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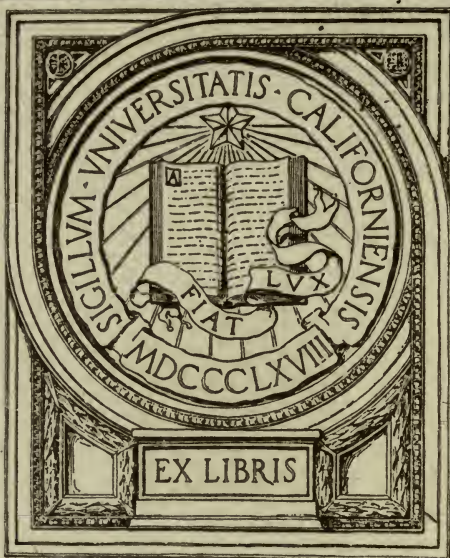
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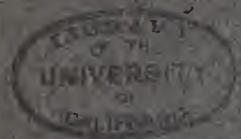
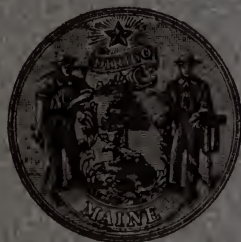
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# LAWS OF MAINE

RELATING TO

## Public Schools



1911





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RELATING TO

## PUBLIC SCHOOLS

1911



Compiled by the State Superintendent and printed agreeably to An Act approved March 13, 1889.

UNIV. OF  
CALIFORNIA

AUGUSTA  
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1911

1911

This pamphlet will be sent free on application to the State Superintendent of Public Schools, Augusta, Maine.

TO THE  
STATE SUPERINTENDENT  
OF PUBLIC SCHOOLS  
AUGUSTA, MAINE

A. M. C.



# LAWS OF MAINE

RELATING TO

## PUBLIC SCHOOLS

### 1911

Being Chapter 15, Revised Statutes of 1903, (and subsequent amendments thereto) together with certain of the Public Laws of 1905, 1907, 1909, and 1911, governing the management of all public schools except those in districts organized with special powers by acts of Legislature.

(Enactments of 1911 are effective June 30, 1911.)

#### CHAPTER 15.

#### EDUCATION OF YOUTH.

##### LOCATION OF SCHOOLS.

SEC. 1. The school districts in all towns in the state are abolished. *Provided, however,* that school districts organized with special powers by act of the legislature may retain such organization and special powers; but said districts shall annually on or before the first day of June, by their agents, trustees or directors, submit to the school committees of their several towns estimates of the amounts required for the maintenance of the schools therein, other than free high schools, for the ensuing school year, and shall be entitled to such portion of the common school funds of the town as said committees shall determine, which sum shall not be less than is necessary for the maintenance of their schools for a period equal to that of the other schools of the town; and *provided further,* that the corporate powers of every school district shall continue so far as the same may be necessary for meeting its liabilities and enforcing its rights; and any property held in trust by any school district by virtue of a gift, devise or bequest for the benefits of said district shall continue to be held and used according to the terms thereof.

All school districts abolished except districts organized by act of legislature. 1893, c. 216 § 1.

—how schools in such districts shall be supported.

—corporate powers of districts continued for purpose of meeting liabilities. 1893 c. 216 § 4.



No change in location of any school legally established. 1893 c. 216 § 3. 1901 c. 203.

—towns may determine number and location on recommendation of school committee.

—operation of schools with few scholars may be suspended. 1903 c. 66.

—superintendent shall procure conveyance for scholars.

—committee may authorize board instead of providing conveyance.

Towns may lay out school house lots in certain cases. R. S. c. 11, § 57. 1901 c. 211, § 1.

—damages, how appraised.

SEC. 2. The location of any school legally established prior to March seventeen, eighteen hundred and ninety-three continues unchanged, notwithstanding the district is abolished; but any town at its annual meeting, or at a meeting called for the purpose, may determine the number and location of its schools, and may discontinue them or change their location; but such discontinuance or change of location shall be made only on the written recommendation of the superintending school committee, and on conditions proper to preserve the just rights and privileges of the inhabitants for whose benefits such schools were established; *provided, however*, that in case any school shall hereafter have too few scholars for its profitable maintenance, the superintending school committee may suspend the operation of such school for not more than one year unless otherwise instructed by the town, but any public school failing to maintain an average attendance for any school year, of at least eight pupils, shall be and hereby is suspended, unless the town in which said school is located shall by vote, at the annual meeting after the said committee shall have made a written recommendation to that effect, instruct its superintending school committee to maintain said school. The superintendent of schools in each town shall procure the conveyance of all common school pupils residing in his town, a part or the whole of the distance, to and from the nearest suitable school, for the number of weeks for which schools are maintained in each year, when such pupils reside at such distance from the said school as in the judgment of the superintending school committee shall render such conveyance necessary. *Provided, however*, that the superintending school committee may authorize the superintendent of schools to pay the board of any pupil or pupils at a suitable place near any established school instead of providing conveyance for said pupil or pupils, when in their judgment it may be done at an equal or less expense than by conveyance.

