

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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STATE PAPERS RELATING

to

Gifts of Ex-Governor Baxter

to

The State of Maine

(from May 13, 1947 to May 1, 1949)

COMMUNICATION
STATE OF MAINE
Office of the Governor
Augusta

January 12, 1949.

The Honorable President
The Honorable Speaker of the House
Ninety-Fourth Legislature

Gentlemen:

It is a pleasure and a privilege to transmit herewith a letter from the Honorable Percival P. Baxter of Portland, a former Governor of Maine, in which he offers an additional 14,286 acres of land comprised in three tracts in Piscataquis County, and one tract in Penobscot County, for inclusion in Baxter State Park. All of this land is designated for public purposes.

Please note that the Honorable Mr. Baxter's communication is accompanied by two Acts. First, an Act accepting the 14,286 acres, and, second, an Act amending by mutual consent certain provisions of the laws of 1945 and 1947 relating to construction and maintenance of roads within the Park area. The Honorable Mr. Baxter states that in his opinion, the original deed of gift provisions as to roads seem somewhat too severe, and it is his desire to change them, in order to provide latitude for road construction and maintenance in future years.

If you accept this extraordinary gift, the Baxter Park area will contain 141,712 acres, which will be maintained in the natural wild state of this beautiful region. Prior gifts have been ten in number, and have been accepted by ten legislative Acts and by two Resolutions of the Forestry Commissioner and the Governor and Executive Council.

Mr. Baxter's altruistic beneficence will make certain that this vast area be kept in its natural state for the enjoyment of all Maine citizens and for the pleasure of thousands of visitors who come to Maine each year in search of unspoiled, healthful recreation, and will guarantee in perpetuity this immense area of the State which includes Mount Katahdin.

It is urged that you give your most serious consideration to the immediate acceptance of this gift under the terms and conditions as defined in the acceptance Act and the Act amending by mutual consent certain provisions in the current law relating to construction and maintenance of roads within the Park area.

Sincerely yours,

FREDERICK G. PAYNE
(S. P. 25)

Which was read and ordered placed on file.

COMMUNICATION

January 3, 1949.

To the honorable Frederick G. Payne, Governor
and the Honorable Senate and House of Representatives
of the Ninety-fourth Legislature.

During the period from March 3, 1931 to January 8, 1947 inclusive I have donated and conveyed to the State of Maine one hundred twenty-seven thousand four hundred twenty-six (127,426) acres of forest land in Piscataquis County, the same being the area known as Baxter State Park. These gifts, twelve in number, have been accepted by ten (10) Legislative Acts and by two (2) Resolutions of the Forest Commissioner and the Governor and Executive Council.

Since the last gift was made by me and accepted by the Legislature, Chapter 1 of the Private and Special Laws of 1947, I have acquired three (3) additional tracts of land in Piscataquis County and one (1) tract in Penobscot County, the four (4) totaling fourteen thousand two hundred eighty-six (14,286) acres. I now come to you offering these four (4) areas as an addition to said State Park. If you accept this gift the Park area then will be one hundred forty-one thousand seven hundred twelve (141,712) acres in extent.

The three (3) areas in Piscataquis County I now offer you are, 1—six thousand two hundred forty-seven (6,247) acres and 2—five hundred thirty-six (536) acres both in township six (6) range nine (9), and 3—six thousand seventeen (6,017) acres in township three (3) range ten (10).

The fourth (4th) area of one thousand four hundred eighty-six (1,486) acres is in township six (6) range eight (8) Penobscot County, all W. E. L. S. Except for one small undivided ownership of less than seventy-five

(75) acres in this Penobscot County tract which I expect to acquire in the near future, all of the land heretofore and now donated to the State of Maine is one unbroken area free from undivided ownerships.

It is fortunate that I was able to acquire for the State these four (4) areas, for we now have a Park with its northeast corner bordering on the East Branch of the Penobscot River and on First Grand or Matagamom Lake. Its southwest corner borders on the West Branch of that River. Mount Katahdin, Traveler Mountain and the other thirty peaks and mountains in the Park lie between these two branches of this river.

With this communication I am offering the State two (2) Deeds that convey the four (4) areas referred to; one is a Deed from me as an individual and one from me as a Trustee. The Deed from me as Trustee of the six thousand seventeen (6,017) acres in township three (3) range ten (10) conveys to the State land bought by me from the Trustees of a Bangor estate under a Decree of Honorable Raymond Fellows, Justice of our Supreme Judicial Court. This method of acquiring this area was necessary in order to clear away certain legal technicalities.

ROADS IN BAXTER STATE PARK

In my former Deeds of January 2, 1945 and January 8, 1947 as recorded in Chapter 1 Laws of 1945 and Chapter 1 Laws of 1947, certain restrictions as to the construction and maintenance of roads within the Park were imposed in the gift. Although I want this area always to be left in "its natural wild state" as provided in all my Deeds to the State, I also want this area to be reasonably accessible to those persons who enjoy the wilderness and who wish to go there for rest and recreation. That of course is my principal reason for creating this Park.

On mature deliberation I now have come to the conclusion that my restrictions as to roads are somewhat too severe. Without proper access roads the number of persons who would enjoy the Park would be limited. In view of this I deem it best to allow the existing roads to remain open and to permit the State in the years to come to construct such additional roads as may be necessary to accommodate those persons who wish to enjoy the great, unspoiled area that now is the property of our State.

I now present to you an Amended Act of Acceptance together with a Deed, which makes the necessary changes in the former Deeds of Trust that contain the road restrictions herein referred to. In order, however, that there may be some reasonable check in the future on the construction and maintenance of roads in the Park it is provided in these Amendments that no roads or ways shall be constructed or maintained that will interfere with or detract from "the natural wild state" of this region. In this,

however, I must rely upon the good faith of the State of Maine and am confident that the State will live up to the terms of this TRUST and will not break faith with me.

The other conditions in the two (2) Acts of Acceptance and in the three (3) Deeds which I now present to you are the same as those contained in my former Deeds. I shall be pleased if you will accept these Gifts in the spirit in which they are offered.

Respectfully,

PERCIVAL PROCTOR BAXTER

(S. P. 26)

January 3, 1949 (S. P. 26)

Which was read and ordered placed on file.

Order

ORDERED, the House concurring, that in order that the records of the Gifts by Percival Proctor Baxter, individually and as Trustee, to the State of Maine as Trustee in Trust of fourteen thousand two hundred eighty-six (14,286) acres in township six (6) range nine (9) and in township three (3) range ten (10) W. E. L. S. Piscataquis County, and in township six (6) range eight (8) W. E. L. S. Penobscot County (Baxter State Park), be complete and in enduring form, the Communication dated January 3, 1949 addressed by said Baxter to Honorable Frederick G. Payne and to the Honorable Senate and House of Representatives of the Ninety-fourth Legislature, together with the Message of Governor Frederick G. Payne, transmitting the said Communication to this Legislature, be printed in the Laws of Maine for 1949.

(S. P. 29)

January 13, 1949

Comes from the Senate read and passed.

January 13, 1949

In the House, read and passed in concurrence.