

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-FIFTH LEGISLATURE

OF THE

STATE OF MAINE.

1876.

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

AUGUSTA:
SPRAGUE, OWEN & NASII, PRINTERS TO THE STATE.
1876.

PUBLIC LAWS

OF THE

STATE OF MAINE.

1876.

CHAP. 132. word "town" and the word "for," in the twenty-seventh line of said section, so that the same shall read, when amended, as follows :

Free high schools,
any town may
establish two.

—state aid
allowed.

—school districts
may establish.

Proviso.

—school districts
in different towns
may establish.

—state aid
allowed to.

—maintained by
donations, &c.,
entitled to state
aid.

'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 of 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 or more 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; furthermore, any town or district 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 or district for educational purposes.'

Approved February 23, 1876.

Chapter 132.

An act to amend an act entitled "an act to abolish the Death Penalty and to regulate the manner of Applying for Pardons in certain cases," approved February twenty-first, in the year of our Lord one thousand eight hundred and seventy-six.

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

Act of Feb. 21,
1876, amended.

The act entitled "an act to abolish the death penalty and to regulate the manner of applying for pardons in certain cases,"

approved February twenty-first, eighteen hundred and seventy-six, is hereby amended by adding thereto the following section, viz :

CHAP. 133.

‘SECT. 8. The provisions of this act shall not apply to offences committed before the same goes into effect.’

Act not to apply to prior offences.

Approved February 23, 1876.

Chapter 133.

An act to amend chapter one hundred and thirty-three of the Revised Statutes relative to Commencement of Prosecutions.

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

Section thirteen of chapter one hundred and thirty-three of the revised statutes, is amended so as to read as follows :

Sec. 13, ch. 133, R. S., amended.

‘SECT. 13. If it appears on the whole examination that no offence has been committed, or that there is not probable cause to charge the accused, he shall be discharged ; and if the magistrate judges the complaint frivolous or malicious, he shall order the complainant to pay the cost of prosecution and issue execution accordingly. But if it appears that an offence has been committed and there is probable cause to charge the accused, and the offence is bailable, and sufficient bail is offered, it shall be taken and the accused discharged ; but if it is not bailable, or no sufficient bail is offered, the accused shall be committed to prison to await trial. If the offence is within the jurisdiction of the magistrate he shall try it and award sentence thereon.’

Malicious prosecutions, &c., accused to be discharged.

—cost, by whom paid.

Accused may be discharged on bail.

—may be committed, if offence is not bailable.

—shall be tried if within jurisdiction of magistrate.

Approved February 23, 1876.

Chapter 134.

An act to repeal section five, chapter one hundred forty-one of the Revised Statutes, in relation to Houses of Correction.

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

Section five, chapter one hundred and forty-one of the revised statutes, is hereby repealed.

Sec. 5, ch. 141, R. S., repealed.

Approved February 23, 1876.