

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-SEVENTH LEGISLATURE

OF THE

STATE OF MAINE.

1878.

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Published by the Secretary of State, agreeably to Resolves of June 28, 1820,  
February 18, 1840, and March 16, 1842.

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AUGUSTA:

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1878.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1878.

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actions, complaints and indictments now pending, or which CHAP. 51.  
may hereafter be commenced for the violation of any such act  
before this act takes effect.

Approved February 19, 1878.

### Chapter 51.

An act additional to chapter five of the Revised Statutes, relating to the public lands.

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

SECT. 1. That the land agent, under the direction of the  
governor and council, shall sell at public or private sale and  
convey any lots or parcels of land and islands and rights to  
cut timber belonging to the state, on such terms as they may  
direct, including lots set apart or surveyed for settlement,  
and at the time of sale not taken up by settlers ; also all  
lands and rights that may become forfeited for a non-  
performance of settling duties or other conditions ; and also  
the right to cut timber and grass on lots reserved for public  
uses in any township or tract of land until the same is in-  
corporated or organized into a plantation. *Provided*, that  
until the lots set apart for settlement are sold as aforesaid,  
they shall be subject to be taken up by settlers in manner  
now provided by law.

Land agent au-  
thorized to sell  
lands and rights  
to cut timber be-  
longing to state.

—also forfeited  
lands and rights.

Proviso.

SECT. 2. This act shall take effect from its approval, and  
all acts inconsistent herewith are repealed.

Inconsistent acts  
repealed.

Approved February 19, 1878.

### Chapter 52.

An act amendatory of section second, chapter one hundred and twenty-four of the  
Public Laws for the year one thousand eight hundred and seventy-three, as amended  
by the acts of one thousand eight hundred and seventy-four, and one thousand eight  
hundred and seventy-six, relating to Free High Schools.

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

SECT. 1. The second section of the one hundred and  
thirty-first chapter of the public laws of the year one thou-  
sand eight hundred and seventy-six, is hereby amended by

Sec. 2, ch. 131,  
public laws 1876,  
amended.

CHAP. 52.

adding to said section the words, 'but if all or any part of the money paid by the state for the support of such free high schools, shall be expended for any other purpose than for the support of said free high schools, as provided by this section, then the person or persons so misapplying said money shall forfeit double the sum so misapplied, to be recovered in an action of debt, in the name and to the use of the town, by any inhabitant thereof; and no town shall receive further support from the state for any free high school, until the amount so received, but misapplied, shall be raised and expended for such free high schools by such town,' so that the same shall read, when amended, as follows :

Free high schools,  
any town may  
establish two.

'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.

--adjoining  
towns may main-  
tain school.

--school district  
may establish.

Proviso.

--adjoining  
school districts in  
different towns  
may establish.

Towns shall re-  
ceive and expend  
donations and  
bequests.

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; but

if all or any part of the money paid by the state for the support of such free high schools, shall be expended for any other purpose than for the support of said free high schools, as provided by this section, then the person or persons so misapplying said money shall forfeit double the sum so misapplied, to be recovered in an action of debt, in the name and to the use of the town, by any inhabitant thereof; and no town shall receive further support from the state for any free high school, until the amount so received, but misapplied, shall be raised and expended for such free high schools by such town.'

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

Approved February 19, 1878.

CHAP. 53.

Penalty for misapplying money appropriated by state.

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**Chapter 53.**

An act in addition to chapter fifty-one of the Revised Statutes, relating to Mortgages of Corporations.

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

SECT. 1. The provisions of sections forty-seven to seventy, each inclusive, of chapter fifty-one of the revised statutes, and all acts explanatory or amendatory thereof or additional thereto, shall apply to and include all mortgages of franchises, lands, property and rights of property of any kind whatever, whether heretofore given or hereafter to be given by any corporation to trustees, to secure the payment of scrip or bonds of said corporation, in all cases in which the principal of said scrip or bonds shall have been due and payable for more than three years, and shall remain unpaid in whole or in part, in the same way and to the same extent as if the mortgage had been legally foreclosed, subject to all rights of redemption, as provided in section fifty-seven of said chapter fifty-one; and the holders of said scrip or bonds shall have the benefit of all said provisions and acts, and shall have all the rights and powers of the corporation under its charter, and may form a new corporation in the manner provided in said chapter fifty-one, and the acts amendatory thereof and additional thereto, whenever the holders of such scrip or bonds to any amount exceeding one-half of the same shall so elect, in writing.

Provisions of secs. 47 to 70 of ch. 51, R. S., and amendatory acts, to apply to mortgages of corporations given to trustees, as if legally foreclosed.

Rights and powers of holders of scrip and bonds.