

Communications from Gov. Baxter

1931

1933

1939

1941

1943

1945

1947

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1955

1963

1965

1969

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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

1931

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Message Accompanying Deed to a Portion of Mount Katahdin

STATE OF MAINE

In Senate, March 4, 1931.

ORDERED, That, the House concurring, the Message of Percival P. Baxter to Governor Gardiner, the Senate and House of Representatives be printed in the Acts and Resolves for 1931, and that five hundred copies be printed for distribution to the members of the Legislature.

(In Senate Chamber  
Mar. 4, 1931,  
read and passed.)

(House of Representatives  
Read and passed in concurrence)  
March 4, 1931.

A true copy;  
Attest:

ROYDEN V. BROWN,  
Secretary of the Senate.

THE MESSAGE

March third, 1931.

To

Hon. William Tudor Gardiner, Governor,  
and the Senate and House of Representatives of the State of Maine:—

It long has been my ambition to have the State of Maine own Mt. Katahdin, for to my mind that mountain is the grandest and most beautiful of all the natural attractions of our State.

Beginning as a member of the House of Representatives, continuing through my service as Senator and Governor, and later as a private citizen I have consistently maintained my interest in this region and expect some day to see my ambition realized. It has been necessary to overcome many obstacles and some are yet to be surmounted, but time and patience aid a good cause and I am confident of the outcome.

Some time ago I acquired an undivided three-eighths ( $\frac{3}{8}$ ) interest in an area comprising sixteen (16) square miles in Township three (3), Range nine (9), Piscataquis County, within which lies Mt. Katahdin, having purchased the same from the Great Northern Paper Company, whose officials showed a fine public spirit in their willingness to aid me in carrying out my plans.

It was my hope by this time to have acquired the remaining undivided five-eighths ( $\frac{5}{8}$ ) of this area, but this has not yet been accomplished. I, however, shall continue my efforts to obtain the outstanding interest in order to give it to the State at some future date.

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THE BAXTER MESSAGE.

The problem that thus confronted me was whether at once to donate to the State my three-eighths ( $\frac{3}{8}$ ) interest, or wait until the remaining portion is acquired. Owing to the uncertainty of life, and being apprehensive lest something might happen to thwart my plans, I have decided to offer at this time to convey my interest in this mountain area as a gift to the State of Maine, and ask that it be accepted by Act of the Eighty-Fifth Legislature in accordance with the terms of the Act of Acceptance submitted herewith.

The only requests that I have to make in connection with this gift are that, in so far as can legally be done with an undivided interest, the donated area forever be used for public park and recreational purposes, forever be left in the natural wild state, forever be kept as a sanctuary for wild beasts and birds, that no roads or ways for motor vehicles shall hereafter be constructed thereon or therein, and that I be allowed to retain, during my lifetime, the right to determine, and to place whatever markers or inscriptions shall be maintained or erected on or within the donated area herein offered to the State.

In making this gift I desire to show to the people of my native State my appreciation of the honors they conferred upon me in the years gone by.

PERCIVAL PROCTOR BAXTER.



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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

1933

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*To the Honorable Senate and House of Representatives:*

I am pleased to submit herewith a communication from Ex-Governor Percival P. Baxter, distinguished citizen of Maine, with accompanying Act and Deed.

I suggest that prompt action be taken upon the Submitted Act, expressing definitely and conclusively our gratitude and appreciation.

It is the desire of Governor Baxter that the validity and public purpose of this very magnanimous gift be properly legalized, authenticated and recorded in the Laws of Maine.

No gift could be more generous, unselfish and disinterested.

This great public domain is for the enjoyment of our people for all time.

I desire to express to Governor Baxter the appreciation and thanks of the people of Maine.

Respectfully submitted,  
LOUIS J. BRANN,  
Governor.

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STATE OF MAINE

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In Senate, February 7, 1933.

ORDERED, the House concurring, that in order that the records of the Gift and Conveyance to the State of MOUNT KATAHDIN by PERCIVAL PROCTOR BAXTER shall be complete, the communication dated February 7, 1933, addressed by said BAXTER to the HONORABLE LOUIS J. BRANN, GOVERNOR, and to the SENATE AND HOUSE OF REPRESENTATIVES be printed in the Laws of Maine, 1933.

IN SENATE CHAMBER

Feb. 7, 1933

Read and Passed

Sent Down for Concurrence

ROYDEN V. BROWN,

*Secretary*

HOUSE OF REPRESENTATIVES

Read and Passed

In Concurrence

Feb. 8, 1933

HARVEY R. PEASE,

*Clerk*

## DEED OF GIFT TO THE STATE OF MAINE.

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Portland, Maine, February 2, 1933.

*To Honorable Louis J. Brann, Governor and the Senate and House of Representatives of the Eighty-Sixth Legislature of the State of Maine:*

On March 3, 1931 I conveyed by Deed of Gift to the State of Maine an undivided three-eighths ( $\frac{3}{8}$ ) interest in a tract of land located in Township three (3) Range nine (9) W. E. L. S. Piscataquis County (Mt. Katahdin) which, had the Township been divided according to the fractional interests then outstanding, would have amounted to an area of six (6) square miles and this gift and conveyance was accepted, subject to the conditions therein imposed, by Act of the Legislature approved by the Governor on March 4, 1931 (Private and Special Laws of 1931, Chapter 23).

Subsequent to the conveyance and to the passage of the Act above mentioned a division of the Township was effected under which the former undivided interests were consolidated into separate and distinct ownerships, and this enabled me to complete and enlarge my Gift to the State. On October 7, 1931 I thereupon completed the former Gift and at the same time conveyed to the State an additional area slightly in excess of three (3) square miles which additional area when added to that first conveyed gave the State full title and ownership to an area of nine (9) square miles in said Township. This second conveyance was accepted by the State on October 7, 1931 by Hon. Neil L. Violette, Forest Commissioner, approval being given thereto by Governor William T. Gardiner and the Executive Council and by Hon. Clement F. Robinson, Attorney General, all of them acting under authority conferred upon them by Sections fifteen (15) and sixteen (16) of Chapter eleven (11) of the Revised Statutes of 1930.

In order that the total area of nine (9) square miles or to be more exact about 5,960 acres, conveyed to the State by the two (2) Deeds above referred to shall finally be accepted by the Senate and House of Representatives directly representing the People of the State and shall be approved by the Governor, I have prepared and submit herewith an Act of the Legislature which I request your Honorable bodies to enact into law and your Excellency to approve. The description of the area and the conditions of the Gift are the same as in the two original conveyances. The passage of this Act makes the acceptance of the two Gifts above mentioned somewhat more formal and complete and it is this that I seek to accomplish.

Respectfully,

PERCIVAL PROCTOR BAXTER.

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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

1939

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STATE OF MAINE  
EXECUTIVE DEPARTMENT

Augusta

January 19, 1939.

*To the President of the Senate and the Speaker of the House of Representatives:*

I have the honor to transmit to the Eighty-ninth Legislature a communication addressed to me and to your honorable bodies, accompanied by an Act of acceptance of 12,000 acres to be added to the Baxter State Park, by the donor, Honorable Percival P. Baxter.

I respectfully call to your attention the fact that by the action of former Governor Baxter the State of Maine is acquiring a large area of wild forest land to forever be held in trust by the State for state park purposes. In addition to the 12,000 acres herein presented to the State, the State already has accepted 6,000 acres from the same donor. These areas are accepted under the terms of a definite, unbreakable trust, providing that it be forever held by the State as trustee for the benefit of the People of the State of Maine for state forest, public park and public recreational purposes.

A state trust of this character is a solemn obligation and I am confident that the word of the Sovereign State of Maine, once given, will never be broken. I am informed that in the near future 20,000 acres additional to the present gift will be presented to the State of Maine, making a total area for state park purposes of 38,000 acres.

This gift from a distinguished former Governor of Maine is a most commendable one because it will preserve for all time an extensive area of virgin wild land for all our people. The people of Maine should be deeply obligated to former Governor Baxter for his continued interest in the development of this great natural resource of the State and I am confident that present and future generations of Maine people will approve your action in accepting this memorable gift.

Respectfully submitted,

LEWIS O. BARROWS,  
Governor.

*To Honorable Lewis O. Barrows, Governor, and the Honorable Senate and House of Representatives of the Eighty-ninth Legislature:*

On the 2nd of February, 1933, I donated and conveyed to the State of Maine as Trustee in Trust an area of about 6,000 acres (Mt. Katahdin) in Township 3 Range 9 W. E. L. S. Piscataquis County and this gift was accepted by the eighty-sixth Legislative Private and Special Laws of Maine 1933 Chapter 3 approved by the Governor February 9, 1933, and the donated area later was named by the said Legislature "BAXTER STATE PARK."

On November 9, 1938, I donated and conveyed to the State as Trustee in Trust a second area of about 6,000 acres being the Northwest one-quarter of Township 5 Range 9 W. E. L. S. Piscataquis County north of Katahdin, and Honorable Waldo N. Seavey, State Forest Commissioner, accepted this gift in the name and in behalf of the State of Maine with the approval of Hon. Lewis O. Barrows, Governor, the Executive Councilors and Hon. Franz U. Burkett, Attorney General, all acting under the provisions of Chapter eleven Sections 15 and 16 Revised Statutes of 1930.

I now desire to donate and convey to the State in Trust a third area of about 6,000 acres being the Southeast one-quarter of said Township 5 Range 9 which if accepted by the State will give the State 18,000 acres of wild forest land to be forever held in Trust for State forest, public park and public recreational purposes.

In order that my gifts to the State all shall be accepted by the Senate and House of Representatives as the direct representatives of the People of Maine and that said acceptance shall be approved by the Governor, I have prepared an Act of Acceptance of the two conveyances of the land in Township 5 Range 9 that total 12,000 acres and I request your Excellency and your Honorable Bodies to approve and accept this gift and conveyance to the State as Trustee in Trust for the People of Maine.

It long has been my major public interest to acquire and donate to the State a large area of wild forest land to be forever held in Trust by the State for the benefit of the people of Maine. Including the land already conveyed to the State by me I have acquired a total of 38,000 acres all of which will be conveyed and donated to the State from time to time as I arrange my personal affairs. Moreover I now am negotiating for other areas of nearby wild forest land which will be added to the acreage already acquired for this Park if I succeed in securing them. Should I die before my plans are completed provision has been made that they be carried out strictly in accordance with my wishes as herein expressed.

