

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SIXTH LEGISLATURE

HOUSE

NO. 428

House of Representatives, March 6, 1913.

*Reported by Mr. Smith from Committee on Judiciary, and
ordered printed under joint rules.*

W. R. ROIX, Clerk.

STATE OF MAINE

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

AN ACT granting the Penobscot Tribe of Indians the right
to establish and maintain a ferry between Indian Island, so
called, and the City of Old Town.

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

Section 1. The Penobscot tribe of Indians is hereby au-
2 thorized to establish and maintain a ferry across the Penob-
3 scot river at Old Town, to and fro between the city of Old
4 Town and Indian Island, so called, with the right to keep
5 and maintain suitable boats to be propelled by oars, for the
6 prompt and safe conveyance of passengers, baggage and
7 freight, and to make use of the long established landing in
8 upper Main street, Old Town, called the "Town Landing"

9 or "Indian Landing," and the established ferry landing on
10 Indian Island, for landing purposes.

Sect. 2. The following rates of toll are hereby established
2 for passengers: for each passenger a resident upon Indian
3 Island and each member of said Penobscot tribe of Indians
4 wherever resident, the sum of two cents; for all other pas-
5 sengers, five cents each; the rate of toll fo reach article of
6 freight or baggage shall be established by the said tribe at
7 their annual meeting held on the first Monday in April of
8 each year by a majority vote of the members of the tribe
9 attending such meeting.

Sect. 3. Said ferry shall be operated each day, when ice
2 and weather permits, from five-thirty o'clock in the fore-
3 noon until nine o'clock in the afternoon on Tuesday, Wednes-
4 day, Thursday, Friday and Sunday; and from five-thirty
5 o'clock in the forenoon until ten-thirty o'clock in the after-
6 noon on Monday and Saturday.

Sect. 4. The ferryman shall in case of emergency be re-
2 quired to transport passengers at other times than the hours
3 named in the preceding section and for such transportation
4 he shall charge the regular rates.

Sect. 5. The members of the said tribe shall at their an-
2 nual meeting held on the first Monday in April of each year,
3 elect by majority vote a suitable ferryman who shall be in
4 charge of said ferry during the following year, such elec-
5 tion being however subject to the approval of the agent of
6 the tribe.

Sect. 6. There shall be kept by the agent of said tribe a
2 **record book on which** shall be entered each day the receipts
3 from the operation of the ferry and the disbursements. The
4 ferryman shall each day turn over to the agent of the tribe
5 all monies received by him, and from such monies the agent
6 shall pay the ferryman one-half of the total gross receipts
7 which shall be said ferryman's compensation for operating
8 the ferry.

Sect. 7. The agent of said tribe shall have supervision of
2 all matters pertaining to boats, equipment and apparatus
3 used in operating said ferry and shall see to it that suitable
4 boats, equipment and apparatus are used in the operation
5 of said ferry. In event any ferryman is grossly negligent
6 or careless in the discharge and performance of his duties
7 as ferryman, or neglects or refuses to discharge and per-
8 form his duties as ferryman, the governor and the agent
9 of the tribe may summarily remove such ferryman, and in
10 case of such removal the governor shall call a special meet-
11 ing of the members of said tribe for the election of his suc-
12 cessor who, however, shall hold office only until the first
13 Monday of the April following. In event of the death or
14 resignation of any ferryman, the governor shall also call a
15 special meeting of the members of said tribe for the elec-
16 tion of his successor who shall hold office, however, only
17 until the first Monday of the April following.

Sect. 8. The net receipts from operating said ferry, after
2 paying the ferryman for his services as provided in section

3 six of this act and paying any other expense incurred for
4 repairs, boats and equipment needed in the operation of
5 said ferry, shall be used for the repair and construction of
6 roads, walks and bridges on the reservation occupied by the
7 aforesaid tribe and other municipal purposes of said tribe,
8 to be paid out at the discretion of the agent of said tribe.

Sect. 9. Any person who keeps a ferry contrary to the
2 provisions of this act, between the east shore of Marsh Is-
3 land in Old Town and Indian Island in the Penobscot river
4 at Old Town or who furnishes for hire a boat or other craft
5 for such purpose forfeits four dollars for each day such
6 ferry is kept and also for each time of transportation, to
7 be recovered by the agent of the tribe for the use of the tribe
8 in an action on the case.

Sect. 10. At any time within thirty days after this act
2 takes effect, the members of said tribe at a special meeting
3 called by the governor of said tribe may elect by a majority
4 vote a suitable ferryman, subject to the approval of the
5 agent of said tribe, to serve until the annual meeting of said
6 tribe on the first Monday in April, nineteen hundred and
7 fourteen, and also at such special meeting may establish the
8 rate of toll for each article of freight or baggage, such rate
9 to be in force until said first Monday in April, nineteen hun-
10 dred and fourteen.

Sect. 11. This act shall take effect on the first day of Sep-
2 tember, nineteen hundred and thirteen.