

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

PASSED BY THE

TWENTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE,

A. D. 1847.

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

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Augusta:

WILLIAM T. JOHNSON, PRINTER TO THE STATE.

1847.

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PUBLIC LAWS

OF THE

STATE OF MAINE,

1847.

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## Chapter 25.

## CHAP. 25.

An act additional in relation to public schools.

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

SECT. 1. Chapter seventeen of the revised statutes, shall be amended by striking out, in the eleventh section, the word "selectmen" and inserting instead thereof the words "superintending school committee."

R. S. ch. 17, sec. 11, amended.

SECT. 2. The same chapter shall be amended in section twelve by adding thereto the following words: "but no superintending school committee shall be entitled to receive any compensation for services until they shall have furnished to the selectmen satisfactory evidence that they have made the full and complete returns required by law, to the secretary of state."

Relative to compensation of sup. school committees.

SECT. 3. The same chapter shall be amended, in section twenty-eight by adding thereto the following words: "fifthly, to join with one or more other school-districts, for the purpose of uniting the more advanced scholars of each district in one school. And when any districts shall so determine, they may appropriate such a proportion of the school money of each district, as the scholars attending the school aforesaid would be entitled to draw, per capita."

Powers of school districts.

SECT. 4. The same chapter shall be further amended by striking out the thirty-seventh and thirty-eighth sections, and inserting instead thereof the following: "any school-district, at a regular meeting, may determine what proportion of their school money shall be used for the support of a school to be taught by a female; and their agent shall expend the same accordingly. But in case of a disagreement in any district on that point, not more than one third of their money shall be expended for a school taught by a female, without the written assent of the superintending school committee."

Of schools taught by females.

SECT. 5. The same chapter shall be amended in section forty-two by striking out the word "selectmen" and inserting instead thereof the word "assessors." And by adding to the end of said section the following: "and in case said agents fail to make the returns aforesaid, the assessors as soon as may be thereafter, shall make or cause to be made an enumeration of the persons aforesaid in such districts."

Annual return of the number of scholars.

SECT. 6. The same chapter shall be amended by striking out all of the forty-third section after the words "United States," and by striking out the forty-fourth section and inserting the following: "every person proposing to teach any public school, shall present to the superintending school committee of the town, a certificate from some citizen of this state of liberal education or literary pur-

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suits, that such person is well qualified to instruct youth in the branches of learning usually taught in public schools; and also satisfactory evidence of good moral character, and possesses a temper and disposition suitable to be a teacher of youth; and such committee shall examine every such person, not only as to the required attainments, but as to capacity for instructing and for government and discipline. And no person shall, under the penalties provided in the forty-fifth section, teach any public school without a certificate from said committee, that in their judgment such person is qualified to govern a school, and to instruct youth in orthography, reading, writing, English grammar, geography and arithmetic, and other branches of learning usually taught in public schools, and particularly in the school for which such person is examined."

Superintending school committee to make returns to the secretary of state.

Time of making said returns.

Time of paying school fund.

Towns neglecting to make returns not entitled to any portion thereof.

SECT. 7. The same chapter shall be amended in section fifty-two by striking out the word "selectmen" wherever it occurs and inserting instead thereof the words "superintending school committee;" and by striking out the words "twentieth day of January" and inserting instead thereof the words "first day of April." And by adding after clause six, the following: "VII. And said committee in said returns shall give full and complete answers to the inquiries contained in the blank forms which shall be furnished to them under the provisions of law."

SECT. 8. The same chapter shall be amended in section fifty-four by striking out the words "fourteenth day of February" and inserting instead thereof the words "twentieth day of May;" and by adding thereto after the word "apportionment" the following: "but no town from which the full and complete returns required by law, shall not have been received at the office of secretary of state, on the tenth day of April, shall be entitled to receive any portion of the bank tax or other fund which may from time to time be apportioned for the support of schools, and such portion, which would otherwise belong to said town, shall be divided among the towns from which returns shall have been received, unless it shall be made to appear to the governor and council on or before the fifteenth day of May, then next following, that said returns were seasonably forwarded, or that the omission to make said returns was occasioned by unavoidable accident; and in case it shall be so made to appear, said town shall be entitled to receive its proportion of money, upon making out the proper returns immediately after such hearing before the governor and council. And it is made the duty of the secretary of state to notify any towns from which returns are not received by the tenth day of April, of their delinquency."

