

# MAINE STATE LEGISLATURE

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# FIFTIETH LEGISLATURE.

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SENATE.

No. 35.

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## STATE OF MAINE.

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

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AN ACT to amend section thirty-three, chapter eleven of the revised statutes, relating to the location of school-houses.

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

SECTION 1. Section thirty-three, chapter eleven of  
2 the revised statutes of eighteen hundred seventy-one,  
3 is hereby amended so as to read as follows :  
4 *Sect. 33.* When a location for the erection or re-  
5 moval of a school-house, and necessary buildings has  
6 been legally designated, and the owner thereof refuses  
7 to sell, or asks an unreasonable price for it, in the  
8 opinion of the municipal officers, or resides without  
9 the limits of the state, and has no authorized agent  
10 or attorney within the same, they may lay out a school-

11 house lot not exceeding eighty square rods, and ap-  
12 praise the damages, as is provided for laying out town  
13 ways and appraising the damages therefor ; *provided*,  
14 that no lot thus taken shall infringe upon any lot de-  
15 scribed by metes and bounds upon which any dwelling  
16 house, church or other public building now stands or is  
17 in process of construction, which is of a less area than  
18 what is hereby authorized to be taken ; and on pay-  
19 ment or tender of such damages, or if such owner shall  
20 not reside within this state, upon depositing such dam-  
21 ages in the treasury of such town or district for his use,  
22 the town or district designating it may take such lot to  
23 be held and used for the purposes aforesaid, and shall be  
24 required to build and maintain a suitable fence around  
25 the same ; and when such school-house, as is required  
26 by the town or district, has ceased to be thereon for  
27 two years, it shall revert to the owner, his heirs or  
28 assigns, and any incorporated city may take real  
29 estate for the enlargement or extension of any location  
30 designated for the erection or removal of a school-  
31 house and necessary buildings, and for necessary play-  
32 grounds, as herein provided ; but no real estate shall  
33 be so taken within thirty feet of a dwelling house,  
34 church or other public building.

SECT. 2. This act shall take effect when approved.

STATE OF MAINE.

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IN SENATE, February 9, 1871.

Reported from the Committee on Education by Mr. CARVILL,  
and laid over to be printed under the Joint Rule.

SAMUEL W. LANE, *Secretary.*