

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*Ninety-Seventh Legislature*

OF THE

STATE OF MAINE

1955

DAILY KENNEBEC JOURNAL  
Augusta, Maine

**SENATE**

Wednesday, January 12, 1955

Senate called to order by the President.

Prayer by the Rev. Tom G. Akeley of Gardiner.

Journal of yesterday read and approved.

**House Papers**

Joint Order relative to Senate and House Register. (S. P. 17)

In Senate on January 6, read and passed.

Comes from the House, read and passed as amended by House Amendment A, in non-concurrence.

Under suspension of the rules, passage reconsidered, House Amendment A adopted, and Order passed as amended, in concurrence.

**Communications**

STATE OF MAINE  
OFFICE OF THE GOVERNOR

Augusta  
January 11, 1955

The Honorable President  
The Honorable Speaker of the House  
Ninety-seventh Legislature  
Gentlemen:

I consider it a privilege to transmit herewith a letter from the Honorable Percival P. Baxter of Portland in which he offers an additional 2000 acres of land in the Baxter State Park area for public purposes. He also requests that the legislature ratify the January 20, 1954 acceptance by the Governor and the Executive Council of 14,005 acres of land in Township 6, Range 9.

In recognition of the legitimate interests of citizens in the surrounding areas who operate stores and camps, Mr. Baxter thoughtfully imposes no hunting restrictions in connection with his most recent gift, and he proposes removal of such restrictions in connection with his gift of January 20, 1954.

In another generous concession, Mr. Baxter proposes legislation under which the State's powers relating to the care and management of the Park are broadened and made more flexible.

I submit Mr. Baxter's generous offer and these several pieces of

legislation for your serious consideration as being in the public interest.

Respectfully yours,

(Signed) EDMUND S. MUSKIE  
Governor.

(S. P. 26)

Which was read and ordered placed on file.

Sent to the House.

Portland, Maine  
January 11, 1955

To the Honorable Edmund S. Muskie, Governor and the Honorable Senate and House of Representatives of the 97th Legislature of Maine.

In this communication I submit for your consideration certain matters relating to Baxter State Park, an area which now comprises 166,676 acres of wild forest land forever to be held by the State of Maine IN TRUST for the PEOPLE OF MAINE. These Acts are four in number.

The FIRST Act ratifies and confirms the former Acceptance on January 20, 1954 by the Governor and Executive Council of my gifts of three parcels of wild land in the Katahdin area which were acquired by me when the Legislature was not in Session. As I was about to journey to foreign lands I deemed it wise to place this area in the safe ownership of the State in case I should not return. Moreover all my gifts to the State over the years have been accepted by the several Legislatures and so have been published in the Laws of Maine. I wish these gifts to conform to that plan.

The SECOND Act is a new gift of two thousand (2000) acres in township six (6) range nine (9) Trout Brook Township so called. This completes the gift of the entire township except about 3402 acres and the 1/6th of the Public Lot both of which I hope to acquire from the Great Northern Paper Company so that later I can donate it to the State. In this gift of two thousand (2000) acres hunting is not forbidden.

The THIRD Act is an Act interpreting certain provisions relating to the care and management of this State Park in consultation with our Forest and Game officials and with the Attorney General's Department it seems desirable to provide for an

understanding as to what is required under the Trust Deeds. Under the Act now submitted to you the powers of the State management are broadened and made more flexible in order that the Trusts will not be violated in the years to come. As all my Trusts have been made for perpetuity great care has to be taken to make them understandable and enforceable.

The FOURTH Act relates to a distinct concession on my part in regard to the "No Hunting" or "Sanctuary" provisions in the Deed of Gift of the fourteen thousand five (14005) acres and of the five-sixths (5/6ths) of the Public Lot north of Trout Brook in township six (6) range nine (9). Under the original Deed to this area which was accepted by the Governor and Executive Council on January 20, 1954, hunting was forever prohibited. However, when I learned that the closing of this area might be detrimental to the citizens in Patten and surrounding territory who operate stores and camps I was pleased to yield to their appeals. This Act accomplishes that purpose and the people in that area are well satisfied. The "No Hunting" clause is removed by this Act.

In 1917 I first proposed that the State make a beginning in creating a Park at Katahdin. From that date until now I have worked diligently and patiently upon this project and have seen it grow from small beginnings to its present ample proportions. In the years to come when the Forests of our State have been cut off and disappeared, when civilization has encroached upon the land we now refer to as "Wild Land", this Park will give the people of succeeding generations a living example of what the State of Maine was "in the good old days" before the song of the woodman's axe and the whine of the power saw was heard in the land. I am confident that the people of Maine as time passes will appreciate this Park and that the State never will break these Trusts. I know the conscience and the Soul of Maine. The word of this State as given in Acts passed by its Legislatures and signed by its Governors is as sacred a pledge and trust as Man can make.

I request you to enact into Law these four documents if you deem it in the public interest so to do.

Respectfully,

(Signed)

PERCIVAL PROCTOR BAXTER

(S. P. 27)

Which communication was ordered placed on file.

Sent to the House.

