

MAINE STATE LEGISLATURE

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March 31, 1947

To Harland A. Ladd, Commissioner of Education
Re: Norridgewock School Facilities

I have your memo of March 3rd relating to the condition of the Norridgewock School District. I have called you several times at your office, but have never been able to contact you. I have also talked with citizens of Norridgewock and with members of the legislature.

I do not see how an action could be brought against the citizens of Norridgewock to compel them to vote a certain way, in view of the fact that the law under which they are operating reads as follows:

Chapter 130, P&SL, 1945, Section 2-A. "The town of Norridgewock/18^{ch. 130} is hereby authorized to receive from the town of Norridgewock, and the said town of Norridgewock is hereby authorized to convey to said district the school land situated in the town of Norridgewock and to turn over to said school district such sums of money as it may raise either by taxation or by bond issue for the purpose of constructing school buildings. Before conveying of said land or turning over of said funds, the municipal officers shall be duly authorized so to do by a majority vote of the legal voters of said town, voting at a special meeting called for that purpose or at any regular town meeting. Said school district is hereby authorized to accept gifts, grants, or devises for the purpose of constructing said school building."

You will note the inconsistency in this statute because the school district cannot do anything until the municipal officers by a majority vote of the legal voters authorize it to accept a gift for the building of the school house. It seems to me that in order for you, as Commissioner of Education, to have any standing in court, your remedy would be against a body authorized to do certain work in building a school house, such as the trustees of the school district, if the trustees fail to do what they are supposed to do in accordance with a vote of the inhabitants of Norridgewock. I have been trying to get a succinct statement of facts from the people concerned, so as to know just what has happened in Norridgewock with regard to buildings. I understand there is a bill now pending in the legislature which would correct this deadlock between the trustees and the inhabitants of the town, and I am not advising any legal action at this time, until the law amending the charter of the Town of Norridgewock School District has been clarified.

I would like to see you some time and talk this matter over.

The matter is still in court and there are lawyers on both sides of the question. However, I do not know who is paying the lawyers for their legal services.

Ralph W. Farris
Attorney General

RWF:c