**SECT. 9.** The same chapter shall be amended by striking out the fifty-fifth section and inserting instead thereof the following: "the secretary of state, on or before the first day of October annually, shall furnish to the superintending school committees the blank forms required by law to be used in making school returns."

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Secretary of state to furnish blank forms for returns.

**SECT. 10.** The same chapter shall be amended by striking out section sixty-one, and inserting instead thereof the following: "if any person shall enter any school-house, or other place of instruction, while the teacher and scholars, or either are there assembled, and shall willfully interrupt or disturb the teacher or pupils, by loud speaking, rude or indecent behavior, signs or gestures; or if any person shall willfully interrupt a school by prowling about the building, by making noises or by throwing missiles at the school-house, or in anywise disturbing the school, the person so offending shall pay a fine of not less than two nor more than twenty dollars, to be recovered by complaint before any justice of the peace, or by indictment and conviction in the district court."

Penalty for disturbance of schools.

**SECT. 11.** An act entitled "an act authorizing school-districts in this state to purchase school libraries," approved March nineteenth, eighteen hundred and forty-four, is hereby amended by inserting after the word "library," in each section, the words "and apparatus, or either."

School districts may purchase libraries and apparatus.

**SECT. 12.** If any minor shall injure or aid in injuring any school-house or out-buildings, or any utensils or appurtenances belonging to the same, or shall injure or destroy any property belonging to any school-district, said district by its agent or committee may recover of the parents or guardian of such minor, in an action of debt, in any court competent to try the same, double the amount of damages occasioned by such minor.

Liability of parents or guardians for injury done to school houses, &c., by minors.

**SECT. 13.** It shall be the duty of every teacher of a public school to keep a school register containing the names of all the scholars who enter the school, their ages, the date of each scholar's entering and leaving the school, the number of days of each scholar's attendance, the length of the school, the teacher's wages, a list of text books used, and such other facts as may be required by the blank forms furnished under the provisions of law; which register shall, at all times, be open to the inspection of the school committee, and a return of the same be made to said committee at the close of the school. And no teacher shall be entitled to pay for his or her service until the register for his or her school, properly filled up, completed and signed, shall be deposited with the school committee or with such persons as they may designate to receive it. The provisions of this section to take effect after the first day of November next.

Duty of school teachers.

**CHAP. 26.**

Transaction of business relating to schools, in towns containing but one school district.

Provision of ch. 17, sec. 41, relative to making certain returns, repealed.

District agents.

Act of Feb. 23, 1833, repealed.

Provisions of ch. 117, sec. 42 to 49, to apply to school districts.

**SECT. 14.** In any town containing but one district all business relating to schools and school-houses may be transacted at any regular town meeting, in the same way and manner in which other town business is transacted.

**SECT. 15.** So much of section forty-one of chapter seventeen of the revised statutes, as requires superintending school committees to make certain returns to the selectmen is hereby repealed.

**SECT. 16.** When any town shall vote to authorize its several school-districts to choose their own agents, as provided in the third section of chapter seventeen, as aforesaid, such vote shall continue in force from year to year until rescinded; and the agents of every such district shall annually, in March or April, call district meetings for the choice of agents and other business, by causing notice to be given as provided in the twenty-fourth section of the same chapter.

**SECT. 17.** An act entitled "an act additional to provide for the education of youth," approved February twenty-eighth, in the year one thousand eight hundred and thirty-three, is hereby repealed.

**SECT. 18.** The provisions of chapter one hundred and seventeen of the revised statutes, which are contained in the sections from forty-two to forty-nine (both inclusive) of said chapter, shall apply as well to executions against any school-district as against towns.

[Approved July 31, 1847.]

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### Chapter 26.

An act respecting the election of electors of president and vice president.

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

Electors of President and Vice President.

**SECT. 1.** In each year, when the election of president and vice president of the United States is to take place, there shall be chosen from the inhabitants of this state as many electors of president and vice president as this state may at such time be entitled to.

Meetings for electors, how called.

**SECT. 2.** On Tuesday next after the first Monday in the month of November, of the year when the election of president and vice president is to be made, the people of this state qualified to vote for senators in its legislature, shall assemble in town, plantation, city or ward meeting, to be notified, held and regulated in the manner prescribed by the constitution and laws for the election of such senators.

Names to be offered on a single ballot.

**SECT. 3.** Each voter shall bring in on a single ballot the names