SEC. 3. When a location for the erection or removal of a schoolhouse and requisite buildings has been legally designated, by vote of town at any town meeting called for that purpose and the owner thereof refuses to sell, or, in the opinion of the municipal officers, asks an unreasonable price for it, or resides without the state and has no authorized agent or attorney therein, they may lay out a schoolhouse lot, not exceeding



three acres, and appraise the damages therefor; and on payment—how paid.  
 or tender of such damages, or if such owner does not reside in  
 the state, upon depositing such damages in the treasury of such  
 town for his use, the town designating it may take such lot to  
 be held and used for the purpose aforesaid; and when such—lot to  
 schoolhouse has ceased to be thereon for two years, said lot revert to  
 reverts to the owner, his heirs or assigns. And any town or owner if not  
 city may take real estate for the enlargement or extension of occupied for  
 any location designated for the erection or removal of a school—land may  
 house and requisite buildings and playgrounds, as herein pro- school house  
 vided; but no real estate shall be so taken within fifty feet of lot, play-  
 a dwelling-house, and all schoolhouse lots and playgrounds that ground, etc.,  
 require fencing shall be fenced by the town or city. but not with-  
 in 50 feet of  
 a dwelling.

SEC. 4. If the owner is aggrieved at the location of the lot, Appeal by  
 or the damages awarded, he may apply to the county commis- aggrieved  
 sioners within six months, who may change the location and owner.  
 assess the damages. If the damages are increased, or the loca- R. S. c. 11  
 tion changed, such town or district shall pay the damages and § 58.  
 costs; otherwise the costs shall be paid by the applicant. 1901 c. 211  
 § 2.

SEC. 5. If any town or school district, by its officers or by a School house  
 committee, has designated, located and described a lot upon lots, erro-  
 which to erect, move or repair a schoolhouse, and from mistake neous loca-  
 or omission has failed to comply with the law, whereby such tion.  
 location has been rendered invalid, three legal voters and tax-—how re-  
 payers thereof may apply in writing to the selectmen of said established  
 town, and have the lot, so designated or described, re-appraised and made  
 by them. valid.  
 R. S. c. 11  
 § 59.

SEC. 6. The selectmen of any town to whom such appli- Notice of  
 cation has been made, shall forthwith give not less than seven appraisement  
 nor more than twenty days' notice to the clerk of said town or and hearing,  
 district and to the owner of such real estate, or to the persons how given.  
 having the same in charge, of the time and place by them fixed R. S. c. 11  
 for such hearing, and shall, after examination and hearing of § 60.  
 all interested, appraise the lot as set out and affix a fair value  
 thereon, exclusive of improvements made by said district or  
 town, either by buildings or otherwise; and shall, as soon as  
 practicable, notify the town or district clerk, and the persons  
 interested in said estate who had been notified as hereinbefore  
 provided, of the sum at which said lots had been appraised.

Sum how  
assessed and  
collected.  
R. S. c. 11  
§ 62.

SEC. 7. The sum fixed as the value of said lot shall be assessed, collected and paid over as other school money.

Tender to be  
allowed in  
payment.  
R. S. c. 11  
§ 62.

SEC. 8. Any sum which has been tendered and is in the hands or under the control of the persons owning or having charge of such land, shall be allowed in payment of said appraisal.

Either party  
may appeal.  
R. S. c. 11  
§ 63.

SEC. 9. If the town or district, or persons owning or having charge of the land on which such location is made, are dissatisfied with such appraisal, either party may within ten days appeal to the county commissioners of the county in which the land lies, by filing a copy of the proceedings and a claim of appeal with said commissioners, and the determination of a majority of said commissioners not residents of said town, shall be final.

Improvements  
inure  
to town or  
district.  
R. S. c. 11  
§ 64.

SEC. 10. When any school district or town has erected or moved a building upon such lot or in any way improved the same, such improvement shall inure to the benefit of such town or district, and the same may be as completely occupied and controlled by such town or district as it would have been if such location had been in strict conformity to law.

Tax not  
affected by  
error in  
location.  
R. S. c. 11  
§ 65.

SEC. 11. The legality of a tax assessed to build, repair or move a schoolhouse and to pay for a lot, shall not be affected by any mistake or error in the designation or location thereof.

Plan to be  
approved by  
committee.  
R. S. c. 11  
§ 66.