In conveying these lands to the State of Maine a definite Trust is created and I have the utmost confidence that the word of this Sovereign State as given by the Chief Executive and by the representatives of the people never

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will be broken and that this State never will violate the Trust provisions in the Deeds it accepts from me. I have faith in the integrity of my fellow citizens and ask them to have faith in me. I now submit this Act of Acceptance to your Excellency and to your Honorable Bodies and ask for its passage and approval.

Respectfully,

(Signed) PERCIVAL P. BAXTER.

Order

On motion by Mr. Spear of Cumberland, it was

ORDERED, the House concurring, that in order that the Records of the Gift by PERCIVAL PROCTOR BAXTER to the STATE OF MAINE as Trustee in Trust of Twelve thousand (12,000) acres in Township five Range nine, Piscataquis County (BAXTER STATE PARK) be complete and in enduring form, the communication dated January 17, 1939 addressed by said Baxter to Honorable Lewis O. Barrows, Governor, and to the Honorable Senate and House of Representatives together with the message of Governor Barrows transmitting the said communication to the Legislature be printed in the Laws of Maine for 1939. (S. P. 103).

Sent down for concurrence.

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STATE OF MAINE  
EXECUTIVE CHAMBER

Augusta, Maine

January 4, 1939.

*To the Honorable Senate and House of Representatives:*

In compliance with the Constitution of the State I herewith communicate to the Legislature each case of reprieve, remission of penalty, commutation or pardon granted during the years, 1937 and 1938, stating the name of the convict, the crime of which he was convicted, the sentence and its date, the date of the reprieve, remission, commutation of sentence, and the condition, if any, upon which the same was granted.

LEWIS O. BARROWS,  
Governor.

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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

1941

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### ORDERS

Passed by the 90th Legislature That Affect State Agencies After Its Adjournment.

Orders that related only to expediting the business of the legislature and were carried out before the adjournment are omitted.

SMITH DUNNACK,  
Revisor of Statutes.

### STATE OF MAINE

In Senate, Jan. 1, 1941.

ORDERED, that the Senate rules be amended by adding thereto the following rule:

'A copy of each Senate order requiring action by any department, bureau, commission, board or agency of the state which is passed by both branches of the legislature shall be forwarded to such department, bureau, commission, board or agency by the secretary of the senate immediately after the adjournment for the legislative day in which the order was passed by the concurring branch of the legislature. Another copy of all such orders shall be sent to the Revisor of Statutes, and shall be published in the official volume of the public law.'

Jan. 8, 1941.

ORDERED, the House concurring, that in order that the Records of the Gift by **PERCIVAL PROCTOR BAXTER** to the State of Maine as Trustee in Trust of approximately twelve thousand (12,000) acres in Township four (4), Range nine (9) W. E. L. S. Piscataquis County (**BAXTER STATE PARK**) be complete and in enduring form, the communication dated January eighth, 1941, addressed by said Baxter to **HONORABLE SUMNER SEWALL**, Governor, and to the Honorable Senate and House of Representatives together with the message of Governor Sewall transmitting the said communication to the Legislature be printed in the Laws of Maine for 1941-42. (S. P. 35)

Finally passed Jan. 9, 1941.

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ORDERS

STATE OF MAINE  
EXECUTIVE DEPARTMENT  
Augusta

January 8, 1941.

The Honorable President of the Senate

The Honorable Speaker of the House of Representatives 90th Legislature

Dear Sir:

I am very happy to transmit herewith a letter along with accompanying act from the Honorable Percival P. Baxter of Portland in which he generously offers another substantial gift of land for park purposes.

Baxter State Park, including Mt. Katahdin, now comprises 23,000 acres. With the acceptance of this latest donation, if the 90th Legislature votes this action, the total area of the park will be 35,000 acres. Additional land already acquired and to be conveyed to the State at a later time will increase the size of this park to approximately 100,000 acres.

The thoughtfulness, vision and action through which Mr. Baxter has undertaken to make this vast acre forever available to us and to our children commands deep appreciation and gratitude. It will long be remembered by the people of Maine.

I recommend the acceptance of this gift.

Respectfully submitted,

(Signed) SUMNER SEWALL,  
Governor.

Portland, Maine, January 8, 1941.

To—

Honorable Sumner Sewall, Governor, and

Honorable Senate and House of Representatives of the Ninetieth Legislature—

In furtherance of my ambition to create an extensive State Park in the forest regions of Maine for the benefit of the People of Maine of today and tomorrow, I have acquired and still am acquiring, certain areas of wild forest land in the mountainous region of Katahdin.

From time to time I have deeded and conveyed to the State of Maine

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as Trustee in Trust, certain of these areas and I now desire to donate and convey to the State twelve thousand (12,000) acres more or less in township 4 range 9, Piscataquis County. This township is called Traveler Town for within its boundaries is located Traveler Mountain 4,000 feet in height, together with several other peaks of lesser altitude. Moreover in the heart of this township is located a complete set of camps available for tourists and mountain climbers. Probably there is no section of Maine where there is a larger population of moose and bear than in this Traveler Town; it is one of the wildest portions of our State. I am informed that in this township there are sections on the slopes of Traveler Mountain that never have been touched by the axe of Man.

This gift if accepted and added to the areas already conveyed gives the State approximately 35,000 acres of wild forest land including Mount Katahdin. Other land, 64,000 acres in extent, already acquired by me make a total area of 99,255 acres for this park and this later will be donated to the State. In case of my decease provision has been made to carry out my plan to complete this park project. In order that certain lines may be straightened out and certain gaps filled I am endeavoring to acquire still other land in this interesting region later to be added to the 99,255 acres herein referred to.

In offering to you this conveyance and deed of gift, I am confident that if you accept it in Trust for the People of Maine that the Trust therein created never will be violated by the People of the Sovereign State of Maine. Therefore, I now present to you an Act of Acceptance and request your Excellency and your Honorable Bodies to approve and accept this gift and conveyance to the State as Trustee in Trust for the People of Maine.

Respectfully,

(Signed) PERCIVAL PROCTOR BAXTER.

February 27, 1941.

ORDERED, the House concurring, that the State Highway Commission be and hereby is authorized and directed to expend not to exceed \$25,000 from the highway maintenance fund, Appropriation 9055, for matching federal funds for the construction of defense highways with the provision that the maintenance fund shall be reimbursed from the general highway fund, Appropriation 9010, within the present fiscal year. (S. P. 474)

Finally passed, Feb. 28, 1941.

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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

(from July 22, 1940 to May 1, 1943, except those printed  
in the 1941 Session Laws)

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COMMUNICATION

STATE OF MAINE  
EXECUTIVE DEPARTMENT

Augusta

July 23, 1940

To the President of the Senate and the Speaker of the House:

I herewith transmit a proposal from Honorable Percival P. Baxter, offering to donate further acreage of land for State Park purposes at Mt. Katahdin.

This communication is accompanied by a proposed Act accepting the gift of said land.

Respectfully submitted,

LEWIS O. BARROWS,  
Governor. (S. P. 772.)

Which was read and ordered placed on file.

## COMMUNICATION

To Honorable Lewis O. Barrows, Governor, and the Honorable Senate and House of Representatives of the Eighty-Ninth Legislature:

On the second day of February 1935 and on the seventh of January 1939, I donated and conveyed to the state of Maine as trustee in trust certain lands in townships three (3) and five (5), range nine (9), W. E. L. S. Piscataquis County (Mt. Katahdin) and these gifts were accepted by the eighty-sixth Legislature Private and Special Laws of Maine 1933 Chapter three (3) and by the eighty-ninth Legislature Private and Special Laws of Maine Chapter one (1) approved by the Governor February ninth, 1933 and January nineteenth 1939 respectively.

As I now desire to donate and convey to the state in trust an additional area of approximately four thousand one hundred seventy-four (4,174) acres being a portion of the southeast one-quarter ( $\frac{1}{4}$ ) of township three (3), range ten (10), to be held forever in trust for state forest, public park and public recreational purposes I have prepared an Act of Acceptance of the said land and request your Excellency and your Honorable Bodies to approve and accept this gift and conveyance to the state of Maine as trustee in trust for the people of Maine.

The land now offered to the State of Maine in township three (3), range ten (10) is located at the base of, and on the westerly slopes of Mt. Katahdin. On this area there has been erected a number of camps, Adirondack lean-tos, fire-places, lunch shelters and other structures for tourists and mountain climbers. This area of approximately four thousand one hundred seventy-four (4,174) acres is the most frequented section of the Katahdin region for the ascent of the mountain over the Hunt Trail starts therein at this camp site on Katahdin Stream and the Millinocket-Sourdnhunc road passes through this one-quarter ( $\frac{1}{4}$ ) of the township.

You will be interested to know that the land already donated to the state and the land already acquired by me to be donated to the state from time to time now totals approximately seventy-four thousand five hundred thirty-three (74,533) acres and I shall not consider my Katahdin project completed until at least one hundred thousand (100,000) acres have been acquired by me and donated to the state for public park, forest and recreational purposes.

In conveying these lands to the state of Maine a definite trust is created and I have the utmost confidence that the word of this sovereign state as given by the Chief Executive and by the chosen representatives of the

## GIFTS OF EX-GOVERNOR BAXTER

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people of Maine never will be broken and that this state never will violate the trust provisions under the deeds it accepts from me.

I now submit this Act of Acceptance to your Excellency and to your Honorable Bodies and ask for its passage and approval.

Respectfully,

PERCIVAL PROCTOR BAXTER.

July 22, 1940 (S. P. 773).

Which was read and ordered placed on file.

## Order

ORDERED, the House concurring, that in order that the Records of the Gift by PERCIVAL PROCTOR BAXTER to the STATE OF MAINE as Trustee in Trust of approximately four thousand one hundred seventy-four (4,174) acres in township three (3), range ten (10), W. E. L. S. Piscataquis county (BAXTER STATE PARK) be complete and in enduring form, the communication dated July twenty-second 1940, addressed by said Baxter to Honorable Lewis O. Barrows, Governor, and to the Honorable Senate and House of Representatives, together with the message of Governor Barrows transmitting the said communication to the Legislature be printed in the Laws of Maine for 1939-40. (S. P. 775)

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

## EXECUTIVE DEPARTMENT

Augusta

January 12, 1942.

The Honorable President of the Senate

The Honorable Speaker of the House of Representatives, 90th Legislature

Dear Sirs:

It gives me great pleasure to transmit herewith a letter from the Honorable Percival P. Baxter, of Portland, in which he again offers a substantial gift of land to be added to the Baxter State Park.

This Park, including Mount Katahdin, now comprises 35,000 acres. If

the 90th Legislature accepts this additional donation the total area of the Park will be 47,000 acres.

The continued generosity and devotion to his native state which has impelled former Governor Baxter to make such an incomparable gift to the people of Maine deserves and will receive their utmost appreciation.

