

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)

Seventieth Legislature.

SENATE.

No. 82

STATE OF MAINE.

AUGUSTA, February 26, 1891.

To the Honorable President of the Senate and Speaker of the House of Representatives:

GENTLEMEN :—In accordance with the order of the legislature of 1899, requesting me to investigate the condition and amount of the school funds of the several towns arising from the sale of school lands and to report the result of my investigations to the legislature of 1901, I have the honor to submit the following report:

PERMANENT SCHOOL FUND.

The department has urged upon school superintendents and municipal officers the importance of scrupulously guarding the "permanent school funds" of their towns, and the necessity of devoting them to the purpose for which they were granted. The following paragraphs contain a brief history of legislation in this State and in Massachusetts in relation to these funds:

The reservation of 1,000 acres of land in every township, commonly known as school lands, comes from an old regulation

of Massachusetts adopted while Maine was still a part of that Commonwealth.

At that time our State was known as the District of Maine, and was divided into the counties of York, Cumberland and Lincoln. The unsettled portions of the territory were commonly referred to by the Massachusetts legislature as the "Eastern Lands."

In order to encourage the settlement of the "Eastern Lands" the legislature of Massachusetts in 1788 enacted a law providing that in the disposition of all towns thereafter, four lots, of 320 acres each, should be reserved for certain purposes in each and every township, whether sold or granted.

The purposes for which these lots were reserved were as follows:

The first was "for the first settled minister" in the township and was known as the "minister lot." The second was for the "use of the ministry" and known as the "ministerial lot." The third was for the support of the common schools in that township and became known as the "school lot," while the fourth was reserved "for future disposition of the State," and was known as the "State lot."

By the articles of separation of 1820, when we became an independent state, it was provided that Maine should carry out all the regulations regarding the sale and settlement of the wild lands, embraced in the plan originally adopted by Massachusetts, unless the consent of that State was obtained for any change in policy.

Consequently for several years after Maine became a State, in the sale or grants of all Maine towns for whatever purpose, these several lots were reserved in accordance with the plan adopted in 1788. In 1832 Maine changed the law providing for the disposition of these lots for various purposes, to take effect when Massachusetts consented to the new arrangement.

By the new law the minister's claim was ignored except in cases where the title had become vested; for by the new provision all the land reserved in each new township (the acreage having been previously changed to 1,000 for each full township) was to be for the support of the schools in that township.

The fund created by the sale of grass and timber from these lots, together with the money received for the land itself, was to be a permanent fund for the benefit of the schools. The selectmen, treasurer and clerk of the several towns were constituted a board of trustees to care for this fund, using the interest only for the purpose indicated.

In several towns of the State this fund is still kept intact and the interest is added each year to the funds derived from other sources for the support of schools. In other towns in order to simplify matters, the money was loaned to the town and these towns raise, in addition to the amounts required by law, a sum equivalent to the interest on this fund.

In still other cases the fund has been used for general town purposes, and all record of it has been either lost, or overlooked. At least they fail to raise any money for school purposes in addition to the amount required by law.

No town has ever had the right to appropriate its permanent school fund to any use except to that for which it was originally intended. The law provides that this fund shall be permanent forever and every town has accepted this obligation, and towns that have failed to meet these obligations should restore the funds that have been misapplied.

It may be well to state in connection with this subject that in all unincorporated townships the State is the trustee and has kept good faith in every instance.

In the unorganized forest townships long term permits to cut timber and grass have been sold and the proceeds of such sales credited, on the books of the State treasurer, to the several townships to which they belonged.

By the terms of these permits all rights of the grantee cease when the township is organized for plantation purposes.

During the time the township is a plantation the care of these reserved lands is in the hands of the land agent, who is authorized to sell the wood, grass and lumber from them, turning the net proceeds of such sales into the State treasury each year, and the plantation receives from the State treasurer each year 6 per cent. interest on the fund, in addition to the regular school funds arising from the bank and mill tax.

When the township is incorporated, however, the title to these lands passes directly to the town and the State treasurer pay to the trustees of the school fund all moneys in his hands, received from sale of grass and stumpage, and the town is expected thereafter to guard this fund carefully and honestly and to devote the income of it to the support of common schools.