\*SEC. 12. A plan for the erection or reconstruction of a schoolhouse voted by a town, shall first be approved by the superintending school committee and in case no special building committee has been chosen by the town, said superintending school committee shall have charge of said erection or reconstruction; *provided, however*, that they may if they see fit, delegate said power and duty to the superintendent of schools.

#### DUTIES OF TOWNS.

Towns to  
raise money  
for schools.  
R. S. c. 11  
§ 6.  
1903, c. 165.  
1907, c. 111.  
1909, c. 128.

\*\*SEC. 13. Every town shall raise and expend, annually, for the support of common schools therein, exclusive of the income of any corporate school fund, or of any grant from the revenue or fund from the state, or of any voluntary donation, devise or bequest, or of any forfeiture accruing to the use of schools, not

\*See also An Act relative to School Buildings, Chap. 88, P. L., 1909.  
\*\*See also Section 6 of Chapter 177, P. L., 1909.

less than eighty cents for each inhabitant, according to the census by which representatives to the legislature were last apportioned, under penalty of forfeiting not less than twice nor more than four times the amount of its deficiency, and all moneys provided by towns, or apportioned by the state for the support of common schools, shall be expended for the maintenance of common schools established and controlled by the towns by which said moneys are provided, or to which said moneys are apportioned; but nothing in this section shall be so construed as to annul, or render void, the provisions made in section eighteen of this chapter for the establishment and maintenance of union schools by adjoining towns.

SEC. 14. All towns incorporated since seventeen hundred and eighty-eight, not formerly parts of other towns, which fail to account for the permanent school fund arising from sale or lease of school lands in said towns, shall annually raise and expend for the maintenance of common schools not less than forty-five dollars in addition to the amount required by law to be raised and expended for the support of said schools.

SEC. 15. No money appropriated by law for public schools shall be paid from the treasury of any town, except upon the written order of its municipal officers; and no such order shall be drawn by said officers except upon presentation of a properly avouched bill of items. The unexpended balance of all moneys raised by towns, or received from the state, for the payment of wages and board of teachers, fuel, janitors' services, conveyance or tuition and board of scholars, shall be credited to the school resources for the year following that in which said unexpended balance occurred. This clause, relating to unexpended balances shall not apply to cities.

SEC. 16. When the governor and council have reason to believe that a town has neglected to raise and expend the school money required by law, or to employ teachers certificated as required by law, or to have instruction given in the subjects prescribed by law or to provide suitable text-books in the subjects prescribed by law, or faithfully to expend the school money received from the state, or in any way, to comply with

—expenditure.

—does not annul provisions of establishment of union schools.  
1905, c. 48, § 1.

Expenditures by towns falling to account for permanent school funds.  
1903, c. 177

School money, how paid by towns.  
R. S. c. 11, § 17.  
1905, c. 48, § 2.

—unexpended balance.

School fund and mill tax to be withheld from delinquent towns.  
R. S. c. 11, § 7.  
1899, c. 64.  
1905, c. 48, § 3.  
1909, c. 59.



the laws prescribing the duties of towns in relation to public schools, they shall direct the treasurer of state to withhold further payment to such town from the state school fund and mill tax until such town satisfies them that it has expended the full amount of school money as required by law and that it has complied in all ways with the law prescribing the duties of towns in relation to public schools.

Same aggregate annual length of terms.  
1893, c. 216,  
§ 5.  
1909, c. 29.

SEC. 17. The school moneys of every town shall be so expended as to give as nearly as practicable the same aggregate annual length of terms in all its schools, and every town shall make provision for the maintenance of all its schools for not less than twenty-six weeks annually. Any town failing to maintain its schools as provided in this section, shall be debarred from drawing its state school moneys, till it shall have made suitable provisions for so maintaining them thereafter.

Union schools may be maintained by adjoining towns.  
1893, c. 216,  
§ 6.

SEC. 18. Adjoining towns, upon the written recommendation of the school committee of said towns, may by concurrent action maintain union schools for the benefit of parts of said towns constituting on March one, eighteen hundred and ninety-four, union school districts, or may establish such schools, and shall contribute to their support each in proportion to the number of scholars in each of said towns attending such schools. Said school shall be under the management of the school committee of the town in which their schoolhouses are located.

—management of such schools.

Towns shall expend school fund.  
1905, c. 48,  
§ 4.

