

# 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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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Ninety-seventh Legislature

1955

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## Chapter 4

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 ( $\frac{5}{6}$ ths) 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.

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

WHEREAS Percival Proctor Baxter by deed dated January 12, 1954 recorded in Piscataquis Registry of Deeds book 309 page 86, among other properties donated and conveyed fourteen thousand five (14,005) acres of land and five-sixths ( $\frac{5}{6}$ ths) of the Public Lot in township six (6) range nine (9) W.E.L.S. Piscataquis County (Baxter State Park) to the State of Maine IN TRUST for Public Purposes as stated in said Deed and accepted by the Governor and Executive Council by Resolve January 20, 1954.

WHEREAS the said Deed among other things contains certain conditions, limitations and restrictions which provide that the land so conveyed "2—shall forever be kept 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,"

WHEREAS it now appears to be in the public interest to modify said conditions, limitations and restrictions in order to increase the public use and enjoyment of that portion of said land so donated, conveyed and described in said Deed of January 12, 1954 which is above specifically referred to, and

WHEREAS said Percival Proctor Baxter has duly executed and delivered to the State of Maine a Deed dated December 1, 1954 releasing the fourteen thousand five (14,005) acres of land and the five-sixths ( $\frac{5}{6}$ ths) of the Public Lot in said township six (6) range nine (9) Piscataquis County described in said Deed from the conditions, limitations and restrictions as to the sanctuary for wild beasts and birds, the use of fire-arms, trapping and hunting, not including fishing, and that air-craft forever be forbidden to land on the ground and on the waters of the same, a copy of the Deed being as follows:

### DEED

WHEREAS I Percival Proctor Baxter of Portland, County of Cumberland, State of Maine donated and conveyed fourteen thousand five (14,005) acres of land and five-sixths ( $\frac{5}{6}$ ths) of the Public Lot in township six (6) range nine (9) Piscataquis County known as BAXTER STATE PARK to the State of Maine IN TRUST for certain Public Purposes by Deed dated January 12, 1954 the same being recorded in Piscataquis County Registry book 309, page 86, and

WHEREAS said above mentioned Deed contains certain conditions, limitations and restrictions as stated therein including the conditions, limitations

## CHAP. 4

PRIVATE AND SPECIAL, 1955

and restrictions that the land "forever be kept as a sanctuary for wild beasts and birds, that the use of fire-arms, trapping and hunting, not including fishing, shall forever be prohibited upon or within the same, that air-craft forever be forbidden to land on the ground or on the waters of the same,"

WHEREAS it now appears to be in the public interest and for the benefit of the People of the State of Maine to whom this Gift was made and for whose benefit the TRUSTS in said Deed are created that the above quoted conditions, limitations and restrictions herein be removed and cancelled insofar as they apply to the fourteen thousand five (14,005) acres of land and to the five-sixths (5/6ths) of the Public Lot in township six (6) range nine (9);

NOW THEREFORE in consideration of one (\$1.00) dollar and other valuable considerations paid by the State of Maine to me, I Percival Proctor Baxter hereby release and relieve the State of Maine as Trustee for the benefit of the People of the State of Maine from each and all of the above quoted conditions, limitations and restrictions made in said Deed of January 12, 1954 insofar as they apply to the fourteen thousand five (14,005) acres of land and to the five-sixths (5/6ths) of the Public Lot in said township, and

I the said Percival Proctor Baxter hereby ratify and confirm the conveyance of said lands described in said within mentioned Deed of Trust of January 12, 1954, but with the above quoted conditions, limitations and restrictions as to the sanctuary for wild beasts and birds, the use of fire-arms, trapping and hunting, not including fishing, and the landing of air-craft on the ground or on the waters of the same removed and cancelled from said Deed as specified herein, but all the other terms, limitations and restrictions and Trusts in said Deed of January 12, 1954 shall remain in full force and effect.

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

Signed in the presence of  
ALICE M. GURNEY

PERCIVAL PROCTOR BAXTER (LS)

State of Maine: SS  
Cumberland :

Portland, December 1, 1954

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

Before me  
ALICE M. GURNEY,  
Notary Public

(Commission expires in 1957)  
(No U. S. Revenue Stamps required)

## ACCEPTANCE

Now by mutual consent between said Percival Proctor Baxter and said State of Maine the said Deed of January 12, 1954 and the Acceptance thereof by the Governor and Executive Council of January 20, 1954 are hereby amended by repealing from said Deed and Acceptance insofar as they apply to the fourteen thousand five (14,005) acres of land and to the five-sixths (5/6ths) of the

Public Lot in township six (6) range nine (9) Piscataquis County, the following conditions, limitations and restrictions that appear in said Deed as follows:

"2—shall forever be kept 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";

NOW THEREFORE the State of Maine by Act of the Legislature hereby further ACCEPTS from Percival Proctor Baxter by deed of gift and conveyance the lands described in said deed of January 12, 1954 with the conditions, limitations and restrictions as to the sanctuary, the use of fire-arms, trapping and hunting, and the prohibition of air-craft ever landing on the ground or waters of the same cancelled and removed insofar as they relate to the fourteen thousand five (14,005) acres of land and the five-sixths ( $5/6$ ths) of the Public Lot all in accordance with the terms and conditions of the Deed dated December 1, 1954 above referred to, said Deed dated December 1, 1954 being hereby accepted by said State and being hereby made a part of this Act of Amendment and Acceptance.

Effective August 20, 1955

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## Chapter 5

### AN ACT Relating to Membership of the Board of Trustees of the North Haven Port District.

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

Sec. 1. P. & S. L., 1945, c. 141, § 3, repealed and replaced. Section 3 of chapter 141 of the private and special laws of 1945 is hereby repealed and the following enacted in place thereof:

'Sec. 3. Board of trustees, how elected; terms; reports. The trustees shall be elected by a majority of the legal voters at a regular or special town meeting pursuant to an appropriate article in the warrant therefor. The terms of office of the trustees shall begin upon their election. As soon as convenient they shall organize by the election from their own membership of a president, clerk and treasurer, adopt a corporate seal and may employ all needful officers and agents for the proper conduct and management of the affairs of the district and annually thereafter, at the beginning of each municipal year, the trustees shall organize as hereinbefore provided.

At the first meeting of the trustees they shall determine by lot the term of office of each trustee so that one trustee shall retire each year and the term of office of the first trustee to expire shall end at the end of the municipal year of the town of North Haven following his election, and thereafter the term of office of a trustee shall expire and his successor shall be elected by a majority of the voters at the annual town meeting. The trustees so elected shall serve the full term of 5 years and in case any vacancy arises in the membership of the board of trustees it shall be filled by the board of selectmen of said town of North Haven for the unexpired term. When any trustee ceases to be a resident of said district, the office of the trustee and the vacancy shall be filled as aforesaid. All such trustees shall be eligible for reelection. They shall receive such compensation as the town in town meeting shall determine.