

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

SEVENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE

1913

Including Acts and Resolves of the Special Session held
in 1912.

Published by the Secretary of State, agreeably to Resolves of
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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE

As Passed by the Seventy-Sixth
Legislature

1913

CHAP. 132

Chapter 132.

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:

Penobscot
tribe of
Indians
authorized
to maintain
a ferry.

Section 1. The Penobscot tribe of Indians is hereby authorized to establish and maintain a ferry across the Penobscot river at Old Town, to and fro between the city of Old Town and Indian Island, so called, with the right to keep and maintain suitable boats to be propelled by oars, for the prompt and safe conveyance of passengers, baggage and freight, and to make use of the long established landing in upper Main street, Old Town, called the "Town Landing" or "Indian Landing," and the established ferry landing on Indian Island, for landing purposes.

Rates of
toll estab-
lished.

Section 2. 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 two cents; for all other passengers, five 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 first Monday in April of each year by a majority vote of the members of the tribe attending such meeting.

Hours when
ferry shall
be operated.

Section 3. Said ferry shall be operated each day, when ice and weather permits, from five-thirty o'clock in the forenoon until nine o'clock in the afternoon on Tuesday, Wednesday, Thursday, Friday and Sunday; and from five-thirty o'clock in the forenoon until ten-thirty o'clock in the afternoon on Monday and Saturday.

In case of
emergency
ferryman
shall trans-
port passen-
gers at
other hours.

Section 4. The ferrymen shall in case of emergency be required to transport passengers at other times than the hours named in the preceding section and for such transportation he shall charge the regular rates.

Members
of tribe
shall elect a
ferryman.

Section 5. The members of the said tribe shall at their annual meeting held on the first Monday in April of each year, elect by majority vote a suitable ferryman who shall be in charge of said ferry during the following year, such election being however subject to the approval of the agent of the tribe.

Daily record
of receipts
shall be
kept.

Section 6. There shall be kept by the agent 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 of the tribe all moneys received by him, and from such moneys the agent shall pay to the ferryman one-half of the total gross receipts which shall be said ferryman's compensation for operating the ferry.

—compen-
sation of
ferryman.

Section 7. The agent 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 first Monday of the April 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 first Monday of the April following.

CHAP. 132

Agent of tribe shall have supervision.

—governor of tribe and agent may remove ferryman.

—vacancy, how filled.

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

Net receipts shall be used for construction of roads, etc.

Section 9. 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 four dollars for each day such ferry is kept and also for each time of transportation, to be recovered by the agent of the tribe for the use of the tribe in an action on the case.

Other ferries forbidden.

Section 10. At any time within thirty 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 first Monday in April, nineteen hundred and fourteen, 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 first Monday in April, nineteen hundred and fourteen.

First meeting for election of ferryman, when held.

Section 11. This act shall take effect on the first day of September, nineteen hundred and thirteen.

When this act shall take effect.

Approved March 18, 1913.