

MAINE STATE LEGISLATURE

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Acts and Resolves

As Passed by the

Seventy-Eighth Legislature

OF THE

STATE OF MAINE

1917

Including Acts and Resolves of the Special Session of the
Seventy-Seventh Legislature held in 1916.

Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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1917

Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth
Legislature

1917

Chapter 78.

An Act Providing a Legal Remedy for Damages by Flowage to Certain Members of the Penobscot Tribe of Indians Owning or Occupying Land on Old Town Indian Island Number One and Island Number Twelve in Penobscot River, and Authorizing Conveyance of Flowage Rights in said Land by said Indian Occupants to Bangor Power Company.

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

Sec. 1. Damage by flowage on Indian Islands; members may maintain action or trespass. Whenever any damage is done, directly or indirectly to house lots or other lands situated on Old Town Indian Island No. 1 and Island No. 12 commonly called Orson Island and owned or occupied by any member or members of the Penobscot tribe of Indians, by reason of the dam built across said Penobscot river from the city of Old Town to the town of Milford and the one built at Gilman Falls across said river in said city of Old Town, and now owned and maintained by the Bangor Power Company located at Bangor in the county of Penobscot, or by any act of said Bangor Power Company, the member or members of said tribe so injured may maintain an action of trespass therefor against said corporation in any court proper to try the same, to the same extent as though the fee were in the plaintiff or plaintiffs; provided compensation for such damage has, previous to the commencement of the action, been demanded by the agent of said tribe or the treasurer of said corporation, and payment been neglected or refused for the term of thirty days.

Sec. 2. Bangor Power Company may purchase flowage rights of members of tribe. All members of the aforesaid tribe who have suffered, or may suffer any damage to their aforesaid house lots or lands on account of flowage of their said lands by reason of the construction and maintenance of said dams and flashboards as at present maintained, are hereby authorized, upon payment of a sufficient and adequate compensation by said Bangor Power Company to the owners or occupants of said lands, to grant and convey by deed to said corporation a right of flowage of said lands, which said grant shall run with the land or lands; said grants to be made only upon the approval of the agent of said Penobscot tribe of Indians.

Sec. 3. Agent to prosecute. The agent aforesaid is hereby authorized to commence and prosecute to final judgment the action provided for in section one of this act, in the name of the party or parties injured as aforesaid.

Approved March 22, 1917.

Chapter 79.

An Act to Provide for the Registration and Licensing of Dogs on the Indian Reservation of the Penobscot Tribe of Indians.

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

Sec. 1. Agent to be furnished with list of dogs. The governor of the Penobscot tribe of Indians shall make or cause to be made a list of all dogs owned, kept by, or in the possession of each member of said tribe residing

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on said Indian reservation and deliver such list to the Indian agent of said tribe at least ten days before the first day of April of each year.

Sec. 2. Dogs to be licensed; fee and general provisions. Each member of said tribe and all other persons residing on said reservation, who owns, keeps, or has in his possession a dog, more than four months old, shall annually before the first day of April cause it to be registered, numbered, described and licensed for one year from said first day of April, in the office of said agent, and shall keep around its neck a collar distinctly marked with the owner's name and its registered number, and shall pay to said agent for a license one dollar and fifteen cents for each male dog, and three dollars and fifteen cents for each female dog, and any member of said tribe becoming the owner or keeper of a dog after the first day of April, not duly licensed, shall cause it to be registered, numbered, described and licensed as provided above.

Sec. 3. License fees; how expended. Said agent shall issue said license and receive the money therefor, and turn the same into the fund for the municipal purposes of said tribe, retaining to his own use fifteen cents for each license issued.

Sec. 4. Penalty for violation. Any member of said tribe who keeps a dog contrary to the provisions of this act shall pay a fine of ten dollars, or be punished by imprisonment in the jail in the county of Penobscot for not more than thirty days.

Sec. 5. Dogs, not licensed, to be killed; warrant to be issued by agent. Said agent shall annually within ten days from the first day of May, issue a warrant to the constable of said tribe directing him to proceed forthwith, either to kill or cause to be killed, all dogs on said reservation not licensed and collared according to the provisions of this act, and to enter complaint against the owners or keepers thereof. Such constable shall receive from the fund derived from said registration one dollar for each dog so killed.

Approved March 22, 1917.

Chapter 80.

An Act to Enlarge the Authority of the Home for Aged Couples and Old Men in the City of Bath to take and Hold Property.

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

May hold property to extent of \$250,000. The Home for Aged Couples and Old Men of Bath in the County of Sagadahoc, a charitable corporation existing under the general laws of the state, is hereby empowered to take and hold by purchase, gift, devise or bequest, personal or real estate, in all not exceeding in value two hundred fifty thousand dollars, owned at any one time, and may use and dispose thereof only for the purposes for which it was organized.

Approved March 22, 1917.