I earnestly recommend the acceptance of this gift.

Respectfully submitted,

SUMNER SEWALL.

(S. P. 583)

Which was read and ordered placed on file.

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Portland, Maine,

January 12, 1942.

To the Honorable Sumner Sewall, Governor, and the Honorable Senate and House of Representatives of the Ninetieth Legislature:

You are familiar with my plan to establish a State Park in the forest areas of the Mount Katahdin region, and you and your predecessors from time to time graciously have accepted the gifts of land which I have offered to our State.

I now offer you another area of twelve thousand (12,000) acres the same being the easterly one-half ( $\frac{1}{2}$ ) of Township four (4) Range nine (9) W. E. L. S., Traveler Town. If you accept this gift the State will have received from me forty-seven thousand (47,000) acres. In addition to this I have acquired and now own sixty-five thousand nine hundred forty-five (65,945) acres which, when succeeding Legislatures are in Session will be donated to the State.

I wish you to understand my reason for making these gifts from time to time, rather than by deeding to the State at one Legislative Session all of my park land.

Some of you will recall that in 1931 shortly after my first gift to the State was completed, an attempt was made to take this land away from the State and transfer it to the National Government.

Naturally I was greatly disturbed by this proposal, and although I could



not believe that the State of Maine ever would break the sacred Trust it made with me, a Trust which provides that these lands forever shall be held by the State in Trust for Maine people, I immediately took steps to protect the State's interest.

After consulting with several of the leading judges and lawyers of our State a definite plan has been adopted under which I am to deed a considerable area to the State at each Legislative Session, each deed to be accepted in the form of a separate State law carefully worded into a binding and unbreakable Trust Deed. In this manner a long list of precedents is being established; precedents which, as time passes, will show that eight or ten different Governors and as many Legislatures, by laws duly passed and signed by these Governors, have entered into solemn pacts that create a succession of irrevocable trusts. These trusts, beginning with 1931, are printed in the Laws of Maine, and as each session enacts them they thus become public documents.

He would be a rash individual who in the years to come, even after I have passed away, would seek to take these lands from the State and would attempt to break these Trusts created not by one Governor or one Legislature but by several. While I live I can successfully oppose any such action; I seek to prevent it after I have gone.

From the above you will understand my plan. When you meet again in 1943 I shall be on hand with another deed, and so on year after year until the park is finally completed and accepted by the representatives of the people of Maine. It would be far easier for me to donate this land all at one time and I should prefer to do so. However, in order to safeguard this Park for the future, it seems wise to adhere to the plan I have outlined to you. In case of my decease all my remaining land under my will immediately becomes the property of the State of Maine.

At the present time I am negotiating for additional land to be added to the Park, for ultimately I want this Park to contain at least six (6) complete townships of approximately twenty-four thousand (24,000) acres each.

I now present to you an Act of Acceptance and request your Excellency and your Honorable Bodies to approve and accept this gift and conveyance to the State as Trustee in Trust for the people of Maine.

PERCIVAL PROCTOR BAXTER.

(S. P. 584)

Which was read and ordered placed on file.

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GIFTS OF EX-GOVERNOR BAXTER

Order

ORDERED, the House concurring, that in order that the Records of the Gift by PERCIVAL PROCTOR BAXTER to the State of Maine as Trustee in Trust of approximately twelve thousand (12,000) acres in Township four (4), Range nine (9) W. E. L. S. Piscataquis County (BAXTER STATE PARK) to be complete and in enduring form, the communication dated January twelfth, 1942, addressed by said Baxter to Honorable Sumner Sewall, Governor, and to the Honorable Senate and House of Representatives together with the message of Governor Sewall transmitting the said communication to the Legislature be printed in the Laws of Maine for 1941-1942. (S. P. 582)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.

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STATE OF MAINE

Executive Department

Augusta

SUMNER SEWALL

Governor

January 13, 1943.

The Honorable President of the Senate

The Honorable Speaker of the House  
Ninety-first Legislature

Dear Sirs:

It is my great pleasure to transmit herewith a letter from the Honorable Percival P. Baxter of Portland, in which he generously offers substantial gifts of land for public purposes.

Baxter State Park, including Mount Katahdin, now comprises 47,000 acres. If it is the pleasure of the Ninety-first Legislature to accept this present offer, the area of the Park will be brought to 59,000 acres.

Mr. Baxter's generosity in undertaking to set up and give to the State one of the most magnificent natural recreational areas in the nation for our benefit and that of our children should command the deepest appreciation and gratitude.

Included with this present gift of additional land to the Katahdin tract,

GIFTS OF EX-GOVERNOR BAXTER

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Mr. Baxter proposes to give to the State, Mackworth Island located in the town of Falmouth in Portland Harbor.

Looking forward to the time when there will be maintenance costs in connection with the various structures on this property Mr. Baxter advises that he plans the establishment of a trust fund, to which he now donates \$10,000 as the initial gift. During his lifetime he wishes to retain his use of this Island without expense to the State.

Mr. Baxter has lived many years on this Island and believes its dedication to appropriate public use will prove of real benefit to the people of Maine.

It is well that we view these matters with vision and imagination, for the future may show human needs of great urgency which are not clearly perceptible today.

I, therefore, commend this proposal to your very thoughtful consideration, and urge acceptance of these gifts as being in the public interest.

Respectfully submitted,

SUMNER SEWALL.

(S. P. 27)

January 13, 1943.

To the Honorable Sumner Sewall, Governor  
and the Honorable Senate and House of Representatives of the ninety-first Legislature of the State of Maine:

Governor Sumner Sewall and many of the members of this Legislature are familiar with my plans to donate to the State an extensive area of land in the Mount Katahdin region, the same to be held in Trust by the State for certain public purposes.

During the past thirteen years from time to time the State has accepted from me a total of forty-seven thousand (47,000) acres and I now offer you the gift of an additional area of twelve thousand (12,000) acres, which if accepted will give the State fifty-nine thousand (59,000) acres, all of which is located in Piscataquis County.

In order that those of you who were not members of the ninetieth Legislature may understand why these donations are made separately over a period of years instead of being transferred under a single deed, I refer you to a communication dated January 12, 1942, addressed by me to Governor Sewall and the ninetieth Legislature and published in the Legislative Record of the Special Session of that date, page 15 Senate Record and page

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## GIFTS OF EX-GOVERNOR BAXTER

33 House Record under date of January 13, 1942. By joint order of the Senate and House this communication was ordered published in the Laws of Maine and Mr. Smith Dunnack, the Revisor of Statutes, informs me it will be printed in the Laws of Maine for 1943.

It will be recalled that shortly after I made my first gift of Katahdin land to the State certain persons attempted to take this from the State and transfer it to the National Government. Those responsible for this proposed breach of Trust have since assured me that never again will they seek to break this Trust and that they are content to abide by the Trusts created by the several acts of the Maine Legislature. However, in the future other persons may make a similar attempt and this I seek to guard against.

My plan to create a long line of precedents whereby one Legislature after another accepts my gifts in Trust by laws duly passed and printed in the Laws of Maine for successive years, have been approved by several of the leading judges and lawyers of our State. Under this plan each gift becomes a sacred trust accepted by those who directly represent the people. Each Legislature to protect these Trusts in the years to come erects a barrier similar to the barrier erected by its predecessor, a barrier against a breach of Trust.

Before I finish my work at least ten Maine Legislatures and as many Maine Governors will have placed their seal of approval on my plans and thus they will have made these Trusts absolutely unbreakable. Certainly he is a bold and reckless person who, even after I have deceased, attempts to induce this State to violate the Trust provisions created under a long series of Deeds and Acts of Acceptance extending from 1931 almost until 1950.

I have acquired and now own fifty-four thousand (54,000) acres in addition to the fifty-nine thousand (59,000) acres above referred to, making a total of one hundred thirteen thousand (113,000) acres, and each year hereafter beginning with 1944 I shall continue to deed to the State of Maine certain portions of this fifty-four thousand (54,000) acres until it all has been so transferred. In case of my decease before my work is completed, whatever portion of this fifty-four thousand (54,000) acres has not been given to and accepted by the State will pass under my Will and thus become a part of what by State law is BAXTER STATE PARK.

This Park project has become my life work and before it is completed I hope to secure an additional thirty-one thousand (31,000) acres which will comprise six entire townships totaling one hundred forty-four thousand (144,000) acres. To do this requires time and patience for just at present the owners do not care to sell their lands. Even though I may not

## GIFTS OF EX-GOVERNOR BAXTER

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succeed in completing this in my life time, I have made provision in my Will so that in due time my plans will be carried through as I desire.

In the Act submitted herewith I have recited the several Deeds and conveyances made by me to the State in order that the record thereof may be clear and understandable to future generations of Maine people.

IT NOW IS MY DESIRE to make a second gift to the State of Maine and in the Deed and Act that accompanies this communication I have included MACKWORTH ISLAND, situated in the Town of Falmouth in Portland Harbor, Casco Bay, together with MACKWORTH or HALF-WAY ROCK southerly of said Island and also together with the Bridge to said Island, a right-of-way from the bridge to the State Highway, and certain Pole rights leading to said Island.

This Island means everything to me. For fifty-six (56) years I have spent the happiest days of my life there and I want the people of Maine to own and enjoy this Island in the years to come. This Island must never be exploited for private gain nor would I ever sell it for any price. My giving this Island to the State is not the result of any sudden impulse, because for twenty-nine (29) years there has been a provision in my Will that upon my decease it becomes the property of the people of Maine. In order, however, to make doubly sure that my wishes are carried out I now offer Mackworth Island as a gift to the State to be held forever in Trust by the State for State public purposes. A man does well to attend to these matters while living, rather than to leave them for others to do after he has gone.

Mackworth Island in many ways is unique. It was first settled by Arthur Mackworth, an Englishman, in 1631. This man lived there many years and became the leading citizen of the Casco Bay area. He often went to Boston to represent his fellow colonists in matters that came before the King's authorities in the Massachusetts Colonial government. According to ancient deeds the Island is "one hundred acres more or less" in extent. It lies at the mouth of the Presumpscot River on the westerly border of the Town of Falmouth and within less than one-half a mile from the easterly line of the City of Portland. For unknown centuries this Island was the home of the Indian and many unusual relics have been unearthed there. In the Museum here at the State Capitol is a collection of arrow heads and implements taken over a period of years from the Indian camp sites on the Island. Some time ago I donated this collection to the State and Mr. Joseph Wilson, curator in charge of the Museum, has made of it a most interesting display.

