

# MAINE STATE LEGISLATURE

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February 10, 1943

To Earl Hutchinson, Director of Secondary Education  
Re: Pennell Institute, Gray, Maine

. . . We are unable to find any evidence that Pennell Institute has ever been incorporated, the building having been given to the Town of Gray by Henry Pennell in his Will, which Will was entered in Probate Court in July, 1884 along with a fund to be administered, in accordance with the terms of the Will, by the selectmen of the town, this fund to be carried upon the books of the town and be known as the "Pennell Fund".

Chapter 43, Private and Special Laws 1887, authorizing the town of Gray to accept the gift

"upon the terms and conditions and subject to the obligations and requirements expressed in said Will. . .",

also provided that the town should be entitled to the same State Aid for any money raised for the school as it would be entitled to if the same were expended for a free high school

In the opinion of this department Pennell Institute, so-called, is a school which the town acquired by gift, along with the trust fund, and is not an incorporated academy as is contemplated by subsection I, Section 105, Chapter 19, Revised Statutes of 1930.

Frank A. Farrington  
Deputy Attorney General

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NOTE. See opinion from the same to the same, dated May 5, 1943.