\*SEC. 19. Towns shall expend the entire amount of the school fund and mill tax received from the state, together with the amounts arising from the eighty cents per capita, as provided in section thirteen of said chapter fifteen and the funds arising from the various sources enumerated in the first four lines of section thirteen of said chapter and the funds arising from the provisions of section fourteen of said chapter, for the payment of teachers' wages and board, fuel, janitors' services, conveyance of scholars and tuition and board of scholars, as provided in section two and section fifty of said chapter fifteen and shall provide school books, apparatus and appliances for the use of pupils in the public schools, including all free high schools, at the expense of said town; and shall also pay for the necessary repairs of school buildings and insurance on same,

—shall provide school books and apparatus.  
R. S. c. 11,  
§ 8.  
1897, c. 260.

\*See also Section 6, Chapter 177, P. L. 1909.



if any, improvement and maintenance of school yards and playgrounds out of a sum or sums of money raised and appropriated for that purpose which shall be assessed like other money and shall be in addition to and independent of the amount which towns are required by law to raise, assess and expend for the support of common schools; *provided, however*, that any parent or guardian of any pupil in the public schools may, at his own expense, procure for the separate and exclusive use of such pupil, the text-books required to be used in such schools and no second hand books shall be purchased for the use of any school; any person violating this provision shall forfeit not exceeding five hundred dollars, to be recovered in an action of debt by any school officer or person aggrieved.

—second  
hand books.  
1909, c. 131.

SEC. 20. School committees shall make such rules and regulations not repugnant to law, as they deem proper, for the distribution and preservation of school books and appliances furnished at the expense of the town.

Distribution  
of books, etc.  
1889, c. 268,  
§ 2.

SEC. 21. When a pupil in the public schools loses, destroys, or unnecessarily injures any such school book or appliance, furnished such pupil at the expense of said town, his parent or guardian shall be notified, and if the loss or damage is not made good to the satisfaction of such committee within a reasonable time, they shall report the case to the assessors, who shall include in the next town tax of the delinquent parent or guardian the value of the book or appliance so lost, destroyed or injured, to be assessed and collected as other town taxes.

Damages for  
injuring or  
destroying,  
how recov-  
ered.  
R. S. c. 11,  
§ 10.

\*SEC. 22. Any city or town may, in addition to the sum raised for the support of the common schools, raise and appropriate money for the support of evening schools, which shall admit persons of any age, shall teach only the elementary branches, and shall be under the direction and supervision of the superintending school committee.

Evening  
schools.  
1889, c. 246.

\*SEC. 23. Any city or town may annually make provision for free instruction in industrial or mechanical drawing, to persons over fifteen years of age, either in day or evening schools, under direction of the superintending school committee.

Instruction  
in industrial  
or mechanical  
drawing.  
R. S. c. 11,  
§ 11.

\*SEC. 24. Any city or town may, in addition to the sum raised for the support of the common schools, raise and appropriate money for the support of manual training schools and may

Manual  
training  
schools.  
1901, c. 234,  
§ § 1, 5.

\*See also An Act for the encouragement of Industrial Education, Chapter 188, P. L., 1911.

receive gifts and bequests for the use, maintenance and support of such schools.

Direction,  
rules and  
regulations  
of such  
schools.  
1901, c. 234,  
§ § 2, 3, 4.

SEC. 25. Such schools shall be under the control, direction and supervision of the superintending school committee, and shall admit such persons between the ages of six and twenty-one years, and shall give such courses of instruction as said committee may determine. Pupils in such schools shall be subject to the same conditions, rules and regulations as provided for public schools.

Scholars at  
light stations,  
fog warning  
stations, or  
life saving  
stations.  
1893, c. 199  
1911, c. 161.

SEC. 26. Persons between the ages of five and twenty-one years living at any light station, fog warning station, or life saving station shall be admitted to any public school in the state without paying tuition; such scholars shall be entitled to all privileges and benefits, and be subject to the same conditions, rules and regulations as scholars residing in the town in which they attend school.

School age.  
1893, c. 162.

SEC. 27. The age of pupils allowed to attend the public schools of the state is hereby fixed between the ages of five and twenty-one and every child between the said ages shall have the right to attend the public schools in the town in which his parent or guardian has a legal residence, subject to such reasonable regulations as to the numbers and qualifications of pupils to be admitted to the respective schools and as to other school matters as the school committee shall from time to time prescribe.

—attendance.  
1911, c. 22.

SEC. 28. The assessors or municipal officers of each town, shall, on or before the first day of each May, make to the state superintendent of public schools, a certificate, under oath, embracing the following items:

Annual  
school  
returns to  
state super-  
intendent.  
R. S. c. 11  
§ 13.  
1909, c. 91.

I. The amount voted by the town for common schools at the preceding annual meeting.

II. The amount of school moneys payable to the town from the state treasury during the year ending with the first day of the preceding April.

III. The amount of money actually expended for common schools during the preceding fiscal year of the town.

IV. The amount of school moneys unexpended at the expiration of the preceding fiscal year of the town.

V. Answers to such other inquiries as are presented to secure a full and complete statement of school revenues and expenditures.

