

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-seventh Legislature

OF THE

STATE OF MAINE

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AUGUSTA, MAINE
1955

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

Chapter 3

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.

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

WHEREAS the Governor and Executive Council by Resolve dated September 18, 1953 accepted seventy-six and eight-tenths (76.8) acres of land in township six (6) range eight (8) Penobscot County as donated and conveyed to the State of Maine on the trusts and conditions set forth in deed of Percival Proctor Baxter dated August 26, 1953, recorded in Penobscot County Registry of Deeds book 1407 page 149 (and in Piscataquis County Registry of Deeds book 308 page 401);

WHEREAS the Governor and Executive Council by Resolve dated January 20, 1954 accepted fourteen thousand five (14,005) acres of land, one hundred thirty-six (136) acres of land, and five-sixths (5/6ths) of the Public Lot all located in township six (6) range nine (9) Piscataquis County as donated and conveyed to the State of Maine on the trusts and conditions set forth in deed of Percival Proctor Baxter dated January 12, 1954 and recorded in Piscataquis County Registry of Deeds book 309 page 86, the conditions of which have subsequently been modified, subject to the consent of the State of Maine, by deed of said Percival Proctor Baxter dated December 1, 1954.

WHEREAS the Governor and Executive Council by Resolve dated January 20, 1954 accepted eight thousand (8000) acres of land in township three (3) range nine (9) Piscataquis County, as donated and conveyed to the State of Maine on the trusts and conditions set forth in deed of Percival Proctor Baxter dated January 12, 1954 and recorded in Piscataquis County Registry of Deeds book 309 page 85;

WHEREAS the said Percival Proctor Baxter desires to have the State Legislature accept the within Deeds of Gift and Trust to the State in order that they may be recorded in the laws of Maine 1955, all previous gifts from said Baxter having been accepted by the Legislature and so recorded:

NOW THEREFORE the State of Maine by Act of the Legislature hereby ratifies and confirms the action of the Governor and Executive Council in accepting the said Deeds of Gift above referred to and hereby accepts from said Percival Proctor Baxter on the trusts and conditions therein stated the deed of gift above referred to of the land in township six (6) range eight (8) Penobscot County, the deed of gift above referred to of the land in township three (3) range nine (9) in Piscataquis County, and the deed of gift above referred to of the land in township six (6) range nine (9) in Piscataquis County as modified by the deed dated December 1, 1954, said deed of December 1, 1954 and the modification therein contained being fully set forth in other legislation where it is presented for specific approval.

The deeds above referred to other than the deed of December 1, 1954 are hereby set forth in full as follows:

BAXTER STATE PARK

DEED OF GIFT OF PERCIVAL PROCTOR BAXTER DATED AUGUST 26, 1953 CONVEYING TO THE STATE OF MAINE IN TRUST FOR THE PEOPLE OF MAINE SEVENTY-SIX AND EIGHT-TENTHS (76.8) ACRES IN TOWNSHIP SIX (6) RANGE EIGHT (8) W.E.L.S. PENOBSCOT COUNTY THE SAME TO BE ADDED TO BAXTER STATE PARK, RECORDED IN PENOBSCOT REGISTRY BOOK 1407 PAGE 149 AND IN PISCATAQUIS COUNTY REGISTRY BOOK 308 PAGE 401. ORDER OF GOVERNOR AND EXECUTIVE COUNCIL SEPTEMBER 16, 1953, ACCEPTING SAID GIFT ATTACHED AND MADE A PART HEREOF.

KNOW ALL MEN BY THESE PRESENTS that I PERCIVAL PROCTOR BAXTER of Portland County of Cumberland, State of Maine, in consideration of one (\$1.00) dollar 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 Mt. 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 two parcels of land in township six (6) range eight (8) W.E.L.S. in the county of Penobscot, State of Maine, and subject to the conditions as herein imposed, and bounded and described as follows —

One-twentieth (1/20th) 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: 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 PERCIVAL P. BAXTER the Grantee 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 (3) 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: A small point of land, likewise part of said township six (6) range eight (8) W.E.L.S. in the County of Penobscot and State of Maine, 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 seventy-six and eight tenths (76.8) acres more or less.

