

MAINE STATE LEGISLATURE

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EIGHTY - SEVENTH LEGISLATURE

Legislative Document

No. 281

H. P. 828

House of Representatives, Jan. 31, 1935.

Referred to Committee on Indian Affairs and 500 copies ordered printed.
Sent up for concurrence.

HARVEY R. PEASE, Clerk.

Presented by Mr. Clarke of Cooper.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-FIVE

AN ACT Relating to the Indian Island Ferry.

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

Sec. 1. P. & S. L., 1913, c. 132, § 2, additional. Section 2 of chapter 132 of the private and special laws of 1913, as amended by chapter 32 of the private and special laws of 1917, is hereby further amended to read as follows:

'Sec. 2. Toll rates regulated. The following rates of toll are hereby established for passengers: for each passenger a resident upon Indian Island and each member of said Penobscot tribe of Indians wherever resident, the sum of 2 cents; for all other passengers, 5 cents each; the rate of toll for each article of freight or baggage shall be established by the said tribe at their annual meeting held on the 1st Monday in March of each year by a majority vote of the members of the tribe attending such meeting. **The ferryman shall issue tickets to each passenger and shall be accountable to the tribal treasurer for the price of each ticket.'**

Sec. 2. P. & S. L., 1913, c. 132, § 6, amended. Section 6 of chapter 132 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 6. Record book. There shall be kept by the ~~agent~~ treasurer of said tribe a record book on which shall be entered each day the receipts from the operation of the ferry and the disbursements. The ferryman shall each day turn over to the ~~agent~~ treasurer of the tribe all moneys received by him, and from such moneys the ~~agent~~ treasurer shall pay to the ferryman $\frac{1}{2}$ of the total gross receipts which shall be said ferryman's compensation for operating the ferry.'

Sec. 3. P. & S. L., 1913, c. 132, § 7, amended. Section 7 of chapter 132 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 7. Supervision. The ~~agent~~ governor of said tribe shall have supervision of all matters pertaining to boats, equipment and apparatus used in operating said ferry and shall see to it that suitable boats, equipment and apparatus are used in the operation of said ferry. In event any ferryman is grossly negligent or careless in the discharge and performance of his duties as ferryman, or neglects or refuses to discharge and perform his duties as ferryman, the governor ~~and the agent~~ of the tribe may summarily remove such ferryman, and in case of such removal the governor of said tribe shall call a special meeting of the members of said tribe for the election of his successor, who, however, shall hold office only until the 1st Monday of the March following. In event of the death or resignation of any ferryman, the governor of said tribe shall also call a special meeting of the members of said tribe for the election of his successor who shall hold office, however, only until the 1st Monday of the March following.'

Sec. 4. P. & S. L., 1913, c. 132, § 8, amended. Section 8 of chapter 132 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 8. Receipts, how disposed of. The net receipts from operating said ferry, after paying the ferryman for his services as provided in section 6 of this act and paying any other expense incurred for repairs, boats and equipment needed in the operation of said ferry, shall be used for the repair and construction of roads, walks and bridges on the reservation occupied by the aforesaid tribe and other municipal purposes of said tribe, to be paid out ~~at the discretion of the agent of said tribe.~~ in the manner voted upon by the majority of the tribe at their annual meeting.'

Sec. 5. P. & S. L., 1913, c. 132, § 9, amended. Section 9 of chapter 132 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 9. Penalty. Any person who keeps a ferry contrary to the provisions of this act, between the east shore of Marsh Island in Old Town and Indian Island in the Penobscot river at Old Town or who furnishes for hire a boat or other craft for such purpose forfeits \$4 for each day such ferry is kept and also for each time of transportation, to be recovered by the ~~agent~~ **governor** of the tribe for the use of the tribe in an action on the case.'

Sec. 6. P. & S. L., 1913, c. 132, § 10, amended. Section 10 of chapter 132 of the private and special laws of 1913 is hereby amended to read as follows:

'Sec. 10. Election of ferryman. At any time within 30 days after this act takes effect, the members of said tribe at a special meeting called by the governor of said tribe may elect by a majority vote a suitable ferryman, ~~subject to the approval of the agent of said tribe~~, to serve until the annual meeting of said tribe on the 1st Monday in March, 1936, and also at such special meeting may establish the rate of toll for each article of freight or baggage, such rate to be in force until said 1st Monday in March, 1936.'