

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1847.

AUGUSTA:

Wm. T. JOHNSON,.....PRINTER TO THE STATE

1848.

TWENTY-SEVENTH LEGISLATURE.

No. 4.]

[HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
FORTY-SEVEN.

AN ACT additional in relation to public schools.

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

SECTION 1. Chapter seventeen of the revised statutes, shall be amended by striking out, in the eleventh section, the word "selectmen" and inserting instead thereof the words "superintending school committee."

SEC. 2. The same chapter shall be amended, in section twelve, by adding thereto the following words: "but no superintending school committee shall be entitled to receive any compensation for services, until they shall have furnished to the selectmen, satisfac-

6 tory evidence, that they have made the full and com-
7 plete returns required by law, to the secretary of
8 state.”

SEC. 3. The same chapter shall be amended, in
2 section twenty-eight, by adding thereto the following
3 words: “fifthly, to raise money for the support of
4 schools within the district, in addition to that raised by
5 the town, and to be appropriated as if raised by the
6 town: *provided*, that the tax for the money so raised
7 shall be assessed only upon the property of persons
8 resident in the district, and that the amount so raised
9 shall not exceed one half of the amount received by
10 the district from the money raised by the town.” And
11 the same section shall be further amended, by adding
12 thereto the following words: “sixthly, to join with
13 one or more other school districts, for the purpose of
14 uniting the more advanced scholars in each district in
15 one school. And when any districts shall so deter-
16 mine, they may appropriate such a proportion of the
17 school money of each district, as the scholars attending
18 the school aforesaid, would be entitled to draw, per
19 capita.”

SEC. 4. The same chapter shall be further amend-
2 ed by striking out the thirty-seventh and thirty-eighth

3 sections, and inserting instead thereof the following :
4 “ any school district, at a regular meeting, may deter-
5 mine what proportion of their school money shall be
6 used for the support of a school to be taught by a
7 female ; and their agent shall expend the same accord-
8 ingly. But in the case of a disagreement in any
9 district on that point, not more than one third of
10 their money shall be expended for a school taught by
11 a female, without the written assent of the superin-
12 tending school committee.”

SEC. 5. The same chapter shall be amended in
2 section forty-two, by striking out the word “ select-
3 men ” and inserting instead thereof the word “ assess-
4 ors,” and by adding to the end of said section the
5 following : “ and in case said agents fail to make the
6 returns aforesaid, the assessors as soon as may be
7 thereafter, shall make or cause to be made an enu-
8 meration of the persons aforesaid in such districts.”

SEC. 6. The same chapter shall be amended by
2 striking out section forty-three, and inserting instead
3 thereof the following : “ every person employed as a
4 school master shall be a citizen of the United States,
5 and shall present to the superintending school com-
6 mittee of the town where the school is to be kept, a

7 certificate from some citizen of this state of liberal
8 education or literary pursuits, that he is well qualified
9 to instruct youth in reading, in writing the English
10 language grammatically, in arithmetic, and in any
11 other branches of learning usually taught in our pub-
12 lic schools. He shall also satisfy the committee that
13 he sustains a good moral character and possesses a
14 temper and disposition suitable to become a teacher
15 of youth. And the committee in examining candi-
16 dates for teaching shall have reference, both to their
17 literary attainments and also to their capacity for gov-
18 ernment and discipline. And the certificate given by
19 the committee shall set forth, that the person by them
20 examined is qualified to teach the particular school for
21 which application is made.”

SEC. 7. The same chapter shall be amended in
2 section fifty-two, by striking out the word “select-
3 men” wherever it occurs and inserting instead thereof
4 the words “superintending school committee.” And
5 by striking out the words “twentieth day of January”
6 and inserting instead thereof the words, “first day of
7 April.” And by adding after clause six, the following:
8 “VII. And said committee in said returns shall give
9 full and complete answers to the inquiries contained

10 in the blank forms which shall be furnished to them
11 under the provisions of law.”

