

# MAINE STATE LEGISLATURE

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# ACTS AND RESOLVES

PASSED BY THE

## FORTY-SECOND LEGISLATURE

OF THE

## STATE OF MAINE.

1863.

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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:  
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1863.

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PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1863.

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SECT. 3. Any person interested in the use of said stream for the transportation of boats, rafts, logs and other lumber up and down the stream, may after the expiration of forty-eight hours, as aforesaid, remove the obstructions in said Pushaw stream by placing the rafts, logs and other lumber causing the obstruction, in side booms or some other safe and convenient place.

CHAP. 251.  
Obstructions in stream, &c.

SECT. 4. For payment of the expenses of removing and securing said rafts, logs and other lumber as aforesaid, a lien is hereby given on the same to continue for thirty days next after said rafts, logs and other lumber are removed and secured as aforesaid, which lien may be enforced as provided in the following section.

Lien on rafts, &c., for payment of expenses.

SECT. 5. Any person or persons who have incurred expenses in removing and securing said rafts, logs and other lumber, may sell at public auction in the town of Oldtown, with or without an auctioneer, so much of said logs and other lumber as shall be sufficient to pay said charges and expenses of sale, first giving notice of said sale by posting up written or printed notices thereof in two public places in said Oldtown seven days at least before the day of sale, which notice shall describe the kind of lumber, the marks thereon if any, and the cause of sale. And if no persons appear at or before the time aforesaid for said sale to pay said expenses and charges, said sale shall be made as aforesaid, and shall transfer to the purchaser a complete and valid title; *provided* the requirements of this act have been substantially complied with in making the sale.

—may sell at public auction.

—notice, how given.

Proviso.

SECT. 6. Instead of a sale to enforce said lien as provided in this act, the expenses of removing and securing said rafts, logs and other lumber as aforesaid, and damages caused by said obstructions, may be recovered of the owner or owners thereof in an action of assumpsit on account annexed specifying the items of expense.

Expenses may be recovered in action of assumpsit.

SECT. 7. Nothing in this act authorizes the removal of, or interference with the bridges across said stream as now constructed.

SECT. 8. This act shall be in force on its approval.

Approved March 9, 1863.

### Chapter 251.

An act to secure the proper expenditure of school moneys in the Madawaska township.

WHEREAS, There is reason to believe that the moneys appropriated for the support of schools in Madawaska territory, so called, is not expended in such a manner as to promote the education of the people, many of whom are of French origin; and whereas no essential improvement in this regard can be expected so long as the present management continues; therefore,

Preamble.

CHAP. 251. *Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :*

Superintendent of common schools authorized to examine, &c.

SECT. 1. The superintendent of common schools is hereby authorized to make careful examination into the educational condition and wants of the Madawaska townships, which for the purposes of this act are included in that portion of the state, lying north of the south line of township G in the first range, L in the second range, and seventeen in the third to the ninth ranges inclusive, and he shall annually appoint an agent whose duty it shall be to expend under his direction all funds that may be due said territory or granted by the state for the benefit of schools therein in the manner hereinafter provided.

—shall appoint an agent.

Secretary of state to furnish agent with list of scholars.

SECT. 2. It shall be the duty of the secretary of state to furnish to such agent on the first day of June, a list of the number of scholars returned from each township in said territory, and if any township shall have failed to make its returns at that time or shall have made a return which is apparently erroneous, the said agent shall himself ascertain the requisite facts and make a return of the children in such townships between the ages of four and twenty-one years and communicate the same to the secretary of state.

Agent, duty of.

Agent to establish schools, &c.

SECT. 3. Said agent shall establish schools at such point or points in each township as to give to the inhabitants thereof the benefit of its proportion of such moneys according to the number of scholars belonging in each. But if from any cause a school cannot be opened in any township with a reasonable prospect of success, then such portion of the money as belongs to said township shall be expended at such nearest points as will be most likely to secure the object intended by this act.

Districts regularly organized. —agent to allow portion of money.

SECT. 4. In townships where districts are regularly organized, especially in those settlements where a portion of the inhabitants speak the English language, the agent may in his discretion allow their portion of the school money to be expended by the district agent in the ordinary way, and he shall always encourage the formation of districts and the raising of money by the inhabitants for school purposes and the adoption of the school management prescribed by the statutes as fast as they can understand and apply the same.

Books, how selected.

SECT. 5. The superintendent shall select such books as may be needed in teaching the children the elements of the English language, and no school shall be supported by the funds of the state in which that language is not made a prominent part of the instruction.

Agent, powers and duties of.

SECT. 6. The said agent shall have and exercise the same powers as are now exercised by both the superintending school committee and school agents, except in the districts aforesaid, in which he may judge it expedient to allow the local agents or committees to

exercise the statute jurisdiction. He shall require the teachers to keep a record of such facts connected with their schools as are required by law of teachers of other schools, and such other facts as he may deem necessary, and return the same to him at such times as he may require; and in the month of October annually, he shall make full returns of all his doings and of the condition and progress of the several schools under his supervision to the state superintendent of schools.

SECT. 7. The agent shall draw from the state treasury, irrespective of the payment of any state tax, the amount of money due the several townships for school purposes, including the interest on the surplus revenue fund, after the apportionment in July, and shall render to the governor and council in December annually a full account of the same to be audited and approved by them; and before said agent shall be authorized to receive any money from the treasury, he shall execute a bond to the state to the satisfaction of the governor and council conditioned for the faithful expenditure of all funds received by him.

SECT. 8. Such agent shall receive a compensation for his services and expenses in such sum as the governor and council shall approve, to be paid from the treasury on the governor's warrant.

SECT. 9. All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect on approval by the governor.

Agent shall draw from state treasury money due.

—to render account to governor and council.

—to give bond.

—compensation, how determined.

Inconsistent acts repealed.

Approved March 9, 1863.

## Chapter 252.

An act additional to "an act to incorporate the Westbrook Seminary."

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

SECT. 1. The trustees of Westbrook Seminary may prescribe a course of study for young ladies equivalent to that of any female college in New England, and may with the concurrence of the board of instructors, confer upon all who shall satisfactorily complete such course, the collegiate honors and degrees that are generally granted by female colleges.

Trustees may prescribe course of studies for young ladies. —may confer collegiate honors.

SECT. 2. The said trustees may at their next annual meeting designate by lot five of their number to continue in office one year, four to continue three years, and four to continue five years. At the expiration of the term of each division and once in two years thereafter, trustees shall be chosen to fill the places of those retiring, who shall hold office for six years. Elections to fill vacancies

Trustees, designation and election of.