About one-quarter of the Island is well wooded with pine and spruce, one-quarter is pasture-land and the remainder is excellent land for such

crops as usually are found in southwestern Maine. I, myself, have planted in excess of 50,000 pine and spruce on this Island. There also is an orchard of about seventy-five fruit trees, apples, pears, cherries, plums and peaches. There are extensive clam flats on the northerly side and a good depth of water for boating on the southerly and easterly shores. Moreover the Island has several beaches suitable for bathing. The Island also has ample water supply from its own springs but these are not now in use because two large pipe lines bringing water from Sebago Lake cross the Island and carry water to the outlying Islands of Casco Bay now being fortified by the U. S. Army and Navy. These water lines are tapped on the Island for use there, and telephone and electric services also come to the Island over the bridge that connects it with the mainland. The buildings on the Island consist of a complete set of farm buildings, house, barn and other structures together with three residences, one brick and two wooden, all in good repair. This Island with the surrounding waters by State law is a wild life sanctuary and I have provided that it always shall so remain. A small colony of pheasants and one of partridges live there and occasionally one or two deer swim across the channel from the mainland and remain for a few days.

The uses to which this Island can be put by the State are numerous. In the deed I offer you it is provided that the Island always shall be used for State public purposes only. It is well adapted for recreational and educational purposes, for a hospital, for a home for sick or under-privileged children, for forestry, park or agricultural experimental purposes, or for any of the numerous activities of the State which require a large area in the country conveniently located near the advantages of a City. Its use for children would be especially pleasing to me. Certainly I ask that it never be used for penal or corrective institutions nor for any purpose connected with the enforcement of the laws of the State relating to criminals. The deed includes the bridge and right-of-way connecting it with State Highway No. 1, also certain pole rights and a rocky islet south of the Island.

As this Island is my home I wish to live there for some time to come and so have provided in the Deed of Gift and Act of Acceptance that the State may lease this to me for a period of fifteen (15) years with the right on my part to renew the same for a similar term. During the period of the lease, as Lessee I shall assume all expenses in connection with my occupation of the Island, including insurance and repairs on the buildings and bridge. It further is provided that in case at any time I no longer shall desire to occupy the Island I may terminate the lease. In such case and also upon my decease the lease terminates and the State then takes immediate possession.

It long has been my intention, subject to the vicissitudes of business, to

## GIFTS OF EX-GOVERNOR BAXTER

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establish a fund to be donated to the State, the same to be held in Trust by the State and to be used in the discretion of the Governor and Council for some State public purpose in connection with the State's ownership of this Island. In order now that a beginning be made in this direction I hereby offer to the State of Maine the sum of ten thousand (\$10,000) dollars and in the accompanying Act it is provided that this sum, together with such gifts as later may be added to, it by me, be accepted by said State as a Trust Fund as therein stated.

In offering you the gift of my Island I ask you to look beyond the present and into the future. Some may raise objections to its acceptance and may say "What will the State do with it". I am confident such a short-sighted view will not prevail.

As I look into the years ahead, I see great social changes coming. There is no stopping them, nor would I do so. Our State is destined to expand its activities far beyond what it now is doing. It will assume added responsibilities for the care of children, the sick, the crippled, the needy. New institutions will be established, new methods adopted for the care of the unfortunate and defective. The State is bound to play a far more important part than ever in the regulation and conduct of our lives and methods of living. Whether some persons approve or not, all of us will be profoundly affected. The good things of life are destined to be more widely distributed and we should prepare for the changes that are sure to come. My gifts though perhaps not now fully appreciated will, in the future, be regarded as valuable contributions to the public welfare. In this connection it is significant to recall certain incidents of the past.

Almost sixty years ago my late father James Phinney Baxter donated a public library building to the City of Portland. He was a pioneer in public giving. It is hard to believe, but certain persons of influence objected to the acceptance of the gift by the City. They openly opposed it. "What shall we do with it; it may cost the City something to maintain it" was the cry. Never for a moment, however, did my father regret having made the gift. He brushed aside this opposition and completed his task.

Again my father laid the plans for the construction of the Baxter Boulevard in Portland with which you all are familiar. Again those without vision opposed him and said "What shall we do with it". He drove ahead, however, and lived to see the project so far advanced that no one dared stop it. Today the Boulevard is the City's chief natural attraction.

In my own life I have had a similar experience. Twenty-six years ago when I first conceived the idea of a State Park at Katahdin there was determined opposition. I was attacked as a dreamer and branded as a socialist. Several of our newspapers came out against me, "We don't want a Park, leave things as they are; what shall we do with it", again was



GIFTS OF EX-GOVERNOR BAXTER

heard. Session after session I fought on and made speech after speech up and down the State. It was a long road to travel, but to-day the State Park is acknowledged to be one of the State's great natural attractions and the people of the future will appreciate it even more than do those of to-day.

In accepting the gifts I now offer there is no reason for anxiety as to what the State will do with the Island. In the ordinary course of events my life may continue for a number of years, and during the period of my occupancy of the Island under the lease, all expenses are assumed by me. Meanwhile I hope to increase the Trust Fund which is established under the Act and which is a part of the Gift.

As an example of what increases may mean, I remind you that my first gift of Katahdin land thirteen years ago was an area of but 6,000 acres. To-day, a total of 113,000 acres have been acquired by me for this project, with more to come.

I have a vision of what this Island is to be in the future. It will be a haven for those, young and old, who need refreshment in body and in spirit. From it will radiate kind and wholesome influences that will go far toward making Maine a better State in which to work and live.

In this communication I have gone into some detail so that all may understand my purpose. I desire to do something worth while for my native State and want the People of Maine to enjoy both the Park at Katahdin and my Island in Casco Bay. I ask you men and women who for the time being guard our destinies, to take the broad, long vision and accept that which I now offer to my fellow citizens.

Respectfully,

PERCIVAL PROCTOR BAXTER.

Order

ORDERED, the House concurring, that in order that the records of the gift by Percival Proctor Baxter to the State of Maine as Trustee in Trust of approximately twelve thousand (12,000) acres in township five (5) range nine (9) W. E. L. S. Piscataquis County (Baxter State Park), and the gift of Mackworth Island together with the ten thousand (\$10,000) dollars Trust Fund given for said Island, be complete and in enduring form, the communication dated January 13, 1943, addressed by the said Baxter to the Honorable Sumner Sewall and the Honorable Senate and House of Representatives of the Ninety-first Legislature, together with the message of Governor Sumner Sewall transmitting the said communication to this Legislature, be printed in the laws of Maine for 1943. (S. P. 30)

Came from the Senate, read and passed.

In the House, read and passed in concurrence.



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STATE PAPERS RELATING

to

Gifts of Ex-Governor Baxter

to

The State of Maine

(from May 2, 1943 to May 1, 1945)

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COMMUNICATION

STATE OF MAINE  
EXECUTIVE DEPARTMENT

Augusta

April 17, 1944

The Honorable President of the Senate  
The Honorable Speaker of the House  
Ninety-first Legislature.

Dear Sir:

It is my pleasure to transmit herewith a letter from the Honorable Percival P. Baxter of Portland, in which he offers a substantial gift of land to the State.

If it is the pleasure of the 91st Legislature to accept this gift of 24,682 acres of forest land, the area of the Baxter State Park will be brought to 84,000 acres.

I commend this offer to your thoughtful consideration and urge acceptance of this gift as being in the public interest.

Respectfully submitted,

SUMNER SEWALL,

Governor. (S. P. 503)

Which was read and ordered placed on file.

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## GIFTS OF EX-GOVERNOR BAXTER

## COMMUNICATION

April  
seventeenth  
1944

To the Honorable Sumner Sewall, Governor  
and the Honorable Senate and House of  
Representatives of the Ninety-first  
Legislature of the State of Maine—

Once again I come to you with the request that, if you deem it for the best interest of our State, you accept from me the gift of twenty-four thousand six hundred eighty-two (24,682) acres of forest land to be added to and become a part of Baxter State Park in the Mt. Katahdin region.

The area now offered the State is township five (5), range ten (10) W. E. L. S. Piscataquis County. This township contains twenty-four thousand seven hundred two (24,702) acres, of which an area of twenty (20) acres in the southwest quarter is owned by Charles A. Daisey. If you accept this gift the State will have received from me approximately eighty-four thousand (84,000) acres. When the Legislature meets in January, 1945, I plan to be present with a gift of additional land for the Park.

In the Deed accompanying this communication you will notice that the timber rights on this township are reserved until August 7th, 1965 to the corporation from which I purchased this land. Naturally I preferred to buy this area without such a reservation, but was unable to do so. The Eastern Corporation very properly wished to conserve its timber supply for its mill, and a buyer can only purchase what a seller is willing to part with. This Corporation, however, acted in a liberal and sympathetic manner in selling me this township. It sold to me only because it was willing to help me carry out my Park project. It would not have sold to any other party, and I deeply appreciate the action of its President and Board of Directors. Although this township doubtless will be cut over during the above mentioned period, in a few years thereafter it will completely reforest itself and will then be covered with a new growth of trees. Nature will heal all the wounds.

BAXTER STATE PARK will remain the property of the people of Maine as long as the State of Maine exists. It is a long range project and township five (5), range ten (10) forever will be a place of recreation for our people and a sanctuary and home for the creatures of the wild.

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I now present to you an Act of Acceptance and request your Excellency and your Honorable Bodies to approve and accept this Gift of Conveyance to the State of Maine as Trustee for the people of Maine.

Respectfully,

PERCIVAL PROCTOR BAXTER.

April 17, 1944 (S. P. 499)

Which was read and ordered placed on file.

**Order**

ORDERED, the House concurring, that in order that the records of the Gift by Percival Proctor Baxter to the State of Maine as Trustee in Trust of twenty-four thousand six hundred eighty-two (24,682) acres in township five (5), range ten (10), W. E. L. S. Piscataquis County (BAXTER STATE PARK) be complete and in enduring form, the communication dated April seventeenth, 1944, addressed by said Baxter to the Honorable SUMNER SEWALL, Governor, and to the Honorable Senate and House of Representatives of the Ninety-first Legislature, together with the message of Governor SUMNER SEWALL transmitting the said communication to this Legislature, be printed in the Laws of Maine for 1944-45. (S. P. 501)

Comes from the Senate read and passed.

In the House, read and passed in concurrence.

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**COMMUNICATION**

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA

January 10, 1945

The Honorable President of the Senate  
The Honorable Speaker of the House  
Ninety-second Legislature

Dear Sir:

I deem it a pleasure to transmit herewith a letter from the Honorable Percival P. Baxter of Portland in which he offers 35,554 acres of land in the Katahdin Baxter State Park area for public purposes.