#### Senate Papers

The President laid before the Senate the following Bills which were referred to this legislature by the Ninety-sixth Legislature:

Bill "An Act relating to the Salary of the Governor." (S. P. 28)

Mr. CRABTREE of Aroostook: Mr. President, the legislative processes seem to have worked with great efficiency and to me somewhat amazing speed in this case. This bill, S. P. 28, was automatically referred to the 97th legislature from the Special Session of the 96th legislature. Because there is a bill in process of being put together, very similar, but I hope with some refinements, I move you, Mr. President that this bill, S. P. 28, be indefinitely postponed.

The motion prevailed, and the bill was indefinitely postponed.

Sent down for concurrence.

"Resolve in Favor of Gordon M. Stewart of Paris, Administrator d.b. n.c.t.a. of the Estate of Eva M. Elliot, late of Otisfield, Deceased." (S. P. 29)

Which was referred to the Committee on Claims and ordered printed.

Sent down for concurrence.

Bill "An Act relating to Bartlett's Island as a Game Preserve." (S. P. 30)

Which was referred to the Committee on Inland Fisheries and Game and ordered printed.

Sent down for concurrence.

"Resolve in Favor of Florence Watson of Richmond." (S. P. 31)

Which was referred to the Committee on Retirements and Pensions and ordered printed.

Sent down for concurrence.

Bill "An Act relating to Registers of Deeds." (S. P. 32)

Which was referred to the Committee on Towns and Counties and ordered printed.

Sent down for concurrence.

Mr. Collins of Aroostook presented "Resolve in Favor of Caribou Armory Project." (S. P. 33)

Which was referred to the Committee on Appropriations and Financial Affairs and ordered printed.

Sent down for concurrence.

The same Senator presented "Resolve in Favor of the Cary Memorial Hospital in Caribou." (S. P. 34)

The same Senator presented "Resolve in Favor of the Cary Memorial Hospital in Caribou." (S. P. 35)

Which were referred to the Committee on Claims and ordered printed.

Sent down for concurrence.

Mr. Lessard of Androscoggin presented Bill "An Act relating to Embezzling by Certain Public Officers." (S. P. 36)

The same Senator presented Bill "An Act relating to Depositions in Probate Courts." (S. P. 37)

The same Senator presented Bill "An Act relating to Descent of Real Estate in Divorce Cases." (S. P. 38)

The same Senator presented Bill "An Act relating to jurisdiction in Equity in Probate Courts." (S. P. 39)

Which were severally referred to the Committee on Judiciary and ordered printed.

Sent down for concurrence.

Mr. Butler of Franklin presented Bill "An Act Accepting from Percival Proctor Baxter the Conveyance and Deed of Gift in Trust of Two Thousand (2000) Acres in Township Six (6), Range Nine (9) W.E.L.S., Piscataquis County, State of Maine." (S. P. 40)

The same Senator presented Bill "An Act Interpreting the Trust Deed of Percival Proctor Baxter to State of Maine January 12, 1954 (Piscataquis Registry Book 309, Page 86) and Interpreting the Phrases 'Natural Wild State' and 'Sanctuary for Wild Beasts and Birds' in Deeds from said Baxter to said State of Maine." (S. P. 41)

The same Senator presented Bill "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." (S. P. 42)

The same Senator presented Bill "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 14,005 Acres of Land and 5/6ths of the Public Lot in T. 6, R. 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 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." (S. P. 43)

On motion by Mr. Butler of Franklin, the several bills under suspension of the rules, without reference to a Committee, were read twice and passed to be engrossed.

Sent down for concurrence.

### Orders

On motion by Mr. Butler of Franklin, it was

ORDERED, the House concurring, in order that the records of the Gifts by Percival Proctor Baxter to the State of Maine as Trustee in Trust of seventy-six and eight-tenths (76.8) acres in township six (6) range eight (8) Penobscot County, fourteen thousand five (14,005) acres, one hundred thirty - six (136) acres, five - sixths (5/6) of the Public Lot and two thousand (2000) acres, all in township six (6) range nine (9) Piscataquis County, and eight thousand (8000) acres in township three (3) range nine (9), in Piscataquis County, Together with an Act amending certain restrictions in said above mentioned Deed of Gift of fourteen thousand five (14,005) acres and five-sixths (5/6) of the Public Lot, and also

Together with an Act interpreting the Trust conditions relating to the phrases "natural wild state" and "sanctuary for wild beasts and birds" as used in the several deeds of Baxter State Park, be complete and in enduring form, the Communication dated January 11, 1955, addressed by said Baxter to Honorable Edmund S. Muskie, Governor, and to the Honorable Senate and House of Representatives of the 97th Legislature, together with the Message of Governor Edmund S. Muskie transmitting the said documents to the said Legislature be printed in the Laws of Maine for 1955. (S. P. 24)

Sent down for concurrence.

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#### Orders of the Day

Mr. Collins of Aroostook was granted unanimous consent to address the Senate.

Mr. COLLINS: Mr. President and Members of the Senate, the matter

of the assignment of clerks for the various committees has been straightened out to some extent but I think we would be sure of the positions of the various clerks of the committees to which they are assigned if the Senate Chairmen of the various committees would meet with the Appropriations Committee at the Hearing Room on the first floor, for the purpose of straightening out the details.

I would suggest that at the close of this morning session, the Chairmen of the various committees meet down there so that we can get the details of the clerk assignments straightened out.

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On motion by Mr. Boucher of Androscoggin

Adjourned until tomorrow afternoon at one o'clock.