

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

331

OF THE

FIFTY-SECOND LEGISLATURE

OF THE

STATE OF MAINE.

1873.

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1873.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.

1873.

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**CHAP. 123.****Chapter 123.**

An act to repeal section twelve of chapter one hundred and sixteen of the revised statutes, relating to fees of juries.

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

SECT. 1. Section twelve of chapter one hundred and sixteen of the revised statutes, is hereby repealed.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1873.

**Chapter 124.**

An act in aid of free high schools.

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

Towns may establish and maintain free high schools.

—may receive state aid.

Proviso.

—state aid, when paid.

Towns may establish, not exceeding two, free high schools.

Free high schools, towns may unite in establishing.

—school districts may establish.

—school districts in adjoining

SECT. 1. When any town shall have established and maintained a free high school as provided by this act, for at least ten weeks in any one year, such town on complying with the conditions herein set forth, shall be entitled to receive from the state one-half the amount actually expended for instruction in said school, not however exceeding five hundred dollars from the state to any one town; *provided*, that no town shall be entitled to such state aid unless the appropriation and expenditure for such school on the part of said town, has been exclusive of the amounts required by law to be expended for common school purposes. Such state aid shall be paid from the state treasury on and after the first day of December of each year, upon certification by the governor and council as provided by section eight.

SECT. 2. Any town may establish and maintain not exceeding two free high schools; and when two such schools are maintained, shall be entitled to receive the same state aid as if the expenditures for both schools had been made for one school. Two or more adjoining towns may unite in establishing and maintaining a free high school, and both receive the same state aid as if such school had been maintained by one town. So long as any town shall decline to avail itself of the provisions of this act, any school district, or union of districts in such town, may establish and maintain a free high school, and receive state aid the same as the town might have done; *provided*, that no more than two such free high schools shall be established in any town, and that the amount of state aid extended to the districts in any town shall not exceed the sum that the town might have received. Two adjoining school districts in different towns may establish and maintain a union free

high school, and, with the consent of both towns, may receive a proportional part of such state aid, to be determined as provided by section eight, but in no case to exceed the amount that either town might have received. Towns shall receive in trust and faithfully expend donations and bequests made to aid in the maintenance of free high schools, and shall receive state aid in such cases to the same extent, and on the same conditions as if such schools had been established and maintained by taxation; *provided*, that no town shall be entitled to receive such state aid on any expenditure for a free high school or schools made from the funds or proceeds of the real estate of an academy or incorporated institution of learning, surrendered or transferred to such town for educational purposes.

towns may unite in establishing.

—towns shall receive donations, &c., in trust, and faithfully expend the same in aid of.

Proviso.

SECT. 3. Any town, or union of towns or districts, voting to establish a free high school as herein provided, may locate the same permanently, or vote that the terms of said school be held alternately in such school districts within the town or towns as may be selected, and as may accept said school. It shall be the duty of the district in which said free high school is thus held, to supply appropriate equipments for the same, and also to furnish and warm a suitable building; *provided*, that such district may use its district school-house for such free high school, when not required for ordinary school purposes.

—location.

School rooms &c., how supplied and furnished.

Proviso.

SECT. 4. The course of study in the free high school contemplated by this act, shall embrace the ordinary academic studies, especially the natural sciences in their application to mechanics, manufactures and agriculture. Such school or schools, when established by any town or union of towns, shall be free to all the youth in such town or towns, on such attainments of scholarship as shall be fixed by the superintending school committee or committees having the supervision of said school or schools. When such school is established by any school district or union of school districts, it shall be free in the same manner to the scholars within such district or districts; and also open to scholars passing the required examination from without such district or districts, but within the town or towns in which said district or districts are situated, on the payment to the agent of the district in which such school is located, of such tuition, to be fixed by the superintending school committee or committees having the supervision of the same, as shall be equivalent to the cost per scholar of maintaining such school, after deducting the aid extended by the state. Whenever in the judgment of the superintending school committee or committees having the supervision of any free high school or schools, the number of pupils in the same may be increased without detriment, scholars from without the town or towns directly interested in such school or schools,

Course of study.