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GIFTS OF EX-GOVERNOR BAXTER

This generous gift, if accepted by the 92nd Legislature, would increase the area of the Baxter State Park, which includes Mount Katahdin, to 116,288 acres. Mr. Baxter further advises me that eventually he hopes to make the total acreage 150,000.

Mr. Baxter's offer commands the deepest appreciation of every citizen of Maine, for he is making available to us and our children and the thousands of tourists who visit Maine each year one of the most magnificent natural recreational areas in the United States.

I solicit your most serious consideration and urge the acceptance of this gift as being in the public interest.

Respectfully submitted,

HORACE HILDRETH,  
Governor.

(S. P. 42) Jan. 10, 1945

Which was read and ordered  
placed on file.

In House, Read and Ordered  
Placed on File, in Concurrence.

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COMMUNICATION

January 4, 1945

The Honorable Horace A. Hildreth,  
Governor of Maine,  
Augusta, Maine.

Dear Governor:

Next Wednesday, the 10th, I am coming to the Legislature with a message addressed to you and the Legislature accompanied by An Act accepting 35,554 acres of land for the Katahdin Baxter State Park.

You are familiar with the procedure and if you will prepare whatever message you deem suitable transmitting to the Legislature the Act of Acceptance and recommending its acceptance I shall be grateful to you.

This makes the Park 116,288 acres. I hope later to increase this so that it will total 150,000. I think it best to give to the State whatever I have at the moment, to make sure that it is properly accepted.

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The terms of the gift are practically the same as in former years that it shall be kept forever as a State Park, as a wild life sanctuary, and in its natural wild state. If there is anything about this you would like to talk with me we can do it over the phone.

Every good wish for your administration,

PERCIVAL P. BAXTER

In Senate, Jan. 10, 1945  
Read and Placed on File.

In House, Jan. 10, 1945  
Read and Placed on File in Concurrence.

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COMMUNICATION

To the Honorable Horace A. Hildreth, Governor  
and the Honorable Senate and House of  
Representatives of the Ninety-second Legislature—

Once again I come to the Maine Legislature offering a gift of thirty-five thousand five hundred fifty-four (35,554) acres of land to be added to Baxter State Park in the Mount Katahdin region.

In addition to what I already have donated to the State this offer of thirty-five thousand five hundred fifty-four (35,554) acres brings the total area of the Park to one hundred sixteen thousand two hundred eighty-eight (116,288) acres, or practically five (5) Maine wild-land townships.

It is interesting to note that these gifts, not including the gift made today, have been accepted by eight separate Legislative Acts, today's being the ninth, as well as by two acceptances by the State Forest Commissioner with the approval of the Governor and Executive Council and the Attorney General all acting under the powers conferred upon them by the Revised Statutes of 1930, Chapter eleven (11) sections fifteen (15) and sixteen (16). For a list of these Acts you are referred to the Laws of Maine 1943, page 451 which recites the first six (6) Acts of Acceptance and the two (2) Acceptances by the Forest Commissioner. The seventh Act is Chapter one (1) Laws of 1943 and the eighth is Chapter ninety-one (91) Laws of 1943-44. This Acceptance, the ninth, no doubt will be Chapter one (1) Laws of 1945.

Some of the members of this ninety-second Legislature who have come here for the first time may not understand why it is deemed advisable to deed this land to the State in the several Acts referred to, instead of deeding it all at one time.

For your information on this point I quote from a message addressed by me to the Governor and Maine Legislature on January 13, 1943. This quotation is printed in the Laws of Maine for 1943, page 704, and reads as follows—

"It will be recalled that shortly after I made my first gift of Katahdin land to the State certain persons attempted to take this from the State and transfer it to the National Government. Those responsible for this proposed breach of trust have since assured me that never again will they seek to break this trust and that they are content to abide by the Trusts created by the several acts of the Maine Legislature. However, in the future other persons may make a similar attempt and this I seek to guard against.

"My plan to create a long line of precedents whereby one Legislature after another accepts my gifts in trust by laws duly passed and printed in the Laws of Maine for successive years, have been approved by several of the leading judges and lawyers of our State. Under this plan each gift becomes a sacred trust accepted by those who directly represent the people. Each Legislature to protect these trusts in the years to come erects a barrier similar to the barrier erected by its predecessor, a barrier against a breach of trust.

"Before I finish my work at least ten Maine Legislatures and as many Maine Governors will have placed their seal of approval on my plans and thus they will have made these trusts absolutely unbreakable. Certainly he is a bold and reckless person who, even after I have deceased, attempts to induce this State to violate the trust provisions created under a long series of Deeds and Acts of Acceptance extending from 1931 almost until 1950."

Now that nine separate Legislative Acts as well as two Forest Commissioners have accepted these gifts I feel that a barrier sufficiently strong against any breach of trust and against any encroachment by designing persons has been erected to protect this State Park for all time. This being so I am to-day donating to the State all the land I now own in the Katahdin area. These ten additional parcels together with the land already donated constitute one area, unbroken by land of intervening owners except for one outstanding undivided interest of six thousand seventeen (6,017) acres.

In the Deed to the State that accompanies this message you will notice that on one area of two thousand five hundred sixty (2,560) acres in township three (3) range nine (9) the former owner Harry F. Ross of Bangor, who sold to me, has the right to remove the timber up to the thirteenth (13th) day of February 1946, and not thereafter. In the same township, three (3) range nine (9), another former owner the Great Northern Paper Company may remove the timber from one thousand nine hundred twenty

## GIFTS OF EX-GOVERNOR BAXTER

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(1,920) acres until December 28, 1954, and on township four (4) range ten (10) the said Company also may remove the timber from six thousand one hundred eight (6,108) acres until December 28, 1969. In buying these lands I can take only what the sellers are willing to sell. In due time these rights will expire and then the State will be entirely free from these restrictions. I wish to state here that all the landowners from whom I have purchased have been broad-minded, helpful and public spirited. They have treated me with every consideration and have been fine and fair in all their dealings with me.

Eight thousand two hundred ninety-nine (8,299) acres in township three (3) range ten (10) now being deeded to the State is an undivided interest in a portion of this township which I own in common with others; this other interest, which I hope later to acquire, being six thousand seventeen (6,017) acres. Also I hope later to buy the balance of towns three (3) range nine (9) and four (4) range ten (10). These total twenty-five thousand three hundred seventeen (25,317) acres, which later I hope to donate to the State. The total area of the Park then would be one hundred forty-one thousand six hundred five (141,605) acres.

After the acceptance of the within gift the Park will consist of all of the three townships five (5) range nine (9), five (5) range ten (10) and four (4) range nine (9), one-half ( $\frac{1}{2}$ ) of four (4) range ten (10), all of three (3) range nine (9) except seven thousand six hundred eighty (7,680) acres and all of three (3) range ten (10) except the outstanding ownership in common of six thousand seventeen (6,017) acres.

Although I am now donating to the State all of my forest land the Park is not yet complete. I still am interested to enlarge it as soon as certain land owners can be persuaded to sell to me. Negotiations now are in progress with several of these owners and I am hopeful of the outcome for I am desirous of increasing the Park up to at least six Maine townships.

In my first gift of Park land to the State (Chapter 23 Private and Special Laws of Maine 1931) it is provided that "no roads or ways for motor vehicles ever shall be constructed therein or thereon". This 1931 deed gave the State the higher areas of Mount Katahdin and the slopes on all four sides. For those areas such a restriction no doubt is desirable. I now am convinced that a restriction against the construction or maintenance of roads for all vehicles, motor, horse-drawn and all other vehicles should be included in the present deed of gift and be made retroactive to include all former gifts made since that of 1931.

Bearing this in mind in the gift now being made to the State I am imposing as a strict binding condition and obligation that no roads or ways for motor, horse-drawn or other vehicles, other than the two roads



hereafter mentioned, ever be constructed, permitted or maintained within the Park areas now or HERETOFORE donated by me to the State within the six townships three (3), four (4) and five (5) range nine (9), and three (3), four (4) and five (5) range ten (10).

The Millinocket-Sourdnahunk road passes through townships three (3) and four (4) range ten (10) and gives access to Mount Katahdin on the west. The road leading from Togue Ponds in township two (2) range nine (9) into township three (3) range nine (9) and extending to its present terminus at Roaring Brook gives access to the east side of the Mountain. These two roads are necessary and desirable. Furthermore I provide that these two roads be maintained in about their present condition, with ample turn-outs for passing cars and with only a graveled surface. I want no hard surfaced roads in this Park my object being to have it remain as nearly as possible in its natural wild state unimproved by man.

The restriction herein imposed as to roads will require that the lumbering road now being constructed by the Eastern Corporation in township five (5) range ten (10) be abandoned and that in due time it be returned to its original wild forest state, after the said corporation shall have moved out of this township at the termination of its right to remove the timber therefrom, which right expires on August 7, 1965. I am confident the restrictions as above outlined will be respected by future generations.

In all the deeds from me to the State the phrases "natural wild state" and "as a sanctuary for wild beasts and birds" have been used. By these I do not intend that the Park forever shall be a region unvisited and neglected by man. I seek to provide against commercial exploitation, against hunting, trapping and killing, against lumbering, hotels, advertising, hot-dog stands, motor vehicles, horse-drawn vehicles and other vehicles, air-craft, and the trappings of unpleasant civilization. Nor is the Park to be kept exclusively for professional mountain climbers; it is for everybody.

I want pleasant foot-trails built and attractive camp-sites laid out in the valleys, by the brooks and on the shores of the waters. Sites where simple forest lean-tos and small log cabins are available for those who love nature and are willing to walk and make an effort to get close to nature. A suitable shelter also should be erected on the summit of Katahdin to give protection to those who climb the mountain and who may be caught in a storm or compelled to remain overnight.

With the protection of wild life the deer, the moose and the birds no longer will fear man and gradually they will come out of their forest retreats and show themselves. I want hunting with cameras to take the place of hunting with guns. Aircraft frighten wild life and disturb the peace and solitude of the wilderness. Would that the day may come when

GIFTS OF EX-GOVERNOR BAXTER

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all of Maine will become a sanctuary for the beasts and birds of the forest and field and when cruelty to the humbler orders of life no longer stalks the land.

Everything in connection with the Park must be left simple and natural and must remain as nearly as possible as it was when only the Indians and the animals roamed at will through these areas. I want it made available to persons of moderate means who with their boys and girls, with their packs of bedding and food, can tramp through the woods, cook a steak and make flapjacks by the lakes and brooks. Every section of this area is beautiful each in its own way. I do not want it locked up and made inaccessible; I want it used to the fullest extent but in the right unspoiled way.

