

MAINE STATE LEGISLATURE

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NEW DRAFT.

Seventieth Legislature.

HOUSE.

No. 362

STATE OF MAINE.

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

AN ACT to Regulate Membership and Rights of Membership
in the Penobscot Tribe of Indians.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. Membership in the Penobscot tribe of Indians
2 shall hereafter be acquired as follows:

I.—By birth.

II.—By adoption into the tribe as determined by its
5 tribal committee, in accordance with the provisions of chap-
6 ter one hundred and twenty-six of the Public Laws of this
7 state enacted in the year of our Lord one thousand, eight
8 hundred and ninety-five, and acts additional thereto or
9 amendatory thereof.

III.—By marriage to a male member of said tribe; but
11 membership by marriage can be acquired only by such per-
12 sons as are in whole or in part of Indian blood, and it shall
13 not include the previous issue of the person acquiring it.

Sect. 2. A certificate of marriage signed by the person
2 solemnizing the same, or an attested copy of the record
3 thereof, shall be sufficient evidence of such marriage.

Sect. 3. On the first Wednesday of January annually, the
2 names of all persons entitled to membership under section
3 one of this act shall be reported by the tribal committee to
4 the person authorized by law to take the census of said tribe,
5 and shall thereupon be placed on the census roll.

Sect. 4. If any member of said tribe shall abandon it and
2 join another tribe of Indians, he shall be deemed to have
3 lost his membership in the Penobscot tribe, and shall not
4 be entitled to any share of dividends, rentals or other money
5 thereafter apportioned among the members of said tribe,
6 nor to any other subsequent rights of membership.

Sect. 5. If any member of said tribe shall hereafter reside
2 for a period of five successive years without the limits of the
3 tribal reservation, he shall not be entitled to receive any
4 share accruing after the expiration of said period of the
5 dividends, rentals or other moneys to be divided among
6 said tribe; but any such shares accruing within said period
7 shall be paid to him or his legal representatives if applied
8 for within one year after the expiration of said five years,
9 unless the same have been used by the agent under the pro-
10 visions of section eight of this act. All such shares not so
11 used or applied for within said time shall be added to the
12 general distributive fund of said tribe for apportionment by
13 the agent.

Sect. 6. When any member loses his membership under
2 section four of this act, or his right to share in dividends,

3 rentals or other moneys under section five thereof, no mem-
4 ber of his family to whom the provisions of said sections do
5 not personally apply shall be deemed to have lost such mem-
6 bership or right.

Sect. 7. Any person now a member of said tribe as
2 shown by the tribal census taken under the laws of this state,
3 who shall forfeit any rights of membership, may regain said
4 rights by residing for one continuous year upon the tribal
5 reservation; but such renewal of rights shall not entitle such
6 person to any share of the dividends, rentals or moneys
7 which previously thereto have come into the hands of the
8 agent, nor have any other retrospective effect.

Sect. 8. If any member of said tribe shall desert his
2 family, or fail to provide properly for said family's support,
3 the agent may in his discretion use for the benefit of such
4 family any part or all of said member's dividends or share
5 of rentals or any money assigned to him from state funds
6 or coming to him in any way by apportionment or distribu-
7 tion through the hands of said agent.

Sect. 9. Chapter three hundred and one of the resolves
2 of the legislature of this state passed in the year of our Lord
3 one thousand, eight hundred and seventy-four, is hereby
4 repealed; and any other laws or parts of laws inconsistent
5 with the provisions of this act shall be superseded in their
6 application to the Penobscot tribe of Indians by this act.

Sect. 10. For the exercise and enjoyment of rights of
2 membership acquired under paragraphs two and three of
3 section one, this act shall take effect on the first day of Jan-
4 uary, in the year of our Lord one thousand nine hundred
5 and two; but for all other purposes, including the acquisition
6 and loss of membership and rights of membership, it shall
7 take effect when approved.

STATE OF MAINE.

IN HOUSE OF REPRESENTATIVES,

AUGUSTA, March 8, 1901.

Reported by Mr. HINKLEY of Jonesport, from Committee on Indian
Affairs, and ordered printed under joint rules.

W. S. COTTON, *Clerk.*