

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-first Legislature

OF THE

STATE OF MAINE

1923

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-First Legislature

1923

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Chapter 59.

An Act to Amend Section Seventy-eight of Chapter Sixteen of the Revised Statutes to Provide Transportation for Pupils who Live on Islands on Which There Are No Secondary Schools and from Which Regular Transportation Lines Are Established.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 16, sec. 78; relating to free high schools, conveyance of pupils, state aid, etc., amended. Section seventy-eight of chapter sixteen of the revised statutes is hereby amended by inserting after the word "committee" in the ninth line thereof the following: 'Provided, that in cases of pupils whose residence is on islands within towns and cities and on which there is no secondary school and from which regular transportation lines are established and in operation, said towns and cities shall pay transportation charges of said children; provided, however, that such transportation shall be over regular lines, at not to exceed regular fares and no subsidy; provided, also, that transportation lines shall have the privilege of establishing such school fares, not to exceed the regular fares as may be agreed upon by the officials of said transportation lines and the school board or school committee of the town or city of which said islands are a part,' so that said section, as amended, shall read as follows:

'Sec. 78. Conveyance of pupils resident on islands provided for. Any town may establish and maintain not exceeding two free high schools; and in such case shall receive the same state aid as if the expenditure for both schools had been made for one. Two or more adjoining towns may unite in establishing and maintaining a free high school, and both shall receive the same state aid as if such school had been maintained by one town. Any town may, in addition to the sums raised for the support of high and common schools, raise and appropriate a sum for the payment of conveyance of pupils attending secondary schools, said sum to be expended under the direction of the superintending school committee. Provided, that in cases of pupils who reside on islands within towns and cities and on which there is no secondary school and from which regular transportation lines are established and in operation, said towns and cities shall pay transportation charges of said children; provided, however, that such transportation shall be over regular lines, at not to exceed regular fares and no subsidy; provided, also, that transportation lines shall have the privilege of establishing such school fares not to exceed the regular fare, as may be agreed upon by the officials of said transportation lines and the school board or school committee of the town or city of which said islands are a part. Towns shall receive in trust and faithfully expend gifts and bequests made to aid in the maintenance of free high schools, and shall receive aid in such cases to the same extent and on the same conditions as if such schools had been estab-

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lished and maintained by taxation; and any town shall 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; but if any part of the money so paid by the state, is expended for any other purpose than the support of such free high schools, as provided by this section, then each person so misapplying said money forfeits 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, has been raised and expended for such free high schools by such town.'

Approved March 19, 1923.

Chapter 60.

An Act to Amend Sections Ninety-two and Ninety-four of Chapter Eighty-two of the Revised Statutes, Relating to Procedure in Civil Cases in Superior Courts.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 82, sec. 92; relating to proceedings in jury trial cases in superior courts, amended. Section ninety-two of chapter eighty-two of the revised statutes is hereby amended by striking out the first thirteen lines thereof and the words "desire, at chambers" in the fourteenth line thereof and by striking out the words "If the defendant does not file his" in the sixteenth line thereof and all of the seventeenth and eighteenth lines thereof, and the words "to file a plea or otherwise lawfully disposes of the action" in the nineteenth line thereof, so that said section, as amended, shall read as follows:

'**Sec. 92.** Notice for request for jury trial, and requirement to file pleadings within fourteen days, eliminated. When a defendant, legally served, does not appear by himself or attorney within the first three days of the term, he shall be defaulted as in the supreme judicial court. All actions duly answered to shall be in order for trial at the next term after entry, and shall be so tried, except for good cause. Appeals shall be entered by the appellant as in the supreme judicial court, and shall be in order for trial at the first term.'

Sec. 2. R. S., c. 82, sec. 94; relating to overruled demurrers in superior courts, repealed. Section ninety-four of chapter eighty-two of the revised statutes is hereby repealed.

Sec. 3. Proceedings where demurrers are filed governed by supreme judicial court rules. The proceedings of the superior courts in cases in which