

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
OF THE
SEVENTY-SECOND LEGISLATURE

OF THE
STATE OF MAINE

1905.

Published by the Secretary of State, agreeably to Resolves of
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1905.

Chapter 102.

An Act additional to Chapter thirteen of the Revised Statutes, relating to the Penobscot tribe of Indians.

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

Section 1. Any person residing or commorant upon the tribal reservation of the Penobscot tribe of Indians, not being a member nor the husband, wife, or legally adopted child of a member of said tribe, may be required to remove therefrom by a written notice given to him in hand under the signature of the governor, or in his absence, the lieutenant governor and of the agent of said tribe. A copy of such notice attested by said agent, with a return of service thereon by any officer qualified to serve criminal precepts, or an affidavit of service by any other person, shall be filed with said agent and be sufficient evidence of such service. If the person so notified shall not remove from said reservation within two days after service of said notice upon him, the agent or any member of the tribe may make complaint to the judge of the Old Town municipal court, who shall cause a certified copy of said complaint with a notice of the time and place of hearing thereon to be given in hand to said person or left at his place of last and usual abode at least two days before the time fixed for said hearing, or may cause said person to be at once apprehended and brought before said court. After due hearing, said judge may, if he is satisfied that such removal is approved by the majority of the adult members of said tribe or is for any cause proper to be enforced, order the respondent to remove within a specified time beyond the tribal reservation limits. If the respondent fails to obey said order, or if within one year after the service of said notice he shall again become resident or commorant upon any reservation of said tribe without the consent of said agent and said governor or lieutenant governor, said judge may cause such person to be apprehended and brought before said court, and may punish him by fine of not more than twenty dollars or by imprisonment for not exceeding thirty days, or by both fine and imprisonment. The costs of all such court proceedings under this section may be included in the order or sentence of said judge; and if the respondent fails to pay the same, he may be committed to jail for not exceeding thirty days additional to any imprisonment otherwise imposed upon him; and in such case, or if the judge does not include said costs in his order or sentence, such costs shall be paid by said agent from the tribal fund. Costs shall be taxed as in ordinary proceedings upon complaint.

Persons not belonging to Penobscot tribe of Indians, may be required remove from reservation.

—written notice to be given.

—proceedings when person notified does not remove.

—penalty if respondent does not comply with order to remove.

—costs.

CHAP. 102

Relief of paupers found on reservation not member of tribe.

Section 2. For all relief to any person not a member of the Penobscot tribe of Indians nor having a pauper settlement in this state, found destitute and in distress upon any tribal reservation of said tribe, which has been furnished by the agent of said tribe or by the overseers of the poor of the town within whose territorial limits such person is so found, the state shall reimburse said agent or said town to such extent as the governor and council adjudge to have been necessarily expended therefor. The reasonable expenses and services of said overseers relative to said pauper shall be included in the amount to be so reimbursed.

Relief of members of tribe found destitute beyond tribal reservations.

Section 3. When any member of said tribe is found destitute and in distress beyond the tribal reservation and is relieved by the town in this state where he is so found, the overseers of the poor of said town may send to the agent a statement specifying the nature, dates and amounts of the supplies furnished, which shall be transmitted to the governor and council with such additional statements of fact as said agent may think proper; and the state shall reimburse said town for the relief so furnished, to such extent as the governor and council adjudge to have been necessarily expended therefor.

School moneys of tribe, how to be expended

Section 4. All money appropriated for schools for the Penobscot tribe of Indians shall be expended under the supervision of the agent of said tribe, subject to the approval of the governor and council, said agent shall employ the teachers and fix their salaries, limited by such appropriation. The schools upon island number one, commonly called Indian Old Town island, shall be under the care and supervision of the superintendent of schools of the city of Old Town; and those within the territorial limits of any other town, under the care and supervision of the superintending school committee of such town. Said superintendent or school committee shall visit such schools at least three times during each school term; regulate the grades and courses of study; assist the teachers and scholars by counsel; determine when any scholar of said tribe may properly be admitted or transferred to the public schools of said city or town; and make report to the agent once each year, noting therein such facts and information as may seem of importance in the interest of education among said tribe, or as may be required by the governor and council. The agent shall pay said superintendent or school committee from said school appropriation a reasonable compensation for services.

Section 5. This act shall take effect when approved.