This conveyance of said two (2) parcels of land is made subject to all the rights, privileges and easements excepted and reserved to SADA COE ROBINSON of Madrone, California, in her deed to said Percival P. Baxter dated June 4, 1951, recorded in Penobscot Registry of Deeds, volume 1335, page 176, and to the IRVING PULP and PAPER, LIMITED, of St. John, New Brunswick, in its deed to Percival P. Baxter dated June 27, 1951, recorded in Penobscot Registry of Deeds, volume 1351, page 41, to both of which deeds reference is made for a more particular description.

The within conveyance of one-twentieth (1/20th) in common and undivided or seventy-six and eight tenths (76.8) acres more or less completes the title to the land in the southwest corner of township six (6) range eight (8) W.E.L.S., nineteen twentieths (19/20ths) of said land containing one thousand four hundred eighty-six (1,486) acres more or less having been conveyed to the State by Deed of said Baxter dated January 3, 1949, already recorded in Penobscot County Registry of Deeds, book 1294, page 344, also described in Chapter 1 of the Private and Special Laws of 1949, to both of which reference is had for a more particular description.

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 of 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 twenty-sixth day of August in the year one thousand nine hundred fifty-three.

Signed and Sealed
in the presence of
(Signed) Alice M. Gurney (Signed) Percival Proctor Baxter (L.S.)
U. S. Revenue Stamps not required.

State of Maine:
Cumberland : SS Portland, August 26, 1953

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

Before me
(Signed) Alice M. Gurney
Notary Public (Seal)

i. Secretary of State

STATE OF MAINE

473

In Council, Sep 16 1953
Department, Secretary of State

ORDERED.

That the offer of Percival P. Baxter to donate to the State of Maine seventy-six and eight tenths (76.8) acres more or less of land in the South West

corner of township 6 range 8 W.E.L.S., Penobscot County be and is hereby accepted and said seventy-six and eight tenths (76.8) acres more or less hereby become part and parcel of Baxter State Park, subject to the conditions and reservations as recited in the Deed from said Baxter to the State of Maine dated August 26, 1953, the same to be recorded in the Penobscot Registry of Deeds.

This Acceptance by the Governor and Executive Council is made under the provisions of Section 15, Chapter 11 of the Revised Statutes wherein the said Governor and Executive Council are empowered to accept gifts made to the State of Maine.

(Signed) Harold I. Goss
Harold I. Goss, Secretary of State

In Council, Sep 16 1953

Read and passed by the Council, and by the Governor approved.

(Signed) Harold I. Goss Secretary of State

BC

BAXTER STATE PARK

DEED OF GIFT OF PERCIVAL PROCTOR BAXTER DATED JANUARY 12, 1954 CONVEYING TO THE STATE OF MAINE IN TRUST FOR THE PEOPLE OF MAINE FOURTEEN THOUSAND FIVE (14,005) ACRES, ONE HUNDRED THIRTY-SIX (136) ACRES AND FIVE-SIXTHS (5/6) OF THE PUBLIC LOT IN TOWNSHIP SIX (6) RANGE NINE (9) W.E.L.S. PISCATAQUIS COUNTY THE SAME TO BE ADDED TO BAXTER STATE PARK, RECORDED IN PISCATAQUIS REGISTRY BOOK 309 PAGE 86. ORDER OF GOVERNOR AND EXECUTIVE COUNCIL JANUARY 20, 1954 ACCEPTING SAID GIFT ATTACHED AND MADE A PART HEREOF.

KNOW ALL MEN BY THESE PRESENTS that I, PERCIVAL PROCTOR BAXTER of Portland, County of Cumberland, State of Maine, in consideration of one (\$1.00) dollar 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 Mt. 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 forever, the following described three (3) parcels of land all situated in township six (6) range nine (9) W.E.L.S. in the county of Piscataquis, State of Maine, and subject to the reservations and exceptions as herein imposed, and bounded and described as follows:

FIRST PARCEL

Beginning at the northeasterly corner of Township 6, Range 9; thence southerly by and along the easterly line of said Township a distance of three (3) miles, more or less, to a point in said east line opposite the outlet of Trout Brook, said point being the northeast corner of land conveyed to Percival Proctor Baxter by deed of Eastern Corporation dated August 30, 1947, recorded in Piscataquis County Registry of Deeds, Volume 289, page 174; thence westerly, southwesterly and southerly by and along the thread of Trout Brook to the east line of Lot 26 in said Township where Trout Brook intersects said east line; thence northerly by and along the easterly line of Lots 26, 20 and 14 in said Township a distance of two and one tenth (2.1) miles, more or less, to the northeasterly corner of that portion of said Lot 14 owned or occupied by Great Northern Paper Company; thence westerly two (2) miles, more or less, by and along the northerly

line of said Great Northern Paper Company's portion of Lots 14 and 13 and parallel to the north line of said Township to the westerly line of said Township; thence northerly by and along the westerly line of said Township a distance of two and one-half ($2\frac{1}{2}$) miles, more or less, to the northwesterly corner of said Township; thence easterly by and along the northerly line of said Township six (6) miles, more or less, to the point of beginning, containing 14,005 acres, more or less.