When the Park was first begun I was not the owner of a single acre of land and to bring the Park to its present state has required more than twenty-five years of effort. It has been an interesting experience however and future generations no doubt will approve what has been done.

Human life is both short and uncertain. This being so I wish to have this Park completed during my lifetime, in so far as I am able. When the land is accepted by the State during my life time I know it is accepted properly and for all time. My executors thereby are spared the details of this work with which they would not be familiar.

After my decease funds will be provided for enlarging the Park and making it more usable and desirable. That can be done without my personal supervision once the foundation is securely laid. As I have said to Maine Legislatures before, this Park is my life work and I shall continue my interest in it for whatever time I am spared.

Respectfully,

PERCIVAL PROCTOR BAXTER.

Portland, Maine  
January 2, 1945.

(S. P. 43) Jan. 10, 1945  
In Senate, Placed on File.

In House, Jan. 10, 1945  
Read and Placed on File, in Concurrence.

Order

ORDERED, the House concurring, that in order that the Records of the Gift by PERCIVAL PROCTOR BAXTER to the State of Maine as Trus-

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GIFTS OF EX-GOVERNOR BAXTER

tee in Trust of thirty-five thousand five hundred fifty-four (35,554) acres in Townships three, Range nine, three Range ten and four Range ten W. E. L. S. Piscataquis County (BAXTER STATE PARK) be complete and in enduring form, the communication dated January ninth, 1945, addressed by said Baxter to Honorable Horace A. Hildreth, Governor, and to the Honorable Senate and House of Representatives of the 92nd Legislature together with the message of Governor Hildreth transmitting the said communication to the Legislature be printed in the Laws of Maine for 1945.

(S. P. 45)

January 10, 1945

Comes from the Senate read and passed.

January 10, 1945

In the House, read and passed in concurrence.

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STATE PAPERS RELATING

to

Gifts of Ex-Governor Baxter

to

The State of Maine

(from May 1, 1945 to May 12, 1947)

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COMMUNICATION

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
Augusta

January 8, 1947

The Honorable President of the Senate  
The Honorable Speaker of the House  
Ninety-third Legislature

Dear Sirs:

I deem it a pleasure to transmit herewith a letter from the Honorable Percival P. Baxter of Portland in which he offers an additional 10,740 acres of land in the Katahdin Baxter State Park area for public purposes.

This generous gift, if accepted by the 93rd Legislature, would increase the area of the Baxter State Park, which includes Mount Katahdin, to 127,028 acres.

Mr. Baxter's offer commands the deepest appreciation of every citizen of Maine, for he is making available to us and our children and the thousands of tourists who visit Maine each year one of the most magnificent natural recreational areas in the United States.

I solicit your most serious consideration and urge the acceptance of this gift, under the same terms and conditions as the previous ones, as being in the public interest.

Respectfully submitted,

HORACE HILDRETH,  
Governor.

(S. P. 23)

In Senate Chamber  
Jan. 8, 1947  
Rec'd and Placed on File  
Sent Down for Concurrence  
CHESTER T. WINSLOW, Sec.

House of Representatives  
Jan. 8, 1947  
Read and Placed on File  
In Concurrence  
HARVEY R. PEASE, Clerk

## COMMUNICATION

To the Honorable Horace A. Hildreth, Governor  
and the Honorable Senate and House of  
Representatives of the Ninety-third Legislature—

Beginning in 1931 I have come to several Maine Legislatures offering gifts of land to the State of Maine in Trust, and I now come to you to offer another gift, this one of ten thousand seven hundred forty (10,740) acres, the same to be added to BAXTER STATE PARK in the MOUNT KATAHDIN region.

Up to the present time I have donated to the State one hundred sixteen thousand two hundred eighty-eight (116,288) acres and the additional acreage which I now bring to you will increase the total area of the Park to one hundred twenty-seven thousand twenty-eight (127,028) acres, or approximately five and one-half ( $5\frac{1}{2}$ ) Maine Wild Land townships.

In order that there may be a complete and accurate record of my Gifts to the State over the years, I am including in the Act of Acceptance a list of the Gifts in detail so that in the years to come this will be available to those who may be interested to have the record spread before them. Those of the members of this Ninety-third Legislature who have served in previous Legislatures, no doubt are familiar with the procedure adopted in connection with these Gifts.

The land that is now being donated to the State is my most recent purchase. When you accept this Gift I then shall have donated to the State all the land in the Katahdin area that I have acquired since I began my project in 1917. This one hundred twenty-seven thousand twenty-eight (127,028) acres is a continuous unbroken area except for the fact that in the south-western corner there is still outstanding an undivided ownership of six thousand seventeen (6,017) acres which I have not yet acquired and which is not included in the total of one hundred twenty-seven thousand twenty-eight (127,028) acres.

I am still interested to enlarge the area of the Park and shall do so from time to time as additional purchases are made.

The conditions placed in the Act of Acceptance are the same as those in former Deeds of Gift. It now is just thirty (30) years since in 1917 I

GIFTS OF EX-GOVERNOR BAXTER

1245

first conceived the project of donating to the State of Maine a large area of land for Public Park and Recreational purposes. I shall be pleased if you will accept this Gift in the spirit in which it is offered.

Respectfully,

PERCIVAL P. BAXTER.

Portland, Maine  
January 8, 1947.

(S. P. 24)

In Senate Chamber  
January 8, 1947  
Rec'd and Placed on File  
Sent Down for Concurrence  
CHESTER T. WINSLOW, Sec.

House of Representatives  
January 8, 1947  
Read and Placed on File  
In Concurrence  
HARVEY R. PEASE, Clerk

January 8, 1947

ORDER

ORDERED, the House concurring, that in order that the records of the Gift by Percival Proctor Baxter to the State of Maine as Trustee in Trust of ten thousand seven hundred forty (10,740) acres in township four (4) range ten (10), W. E. L. S. Piscataquis County (BAXTER STATE PARK) be complete and in enduring form, the communication dated January eighth, 1947, addressed by said Baxter to the Honorable HORACE A. HILDRETH, Governor, and to the Honorable Senate and House of Representatives of the Ninety-third Legislature, together with the message of Governor HORACE A. HILDRETH transmitting the said communication to this Legislature, be printed in the Laws of Maine for 1947.

SP 26

In Senate Chamber  
Jan. 8, 1947  
Read and Passed  
Sent Down for Concurrence  
CHESTER T. WINSLOW, Sec.

House of Representatives  
Read and Passed  
January 8, 1947  
In Concurrence  
HARVEY R. PEASE, Clerk

Cleaves  
Cumberland

(17)

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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)

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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.

1368

GIFTS OF EX-GOVERNOR BAXTER

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

GIFTS OF EX-GOVERNOR BAXTER

1369

(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 Matagamon 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,

1370

## GIFTS OF EX-GOVERNOR BAXTER

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.

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STATE PAPERS RELATING

to

Gifts of Ex-Governor Baxter

to

The State of Maine

(from May 1, 1949 to May 1, 1953)

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COMMUNICATION  
STATE OF MAINE  
OFFICE OF THE GOVERNOR  
Augusta

March 4, 1953

To the Honorable Senate and House of  
Representatives of the 96th Legislature:

Herewith I hand you for your consideration a communication addressed to the Governor, the Senate and House of Representatives by Honorable Percival Proctor Baxter relative to a gift for the development of Mackworth Island, Bridge and Rock, as a School for the Deaf, and or, a Children's Honor Home and School.

We all appreciate the generous offer from our former Governor, and recognize his fine public spirit. We shall give our best thought to his suggestions and hope that the State will be able to benefit from this, his most recent benefaction.

BURTON M. CROSS,  
Governor

(H. P. 1149)

HOUSE OF REPRESENTATIVES

Read and placed on  
file with accompanying papers  
March 4, 1953  
Sent up for concurrence  
HARVEY R. PEASE, Clerk

IN SENATE CHAMBER

Read and Placed on File  
March 5, 1953  
In concurrence  
CHESTER T. WINSLOW, Sec.

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COMMUNICATION

Portland, Maine  
March 4, 1953

To the Honorable Burton M. Cross, Governor  
and the Honorable Senate and House of Representatives  
of the Ninety-sixth Legislature of the State of Maine—

In 1943 (Chapter 1 of the Private and Special Laws of Maine) the State accepted from me the GIFT IN TRUST of Mackworth Island, the Bridge to the same and Mackworth Rock all in the Town of Falmouth forever

1004

GIFTS OF EX-GOVERNOR BAXTER

to be held in Trust for the People of Maine. Under the terms of this Trust the State has full authority to use the Island, Bridge and Rock in any way it may choose provided the use is for "STATE PUBLIC PURPOSES."

In the Deed of Trust this property was leased to me for my use as long as I desired provided I assumed all expenses incident to its care and operation. At that time I also donated to the State of Maine the sum of ten thousand (\$10,000.00) dollars as a TRUST FUND for Island, Bridge and Rock purposes.

From 1943 to 1949 during the Summer months I lived on the Island and maintained it and the Bridge without expense to the State. In 1949, however, I moved from the Island and thereafter the State assumed full ownership and responsibility.

In an OFFICIAL COMMUNICATION addressed to the Legislature (pages 703 to 708 of the said Laws of 1943) this property is described and I suggested that it be used as "a home for sick and underprivileged children" and further stated that "ITS USE FOR CHILDREN WOULD BE ESPECIALLY PLEASING TO ME." This is merely a suggestion and imposes no obligation upon the State other than the "State Public Purposes" provision as specified in the Deed of Trust. Ten years have passed and now I am desirous of having my Gift put to a useful purpose during my lifetime.

I now offer the State the sum of six hundred twenty-five thousand (\$625,000.00) dollars in two items: five hundred thousand (\$500,000.00) dollars to be expended toward the construction of a new school for the Deaf or toward the construction of a new Home and School for the wards of the State as hereafter described, and one hundred twenty-five thousand (\$125,000.00) dollars for the construction of a new bridge to the same. The Bridge Engineer of the Highway Department has given me the latter figure as his estimate of the cost of a suitable Bridge.

My suggestion is that you first construct a new Maine School for the Deaf on the Island, and that later you erect thereon a Home and School for such of the State's younger wards as it may be desirable to take from some of the private homes throughout the State where they now are boarding at an expense to the State of about five hundred (\$500.00) dollars per year per child. My thought as to a second institution is that in the boarding homes referred to no doubt there are certain younger children of exceptional promise whose removal to a special institution might give them a better chance to develop into useful citizens. It well may be

that in time both institutions referred to can be established on the Island; the new School for the Deaf and what may be called an Honor Home and School for one hundred or two hundred of the State's selected children. There is ample room for these two institutions. It is for you to decide on which one of them you will expend this five hundred thousand (\$500,000.00) dollars Gift.

