

MAINE STATE LEGISLATURE

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PUBLIC ACTS

OF THE

STATE OF MAINE,

PASSED BY THE

FIFTH LEGISLATURE

AT ITS SESSION, HELD IN JANUARY, 1825.

PUBLISHED AGREEABLY TO THE RESOLVE OF THE 28TH OF JUNE, 1820.

Portland :

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1825.

in regard to notice to the adverse party, and summoning any witness before a Justice of the Peace, for the purpose of taking his deposition, and such witness shall be subject to the same liabilities, as are provided in the act to which this is additional.

[*This Act passed February 25, 1825.*]

CHAPTER CCCXI.

AN ACT in addition to "An act to provide for the education of youth."

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled,* That every town or plantation, which shall neglect to choose annually a superintending school committee, as required by the third section of an act passed the twenty-first day of March, in the year of our Lord one thousand eight hundred and twenty-one, to which this is in addition, shall forfeit and pay not less than thirty nor more than two hundred dollars, to be recovered and appropriated as is provided in the sixth section of the act aforesaid.

Towns, &c. neglecting to choose a superintending school committee liable to penalty.

SECT. 2. *Be it further enacted,* That the superintending school committees, in the several towns and plantations, are hereby authorized and empowered, for misconduct, to expel from any school, any obstinately disobedient and disorderly scholar, when, after a proper investigation of his or her behavior, they shall judge that the peace and usefulness of the school will thereby be promoted; and shall also have power to restore such scholar, on satisfactory evidence produced to them of repentance and amendment.

Committee may expel disobedient and disorderly scholars.

SECT. 3. *Be it further enacted,* That the certificate required to be produced from some person of liberal education, literary pursuits, and good moral character, residing in the county, may, when convenience so requires, be given by any such person, residing in any county adjacent to that in which a school is to be kept.

Certificate by whom may be given.

ASSESSORS shall apportion the money raised by the number of scholars between the ages of 4 & 21 years.

SECT. 4. *Be it further enacted,* That the number of children between the ages of four and twenty-one years, in each school district, (exclusive of those attending any college or academy, not belonging to such district,) on the first day of May annually, shall be the number by which the assessors shall apportion the money raised for the support of schools, as required by the fifth section of the act aforesaid.

Selectmen to make return to the office of Secretary of State, every 3d year, of the number of districts, &c.

SECT. 5. *Be it further enacted,* That the selectmen of the several towns, and the assessors of the several plantations, shall, on or before the second Wednesday of January, eighteen hundred and twenty-six, and every third year thereafter, make a return to the office of the Secretary of State, of the number of school districts within their respective towns and plantations, the number of children in each of said districts, between the ages of four and twenty-one years, the number who usually attend school in each, the amount of money raised and expended for the support of schools; designating what part is raised by taxes, and what from funds, and how such funds have accrued, and the time the school may have been kept annually in each, designating how much by a school master, and how much by a school mistress.

Committee to direct what sum shall be applied to support of a school taught by a mistress.

SECT. 6. *Be it further enacted,* That whenever the inhabitants of any school district may be desirous of applying to the support of a school taught by a mistress, a greater portion of the money assigned to them, than is allowed in the first section of the act to which this is in addition, and shall so determine at any legal district meeting held for that purpose, and make known the same to the superintending school committee, said committee shall have power to direct what sum shall be applied for the purpose aforesaid, any thing in said first section to the contrary notwithstanding.

Agent may expend a sum not exceeding 10 per cent. of the money assigned for repairs of house.

SECT. 7. *Be it further enacted,* That the agent of any school district be, and he is hereby authorized, to expend annually, out of the money raised for the support and maintenance of schools therein, a sufficient sum to supply the school with necessary fuel, and a sum not exceeding ten per cent. of the money

assigned as the share of said district, for incidental repairs of its school house, and necessary utensils for the same.

SECT. 8. *Be it further enacted*, That notice of district meetings may be given, by posting up an attested copy of the warrant therefor, seven days at least before the meeting, in two public places, in the town or plantation; one of which at least shall be in the district where the meeting is to be holden.

Notice by posting up copy of Warrant.

SECT. 9. *Be it further enacted*, That it shall be the duty of the agent of every school district, to give notice to some one of the superintending school committee, of the town or plantation, including such district within its limits, on or before the opening of every town or plantation school, of the time the school commences, and the time for which the instructor is engaged therein, and it shall be the duty of one or more of the superintending school committee, to visit each school within the town or plantation, at least twice during the term for which such school is kept, once within three weeks from the commencement of such school, and once within two weeks before the close thereof.

Agent shall give notice to S. S. Committee of the time the school commences.

SECT. 10. *Be it further enacted*, That it shall be the duty of the Secretary of State, to furnish blank returns to the selectmen of towns and the assessors of plantations, agreeably to the provisions of the fifth section of this act, at such times, and in such quantities, as may be found necessary.

Secretary of State to furnish blanks.

[*This Act passed February 25, 1825.*]

CHAPTER CCCXII.

AN ACT in addition to an Act to prevent and punish trespasses.

SECT. 1. *BE it enacted by the Senate and House of Representatives, in Legislature assembled*, That if any person shall wilfully and maliciously injure or destroy any building or other fixture, not having the consent of the owner thereof, or shall wilfully and maliciously destroy, injure or secrete any goods,