SECOND PARCEL

Trout Brook Farm. Said farm being bounded and described as follows: Commencing at a point in the southerly bank of Trout Brook and on the fence line at the west end of 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 parallel 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. The above described parcel is that portion of the Trout Brook Farm properties, so called, excepted and reserved from the deed of the Eastern Corporation to the grantor herein dated August 30, 1947, and recorded in said Registry, Volume 289, page 174.

THIRD PARCEL

Public Lot. All the right, title and interest of the grantor herein in and to the Public Lot situate in said Township, containing 1,000 acres, more or less.

Excepting and reserving from the above described premises so much thereof as was conveyed to the East Branch Improvement Company by deed of the Eastern Corporation dated January 4, 1954, and so much thereof as was conveyed to the Bangor Hydro Electric Company by deed of said Eastern Corporation dated January 4, 1954 and the premises herein conveyed are further subject to the exceptions and reservations reserved to said Eastern Corporation in its deed to the grantor herein (Percival Proctor Baxter) dated January 4, 1954, as recorded in Piscataquis Registry of Deeds Book 309, page 78, to which reference is had for a more particular description.

The within conveyance to the State of Maine is made expressly subject to the duty of said State to convey to the Bangor Hydro Electric Company, its successors and assigns, by a metes and bounds description the sites selected for such purposes as are set forth in the above mentioned deed of the Eastern Corporation to the said Bangor Hydro Electric Company dated January 4, 1954, and the said State by the acceptance of this deed agrees to make such conveyance when requested to do so by said Bangor Hydro Electric Company, its successors and assigns.

This conveyance is further subject to the right to flow said premises upon payment of damages for such flowage all as set forth in said deed to said Bangor Hydro Electric Company.

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, I—shall forever be kept for and as a State Forest and Public Park and for Public recrea-

tional 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 of the same; 5—that the same shall forever be named BAXTER STATE PARK; and I, the said Percival Proctor Baxter 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, the grantor herein.

IN WITNESS WHEREOF I, the said Percival Proctor Baxter, being unmarried, have hereunto set my hand and seal this twelfth day of January in the year one thousand nine hundred fifty-four.

Signed and Sealed
in the presence of:
(Signed)

Alice M. Gurney

(Signed) Percival Proctor Baxter (LS)

STATE OF MAINE

Cumberland, ss

January 12, 1954

Personally appeared the abovenamed Percival Proctor Baxter, and acknowledged the foregoing instrument to be his free act and deed.

Before me

(Signed) Alice M. Gurney
Notary Public

U. S. Revenue Stamps
not required.

(Seal)

I. Secretary of State

656

STATE OF MAINE

In Council, Jan 20 1954
Department, Secretary of State

ORDERED,

That the offer of Percival Proctor Baxter to donate to the State of Maine thirteen thousand one hundred forty-one (13,141) acres more or less of land including the Public Lot in the northerly portion of township six (6), range nine (9), W.E.L.S., Piscataquis County as described in his Deed to the State of Maine dated January 12, 1954 be and is hereby accepted and said thirteen thousand one hundred forty-one (13,141) acres more or less hereby become part and parcel of Baxter State Park subject to the conditions, reservations and duties as recited in said deed and the said deed shall be recorded in Piscataquis Registry of Deeds with a copy of this Council Order attached thereto.

This acceptance by the Governor and Executive Council is made under the provisions of Section 15, Chapter 11, of the Revised Statutes wherein the said Governor and Executive Council are empowered to accept gifts made to the State of Maine.

(Signed) Harold I. Goss
Harold I. Goss, Secretary of State

In Council, Jan 20 1954

Read and passed by the Council, and by the Governor approved.