SEC. 29. Every town shall choose by ballot at its annual meeting a superintending school committee of three to hold office as provided in the following section and shall fill vacancies arising therein at each subsequent annual meeting. No person is ineligible to the office of superintending school committee, on account of sex.

Election of a school committee.  
1897, c. 327 § 1.  
R. S. c. 11, § 18, 85.

SEC. 30. School committees first chosen shall designate by lot a member or members to hold office for one, two and three years respectively, in manner as follows; one for one year, one for two years and one for three years; and they shall certify such designation to the town clerk to be by him recorded; and thereafterwards one member shall be chosen by ballot at the annual meeting of the town, to hold office for three years. Said committee may fill vacancies occurring between annual meetings, and the term of office of any member of the committee so chosen shall expire at the next annual meeting. No member of the superintending school committee of any town shall be employed as teacher in any public school in said town.

Superintending school committee, when first chosen, shall arrange terms of office.  
R. S. c. 11 § 86.  
1897, c. 327 § 2.  
—vacancies.

—no member shall be employed to teach in his own town.

SEC. 31. The provisions of the two preceding sections shall not apply to cities whose charters specify the methods of election and term of office of a superintending school committee or board of education; nor to towns, cities and incorporated districts authorized by private and special laws to choose school committees other than those herein provided for.

Sections 29 and 30 shall not apply to certain cities.  
1897, c. 327, § 3.

SEC. 32. A town failing to elect members of the superintending school committee as required by law, forfeits not less than thirty, nor more than two hundred dollars.

Penalty for neglect to choose committee.  
R. S. c. 11 § 20.

SEC. 33. Superintending school committees shall serve without pay, unless otherwise voted by the town, but the superintendent shall receive for his services such sum as the town shall annually vote therefor, which sum shall in no case be less than two dollars a day for every day of actual service and necessary traveling expenses.

Committee shall serve without pay.  
—compensation of superintendent.  
R. S. c. 11, § 92.  
1897, c. 327 § 2.

#### POWER AND DUTIES OF SUPERINTENDING SCHOOL COMMITTEES AND SUPERINTENDENTS.

SEC. 34. The management of the schools and the custody and care, including repairs and insurance on school buildings, of all school property in every town, shall devolve upon the superintending school committee which shall annually, and as often

Management of schools devolves upon superintending school committee.  
1897, c. 332.  
1903, c. 100.



as a vacancy shall occur, elect a superintendent of schools who shall not be a member of the committee. After due notice and investigation the superintending school committee may for cause discharge a superintendent of schools and, after protracted absence from duty on the part of such superintendent, may declare a vacancy in his office. This section shall not apply to cities, nor to towns authorized by special laws to employ or choose superintendents in manner otherwise than as herein provided.

—discharge  
of superin-  
tendent.  
1911, c. 173.

Duties.  
R. S. c. 11  
§ 87.  
1903, c. 184.  
1905, c. 48,  
§ 5.

Direct the  
course of  
instruction  
and select  
text-books.

SEC. 35. Superintending school committees shall perform the following duties:

I. Direct the general course of instruction, and select a uniform system of text-books, due notice of which shall be given; no text-books thus introduced, shall be changed for five years unless by vote of the town; any person violating this provision shall forfeit not exceeding five hundred dollars, to be recovered in an action of debt by any school officer or person aggrieved. And when said committee have made such selection of school books, they may contract, under section nineteen, with the publishers for the purchase and delivery thereof; make such rules as they deem effectual for their preservation and return; or, if they are kept for sale, may regulate the sale and appoint an agent to keep and sell them, and fix the retail price, which shall be marked on the title page of each book.

Provide  
instruction  
in physiolo-  
gy and  
hygiene.  
1885, c. 267,  
§ 1.

II. They shall make provision for the instruction of all pupils in schools supported by public money or under state control, in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system.

May dismiss  
teacher for  
sufficient  
cause.

III. After due notice and investigation they shall dismiss any teacher, although having the requisite certificate, who proves unfit to teach, or whose services they deem unprofitable to the school; and give to said teacher a certificate of dismissal and of the reasons therefor, a copy of which they shall retain, and such dismissal shall not deprive the teacher of compensation for previous services.

Expel  
scholars.

IV. Expel any obstinately disobedient and disorderly scholar, after a proper investigation of his behavior, if found necessary for the peace and usefulness of the school; and restore him on satisfactory evidence of his repentance and amendment.



V. Exclude, if they deem it expedient, any person not vaccinated, although otherwise entitled to admission.

Exclude scholars not vaccinated.

