

# MAINE STATE LEGISLATURE

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# SEVENTY-SECOND LEGISLATURE

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HOUSE.

No. 488

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## STATE OF MAINE.

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

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AN ACT additional to chapter thirteen of the Revised Statutes,  
relating to the Penobscot tribe of Indians.

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

Section 1. Any person residing or commorant upon the  
2 tribal reservation of the Penobscot tribe of Indians, not being  
3 a member nor the husband, wife, or legally adopted child of  
4 a member of said tribe, may be required to remove therefrom  
5 by a written notice given to him in hand under the signature  
6 of the governor (or in his absence, the lieutenant governor)  
7 and of the agent of said tribe. A copy of such notice attested  
8 by said agent, with a return of service thereon by any officer  
9 qualified to serve criminal precepts, or an affidavit of service  
10 by any other person, shall be filed with said agent and be  
11 sufficient evidence of such service. If the person so notified  
12 shall not remove from said reservation within two days after

13 service of said notice upon him, the agent or any member of  
14 the tribe may make complaint to the judge of the Old Town  
15 municipal court, who shall cause a certified copy of said com-  
16 plaint with a notice of the time and place of hearing thereon  
17 to be given in hand to said person or left at his place of last  
18 and usual abode at least two days before the time fixed for  
19 said hearing, or may cause said person to be at once appre-  
20 hended and brought before said court. After due hearing,  
21 said judge may, if he is satisfied that such removal is  
22 approved by the majority of the adult members of said tribe  
23 or is for any cause proper to be enforced, order the  
24 respondent to remove within a specified time beyond the  
25 tribal reservation limits. If the respondent fails to obey  
26 said order, or if within one year after the service of said  
27 notice he shall again become resident or commorant upon  
28 any reservation of said tribe without the consent of said  
29 agent and said governor or lieutenant governor, said judge  
30 may cause such person to be apprehended and brought  
31 before said court, and may punish him by fine of not more  
32 than twenty dollars or by imprisonment for not exceeding  
33 thirty days, or by both fine and imprisonment. The costs of  
34 all court proceedings under this section may be included in  
35 the order or sentence of said judge; and if the respondent  
36 fails to pay the same, he may be committed to jail for not  
37 exceeding thirty days additional to any imprisonment other-  
38 wise imposed upon him; and in such case, or if the judge  
39 does not include said costs in his order or sentence, such costs  
40 shall be paid by said agent from the tribal fund. Costs  
41 shall be taxed as in ordinary proceedings upon complaint.

Sect. 2. For all relief to any person not a member of the  
2 Penobscot tribe of Indians nor having a pauper settlement  
3 in this State, found destitute and in distress upon any tribal  
4 reservation of said tribe, which has been furnished by the

5 agent of said tribe or by the overseers of the poor of the town  
6 within whose territorial limits such person is so found, the  
7 State shall reimburse said agent or said town to such extent  
8 as the governor and council adjudge to have been necessary-  
9 ily expended therefor. The reasonable expenses and ser-  
10 vices of said overseers relative to said pauper shall be  
11 included in the amount to be so reimbursed.

Sect. 3. When any member of said tribe is found desti-  
2 tute and in distress beyond the tribal reservation and is  
3 relieved by the town in this State where he is so found, the  
4 overseers of the poor of said town may send to the agent a  
5 statement specifying the nature, dates and amounts of the  
6 supplies furnished, which shall be transmitted to the gover-  
7 nor and council with such additional statements of fact as  
8 said agent may think proper; and the State shall reimburse  
9 said town for the relief so furnished, to such extent as the  
10 governor and council adjudge to have been necessarily  
11 expended therefor.

Sect. 4. All money appropriated for schools for the  
2 Penobscot tribe of Indians shall be expended under the  
3 supervision of the agent of said tribe, subject to the approval  
4 of the governor and council, who shall employ the teachers  
5 and fix their salaries, limited by such appropriation. The  
6 schools upon island number one, commonly called Indian  
7 Old Town island, shall be under the care and supervision of  
8 the superintendent of schools of the city of Old Town; and  
9 those within the territorial limits of any other town, under  
10 the care and supervision of the superintending school com-  
11 mittee of such town. Said superintendent or school com-  
12 mittee shall visit such schools at least three times during  
13 each school term; regulate the grades and courses of study;  
14 assist the teachers and scholars by counsel; determine when  
15 any scholar of said tribe may properly be admitted or trans-

16 ferred to the public schools of said city or town; and make  
17 report to the agent once each year, noting therein such  
18 facts and information as may seem of importance in the inter-  
19 est of education among said tribe or as may be required by  
20 the governor and council. The agent shall pay said super-  
21 intendent or school committee from said school appropriation  
22 a reasonable compensation for services.

Sect. 5. This act shall take effect when approved.

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STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,  
Augusta, March 10, 1905.

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

E. M. THOMPSON, *Clerk*.