

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1846.



AUGUSTA:

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1847.

TWENTY-SIXTH LEGISLATURE.

No. 17.

SENATE.

REPORT.

IN SENATE, June 24, 1846.

THE Joint Standing Committee on Education, to whom was referred so much of the governor's message as relates to the subject of education; also the memorial of Amos Brown, Philip Eastman, Alpheus S. Packard and Samuel P. Benson, a committee appointed by a State convention of the friends of education, praying that a board of education may be established by the Legislature—have had these subjects under consideration, and ask leave to

REPORT:

The emphatic language of the governor's message on the subject of public education and the recommendation of improvements suggested by him, are fully in accordance with the tenor of many other executive communications to the Legislature. In repeated instances, under former administrations, the executive has proposed and recommended a comprehensive and systematic method of increasing the usefulness of common schools, by the establishment of a board of education

These repeated executive recommendations must be supposed to rest in a very considerable degree, upon a general and popular conviction, that the school system as now established by the constitution and laws of the State, is susceptible of higher practical development and fitness for the wants of the people, than have yet been attained.

The memorial before the committee proceeded from a very re-

sponsible assemblage of the friends of education, and expresses with great clearness and urgency, the judgment of the convention, and of the memorialists themselves, upon the necessity and the advantage of establishing a board of education at the present time.

A majority of the States of New England, have already established some general supervisory system for the great department and interest of public instruction. The State of New York has long been distinguished for her wise and enlightened central administration of her public school affairs. There may be reason to apprehend, that unless the State of Maine shall speedily adopt the examples thus placed before her, she may be the last of the northern States in entering upon a policy of improvement, in respect to this great interest, where the genius of her constitution and the absolute necessities of her people might well have placed her among the foremost.

It is not only the force of example and of authorised recommendation, that has induced the committee to advise the establishment of a board of education in this State, but a deliberate survey of the actual condition of things among ourselves, has brought them to a unanimous conviction of its propriety, its necessity and its practicability.

The state of public sentiment is so far propitious for the attempt, that at least, it may be very difficult to predict a more favorable opportunity than the present session, for an undertaking so worthy, so long expected, and so certain to create and increase new confidence and new hope.

The duties of a board of education are simple in theory and practice. The conclusions of the committee upon that head, are succinctly stated in the draft of a bill which they have unanimously agreed to report. The committee have carefully abstained from entrusting to the board any executive or legislative power over the subjects or persons within the scope of their action. The existing common school system will continue subject only to the control of the Legislature, under the constitution, and its local administration will be in the hands of the local authorities. The duties of the board will be to investigate, to reflect, to devise and

to recommend ; to impart information, to exhibit models and means of improvement, to encourage parents and teachers, to unfold and quicken and satisfy the capacities and the aspirations of the young, and to enliven the whole existing system with new energy and spirit.

In regard to the method of electing the board of education, the committee suggest a plan, which they are satisfied, is both practical and highly appropriate. Considerations which might otherwise be embarrassing, are removed by placing the election, as strictly as possible, within the popular control, and by requiring all the sections of the State to co-operate in the choice. Deriving their powers thus directly from the people, the members of the board will be in the closest communication with those persons to whom the inhabitants of the several towns entrust their local school interests, and the labors of the board will immediately react upon the several parts of the State which they represent.

With these explanations, the committee present the bill which is submitted with this report.

E. M. THURSTON, *Chairman.*



STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FORTY-SIX.

AN ACT to establish a Board of Education.

*Be it enacted by the Senate and House of Represent-
2 atives in Legislature assembled, as follows :*

3 SECTION 1. A board of education is hereby estab-
4 lished in this State, to consist of one member from
5 each county; who shall be elected in the manner
6 hereinafter provided.

SEC. 2. The superintending school committees of
2 the several towns in each county, are hereby required
3 to assemble, annually, at the times and places herein-
4 after designated, and when so assembled in each
5 county, to choose, by the majority of those present,
6 one person, a resident of the county, who shall be
7 the member of the board of education for such coun-
8 ty, and shall hold his office until a successor is duly
9 chosen and qualified. The county meetings afore-
10 said shall be organized by the choice of a chairman

11 and clerk, who shall severally certify the election of
12 the member chosen, and transmit one copy of such
13 certificate to the secretary of state, and one copy to
14 the person chosen.

SEC. 3. A quorum of such county meeting shall
2 consist of one or more members of the superintend-
3 ing school committees from a majority of the towns
4 in each county ; but if any town or city shall have a
5 superintending school committee consisting of more
6 than five members, such committee shall appoint del-
7 egates from their own number, not exceeding five,
8 which delegates shall exercise the duties and powers
9 herein provided.

SEC. 4. The county meetings aforesaid shall be held
2 at the shire town in each county, and at Wiscasset in
3 the county of Lincoln, at the times following ;
4 York ; third Tuesday of September ;
5 Cumberland ; Friday next after the the third Tuesday
6 of September ;
7 Oxford ; fourth Tuesday of September ;
8 Franklin ; first Tuesday of October ;
9 Somerset ; Friday next after the first Tuesday of Oc-
10 tober ;
11 Piscataquis ; second Tuesday in October ;

- 12 Penobscot; Friday next after the second Tuesday in
13 October;
14 Aroostook; Third Tuesday in October;
15 Washington; Friday next after the third Tuesday in
16 October;
17 Hancock; fourth Tuesday in October;
18 Waldo; first Tuesday in November;
19 Lincoln; Friday next after the first Tuesday in No-
20 vember;
21 Kennebec; second Tuesday in November.
22 And each meeting shall be held at eleven o'clock
23 on the days aforesaid.