It is well for the offer of this Gift to contain some limitation of time for its acceptance and my offer will hold during the present Legislative Session. If accepted by Legislative Act I pledge to place this six hundred twenty-five thousand (\$625,000.00) dollars in the hands of the Governor as soon as he gives his approval to the plans and orders construction begun.

This offer will be considered as withdrawn if the construction of one or the other of the suggested institutions and of the Bridge be not begun by January 1, 1955. Provision will be made so that my Gift obligation will be honored in case of my decease.

I request that this communication be published in full in the Laws of Maine 1953 as a permanent record for the guidance of future generations.

Respectfully,

PERCIVAL PROCTOR BAXTER

HOUSE OF REPRESENTATIVES

Read and Placed on File

March 4, 1953

Sent up for concurrence

HARVEY R. PEASE

Clerk

IN SENATE CHAMBER

Read and Placed on File

March 5, 1953

In Concurrence

CHESTER T. WINSLOW

Secretary

ORDER

In Senate, March 4, 1953

ORDERED, the House concurring, that in order that the Record of the offer of a Gift by Honorable Percival Proctor Baxter to the State of Maine of six hundred twenty-five thousand (\$625,000.00) dollars, the same to be used toward the construction of a State institution on Mackworth Island and for a Bridge thereto in the Town of Falmouth be complete and in enduring form, the

COMMUNICATION dated March 4, 1953 addressed by said Baxter to Honorable Burton M. Cross, Governor, and to the Honorable Senate

and House of Representatives of the Ninety-sixth Legislature, together with the MESSAGE of Governor Cross transmitting the said Communication to this Legislature be printed in the Laws of Maine for 1953.

(S. P. 474)

IN SENATE CHAMBER

Read and Passed

March 5, 1953

Sent down for concurrence

CHESTER T. WINSLOW

Secretary

HOUSE OF REPRESENTATIVES

Read and Passed

March 10, 1953

In concurrence

HARVEY R. PEASE

Clerk

Haskell  
Penobscot



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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine  
(from May 1, 1953 to May 6, 1955)

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COMMUNICATION  
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 to your serious consideration as being in the public interest.

Respectfully yours,

(Signed) EDMUND S. MUSKIE,

Governor

(S. P. 26)

IN SENATE CHAMBER  
Read and placed on file  
January 12, 1955  
Sent down for concurrence

HOUSE OF REPRESENTATIVES  
Read and placed on file  
January 12, 1955  
In concurrence

CHESTER T. WINSLOW, Secretary

HARVEY R. PEASE, Clerk

COMMUNICATION

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 the State 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

1144

COMMUNICATION

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 woodsman'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.

## COMMUNICATION

1145

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

S. P. 27

Respectfully

(Signed) PERCIVAL PROCTOR BAXTER

IN SENATE CHAMBER

HOUSE OF REPRESENTATIVES

Read and placed on file

Read and placed on file

January 12, 1955

January 12, 1955

Sent down for concurrence

In concurrence

CHESTER T. WINSLOW, Secretary

HARVEY R. PEASE, Clerk

## ORDER

January 11, 1955

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 (5/6ths) 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 (5/6ths) 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)

Butler, Franklin

IN SENATE CHAMBER

HOUSE OF REPRESENTATIVES

January 12, 1955

Read and passed

Read and passed

January 18, 1955

Sent down for concurrence

In concurrence

CHESTER T. WINSLOW, Secretary

HARVEY R. PEASE, Clerk

## COMMUNICATION

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

March 23, 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 3,569 acres of land in the Baxter State Park for public purposes.

1146

COMMUNICATION

Mr. Baxter has, again, thoughtfully imposed no hunting restrictions within this latest gift.

I am especially happy that Mr. Baxter has pointed out that this new grant will be available for scientific forestry management experiments. Mr. Baxter believes, as I do, that our historic forest wealth can best be conserved by thorough study of intelligent cutting practices and reforestation.

I submit Mr. Baxter's generous offer and the accompanying legislation to your serious consideration as being in the public interest.

Respectfully yours,

(Signed) EDMUND S. MUSKIE,  
Governor

HOUSE OF REPRESENTATIVES

Read and placed on file

March 23, 1955

In concurrence

HARVEY R. PEASE, Clerk

IN SENATE CHAMBER

Read and placed on file

March 23, 1955

Sent down for concurrence

CHESTER T. WINSLOW, Secretary

S. P. 504

COMMUNICATION

March seventeenth

1955

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

Since my communication of January 11th last in which I offered to donate to the State certain forest lands in Piscataquis and Penobscot Counties, which you graciously accepted, I have acquired additional acreage and now offer you 3,569 acres in township six (6) range nine (9) Piscataquis County. This gift if you accept it will complete the State's ownership of this township and Baxter State Park will contain slightly in excess of seven (7) entire wild land townships or 168,350 acres. This has been accomplished over the period of thirty years since I left the Governorship.

I now wish to testify to the fine public spirit of the corporations, trustees and other land owners centered in Bangor who have entered into the spirit of my project and by the sale of their lands have made possible this Park.

In offering this gift I provide that the land forever shall be held by the State IN TRUST for State Forest, Public Park and Public Recreational Purposes and shall be named BAXTER STATE PARK. I do not, however, provide that hunting be prohibited as in several of my former gifts, because I find that many citizens who live in northern Maine depend for their livelihood largely upon the business that hunters bring to them. This 3,569 area will be available both for recreation and for scientific forestry management and can be made to produce a continuing crop of timber to be harvested and sold as are potatoes or any other product of the soil.

COMMUNICATION

1147

It long has been my purpose to create in our forests a large area wherein the State may practice the most modern methods of forest control, reforestation and production under the management of our able Forest Commissioner Mr. Nutting and his associates. This new 3,569 acres is an excellent location for this purpose.

In my travels in foreign lands I have seen beautiful great forests that for centuries have been producing a crop of wood without depletion. In Sweden, Norway, Finland, Germany, Chile, Russia and elsewhere what has been done by scientifically controlled forestry can be done in Maine. I now make it possible for the State to try a major experiment here at home, an experiment that can mean much for our future timber supply, which all admit is the chief natural resource of our State.

In the lobby between the Senate Chamber and the Hall of Representatives I have placed a colored map showing Baxter Park in three colors. These three colored areas comprise the entire Park. Fishing is allowed throughout the Park but in the red portion hunting is prohibited. In the blue and orange areas hunting is allowed. The new orange area of 3,569 acres is where I suggest that scientific forestry be practiced by the State.

When you inspect this map it will be difficult for you to visualize how this has been accomplished, how my numerous purchases have been brought together into one solid area. I myself can hardly realize it. A map showing the different acquisitions both small and large over the years would remind you of your grandmother's patchwork quilt, which finally in some mysterious way came out of the confusion into one large piece.

The Park now is complete except for one additional township which I would like to acquire in order to square the lines. It is doubtful if this can be purchased.

With your acceptance of this gift of 3,569 acres I feel that my life work in creating this Park has been brought to a happy conclusion.

The creation of this Park has been an enlightening experience. The generous approval given my efforts by the present Governor and by the Ninety-seventh Legislature as well as by former Governors and Legislatures has touched my heart.

To close I give you a few words of my own that express the spirit of this Park project.

MAN IS BORN TO DIE  
HIS WORKS ARE SHORT-LIVED  
BUILDINGS CRUMBLE, MONUMENTS DECAY, WEALTH VANISHES  
BUT KATAHDIN IN ALL ITS GLORY  
FOREVER SHALL REMAIN THE MOUNTAIN OF THE  
PEOPLE OF MAINE.

Respectfully

(Signed) PERCIVAL PROCTOR BAXTER

1148

## COMMUNICATION

## ORDER

March 22, 1955

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 three thousand five hundred sixty-nine (3,569) acres in township six (6) range nine (9) Piscataquis County, State of Maine, be complete and in enduring form the Communication dated March 17th, 1955, addressed by said Baxter to Honorable Edmund S. Muskie, Governor, and to the Honorable Senate and House of Representatives of the Ninety-seventh Legislature, together with the Message of Governor Edmund S. Muskie transmitting the said Communication to this Legislature be printed in the Laws of Maine for 1955.

(S. P. 495)

Butler, Franklin

IN SENATE CHAMBER

March 22, 1955

Read and passed

Sent down for concurrence

CHESTER T. WINSLOW, Secretary

HOUSE OF REPRESENTATIVES

Read and passed

March 22, 1955

In concurrence

HARVEY R. PEASE, Clerk

## COMMUNICATION

STATE OF MAINE

OFFICE OF THE GOVERNOR

AUGUSTA

May 6, 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 25,025 acres of land in the Baxter State Park for public purposes.

Mr. Baxter, has, again, thoughtfully imposed no hunting restrictions within this latest gift.

Mr. Baxter, continuing the far-sighted policy proposed in his March 23rd gift, is desirous that this new grant be devoted to scientific forestry research. He points out that action today in conserving our forests will be all important to the generations who follow us. I heartily support this wise course.

I submit Mr. Baxter's generous offer and the accompanying legislation to your serious consideration as being in the public interest.

Respectfully yours,

(Signed) EDMUND S. MUSKIE

(S. P. 576)

IN SENATE CHAMBER

Read and placed on file

May 6, 1955

Sent down for concurrence

CHESTER T. WINSLOW, Secretary

HOUSE OF REPRESENTATIVES

Read and placed on file

May 6, 1955

In concurrence

HARVEY R. PEASE, Clerk

COMMUNICATION

1149

COMMUNICATION

Portland, Maine  
May second  
1955

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

It is with some hesitation that I come to you a third time during the present Legislative Session to offer an additional gift of forest land to be added to Baxter State Park. Notwithstanding this I ask your patience and your friendly consideration.

A few weeks ago you graciously accepted my gifts of fifteen thousand twenty (15,020) acres and of three thousand five hundred sixty-nine (3,569) acres in township six (6) range nine (9) Piscataquis County. Little did I realize that in a few short weeks another township, township six (6) range ten (10), would become my property. This is now offered to you. It contains twenty-five thousand twenty-five (25,025) acres and its acquisition by the State will increase the Park to one hundred ninety-three thousand two hundred fifty-four (193,254) acres, or three hundred and two (302) square miles the same being eight (8) entire townships and a portion of a ninth township on the shore of Matagamom Lake.

The terms of this gift are identical with those of the three thousand five hundred sixty-nine (3,569) acre gift; Public Park, Public Forest, Public Recreational and Scientific Forestry Purposes and Reforestation. I want this township to become a show place for those interested in forestry, a place where a continuing timber crop can be cultivated, harvested and sold; where reforestation and scientific cutting will be employed; an example and an inspiration to others. What is done in our forests today will help or harm the generations who follow us.

