

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTEENTH LEGISLATURE,

AT ITS SESSION, HELD IN JANUARY, 1835.

Published agreeably to the Resolve of June 28, 1820.

AUGUSTA:

WILLIAM J. CONDON.....PRINTER TO THE STATE.

1835.

troy the same; and also carefully to preserve all affidavits received by him as aforesaid.

[Approved by the Governor, March 6, 1835.]

Chapter 157.

AN ADDITIONAL ACT regulating the Inspection of Beef and Pork.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That no pork nor beef imported into this State in barrels, half barrels or other casks, which shall not have been inspected by an Inspector or his Deputies of this or some one of the United States and which has not the name of the Inspector by whom, the City, Town and State where, and the year when the same was inspected, and the quality and quantity of beef or pork contained therein, plainly branded thereon, shall be shipped, sold, or offered for sale in this State, upon a penalty of ten dollars, for every such barrel, half barrel, or other cask of beef or pork thus shipped, sold or offered for sale, to be recovered in an action of debt within six months thereafter, against the person offending, in any Court of competent jurisdiction by any person who shall sue for the same.

Imported beef & pork not to be sold until inspected by Inspector of this or some other State.

Penalty for so doing.

SECT. 2. *Be it further enacted,* That the second section of the Act to which this is additional approved March 28th 1831 be and the same hereby is repealed.

Part of former Act repealed. Vol. 3, chap. 511, p. 364.

[Approved by the Governor, March 6, 1835.]

Chapter 158.

AN ACT additional to the several Acts for the better regulation and management of the Penobscot Tribe of Indians.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That the Land Agent, shall cause the Islands

Land Agent to cause certain

Islands to be surveyed.

in Penobscot river from the Old Town falls to Mat-tawamkeag point, to be accurately surveyed and numbered and their present value estimated, and duplicate plans thereof, to be made and returned, one to the Land Office and one to the Indian Agent.

Land for mills, booms and fisheries to be surveyed and laid down—also a farm for old and invalid Indians, lots for cultivation.

SECT. 2. *Be it further enacted,* That the Indian Agent, shall cause to be surveyed and laid down on both of said plans, a suitable quantity of land adjoining all water privileges belonging to said islands, as may be deemed valuable for mills, booms and fisheries: also a suitable tract of land for a farm, on which to keep the old Indians, invalids and orphan children who are unable to support themselves: also suitable tracts of wood and timber land for the use of said Tribe. He shall also cause to be surveyed and designated on said plans, a suitable lot or lots for each Indian of said Tribe male and female of the age of twenty-one years and upwards who may apply for a lot for the purpose of cultivation, not exceeding, however, the proportion which may belong to him or her of all lands so surveyed and laid down, after deducting that part reserved for public use. And all lots thus surveyed, laid down and marked upon said plans, shall be the property of him or her to whom assigned, during the pleasure of the Legislature.

Indians to have the benefit of their present improvements.

SECT. 3. *Be it further enacted,* That in all cases where an Indian has already commenced the cultivation of the soil, such Indian shall have his or her lot laid out so as to include his or her present improvements, and if a sufficient quantity of land cannot be assigned him or her adjoining said improvements, then other land shall be assigned such Indian, on some other Island so as to make lots of nearly equal value.

Indians prohibited from alienation, and in certain cases liable as trespassers.

SECT. 4. *Be it further enacted,* That it shall not be in the power of any Indian to sell his or her lot. Nor shall any Indian commit strip or waste on his or her lot, nor cut or carry off the growth on

said lots, any faster than is necessary for cultivation : And any Indian cutting or carrying off from any of the Indian lands either public or private, any part of the growth thereof, except by permission of the Indian Agent, shall be taken and considered a trespasser and dealt with accordingly.

SECT. 5. *Be it further enacted,* That it shall be the duty of the Indian Agent from time to time, to have cleared and suitable buildings erected on the lot which may be laid out for a public farm, the expense of which shall be paid out of the interest accruing to said Tribe, from the sale of the four townships purchased by the State, not however to exceed one half of said interest.

Suitable buildings to be erected on public farm.

SECT. 6. *Be it further enacted,* That the Indian Agent shall employ a superintendent to manage said public farm, to take care of the old, invalids and orphan children of said Tribe, whose services shall be paid for annually, by the State, agreeably to the Indian Treaty with Massachusetts of the year eighteen hundred and eighteen. And it shall be the duty of the Indian Agent, to cause to be ploughed for any Indian, such land as he may judge necessary for cultivation, and to furnish, under direction of the Governor and Council such farming utensils and seeds as may be necessary therefor.

Superintendent of public farm to be employed.

Land to be ploughed and utensils furnished.

SECT. 7. *Be it further enacted,* That the Indian Agent may lease for a term of years sufficiently long to induce persons to take them up, any reserved privileges for mills, booms and fisheries, provided the Governor and Council may approve the same, and all the rents accruing under such leases, shall be paid into the Treasury of the State and may be expended for the benefit of said Tribe, under the direction of the Governor and Council.

Mill privileges, fisheries, &c. may be leased.

SECT. 8. *Be it further enacted,* That the Governor with consent of Council, shall have full power and authority at any and all times after the passage of this Act, to draw his warrant on the

Interest of certain monies and rent placed at disposal of Governor.

Treasury to an amount not exceeding the interest for the four townships purchased by the State of said Tribe in June of the year eighteen hundred and thirty-three, and also for the interest on any other monies which have been, or may hereafter be paid into the Treasury of the State and belonging to said Tribe, as well as for the full amount of the rents which may be received under leases as provided in section 7th of this Act. And when in the opinion of the Governor and Council, the whole amount of interest and rents as aforesaid, is more than the necessities of said Tribe require in any one year, it shall be their duty to cause the excess to be invested for the benefit of said Tribe.

Spirituous liquors prohibited.

SECT. 9. *Be it further enacted,* That from and after the first day of May next, if any person shall sell or give, or cause to be sold or given to any Indian any spirituous liquors, on being convicted thereof before any Justice of the Peace or any Court competent to try the same, he or she so offending, shall be fined not less than five nor more than twenty dollars at the discretion of said Justice or Court; one moiety thereof to the complainant and the other moiety to the State.

Former Acts repealed.

SECT. 10. *Be it further enacted,* That all Acts and parts of Acts inconsistent with the provisions of this Act, shall be and the same are hereby repealed.

[Approved by the Governor, March 10, 1835.]

Chapter 159.

AN ACT additional to an Act to regulate the Jurisdiction and proceedings of the Courts of Probate.

SECT. 1. *Be it enacted by the Senate and House of Representatives, in Legislature assembled,* That from and after the first day of April in