(Signed) Harold I. Goss, Secretary of State

BAXTER STATE PARK

DEED OF GIFT OF PERCIVAL PROCTOR BAXTER DATED JANUARY 12, 1954 CONVEYING TO THE STATE OF MAINE IN TRUST FOR THE PEOPLE OF MAINE EIGHT THOUSAND (8,000) ACRES IN TOWNSHIP THREE (3) RANGE NINE (9) W.E.L.S. PISCATAQUIS COUNTY THE SAME TO BE ADDED TO BAXTER STATE PARK, RECORDED IN PISCATAQUIS REGISTRY BOOK 309 PAGE 85. ORDER OF GOVERNOR AND EXECUTIVE COUNCIL JANUARY 20, 1954, ACCEPTING SAID GIFT ATTACHED AND MADE A PART HEREOF.

KNOW ALL MEN BY THESE PRESENTS that I, PERCIVAL PROCTOR BAXTER of Portland, County of Cumberland, State of Maine, in consideration of one (\$1.00) dollar 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 Mt. 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 quit-claim unto the State of Maine forever the following described parcel of land situated in Township three (3) Range nine (9) W.E.L.S. in the county of Piscataquis, State of Maine, and subject to the reservations and exceptions as herein imposed, and bounded and described as follows :

Beginning at a point in the southerly line of said township said point being four and one half ($4\frac{1}{2}$) miles westerly from the southeasterly corner thereof and said point being a corner of Baxter State Park; thence northerly parallel to the easterly line of said township in and along the line of said Park two (2) miles more or less to a point at a corner of Baxter State Park; thence easterly parallel to the northerly line of said township in and along the southerly line of said Park two and three quarters ($2\frac{3}{4}$) miles more or less to a point at a corner of Baxter State Park; thence northerly parallel to the easterly line of said township in and along the line of said Park two (2) miles more or less to a point at a corner of Baxter State Park; thence easterly parallel to the northerly line of said township in and along the southerly line of said Park one and three quarters ($1\frac{3}{4}$) miles more or less to a point in the easterly line of said township said point being two (2) miles more or less southerly from the northeasterly corner of said township; thence southerly in and along the easterly line of said township four (4) miles more or less to the southeasterly corner thereof; thence westerly in and along the southerly line of said township to the point of beginning; containing eight thousand (8,000) acres, more or less.

Excepting and reserving to the Great Northern Paper Company its successors and assigns the right to cut and remove the merchantable and standing growth on the said eight thousand (8000) acres in said township up to December 1, 1973, and not thereafter, as provided in the deed of said Great Northern Paper Company to the grantor herein dated the 1st day of December, 1953 and recorded in Piscataquis County Registry Book 309, page 65.

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 of the same, and I, the said Percival Proctor Baxter WILL

CHAP. 3

PRIVATE AND SPECIAL, 1955

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 the grantor herein.

IN WITNESS WHEREOF I, the said Percival Proctor Baxter, being unmarried have hereunto set my hand and seal this twelfth day of January in the year one thousand nine hundred fifty-four.

Signed and Sealed

in the presence of

(Signed) Frank W. Johnson

(Signed) Percival Proctor Baxter (LS)

STATE OF MAINE

Cumberland, ss

January 12, 1954

Personally appeared the abovenamed Percival Proctor Baxter, and acknowledged the foregoing instrument to be his free act and deed,

Before me

(Signed) Alice M. Gurney

Notary Public

U. S. Revenue Stamps not required.

i. Secretary of State

657

STATE OF MAINE

In Council, Jan 20 1954

Department, Secretary of State

ORDERED,

That the offer of Percival Proctor Baxter to donate to the State of Maine eight thousand (8,000) acres more or less of land in the southeast corner of township three (3) range nine (9) W.E.L.S., Piscataquis County as described in his Deed to the State of Maine dated January 12, 1954 be and is hereby accepted and said eight thousand (8,000) acres more or less hereby become part and parcel of Baxter State Park subject to the conditions, reservations and duties as recited in said deed and the said deed shall be recorded in Piscataquis Registry of Deeds with a copy of this Council Order attached thereto.

This acceptance by the Governor and Executive Council is made under the provisions of Section 15, Chapter 11, of the Revised Statutes wherein the said Governor and Executive Council are empowered to accept gifts made to the State of Maine.

(Signed) Harold I. Goss

Harold I. Goss, Secretary of State

In Council, Jan 20 1954

Read and passed by the Council, and by the Governor approved.

(Signed) Harold I. Goss, Secretary of State

BC