, trapping and hunting not including fishing, shall forever be prohibited upon or within the same, 4—that aircraft forever shall be forbidden to land on the ground or on the waters within the same.

And I the said Percival Proctor Baxter do covenant with said State that I am the lawful Trustee under the said Decree of Honorable Raymond Fellows, Justice of the Supreme Judicial Court of the State of Maine in Equity, dated August 11, 1948 and that in making this conveyance I have acted in all respects in pursuance of the Mandate of said Court both in purchasing the land herein described from the said Trustees of the said Estate of John Cassidy and also in conveying and donating the same to the State of Maine for the purposes herein described.

IN WITNESS WHEREOF I the said Percival Proctor Baxter in my said capacity as Trustee under the Mandate of the Supreme Judicial Court of the State of Maine in Equity dated August 11, 1948 have hereunto set my hand and seal this third day of January 1949.

In the presence of

Seal

ALICE M. GURNEY.

PERCIVAL PROCTOR BAXTER

As Trustee under the Decree of Honorable Raymond Fellows, Justice of the Supreme Judicial Court of the State of Maine in Equity dated August 11, 1948.

State of Maine:
Cumberland: SS

Portland, January 3, 1949

Then personally appeared the above named Percival Proctor Baxter and acknowledged the foregoing instrument to be his free act and deed in his said capacity as Trustee.

Before me

CHARLES J. NICHOLS

Seal

Notary Public.

Effective August 6, 1949

Chapter 2

AN ACT Amending by Mutual Consent of Percival Proctor Baxter and the State of Maine the Two Deeds of Gift of Lands in Piscataquis County One Dated January 2, 1945 and the Other Dated January 8, 1947 Made by Said Percival Proctor Baxter to the State of Maine as Trustee and Accepted by Said State in Trust Under Chapter 1 Private and Special