

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SIXTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1846.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820, February 26, 1840,
and March 16, 1842.

Augusta:

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1846.

PUBLIC LAWS

OF THE

STATE OF MAINE,

1846.

CHAP. 195.

—shall be valid against any transfer.

attached, may be sold on execution issued in such case, as other personal property, attached, is sold on execution ; and the surplus, if any remain, after paying the amount due on any execution that may issue in such case, shall be paid to the owner of said boat. And said attachment shall be valid against any transfer, sale, mortgages or other lien of, or upon said property, made or created after such loss or injury was sustained, and prior to such attachment.

[Approved July 27, 1846.]

Chapter 195.

An Act to establish a board of education.

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

To consist of one member from each county.

SECTION 1. A board of education is hereby established in this state, to consist of one member from each county ; who shall be elected in the manner hereinafter provided.

How chosen.

SECT. 2. The superintending school committees of the several towns and the clerks of the several plantations in each county, are hereby required to assemble, annually, at the times and places hereinafter designated, and when so assembled in each county, to choose, by the majority of those present, one person, a resident of the county, who shall be the member of the board of education for such county, and shall hold his office until a successor is duly chosen and qualified. The county meetings aforesaid shall be organized by the choice of a chairman and clerk, who shall severally certify the election of the member chosen, and transmit one copy of such certificate to the secretary of state, and one copy to the person chosen.

County meetings —what shall constitute a quorum.

SECT. 3. A quorum of such county meeting shall consist of one or more members of the superintending school committees from a majority of the towns in each county, but if any town or city shall have a superintending school committee consisting of more than five members, such committee shall appoint delegates from their own number, not exceeding five, which delegates shall exercise the duties and powers herein provided.

Time and place of holding such meetings.

SECT. 4. The county meetings aforesaid shall be held at the shire town in each county, and at Wiscasset in the county of Lincoln, at the times following :

York, third Tuesday of September ;

Cumberland, Friday next after the third Tuesday of September ;

- Oxford, fourth Tuesday of September ;
- Franklin, first Tuesday of October ;
- Somerset, Friday next after the first Tuesday of October ;
- Piscataquis, second Tuesday in October ;
- Penobscot, Friday next after the second Tuesday in October ;
- Aroostook, third Tuesday in October ;
- Washington, Friday next after the third Tuesday in October ;
- Hancock, fourth Tuesday in October ;
- Waldo, first Tuesday in November ;
- Lincoln, Friday next after the first Tuesday in November ;
- Kennebec, second Tuesday in November.

And each meeting shall be held at eleven o'clock on the days aforesaid.

SECT. 5. The members of the board of education thus chosen shall hold their first meeting on the first Wednesday of May in each year, at Augusta, and may meet thereafter, at such times and places as they shall by vote determine. They shall appoint a chairman and clerk from their own number. Five members shall be a quorum for the transaction of business. In case of any vacancy in the board, or if in any county an election shall not have been effected at the county meeting herein provided, the members of the board actually elected and in office, may fill such vacancy and supply such failure, for any county where the same may occur.

Time and place of holding first meeting in each year.

Quorum to consist of five members. Vacancies, how filled.

SECT. 6. The board of education first chosen, shall meet for organization, and for the choice of the secretary hereinafter provided, on the third Wednesday of December next, at Augusta, and shall hold their offices until the first Wednesday of May, eighteen hundred and forty-eight, and the term of each new board of education thereafter shall commence on the first Wednesday of May, annually.

Term of office.

SECT. 7. The board of education shall, at their first meeting in each year, elect by ballot, one person, who shall be styled the secretary of the board of education, and shall hold his office for one year, and until another shall be chosen. But the secretary first elected, shall hold his office, until the first Wednesday of May, eighteen hundred and forty-eight. In case of a vacancy in the office of secretary, it shall be the duty of the board, as soon as may be, after the occurrence of such vacancy, to elect another for the remainder of the year.

