

MAINE STATE LEGISLATURE

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SEVENTY-NINTH LEGISLATURE

HOUSE

NO. 114

House of Representatives, February 7, 1919.

Reported by Mr. Macomber from Committee on Indian Affairs and ordered printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Brewster of Dexter.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND NINETEEN

AN ACT relating to damage by flowage of public lands and highways on the islands in Penobscot river within the limits of the Indian reservation of the Penobscot Tribe of Indians.

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

Section 1. The Governor and Council are hereby empowered and authorized to settle any and all damages resulting directly or indirectly to the public lands and highways within the limits of the Indian Reservation of the Penobscot Tribe of Indians by reason of the flowage of said lands and highways caused by the dam built across Penobscot river from the city of Old Town to the town of Milford and the one built at Gilman Falls across said river in said city of

9 Old Town and now owned and maintained by the Bangor
10 Power Company located at Bangor in the county of Pen-
11 nobscot; and the Governor and Council are hereby empow-
12 ered and authorized to maintain an action of trespass in
13 the name of the State of Maine against said Bangor Power
14 Company for all damage caused by said flowage, in any
15 court proper to try the same; provided compensation for
16 said damage has previous to the commencement of the ac-
17 tion been demanded by the agent of said tribe of Indians
18 of the treasurer of said corporation, and payment has been
19 neglected or refused for the term of thirty days.

Sect. 2. Bangor Power Company may purchase flowage
2 rights of the State of Maine.

The Governor and Council are hereby authorized upon
2 payment of a sufficient and adequate compensation by said
3 Bangor Power Company to grant and convey by deed to
4 said corporation the right of flowage of said lands, which
5 said grant shall run with the land or lands.

Sect. 3. All sums received or recovered from said Bangor
2 Power Company for said damage shall be paid into the
3 state treasury, to be expended for the benefit of the Tribe,
4 under the direction of the Governor and Council.