This township six (6) range ten (10) is what is termed by woodsmen "good growing land", an area with an abundance of wild life, especially moose. Fishing and hunting will be allowed under the general Fish and Game Laws of the State.

As the curtain falls on this Legislative Session and its books are being closed I leave with you a message which I am sure expresses your sentiments as well as mine.

WE ALL LOVE THE STATE OF MAINE  
HER FAIR LAND AND FINE PEOPLE  
HER MOUNTAINS AND FORESTS  
WITH THE BEASTS AND BIRDS THEREIN  
HER RUGGED SHORES AND CLEAR WATERS.  
GOD HAS CONFERRED UPON US THESE BLESSINGS  
FOR WHICH WE EVER SHOULD BE THANKFUL.

Respectfully

s/ PERCIVAL PROCTOR BAXTER

IN SENATE CHAMBER

Read and placed on file

May 6, 1955

Sent down for concurrence

CHESTER T. WINSLOW, Secretary

HOUSE OF REPRESENTATIVES

Read and placed on file

May 6, 1955

In concurrence

HARVEY R. PEASE, Clerk



1150

COMMUNICATION

ORDER

May 6, 1955

ORDERED, the House concurring, in order that the records of the Gift by Percival Proctor Baxter to the State of Maine as Trustee in Trust of twenty-five thousand twenty-five (25,025) acres in township six (6) range ten (10) Piscataquis County W.E.L.S. State of Maine, be complete and in enduring form, the Communication dated May second, 1955, addressed by said Baxter to Honorable Edmund S. Muskie, Governor, and to the Honorable Senate and House of Representatives of the Ninety-seventh Legislature, together with the Message of Governor Edmund S. Muskie transmitting the said Communication to this Legislature be printed in the Laws of Maine for 1955.  
(S. P. 577)

IN SENATE CHAMBER

May 6, 1955

Read and passed

Sent down for concurrence

HOUSE OF REPRESENTATIVES

Read and passed

May 6, 1955

In concurrence

CHESTER T. WINSLOW, Secretary

HARVEY R. PEASE, Clerk

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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

1963

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GIFTS OF EX-GOVERNOR BAXTER

1473

COMMUNICATION

Portland, Maine  
January 3, 1963

To —

Honorable John H. Reed, Governor  
and the  
Honorable Senators and Representatives  
of the 101st Legislature of the State of Maine.

Without doubt you are familiar with what has been done in the creation of Baxter State Park in the Katahdin region.

Beginning with my communication of March 3, 1931 addressed to Honorable William T. Gardiner, Governor, the State has accepted from me by Legislative Acts gifts totaling 193,254 acres of forest land, forever to be held in TRUST for Public Park, Public Recreational and for Public Forestry purposes the same forever to be kept in its Natural Wild State.

These areas from year to year have been conveyed by me to the State and have been accepted in legal form by the several Governors and Legislatures in office during the period from 1931 to 1961.

A recent gift of 7,764 acres, the Legislature not being in Session, has been accepted by the Governor and Executive Council acting under the provisions of the Statutes. I now request you to confirm the acceptance of this latest gift of 7,764 acres of August 6, 1962 so that all my gifts of forest land to the people of Maine will have been accepted by the duly elected Governors and Legislatures of our State over this 31-year period. The acceptance of this gift will add to this Park 7,764 acres of forest land and will complete the record of my 31 years' (1931 - 1962) gifts of 201,018 acres made to and accepted by the people of the State of Maine.

In order to complete the record, I request that this communication of January 3, 1963, together with the accompanying Act and Deed, be published in the Laws of Maine 1963.

It is interesting to note that in my formal letter to Governor Gardiner in 1931, when my first gift was about 6,000 acres, I said "I expect some day to see my ambition realized." (Laws of Maine 1931). This brings to an end an interesting incident in Maine history.

Respectfully,

(Signed) PERCIVAL PROCTOR BAXTER

S. P. 259

IN SENATE CHAMBER

Read and placed on file  
January 29, 1963  
Sent down for concurrence

CHESTER T. WINSLOW, Secretary

HOUSE OF REPRESENTATIVES

Read and placed on file  
January 30, 1963  
In concurrence

HARVEY R. PEASE, Clerk

1474

GIFTS OF EX-GOVERNOR BAXTER

COMMUNICATION

STATE OF MAINE  
OFFICE OF THE GOVERNOR  
AUGUSTA

January 23, 1963

The Honorable President of the Senate  
The Honorable Speaker of the House  
Honorable Members of the One Hundred and First Legislature

Gentlemen:

It is with great personal gratitude on behalf of myself and the citizens of the State of Maine, that I transmit to you herewith, a communication from the Honorable Percival P. Baxter, former Governor of the State of Maine, received by me on January 22, 1963. This communication is self-explanatory and sets forth the desire of the Honorable Percival P. Baxter to obtain concurring Legislative action in the acceptance of a gift of 7,764 acres of forest land to the State of Maine.

On September 5, 1962, consistent with the authority vested in me by the provisions of the Revised Statutes, Chapter 11, Section 16, the Governor and Executive Council accepted on behalf of the State of Maine, a gift of this tract of land, to be added to previous gifts of forest land which now comprise the Baxter State Park.

An Act will be proposed for your consideration and concurrence in acceptance of this gift, in keeping with Mr. Baxter's request. I submit Mr. Baxter's generous offer with the observation that favorable consideration of the accompanying legislation is in the public interest and respectfully recommend your earliest favorable action.

This act of great generosity on the part of Mr. Baxter is further exemplification of the donor's continued interest in the preservation of the natural resources of our State for posterity.

Respectfully yours,

(Signed) JOHN H. REED,

S. P. 258

Governor

IN SENATE CHAMBER

HOUSE OF REPRESENTATIVES

Read and placed on file  
January 29, 1963

Read and placed on file  
January 30, 1963

Sent down for concurrence

In concurrence

CHESTER T. WINSLOW, Secretary

HARVEY R. PEASE, Clerk

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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

1965

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STATE PAPERS

1181

Portland, Maine  
March 1, 1965

His Excellency John H. Reed  
Governor of Maine  
State House  
Augusta, Maine

Dear Governor Reed:

Without doubt you are familiar with what has been done in the creation of Baxter State Park in the Katahdin region.

Beginning with my communication of March 3, 1931 addressed to Honorable William T. Gardiner, Governor, the State has accepted from me by Legislative Acts gifts totaling 201,018 acres of forest land, forever to be held in TRUST for Public Park, Public Recreational and for Public Forestry purposes the same forever to be kept in its Natural Wild State. These areas from year to year have been conveyed by me to the State and have been accepted in legal form by the several Governors and Legislatures in office during the period from 1930 to 1963.

You are also familiar with my wish to share with the State in part the cost of caring for, protecting and operating said area of land in accordance with the conditions in the several acts of the Legislature accepting said gifts as recorded in the Laws of Maine 1930-1963.

To in part carry out my desire to share with the State in part the cost of caring for, protecting and operating said area of land in accordance with the conditions in the several acts of the Legislature accepting said gifts as recorded in the Laws of Maine 1930-1963, I offered to the State and the State accepted from me a gift of one thousand (1000) shares of the capital stock of Proprietors of Portland Pier, a Maine corporation, the assets of which consisted of municipal bonds, corporation shares and cash to the value of \$488,942.64 as of December 31, 1960. For reference to this gift, see Laws of Maine (1961), Chapter 21, page 766.

It is my desire to make a further gift to the State of Maine to be added to Baxter State Park Trust Fund as created by Laws of Maine (1961), Chapter 21, and administered in accordance with the terms and provisions of said Baxter State Park Trust Fund; and to that end I now offer as an additional gift to the State of Maine one thousand (1000) shares of the capital stock of Congress Realty Company of which I am the sole owner, and being all the outstanding shares of stock of said corporation, all taxes paid, free from all claims and encumbrances, and said Congress Realty Company is the owner of municipal bonds, corporation shares and cash to the value of \$1,106,213.42.

I have caused to be prepared a legislative act with an emergency preamble, which I enclose, and have requested my friend and attorney, John E. Willey, to present this letter with enclosure to you in my behalf.

With kind personal regards, I remain as ever

Most sincerely yours,

(Signed) PERCIVAL P. BAXTER

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State Papers Relating  
to  
Gifts of Ex-Governor Baxter  
to  
The State of Maine

1969

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MEMORIALS, JOINT RESOLUTIONS

2125

STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND  
SIXTY-NINE  
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JOINT RESOLUTION TO HONOR THE MEMORY OF HIS EXCELLENCY  
PERCIVAL P. BAXTER, FORMER GOVERNOR OF THE STATE OF MAINE

Whereas, Thursday, June 12, 1969 marks the passing of former Governor Percival P. Baxter, one of the State of Maine's greatest benefactors; and

Whereas, man is born to die, his works are short lived, buildings crumble, monuments decay, wealth vanishes, but Katahdin in all its glory forever remains the mountain of the people of Maine; and

Whereas, his diligent and patient efforts have provided the people of succeeding generations a living example of what life in Maine was "in the good old days" before the song of the woodsman's axe, and the whine of the power saw was heard in the land; and

Whereas, his generous gifts completing Baxter State Park, which contains in excess of 77,000 acres of land, have been accomplished over a period of 30 years since he left the Governorship; and

Whereas, his departing message as the curtain falls on this Legislative session and his life's work, express his love for the State of Maine, her fair land and fine people, her mountains and forests with the beasts and birds therein, her rugged shores and clear waters, all blessings that God has conferred upon us for which we should be thankful; now, therefore, be it

Resolved: That the Members of the Senate and House of Representatives of the One Hundred and Fourth Legislature assembled, inscribe this token of our enduring affection and esteem for his memory and acknowledge the word of this State given by Act passed by the Legislature and signed by the Governor is as sacred a pledge and trust of his gifts as man can make, and as time passes the People of Maine will more deeply appreciate this Park and the wisdom of the state never to break these trusts; and be it further

Resolved: That the conscience and soul of Maine further attest to the fine public spirit of his life and benefaction by inscribing this Resolution in the 1969 Laws of Maine.

HOUSE OF REPRESENTATIVES

IN SENATE CHAMBER

Read and Adopted  
June 16, 1969  
Sent Up for Concurrence  
Ordered Sent Forthwith  
BERTHA W. JOHNSON, Clerk

Read and Adopted  
In Concurrence  
June 16, 1969

JERROLD B. SPEERS, Secretary

(H.P. 1266)