In some plantations, however, there have been gross irregularities. In years past the assessors have assumed authority to sell stumpage. The money received at these sales has been used for plantation purposes, instead of being deposited in the State treasury.

These funds belong to the public schools of the several towns, and if any towns have intentionally or carelessly allowed them to be lost or misapplied, the loss must be made good and the fund restored to its original amount.

Names of towns organized since 1738 and before 1833 and not formerly parts of other towns.	Amount of permanent school fund.	Annual income of said fund.
Abbot.....	\$993 95	\$59 60
Andover.....	334 15	21 00
Albany.....	635 00	38 10
Amherst.....	1,116 80	67 00
Anson.....	2,400 00	144 00
Atkinson.....	1,626 81	81 47
Athens.....	2,207 76	88 31
Aurora.....	800 00	28 00
Alexander.....	1,909 70	100 00
Baldwin.....	1,200 00	72 00
Baring.....	950 00	57 00
Bethel.....	750 00	30 00
Blanchard.....	686 00	41 46
Bluehill.....	4,609 99	150 00
Bingham.....	1,050 00	63 00
Brownville.....	542 50	35 55
Bridgton.....	1,029 32	51 76
Bradford.....	1,756 71	105 40
Brooksville.....	1,916 66 ³ / ₄	115 00
Buckfield.....	2,104 00	128 24
Burlington.....	4,000 00	150 00
Carmel.....	1,600 00	64 00
Charlestown.....	1,984 00	79 36
Charlotte.....	800 00	48 00
Chesterville.....	610 00	36 64
Corinna.....	1,174 93	70 47
Cornville.....	1,800 00	85 00
Columbia.....	1,221 94	79 68
Corinth.....	1,050 00	63 00
Cooper.....	1,031 00	60 00
Crawford.....	423 75	25 43
Cutler.....	1,100 00	56 00
Detroit.....	836 00	50 16
Dexter.....	2,689 47	131 18
Dixmont.....	2,600 00	91 78
Dover.....	1,400 00	84 00
Edmunds.....	2,050 00	123 00
Exeter.....	2,600 00	156 00
Etna.....	870 00	34 80
Farmington.....	-	50 00
Foxcroft.....	-	72 14
Freeman.....	-	50 00
Greenwood.....	483 00	28 88
Garland.....	1,534 00	92 04
Gilead.....	250 00	15 00
Glenburn.....	3,000 00	180 00
Gouldsboro.....	570 00	28 50
Greenfield.....	1,800 00	67 ¹ / ₂ *
Hudson.....	1,850 00	111 00
Hodgdon.....	959 96	57 60
Harmony.....	1,666 66 ³ / ₄	66 66
Hartford.....	350 00	14 14
Jay.....	1,302 67	70 63
Jonesboro.....	489 00	23 57
Kingfield.....	1,215 00	48 60
Levant.....	1,400 00	84 73
Lee.....	1,000 00	60 00
Livermore.....	-	64 38
Lincoln.....	3,420 33	200 21
Moscow.....	500 00	33 45
Monson.....	1,281 25	51 25
Milo.....	1,320 00	79 20
Medford.....	150 00	9 00
Maxfield.....	525 70	23 07
Madison.....	1,300 00	78 00
Newry.....	840 75	50 44
Newport.....	2,400 00	144 00

* Not expended.