Terms of admission when established by towns.

—when established by districts.

Tuition.

Scholars from other towns may be admitted.

**CHAP. 124.**

may be admitted to the same on passing the required examination, and paying such tuition as may be fixed by said committee, to the treasurer of the town in which the school is kept, when such school is maintained by a town or union of towns, or to the agent of the district in which the school is kept, when such school is maintained by a district or union of districts.

Free high schools subject to the laws of the state.

—supervision and management of, by towns.

—by union of towns.

—by districts.

—by districts in different towns.

Teachers, how employed.

Towns authorized to raise money to maintain free high schools.

Towns may contract with and pay academies for tuition of scholars.

—entitled to state aid for expenditure.

Return of superintending school committee.

SECT. 5. Free high schools established and maintained under the provisions of this act, shall be subject to the laws of the state relating to common schools so far as applicable, except as herein otherwise provided. When established and maintained by a town, such free high school or schools shall be under the supervision and entire management of the superintending school committee of such town. When established and maintained by a union of towns, such school shall be under the supervision and entire management of the superintending school committees of such towns, who shall constitute a joint board for that purpose. When established and maintained by any district or union of districts in the same town, such school shall be under the supervision of the superintending school committee of such town, and under the financial management of the agent of the school district in which such school is kept, who in connection with said committee shall employ the teacher or teachers for the same. When established and maintained by two districts in different towns, such school shall be under the supervision of the superintending school committees of such towns, who shall constitute a joint board for that purpose, and under the financial management of the agents of both districts, who in connection with said committees shall employ the teacher or teachers for such school.

SECT. 6. Towns and school districts are hereby authorized to raise money for the purpose of establishing and maintaining free high schools, and erecting buildings and providing equipments for the same, in the same manner as is provided by law for supporting common schools and erecting school-houses.

SECT. 7. Any town may from year to year authorize its superintending school committee to contract with and pay the trustees of any academy in said town, for the tuition of scholars within such town, in the studies contemplated by this act, under a standard of scholarship to be established by such committee; and the expenditure of any town for tuition in such academy shall be subject to the same conditions, and shall entitle such town to the same aid from the state as if said town had made such expenditure for a free high school.

SECT. 8. The superintending school committee or committees having the supervision of any free high school or schools, shall annually before the first day of December, make return under oath to the superintendent of common schools, on blanks prepared and

sent out by him, of the amount appropriated and also the amount expended by each town or school district for instruction in such free high school or schools during the current year; also of the amount appropriated and the amount expended for common school purposes by each town or school district maintaining such free high school or schools; the number of weeks which such school or schools have been taught; the wages paid each teacher; the number of pupils registered; the average attendance; the number of pupils in each branch of study pursued; and the amount received for tuition. If the superintendent of common schools shall be satisfied that the provisions of this act have been complied with, he shall certify to the governor and council the sum which each town or district is entitled to receive from the state under this act. If any town or district is dissatisfied with the decision of the superintendent of common schools, such town or district may appeal to the governor and council. The governor and council shall issue a certificate to the treasurer of the town or agent of the district for such amount as they may adjudge such town or district is entitled to receive from the state treasury.

Amount of aid,  
how determined.

—how paid.

SECT. 9. This act shall take effect when approved.

Approved February 24, 1873.

### Chapter 125.

An act to amend chapter twenty-seven of the public acts of eighteen hundred and seventy-two, relating to liens on animals.

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

Chapter twenty-seven, section one of the public laws of eighteen hundred and seventy-two, is hereby amended by striking out, in the fifth line, "by attachment in courts of competent jurisdiction," so that said section as amended shall read as follows:

Amendment.

'SECT. 1. Any person who pastures, feeds or shelters animals by virtue of a contract with, or by consent of the owner, shall have a lien thereon for the amount due for such pasturing, feeding or sheltering, to secure payment thereof with costs, to be enforced in the same manner as liens on goods and personal baggage by innholders or keepers of boarding-houses.'

Lien on animals  
for pasturing &c.

Approved February 24, 1873.