

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING THE

EXTRA SESSION OF 1853, AND SESSION OF 1854.



Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1854.

---

---

# THIRTY-THIRD LEGISLATURE.

---

HOUSE.

No. 32.

---

---

## STATE OF MAINE.

---

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND  
FIFTY-FOUR.

---

AN ACT additional to an act to provide for the educa-  
tion of youth.

---

*Be it enacted by the Senate and House of Representa-  
tives in Legislature assembled, as follows :*

SECTION. 1. It shall be the duty of superintending  
2 school committees and supervisors, to introduce into  
3 the more advanced schools, in their respective cities  
4 and towns, the study of the elementary principles of  
5 agricultural science, by the use of suitable text books ;  
6 and all teachers, proposing to instruct schools into  
7 which the aforesaid study shall have been introduced,  
8 shall be examined by such committees or supervisors,  
9 as to their ability and qualifications to teach the same.

SECT. 2. From and after the first day of January

2 next, every city and town shall, annually, raise and  
3 expend, for the maintenance of schools therein, to  
4 be taught by instructors duly qualified, a sum of  
5 money, exclusive of the income of any corporate  
6 school fund, or of any grant from the revenue, or  
7 funds from the state, or of any voluntary donation,  
8 devise or bequest, or of any forfeitures accruing to  
9 the use of schools, not less than sixty cents for each  
10 inhabitant ; the number to be computed according to  
11 the last census of the state, under which the repre-  
12 sentation thereof in the legislature shall have been  
13 apportioned.

SECT. 3. It shall be the duty of each school agent,  
2 to expend the money apportioned to his district, for  
3 the support of schools taught by instructors duly  
4 qualified, in said district, within the year for which  
5 such agent may have been chosen ; and if any such  
6 agent shall refuse or neglect so to expend said money,  
7 so far as may be practicable, the selectmen of the  
8 town, or mayor and aldermen of the city, in which  
9 the district is situated, may, on complaint by any in-  
10 habitant of said district, and after due notice and  
11 investigation, appoint a special agent to expend the  
12 money as aforesaid. The special agent, so appointed,

13 shall be sworn in the same manner as school agents  
14 are required to be sworn, and shall have all the  
15 powers, and perform all the duties of school agent  
16 for said district. Any money, received by any school  
17 agent for the use of the district, and not appropriated  
18 by him to the use of said district, during his term of  
19 office, or before the appointment of such special  
20 agent, may be recovered from him in an action of  
21 the case. Any any action, brought to recover money  
22 received by any school agent for the use of the dis-  
23 trict, may be maintained in the name of the city, town  
24 or district.

SECT. 4. Any city or town, which shall determine  
2 to elect a superintending committee, with the powers  
3 of school agents and superintending school commit-  
4 tee, as provided by the eleventh section of the first  
5 article of the act to provide for the education of  
6 youth, passed the twenty-seventh day of August, in  
7 the year of our Lord one thousand eight hundred  
8 and fifty, may elect said committee annually, or may  
9 elect one third of said committee each year, in the  
10 same manner that towns elect their superintending  
11 school committees, under the provisions of the eighth  
12 section of the same article.

SECT. 5. Any school district, which may determine  
2 to elect a district committee, as provided in the eighth-  
3 teenth section of article second of the act aforesaid,  
4 may elect said committee annually, or may elect one  
5 third of said committee each year, in the same man-  
6 ner that towns are authorized to elect their superin-  
7 tending school committees, by the eighth section of  
8 the first article of the same act.

SECT. 6. The tenth article of the act aforesaid,  
2 shall be amended by striking out the third section  
3 thereof, and inserting the following: "Section 3.  
4 The treasurer of state shall keep a separate account  
5 of all moneys he may have received, or may hereafter  
6 receive, from the sales of land which have been, or  
7 which may hereafter be appropriated by law, for the  
8 support of the primary or common schools in this  
9 state, or from the notes taken therefor, and also of  
10 any other moneys which may be appropriated for the  
11 same purpose; and the same shall constitute a per-  
12 manent school fund. This fund may be put out on  
13 interest, in such manner as the legislature shall de-  
14 termine. And a sum of money which shall be equal  
15 to six per centum of the whole amount of said per-  
16 manent school fund, shall be annually appropriated

17 to the support of common schools, and shall be annu-  
18 ally distributed amongst the several cities, towns and  
19 plantations, according to the number of children  
20 therein, between the ages of four and twenty-one  
21 years.”

SECT. 7. Whenever a suitable place shall have  
2 been designated, by any city, town or school district,  
3 for the erection of a school house and necessary  
4 buildings, agreeably to the provisions of law ; and the  
5 owner of the land shall refuse to sell the same, or  
6 shall demand therefor, a price which, in the opinion  
7 of the selectmen, or mayor and aldermen, is unrea-  
8 sonable, the said selectmen, or mayor and aldermen,  
9 may proceed to select, at their discretion, a school  
10 house lot, and lay out the same, not exceeding in  
11 quantity forty square rods, and to appraise the dama-  
12 ges to the owner of such land, in the same manner  
13 as is provided for laying out town ways, and apprais-  
14 ing damages sustained thereby ; and upon payment,  
15 or tender of payment, of the amount of such damages,  
16 by the city, town or district, designating such school  
17 house lot, to the owner thereof, the said land  
18 shall be taken, held and used, for the purpose for  
19 which it is designated.

SECT. 8. Whenever the owner of such land shall  
2 feel aggrieved by the selection and location of such  
3 lot, and the damages awarded, he shall be entitled to  
4 have the matter of complaint tried by a jury, which  
5 may be applied for within one year after the location  
6 of such lot, and shall be ordered accordingly by the  
7 county commissioners ; and the jury shall have power  
8 to change the location and assess the damages, and  
9 the proceedings shall, in all respects, be conducted  
10 in the same manner as is provided in cases of dama-  
11 ges by laying out highways ; and if the damages  
12 shall be increased, or the location be changed by the  
13 jury, the damages and all charges shall be paid by the  
14 town or district for whose benefit the lot is selected ;  
15 otherwise, the charges which may arise on such appli-  
16 cation, shall be paid by such applicant. And the land  
17 so taken, shall be held and used for no other purpose  
18 than that contemplated in this act, and shall revert to  
19 the owner, his heirs, or assigns, upon the discon-  
20 tinuance thereon, for one year, of such school as is  
21 now, or may hereafter be, required of the city, town  
22 or district, by law.

SECT. 9. All acts and parts of acts, inconsistent  
2 with the provisions of this act, are hereby repealed.



STATE OF MAINE.

---

HOUSE OF REPRESENTATIVES, }  
April 6, 1854. }

*Ordered*, That 350 copies of this bill (reported by the Committee on Education,) be printed for the use of the Legislature.

JOHN J. PERRY, *Clerk*.