VI. Prescribe the sum, on payment of which persons of the required age, resident on territory, the jurisdiction of which has been ceded to the United States, included in or surrounded by the town, may attend school in the town.

Prescribe sums to be paid in certain cases.

VII. Determine what description of scholars shall attend each school, classify them, and transfer them from school to school where more than one school is kept at the same time.

Classify scholars.

SEC. 36. The superintendent of schools in every town shall be, ex-officio, secretary of the superintending school committee and shall perform such duties not herein enumerated as said committee shall direct.

Supt. of schools secretary of committee.  
1895, c. 120.  
1897, c. 332.  
1903, c. 184.  
1905, c. 48,  
§ 6.

I. He shall appoint suitable times and places for the examination of candidates proposing to teach in town, and shall give notice thereof by posting the same in two or more public places within the town at least three weeks before the time of said examination, or by the publication of said notice for a like time in one or more newspapers having the largest circulation in the county. Five days constitute the school week, and four weeks a school month.

Shall appoint times and places for examinations.

II. On satisfactory evidence that a candidate possesses a good moral character and a temper and disposition suitable for an instructor of youth, he shall examine him in reading, spelling, English grammar, geography, history, arithmetic, civil government, bookkeeping, and physiology with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system; and the elements of the natural sciences, especially as applied to agriculture, and such other branches as the superintending school committee desire to introduce into public schools, and particularly into the school for which he is examined; also as to his capacity for the government thereof.

Qualifications of teachers.

III. He shall give to each candidate found competent, a certificate that he is qualified to govern said school and instruct in the branches above named, and such other branches as may be necessary to be taught therein, or he may render valid by indorsement any graded certificates issued to teachers by normal school principals. No certificate shall be granted any person to teach in the public schools of the state, who has not passed a

Certificates to be given.

satisfactory examination in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system.

Shall employ teachers.

IV. He shall employ teachers, subject to the approval of the superintending school committee.

School census. 1893, c. 216, § 8. R. S. c. 11 § 94.

V. He shall return under oath to the school committee, in April annually, a certified list of the names and ages of all persons in his town from five to twenty-one years, corrected to the first day of said month, leaving out of said enumeration all persons coming from other places to attend any college or academy, or to labor in any factory, or at any manufacturing or other business.

Return to state superintendent of schools. 1897, c. 289. 1911, c. 121.

SEC. 37. He shall annually make returns to the state superintendent of public schools, of the number of persons between the ages of five and twenty-one years, together with a certified list of the names and ages of such persons, corrected to the first day of April preceding the time of making said returns, and give full and complete answers to the inquiries contained in the blank forms furnished him by law; certify that such statement is true and correct, according to his best knowledge and belief; and transmit it to the office of the state superintendent on or before the first day of each May. He shall also furnish such other information relating to the public schools as the said superintendent shall at any time require of him. When the state superintendent of schools on examination of the census returns of any town is of the opinion that the census has been inaccurately taken he shall make statement thereof to the governor and council who may require the census of such town to be retaken and returned and, if they think necessary, they may for this purpose appoint persons to perform this service and such persons so appointed shall take the same oath, perform the same service and receive the same compensation out of the same fund as the person or persons who took the school census in the first instance; and the school fund distributable in proportion to the enumeration of scholars shall be distributed on the corrected returns.

—census may be required to be retaken.

Annual returns of supt. of schools. R. S. c. 11 § 88. 1895, c. 120. 1905, c. 48, § 7.

SEC. 38. The return called for in section thirty-seven shall contain the following particulars:

I. The number of children between five and twenty-one years of age, belonging to his town, on the first day of April preceding.

II. The whole number and the average number of scholars attending the summer schools; the whole number and the average, attending the winter schools, also the total number of different scholars attending school two weeks or more of the preceding year, as shall appear from the teacher's registers returnable as provided in section eighty-five.

III. The average length of the summer schools in weeks; the average length of the winter schools in weeks; and the average length of the schools for the year.

IV. The number of male, and of female teachers employed in the public schools during any part of the year.

V. The wages of male teachers a month, and the wages of female teachers a week, the cost of board to be added to the wages, in case the town pays the board.

SEC. 39. He shall examine the schools and inquire into the regulations and discipline thereof, and the proficiency of the scholars, for which purpose he shall visit each school at least twice each term. At the annual town meeting, he shall make a written report of the condition of the schools for the past year, the proficiency made by the pupils, and the success attending the modes of instruction and government thereof, and transmit a copy to the state superintendent of public schools.

Shall examine schools. 1893, c. 216, § 8. 1895, c. 120. —annual report. R. S. c. 11, § 87. 1893, c. 216, § 8.