Names of towns organized since 1788 and before 1833 and not formerly parts of other towns.	Amount of permanent school fund.	Annual income of said fund.
New Portland	\$747 00	\$30 00
New Sharon	900 00	36 00
Otisfield	2,600 00	90 00
Orland	2,250 00	135 00
Princeton	600 00	36 00
Porter	1,666 66 ² / ₃	100 00
Perry	1,906 68	75 00
Peru	373 00	34 38
Parkman	537 00	26 85
Paris	3,627 00	217 65
Palmyra	1,168 33 ¹ / ₂	69 80
Raymond	2,175 00	130 50
Kipley	540 00	32 40
Robbinston	1,737 36	101 09
Rumford	2,930 00	175 80
Sedgwick	903 00	51 61
Sebec	1,666 66 ² / ₃	100 00
Sangerville	1,000 00	52 74
Solon	800 00	48 00
Strong	1,450 00	87 90
Stetson	2,700 00	162 00
St. Albans	1,000 00	61 40
Thorndike	500 00	30 00
Troy	825 00	49 00
Wilton	2,148 66	128 92
Waterford	490 00	30 00
Names of towns organized since 1832 and before 1900, and not formerly parts of other towns.		
Amity.....	\$5,855 60	\$350 00
Ashland.....	4,400 00	185 00
Argyle.....	483 33 ¹ / ₂	29 00
Bancroft.....	1,668 16 ² / ₃	100 12
Beddington.....	1,760 00	70 00
Benedicta.....	1,000 00	50 00
Blaine.....	300 00	18 00
Bradley.....	800 00	49 00
Brookton.....	1,700 00	102 00
Bridgewater.....	2,025 93	121 56
Byron.....	541 49	21 66
Caribou.....	1,408 62	84 50
Carroll.....	1,196 56	71 79
Centerville.....	35 00	2 10
Chapman.....	581 50	51 09
Chester.....	2,000 00	123 00
Clifton.....	2,583 33 ¹ / ₂	155 00
Danforth.....	2,731 33	112 96
Dyer Brook.....	2,556 00	140 00
Eastbrook.....	433 33 ¹ / ₂	26 00
Easton.....	1,379 59	82 77
Eu-tis.....	2,269 50	136 17
Enfield.....	820 00	55 00
Edinburg.....	1,100 00	60 00
Fort Kent.....	1,354 22	81 25
Fort Fairfield.....	1,629 37	96 67
Garfield.....	1,432 50	85 95
Grand Isle.....	400 00	40 00
Grafton.....	1,960 00	98 00
Greenbush.....	500 00	30 00
Greenville.....	1,111 06	50 00
Hersey.....	1,440 00	*86 40
Haynesville.....	2,600 00	170 00
Island Falls.....	2,400 00	144 00
Kingman.....	1,917 08	115 02
Linneus.....	1,850 00	111 00
Limestone.....	2,205 75	132 35

* Not expended.

Names of towns organized since 1832 and before 1900, and not formerly parts of other towns.	Amount of permanent school fund.	Annual income of said fund
Lowell	\$1,248 08	\$66 00
Monticello	1,025 00	61 50
Milford	3,150 00	189 00
Medway	1,869 16	112 15
Mattawamkeag	3,250 00	195 00
Mapleton	826 00	49 59
Mars Hill	1,056 00	65 00
Masardis	1,581 92	94 91
Madrid	607 56	35 00
Madawaska	600 00	40 00
Northfield	140 00	11 40
New Limerick	772 00	46 32
New Sweden	879 43	53 76
Orient	1,500 00	90 00
Otis	560 00	33 60
Oakfield	7,700 00	396 00
Prentiss	1,984 26	119 05
Presque Isle	1,666 66 ² / ₃	100 00
Perham	4,037 03	241 85
Patten	1,165 33 ¹ / ₂	69 92
Rangeley	850 00	50 00
Shirley	2,645 00	150 00
Sherman	5,943 00	260 00
Smyrna	500 00	30 00
Springfield	1,250 00	75 00
Topsfield	2,500 00	120 00
Talmadge	2,160 00	80 00
Upton	3,100 00	150 00
Vanceboro	2,911 33	168 68
Woodland	3,075 00	184 00
Willimantic	1,707 06	93 76
Weston	931 16	55 87
Wesley	1,300 00	78 00
Winn	835 00	50 10
Waite	2,300 00	110 00
Woodville	1,148 46	68 90

Names of towns organized before 1789:

Brunswick, Boothbay, Bristol, Bath, Bowdoin, Bowdoinham, Belfast, Berwick, Biddeford, Buxton, Canaan, Edgcomb, Falmouth, Fryeburg, Fairfield, Greene, Gorham, Gray, Georgetown, Harpswell, Hallowell, Kennebunkport, Kittery, Lebanon, Limerick, Lyman, Machias, New Gloucester, North Yarmouth, Newcastle, Nobleboro, Norridgewock, Orrington, Portland, Penobscot, Pittston, Parsonsfield, Scarboro, South Portland, Standish, Saco, Sanford, Shapleigh, Turner, Thomaston, Topsham, Union, Vassalboro, Windham, Winslow, Winthrop, Warren, Waldoboro, Woolwich, Waterboro, Wells, Wiscasset (probably—date not given), York.

