

# MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

FIFTY-NINTH LEGISLATURE

OF THE

STATE OF MAINE.

1880.

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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:  
SPRAGUE & SON, PRINTERS TO THE STATE.  
1880.

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PUBLIC LAWS  
OF THE  
STATE OF MAINE.  
1880.

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intendent 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. Any person or persons connected with the management of such free high schools, either as teacher, school agent, school committee or supervisor, who shall in any way aid or abet in defrauding the state into the payment in support of said schools, of more than is contemplated by the spirit and tenor of this act, shall be punished by a fine of not less than five hundred dollars, or by imprisonment in the county jail for not less than one year.'

SECT. 4. All acts inconsistent with this act are hereby repealed.

Approved March 18, 1880.

CHAP. 230

Superintendent of common schools to make awards.

—appeal.

Governor and council to certify amount to treasurer.

Penalty for defrauding state.

Inconsistent acts repealed.

### Chapter 230.

An act to amend section five of chapter seventy-eight of the Revised Statutes as amended by chapter sixty-two of the Public Laws of eighteen hundred and seventy six, as amended by chapter two hundred and twelve of the Public Laws of eighteen hundred and seventy-seven, relating to Election Returns.

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

Section five of chapter seventy-eight of the revised statutes as amended by chapter sixty-two of the public laws of eighteen hundred and seventy-six, as amended by chapter two hundred and twelve of the public laws of eighteen hundred and seventy-seven, is amended as follows, viz : by inserting after the word "returned," in the third line of said section as amended, the words 'and have the same tabulated ;' by inserting after the word "opened," in the tenth line of said section, the words 'and tabulated ;' and by inserting after the word "correction" in the eleventh line the words 'and during said twenty days any person voted for, either personally, by or

Sec. 5, ch. 78, R. S., as amended by ch. 62, public laws 1870, as amended by ch. 212, public laws 1877 amended.

## CHAP. 230

with counsel, shall have the privilege of examining said returns in the presence of the governor and council, or either of them, or any member of the council,' and by inserting in the twenty-eighth line after the words "so far as they relate to the," the words 'examination and,' so that said section as amended shall read as follows :

Mode of determining officers elected.

'SECT. 5. The governor and council, on or before the first day of December in each year, shall open and compare the votes so returned, and have the same tabulated, and may receive testimony on oath to prove that the return from any town does not agree with the record of the vote of such town in the number of votes, or the names of the persons voted for, and to prove which of them is correct; and the return when found to be erroneous may be corrected by the record. No such correction can be made without application within twenty days after the returns are opened and tabulated, stating the error alleged, and reasonable notice thereof given to the person to be affected by such correction, and during said twenty days any person voted for, either personally, by or with counsel, shall have the privilege of examining said returns in the presence of the governor and council, or either of them, or any member of the council. The persons having the highest number of votes, not exceeding the number to be chosen, shall be declared elected; and shall be notified thereof by the secretary of state, be sworn, and enter upon the discharge of official duties on the first day of January thereafter. If a number of persons, exceeding the number to be chosen, receive an equal number of votes, no one is elected. But, in order to ascertain what persons have received the highest number of votes, the governor and council shall count and declare for any person all votes intentionally cast for such person, although his name upon the ballot is misspelled or written with only the initial or initials of his christian name or names; and they may hear testimony upon oath, in relation to such votes, in order to get at the intention of the electors, and decide accordingly. The provisions of this section shall be applied in determining the election of all county officers, and the provisions of said section five, so far as they relate to the examination and correction of returns, and to ascertaining for whom votes were intentionally cast, shall be applied in determining the election of representatives to congress, senators and representatives to the state legislature,

—how notified.

—when they shall enter upon official duties.

Highest number of votes, how ascertained.

Governor and council may hear testimony.

To the election of what officers applicable.

and electors of president and vice president of the United States. In all cases when a return is defective by reason of any informality, a duly attested copy of the record may be substituted therefor.'

CHAP. 231

In cases of defective return attested copy of record may be substituted.

Approved March 15, 1880.

### Chapter 231.

An action to amend section one, chapter one hundred and forty-two of the Revised Statutes, relating to the Reform School.

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

Section one, of chapter one hundred and forty-two of the revised statutes is hereby amended by striking out in the seventh and eighth lines of said section the words "They are allowed ten cents a mile for actual travel each way," and inserting instead the words 'They are allowed actual expenses,' so that said section, as amended, shall read as follows :

Sec. 1, ch. 142, R. S., amended.

'SECT. 1. The government of the state reform school, established for the instruction, employment, and reform of juvenile offenders, in the town of Cape Elizabeth, in the county of Cumberland, is vested in a board of five trustees appointed by the governor, with the advice of the council, and commissioned to hold their offices during the pleasure of the governor and council, but not more than four years under one appointment. They are allowed actual expenses and two dollars a day for their services when employed. They have charge of the general interests of the institution, shall see that its affairs are conducted as required by the legislature, and such by-laws as the board may adopt; see that proper discipline is maintained therein; provide employment for the inmates, and bind them out, discharge or remand them, as hereinafter provided, appoint a superintendent, subject to the approval of, and during the pleasure of, the governor and council, and appoint such other officers as in their judgment the wants of the institution require; prescribe the duties of all the officers thereof; exercise a vigilant supervision over its concerns, remove its subordinate officers at pleasure, and

Government of the state reform school vested in board of five trustees.

—compensation.

—powers and duties.