SEC. 40. The school committees of two or more towns, having under their care and custody an aggregate of not less than twenty, nor more than fifty schools, may unite in the employment of a superintendent of schools, *provided* they have been so authorized by a vote of their towns at the regular town meetings, or special town meetings called for that purpose. *Provided* further that such union shall not take effect until the state superintendent of public schools shall have approved the certificate of union as hereinafter provided. But the committee of any town dissatisfied with the decision of the state superintendent may appeal to the governor and council who shall make the final decision relative thereto. *Provided* further in any case where it shall appear to the state superintendent of public schools, upon the representation of the school committees of certain towns that, owing to geographical situation or other reasons it is to the advantage of the state and of the said towns that a union shall include fewer than twenty or more than fifty schools said state superintendent of public schools shall have

Two or more towns may unite in the employment of a superintendent. 1897, c. 296, § 1. 1907, c. 55. 1909, c. 122. —proviso, number of schools. 1911, c. 92.



authority to approve the certificate of such union, and a union so formed shall, except for the number of schools, be governed by the conditions herein prescribed for unions of towns.

School-committees of such towns shall form a joint committee.

—shall meet annually.  
1897, c. 296,  
§ 2.

—duties.  
1907, c. 101,  
§ 1.  
1909, c. 122.

SEC. 41. The school committees of the towns comprising a union shall form a joint committee, and for the purposes of this section and the four following sections, said joint committee shall be held to be the agents of each town comprising the union. Said joint committee shall meet annually at a day and place agreed upon by the chairman of the committees of the several towns comprising the union, and shall organize by the choice of a chairman and a secretary. They shall determine the relative amount of service to be performed by the superintendent in each town, fix his salary, apportion the amounts thereof to be paid by the several towns, which amount shall be certified to the treasurers of said towns respectively and to the state superintendent of schools, together with the amount apportioned to each town; *provided* that the amounts so certified shall be in proportion to the amount of service performed in the several towns. They shall choose by ballot a superintendent of schools for a term not exceeding five years, but the period of such election shall not exceed that for which the union of towns has been authorized.

Towns may provide for compensation of superintendent.  
1897, c. 296,  
§ 3.

—state aid.  
1907, c. 101,  
§ 2.  
1909, c. 146.

—appropriation out of state school funds.  
1911, c. 191.

SEC. 42. I. Whenever the chairman and secretary of said joint committee shall certify under oath to the state superintendent of schools, according to form prescribed by the state superintendent that a union has been maintained and a superintendent employed as provided in sections forty and forty-one of this chapter, which certification shall be made quarterly, on the first days of January, April, July and October of each year, then, upon approval of said certificate by the state superintendent of schools, payment shall be made out of the sum appropriated for superintendence of towns comprising school unions and out of any moneys in the treasury not otherwise appropriated to the superintendent so employed of a sum equal to twice the aggregate sum paid by the towns comprising the union, *provided* that the amount so paid for the benefit of a single union of towns shall not exceed eight hundred dollars in one year, and *provided* further that the annual appropriation for payments under this act shall be deducted from state school funds.



II. Whenever the chairman and secretary of school committees of towns and cities having under their care and custody an aggregate of more than fifty schools, shall certify under oath to the state superintendent of schools, the form of certificate to be determined by said state superintendent, that a superintendent of schools has been employed by them for one year, and the salary that he has received, then upon the approval of said certificate by the state superintendent of schools and presentation to the governor and council, a warrant shall be drawn upon the treasurer of the state for the payment to the treasurer of that town or city, of a sum equal to three-fifths the amount expended by said town or city for said superintendence, *provided* that the amount so paid for the benefit of a single town or city shall not exceed eight hundred dollars in one year.

Aid to superintendents having over fifty schools under their care or custody. 1909, c. 120.

SEC. 43. The towns uniting for the purpose of employing a superintendent of schools shall appropriate for his salary their proportion of the sum paid said superintendent; and the amount to be paid by each town shall be determined by dividing the entire sum expended for superintendence among the towns comprising the union in the proportion of the service performed in each town. A union of towns formed under the provisions of sections forty and forty-one shall continue for a period of three years unless sooner dissolved by a two-thirds vote of the joint committee.

Appropriation by each town for salary of superintendent. 1897, c. 296, § 4. 1907, c. 101, § 3.

SEC. 44. Persons employed to serve as superintendents of schools under section forty-one and section forty-two shall hold state certificates of superintendence grade which shall be issued upon such examination as may be prescribed by the state superintendent of public schools and they shall devote their entire time to superintendence. The powers and duties of said superintendents shall be the same as those prescribed for town superintendents in this chapter.

Qualifications of superintendents. 1897, c. 296, § 5. 1909, c. 120, § 2. 1909, c. 122, § 3.