SEC. 5. The members of the board of education
2 thus chosen, shall hold their first meeting on the first
3 Wednesday of May in each year, at Augusta, and
4 may meet thereafter, at such times and places as they
5 shall by vote determine. They shall appoint a chair-
6 man and clerk from their own number. Five mem-
7 bers shall be a quorum for the transaction of business.
8 In case of any vacancy in the board, or if in any
9 county an election shall not have been effected at the
10 county meeting herein provided, the members of the
11 board actually elected and in office, may fill such va-
12 cancy and supply such failure, for any county where
13 the same may occur.

SEC. 6. The board of education first chosen, shall
2 meet for organization, and for the choice of the sec-
3 retary hereinafter provided, on the third Wednesday
4 of December next, at Augusta, and shall hold their
5 offices until the first Wednesday of May, 1848, and
6 the term of each new board of education, thereafter
7 shall commence on the first Wednesday of May, an-
8 nually.

SEC. 7. The board of education shall, at their first
2 meeting in each year, elect by ballot, one person, who
3 shall be styled the secretary of the board of education,
4 and shall hold his office for one year, and until an-
5 other shall be chosen. But the secretary first elect-
6 ed, shall hold his office, until the first Wednesday of
7 May 1848. In case of a vacancy in the office of sec-
8 retary, it shall be the duty of the board, as soon as
9 may be, after the occurrence of such vacancy, to elect
10 another for the remainder of the year.

SEC. 8. The members of the board, and the secre-
2 tary, shall severally be sworn to the faithful perform-
3 ance of their respective duties, before any magistrate
4 authorized to qualify civil officers.

SEC. 9. It shall be the duty of the board of educa-
2 tion, and especially of the secretary to devote them-
3 selves assiduously to examine the practical operation

4 of those parts of the constitution and laws of the State,
5 which provide for public education, and the diffusion
6 of knowledge among the people. In pursuance of
7 this object, the secretary shall, as far as practicable,
8 attend the county meetings herein provided for the
9 election of members of the board, and communicate
10 with the superintending school committees there as-
11 sembled, and with teachers and the friends of public
12 instruction generally. And the board of education,
13 directly, or through the agency of the secretary, are
14 authorized and required to collect and disseminate in-
15 formation in regard to the location and construction
16 of school houses, on the arrangement of school dis-
17 tricts and the use of the best school apparatus, to
18 consult with superintending school committees and
19 school agents on the best and cheapest method of in-
20 troducing uniform school books, and on the practica-
21 bility and expediency of establishing school district
22 libraries, to inquire and report upon the advantages
23 of normal schools, or schools for the education of
24 teachers, to consider the best methods of aiding and
25 promoting education in the new settlements of the
26 State, to devise improvements in teaching the branch-
27 es of instruction now pursued in the common schools,
28 and for the introduction of such other branches of

29 useful knowledge as may be practicable, and general-
30 ly to consult with school committees, school agents,
31 and other authorities and inhabitants of the State, for
32 the purpose of ascertaining, recommending and pro-
33 moting all such improvements in the common school
34 system as may be consistent with the constitution and
35 laws of the State, and the welfare of its inhabitants.
36 And it shall be the duty of the board in the month of
37 April, annually, to prepare a report of their doings,
38 and the results of their investigations during the pre-
39 ceeding year, which shall be presented to the gov-
40 ernor, and by him laid before the Legislature.

SEC. 10. The secretary of state is hereby author-
2 ized, under the direction of the governor and council,
3 to furnish such blank forms for returns respecting
4 schools, as the board of education may recommend.
5 And all such returns may be addressed to the secre-
6 tary of state.

SEC. 11. The members of the board of education
2 shall each receive for their travel from their several
3 places of residence to the place of their several meet-
4 ings, ten cents per mile, and one dollar for each day's
5 attendance at any meeting, but not exceeding in the
6 aggregate thirty days in each year.

SEC. 12. The secretary of the board of education

2 shall receive an annual salary of one thousand dollars,
3 payable in quarterly payments.

SEC. 13. The board of education, at such times as
2 they may appoint, shall make up their pay roll for
3 travel and attendance, which, when examined and
4 allowed by the governor and council, shall be paid to
5 them, out of any money in the treasury not otherwise
6 appropriated.

SEC. 14. For the purpose of providing for the or-
2 ganization of the first board of education, the gov-
3 ernor, with the advice of council, is hereby author-
4 ized to appoint, before the first day of August next, a
5 provisional school agent for the State, whose duty it
6 shall be to communicate with the superintending
7 school committees of the several towns respecting the
8 duties required by this act, to make such arrange-
9 ments as may be necessary for the first county meet-
10 ings herein provided, and to obtain, from the returns
11 now in the office of the secretary of state, and from
12 other sources, such information respecting the actual
13 condition of common schools within this State, as may
14 be usefully laid before the county meetings, and the
15 board of education, at their first organization, to ena-
16 ble them to enter without delay upon the discharge of
17 their duties. The duties of such agent shall continue

18 until the board of education is organized; and he
19 shall receive therefor such compensation as shall be
20 allowed by the governor and council, not exceeding
21 two hundred and fifty dollars.

SEC. 15. This act shall take effect from and after
2 its approval by the Governor.

STATE OF MAINE.



IN SENATE, June 24, 1846.

Ordered, That 1,000 copies of the foregoing Report and accompanying Bill, be printed for the use of the Legislature.

DANIEL T. PIKE, *Secretary.*