

MAINE STATE LEGISLATURE

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FIFTIETH LEGISLATURE.

SENATE.

No. 71.

STATE OF MAINE.

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

AN ACT to establish state uniformity of text-books.

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

SECTION 1. In order to secure throughout the state
2 uniformity of text-books in the studies required by
3 law, chapter eleven, section forty-nine, item second,
4 the governor and executive council shall appoint im-
5 mediately after the approval of this act, a commission
6 consisting of five competent persons, not connected
7 with the board of education, or interested in the pub-
8 lication or sale of any school book, one of whom shall
9 hold office for one year, one for two years, one for
10 three years, one for four years, and one for five years,
11 the term of each to be determined by lot at the first
12 meeting of said commissioners, and a return thereof
13 shall be immediately made to the secretary of state.

14 One commissioner shall be thereafter annually ap-
15 pointed by the governor and council in place of the re-
16 tiring member, and when a vacancy occurs otherwise
17 than by expiration of office, the vacancy shall be filled in
18 the same manner, and for the remainder of the term only
19 of the vacating member. It shall be the duty of said
20 commission to select, on or before June first, eighteen
21 hundred and seventy-one, and on or before said date
22 every fifth year thereafter, from the various text-books
23 published, such as may be deemed best for use in the
24 several primary, intermediate, mixed and grammar
25 schools of the state. It shall be the duty of the same
26 commission to arrange with the publishers of books as
27 to terms for introduction and exchange, and subse-
28 quent retail rates; the retail price of each book to be
29 printed or stamped on the cover or title page thereof.

SECT. 2. The list of books thus determined by said
2 commission, together with the schedule of rates for
3 introduction, exchange and retail prices, shall be sub-
4 mitted to the governor and executive council for their
5 examination, and acceptance or rejection.

SECT. 3. The books thus determined by the com-
2 mission and sanctioned by the governor and council,
3 shall be the prescribed text-books for the common
4 schools, authoritative and binding upon the superin-
5 tendents, supervisors, school committees and teachers

6 of the state for the period of five years from the date
7 of introduction in the several towns as recorded by the
8 town clerk.

SECT. 4. Any city, town or plantation, not con-
2 forming to the list of text-books established by the
3 commission, shall furnish to all scholars migrating into
4 said towns, all the books required, at the expense of
5 said cities, towns or plantations, under a penalty of
6 twenty-five dollars for every case of failure to provide
7 such necessary book or books; to be recovered by an
8 action of debt brought by any school official, or person
9 aggrieved; one-half of said penalty to go to the per-
10 son suing therefor, and the remainder to the school
11 moneys of said town.

SECT. 5. Towns may continue the books already
2 selected and established by superintending school com-
3 mittees, on the conditions named in section four of this
4 act, for the time required by chapter eleven, section
5 forty-nine, item fourth, but if any change be made it
6 shall be to the books determined by the commission,
7 without disability or forfeiture arising under chapter
8 fifty, act of eighteen hundred and sixty-nine. But if
9 the change be made to any book other than that pre-
10 scribed by this commission, such forfeiture or penalty
11 may be enforced and the same applied as in section
12 four.

SECT. 6. A list of the books thus selected by the
2 commission and sanctioned by the governor and execu-
3 tive council, together with the schedule of retail
4 prices, shall be presented by the governor and council
5 to the state superintendent of common schools, and by
6 said superintendent shall be communicated to the
7 several superintending school committees and clerks of
8 the cities, towns and plantations of the state in such
9 manner as he the said state superintendent may deem
10 best, and the same shall be recorded by said clerks.

SECT. 7. The commission appointed in conformity
2 with section one of this act shall receive such remun-
3 eration for their services as may be deemed proper
4 and just by the governor and executive council, the
5 same to be paid from the contingent fund of the gov-
6 ernor and executive council.

SECT. 8. All acts and parts of acts inconsistent with
2 this act are hereby repealed.

SECT. 9. This act shall take effect when approved.

IN SENATE, February 21, 1871.

Presented by Mr. HINKS, and laid over to be printed under the
Joint Rule.

SAMUEL W. LANE, *Secretary.*