

# 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)

---

---

EIGHTY-THIRD LEGISLATURE

---

---

Senate Document

No. 176

---

---

S. P. 391

In Senate, Mar. 3, 1927.

Referred to Committee on Education and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Maher of Kennebec.

---

---

STATE OF MAINE

---

IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND TWENTY-SEVEN

---

AN ACT Providing for the Improvement of Conveyance of  
Pupils to Common Schools.

---

Be it enacted by the People of the State of Maine, as follows:

Section two of chapter sixteen of the revised statutes, as  
2 amended by chapter one hundred fourteen of the public  
3 laws of nineteen hundred twenty-one, is hereby amended  
4 by adding at the end thereof the following: 'Upon the re-  
5 fusal of the superintending school committee to order or  
6 provide conveyance as aforesaid any person aggrieved  
7 thereby shall have the right to petition any justice of the  
8 supreme judicial or superior court in term time or vaca-  
9 tion, alleging that necessity and convenience require the  
10 furnishing of conveyance for the child or children of the

11 petition or of such as are legally dependent upon said pe-  
12 titioner, whereupon notice shall be ordered by said court  
13 to be served upon the superintending school committee, fix-  
14 ing the time and place of hearing upon the allegation of  
15 the petition, at which hearing the court may make such or-  
16 der or decree as necessity, convenience or justice requires  
17 relative to the providing of conveyance of said child or  
18 children,' so that said section, as amended, shall read as fol-  
19 lows:

• 2 'Sect. 2. The location of any school legally established  
3 and ninety-three, continues unchanged, notwithstanding the  
4 district is abolished; but any town at its annual meeting,  
5 or at a meeting called for the purpose, may determine the  
6 number and location of its schools, and may discontinue  
7 them or change their location; but such discontinuance or  
8 change of location shall be made only on the written recom-  
9 mendation of the superintending school committee, and on  
10 conditions proper to preserve the just rights and privileges  
11 of the inhabitants for whose benefit such schools were es-  
12 tablished; provided, however, that in case any school shall  
13 hereafter have too few scholars for its profitable mainte-  
14 nance, the superintending school committee may suspend  
15 the operation of such school for not more than one year  
16 unless otherwise instructed by the town, but any public  
17 school failing to maintain an average attendance for any  
18 school year, of at least eight pupils, shall be and hereby is

19 suspended, unless the town in which said school is located  
20 shall by vote at the annual meeting, or at a meeting called  
21 for that purpose, after the said committee shall have made  
22 a written recommendation to that effect, instruct its super-  
23 intending school committee to maintain said school. The  
24 superintendent of schools in each town shall procure the  
25 conveyance of all common school pupils residing in his  
26 town, a part or the whole of the distance, to and from the  
27 nearest suitable school, for the number of weeks for which  
28 schools are maintained in each year, when such pupils re-  
29 side at such a distance from the said school as in the judg-  
30 ment of the superintending school committee shall render  
31 such conveyance necessary. In all cases, conveyance so  
32 provided shall conserve the comfort, safety and welfare of  
33 the children conveyed and shall be in charge of a responsi-  
34 ble driver who shall have control over the conduct of the  
35 children conveyed. Provided, however, that the superin-  
36 tending school committee may authorize the superintendent  
37 of schools to pay the board of any pupil or pupils at a suit-  
38 able place near any established school instead of providing  
39 conveyance for said pupil or pupils, when in their judgment  
40 it may be done at an equal or less expense than by convey-  
41 ance. Upon the refusal of the superintending school com-  
42 mittee to order or provide conveyance as aforesaid, any  
43 person aggrieved thereby shall have the right to petition any  
44 justice of the supreme judicial or superior court, in term  
45 time or vacation, alleging that necessity and convenience

46 requires the furnishing of conveyance for the child or chil-  
47 dren of the petitioner or of such as are legally dependent  
48 upon said petitioner, whereupon notice shall be ordered by  
49 said court to be served upon the superintending school com-  
50 mittee, fixing the time and place of hearing upon the alle-  
51 gation of the petitioner, at which hearing the court may  
52 make such order or decree as necessity, convenience or jus-  
53 tice requires relative to the providing of conveyance of said  
54 child or children.'