Secretary, how chosen.

Vacancy, how filled.

SECT. 8. The members of the board, and the secretary, shall severally be sworn to the faithful performance of their respective duties, before any magistrate authorized to qualify civil officers.

Members of the board and secretary to be sworn.

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—their duties.

SECT. 9. It shall be the duty of the board of education, and especially of the secretary, to devote themselves assiduously to examine the practical operation of those parts of the constitution and laws of the state, which provide for public education, and the diffusion of knowledge among the people. In pursuance of this object, the secretary shall attend the county meetings herein provided for the election of members of the board, and communicate with the superintending school committees there assembled, and with teachers and the friends of public instruction generally. And the board of education, directly, or through the agency of the secretary, are authorized and required to collect and disseminate information in regard to the location and construction of school houses; on the arrangement of school districts and the use of the best school apparatus; to consult with superintending school committees and school agents on the best and cheapest method of introducing uniform school books, and on the practicability and expediency of establishing school district libraries; to inquire and report upon the advantages of normal schools, or schools for the education of teachers; to consider the best methods of aiding and promoting education in the new settlements of the state; to devise improvements in teaching the branches of instruction now pursued in the common schools, and for the introduction of such other branches of useful knowledge as may be practicable, and generally to consult with school committees, school agents, and other authorities and inhabitants of the state, for the purpose of ascertaining, recommending and promoting all such improvements in the common school system as may be consistent with the constitution and laws of the state, and the welfare of its inhabitants. And it shall be the duty of the board in the month of April, annually, to prepare a report of their doings, and the results of their investigations during the preceding year, which shall be presented to the governor, and by him laid before the legislature.

Secretary of state
to furnish blanks.

SECT. 10. The secretary of state is hereby authorized, under the direction of the governor and council, to furnish such blank forms for returns respecting schools, as the board of education may recommend; and all such returns may be addressed to the secretary of state.

Compensation of
members.

SECT. 11. The members of the board of education shall each receive for their travel from their several places of residence to the place of their several meetings, ten cents per mile, and one dollar for each day's attendance at any meeting, but not exceeding in the aggregate thirty days in each year.

SECT. 12. The secretary of the board of education shall receive an annual salary of one thousand dollars, payable in quarterly payments, which shall be in full for all services and expenses of said office.

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—secretary.

SECT. 13. The board of education, at such times as they may appoint, shall make up their pay roll for travel and attendance, which, when examined and allowed by the governor and council, shall be paid to them, out of any money in the treasury not otherwise appropriated.

Pay roll audited by governor and council.

SECT. 14. For the purpose of providing for the organization of the first board of education, the governor, with the advice of council, is hereby authorized to appoint, before the first day of August next, a provisional school agent for the state, whose duty it shall be to communicate with the superintending school committees of the several towns respecting the duties required by this act, to make such arrangements as may be necessary for the first county meetings herein provided, and to obtain, from the returns now in the office of the secretary of state, and from other sources, such information respecting the actual condition of common schools within this state, as may be usefully laid before the county meetings, and the board of education, at their first organization, to enable them to enter without delay, upon the discharge of their duties. The duties of such agent shall continue until the board of education is organized; and he shall receive therefor such compensation as shall be allowed by the governor and council, not exceeding two hundred and fifty dollars.

Provisional school agent.

—duties.

—compensation.

SECT. 15. This act shall take effect from and after its approval by the governor.

[Approved July 27, 1846.]

Chapter 196.

An Act imposing further penalties upon town officers.

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

SECTION 1. Whenever the aldermen of cities, selectmen of towns, or assessors of plantations, shall neglect to issue their warrant, as required by law, for any meeting to be holden for the choice of state or county officers, or representatives to the legislature of this state, or to the congress of the United States, or of electors of president and vice president of the United States, they shall forfeit and pay

Aldermen, selectmen or assessors—penalty for neglect to issue their warrant.