Names of towns organized since 1788, and before 1833, and formerly parts of other towns:

Acton, Alna, Alfred, Belmont, Brewer, Bremen, Brooksville, Castine, Canton, Cherryfield, Cranberry Isles, Cumberland, Cush-

ing, Dennysville, Denmark, Dresden, Ellsworth, East Machias, Eliot, Eden, Freeport, Gardiner, Harrison, Hancock, Industry, Jefferson, Jonesport, Kennebunk, Lovell, Lubec, Lisbon, Monmouth, Minot, Machiasport, North Berwick, Oxford, Prospect, Pownal, Phippsburg, Phillips, Pembroke, Richmond, Sebago, Salem, Sidney, Sweden, South Berwick, Skowhegan, St. George, Whitefield, Whiting, Westbrook, Westport, Washington, Waterville, Wales.

Names of towns organized since 1788, and before 1833, and not formerly parts of other towns, and yet having no permanent school fund:

Avon, Augusta, Appleton, Albion, Addison, Burnham, Brooks, Belgrade, Baileyville, Bangor, Carthage, Calais, China, Clinton, Cornish, Concord, Durham, Dixfield, Deer Isle, Eddington, Embden, Eastport, Fayette, Freedom, Franklin, Friendship, Frankfort, Guilford, Hiram, Houlton, Howland, Hope, Hollis, Hebron Hermon, Hartland, Harrington, Hampden, Islesboro, Jackson, Knox, Lincolnville, Limington, Leeds, Lewiston, Lagrange, Liberty, Mt. Vernon, Mt. Desert, Montville, Monroe, Mercer, Mexico, Northport, Norway, New Vineyard, Newfield, Newburg, Orono, Palermo, Plymouth, Poland, Pittsfield, Rome, Steuben, Sullivan, Swanville, Searsmont, Trenton, Trescott, Temple, Unity, Vinalhaven, Vienna, Woodstock, Windsor, Williamsburg, Wellington, Weld, Wayne.

Names of towns organized since 1832, and before 1900, and formerly parts of other towns:

Alton, Arrowsic, Auburn, Benton, Boothbay Harbor, Brooklin, Camden, Casco, Cape Elizabeth, Cambridge, Chelsea, Columbia Falls, Damariscotta, Dayton, Dedham, East Livermore, Farmingdale, Forest City, Hurricane Isle, Holden, Hanover, Isle au Haut, Kenduskeag, Lamoine, Ludlow, Morrill, Milbridge, Meddybemps, Mechanic Falls, Mattamiscontis, Manchester, Mariaville, Marshfield, North Haven, Naples, Old Orchard, Old Town, Oakland, Perkins, Passadumkeag, Randolph, Rockland, Roque Bluffs, Rockport, Searsport, Smithfield, Southport, Sorrento, South Thomaston, Stockton Springs, Stow, St. Agatha, Stonington, Tremont, Veazie, Winter Harbor, Winterport, Whitneyville, West Gardiner, West Bath, Webster, Waltham, Yarmouth.

Names of towns organized since 1832, and before 1900, and not formerly parts of other towns, and yet having no permanent school fund:

Belgrade, Frenchville, Matinicus, Marion, Mason, Roxbury, Stoneham, Somerville, Swan's Island, Van Buren, Verona, Waldo.

Number of towns organized before 1789.....	58
Number of towns organized since 1788, and before 1833	237
Number of towns organized since 1832, and before 1900	147
Number of towns formerly part of other towns..	167
Number of towns not formerly part of other towns	286
Amount of permanent school fund.....	\$335,742 57
Annual interest of said fund.....	19,506 42

Very respectfully,

Your obedient servant,

W. W. STETSON,

State Superintendent of Public Schools.

STATE OF MAINE.

IN SENATE, February 26, 1901.

On motion by Mr. PLUMMER of Penobscot, laid on table to be printed.

KENDALL M. DUNBAR, *Secretary.*