SEC. 8. The same chapter shall be amended in
2 section fifty-four, by striking out the words, “four-
3 tenth day of February,” and inserting instead thereof
4 the words, “twentieth day of May,” and by adding
5 thereto after the word “appointment,” the following:
6 “but no town from which the full and complete re-
7 turns required by law, shall not have been received at
8 the office of the secretary of state, on the tenth day
9 of April, shall be entitled to receive any portion of the
10 bank tax or other fund which may from time to time
11 be apportioned for the support of schools, and such
12 portion, which would otherwise belong to said town,
13 shall be divided among the towns from which returns
14 shall have been received, unless it shall be made to
15 appear to the governor and council on or before the
16 fifteenth day of May, then next following, that said
17 returns were seasonably forwarded, or that the omis-
18 sion to make said returns was occasioned by unavoid-
19 able accident; and in case it shall be so made to
20 appear, said town shall be entitled to receive its pro-
21 portion of money, upon making out the proper returns

22 immediately after such hearing before the governor
23 and council. And it is hereby made the duty of the
24 secretary of state, to notify any towns from which re-
25 turns are not received by the tenth day of April, of
26 their delinquency.”

SEC. 9. The same chapter shall be amended by
2 striking out the fifty-fifth section and inserting instead
3 thereof the following: “the secretary of state, on or
4 before the first day of October annually, shall furnish
5 to the superintending school committees, the blank
6 forms required by law to be used in making school
7 returns.”

SEC. 10. The same chapter shall be amended by
2 striking out section sixty-one, and inserting instead
3 thereof the following: “if any person shall enter any
4 school-house, or other place of instruction, while the
5 teacher and scholars, or either are there assembled,
6 and shall willfully interrupt or disturb the teacher or
7 pupils, by loud speaking, rude or indecent behavior,
8 signs or gestures; or if any person shall willfully in-
9 terrupt a school by prowling about the building, by
10 making noises, or by throwing missiles at the school-
11 house, or in anywise disturbing the school, the person
12 so offending shall pay a fine of not less than two nor

13 more than twenty dollars, to be recovered by com-
14 plaint before any justice of the peace, or by indict-
15 ment and conviction in the district court."

SEC. 11. An act entitled "an act authorizing
2 school districts in this state to purchase school libra-
3 ries," approved March nineteenth, eighteen hundred
4 and forty-four, is hereby amended by inserting after
5 the word "library," in each section, the words, "and
6 apparatus, or either."

SEC. 12. If any minor shall injure or aid in injur-
2 ing any school-house, or out-buildings, or any utensils
3 or appurtenances belonging to the same; or shall in-
4 jure or destroy any property belonging to any school
5 district, said district by its agent or committee may
6 recover of the parents or guardian of such minor, in
7 an action of debt, in any court competent to try the
8 same, double the amount of damages occasioned by
9 such minor.

SEC. 13. It shall be the duty of every teacher of a
2 public school to keep a school register containing the
3 names of all the scholars who enter the school, their
4 ages, the date of each scholar's entering and leaving
5 school, the number of days of each scholar's attend-
6 ance, the length of the school, the teacher's wages, a

7 list of text books used, and such other facts as may be
8 required by the blank form, furnished under the pro-
9 visions of law ; which register shall, at all times, be
10 open to the inspection of the school committee, and a
11 return of the same be made to said committee at the
12 close of the school. And no teacher shall be entitled
13 to pay for his or her services, until the register for his
14 or her school, properly filled up, completed and signed,
15 shall be deposited with the school committee or with
16 such persons as they may designate to receive it. The
17 provisions of this section to take effect after the first
18 day of November next.

SEC. 14. In any town containing but one district
2 all business relating to schools and school-houses may
3 be transacted at any regular town meeting, in the
4 same way and manner in which other town business
5 is transacted.

SEC. 15. So much of section forty-one of chapter
2 seventeen of the revised statutes, as requires superin-
3 tending school committees to make certain returns to
4 the selectmen is hereby repealed.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, July 23, 1847.

ORDERED, That 350 copies of the foregoing bill, reported from the committee on education, be printed for the use of the legislature.

SAMUEL BELCHER, *Clerk.*