SEC. 45. No town shall receive state aid under section forty-two unless its appropriation and expenditure for superintendence have been exclusive of the amount required by law for common school purposes. If any part of the money raised by the towns or union of towns, or paid to them by the state for superintendence, is expended for any other purposes than those provided for in said section, then each person so misappropriating said money shall forfeit double the sum so misapplied, to

State aid may be withheld. 1897, c. 296, § 7. 1905, c. 48, § 8. 1909, c. 122, § 4.

be recovered in an action of debt, in the name and to the use of the town, by any inhabitant thereof; and no town or union of towns shall receive further aid under said section until the amount so misapplied has been raised and expended for superintendence by such town or union of towns.

#### COMPULSORY EDUCATION.

Towns may make by-laws concerning truants.  
R. S. c. 11  
§ 21.

SEC. 46. Towns may make such by-laws, not repugnant to law, concerning habitual truants, and children between six and seventeen years of age not attending school, without any regular and lawful occupation, and growing up in ignorance, as are most conducive to their welfare and the good order of society; and may annex a suitable penalty, not exceeding twenty dollars, for any breach thereof; but such by-laws must be first approved by a judge of the supreme judicial court.

—approval.

Violation of by-laws.  
R. S. c. 11  
§ 22.

SEC. 47. Truant officers elected as provided in section fifty-one shall alone make complaints for violations of said by-laws, and shall execute the judgments of the magistrate.

Truant children may be placed in suitable institutions.  
R. S. c. 11  
§ 23.

SEC. 48. Said magistrate, in place of fine, may order children proved to be growing up in truancy, and without the benefit of the education provided for them by law, to be placed for such periods as he thinks expedient, in the institution of instruction, house of reformation, or other suitable situation provided for the purpose under section forty-six.

Children between certain ages must attend school unless excused by committee.  
1899, c. 80,  
§ 1.  
1901, c. 135,  
§ 1.  
1903, c. 140.  
1905, c. 43,  
§ 9.  
1909, c. 57.

SEC. 49. Every child between the seventh and fifteenth anniversaries of his birth and every child between the fifteenth and seventeenth anniversaries who cannot read at sight and write legible simple sentences in the English language shall attend some public day school during the time such school is in session, and an absence therefrom of one-half day or more shall be deemed a violation of this requirement; provided that necessary absence may be excused by the superintending school committee or superintendent of schools or teachers acting by direction of either; provided also, that such attendance shall not be required if the child obtained equivalent instruction, for a like period of time, in an approved private school or in any other manner approved by the superintending school committee; provided, further, that children shall not be credited with attendance at a private school until a certificate showing their names, residence and attendance at such school signed by the person or persons

having such school in charge, shall be filed with the school officials of the town in which said children reside; and provided, further, that the superintending school committee may exclude from the public schools any child whose physical or mental condition makes it inexpedient for him to attend. All persons having children under their control shall cause them to attend school as provided in this section, and for every neglect of such duty shall be punished by a fine not exceeding twenty-five dollars or shall be imprisoned not exceeding thirty days.

—committee may exclude certain children.

SEC. 50. Children living remote from any public school in the town in which they reside may be allowed to attend the public schools, other than a high school approved as provided in section sixty-three, in an adjoining town, under such regulations and on such terms as the school committees of said towns agree upon and prescribe, and the school committee of the town in which such children reside shall pay the sum agreed upon, out of the appropriations of money raised in said town for school purposes. Except as above provided, a child attending a public school, other than a high school approved as provided in section sixty-three, in a town in which his parent or legal guardian does not reside, after having obtained the consent of the school committee of such town, shall pay, as tuition, a sum equal to the average expense of each scholar in such school.

Children may be allowed to attend school in adjoining town, on terms agreed upon. 1899, c. 80, § 2.

—tuition.

SEC. 51. Cities and towns shall annually elect one or more persons, to be designated truant officers, who shall inquire into all cases of neglect of the duties prescribed in section forty-nine and ascertain the reasons therefor and shall promptly report the same to the superintending school committee, and such truant officers or any of them shall, when so directed by the school committee or superintendent in writing, prosecute in the name of the city or town, any person neglecting to perform the duties prescribed in said section, by promptly entering a complaint before a magistrate; and said officers shall, when notified by any teacher that any pupil is irregular in attendance, arrest and take such pupil to school when found truant; and further such officers shall enforce the provisions of sections one hundred and eighteen to one hundred and twenty, inclusive, of this chapter. Truant officers, when so directed in writing by the superintendent of schools or the superintending school committee of their respective towns may visit the manufacturing, mechan-

Cities and towns shall elect truant officers. 1899, c. 80, § 3. 1905, c. 48, § 10. 1909, c. 238. 1911, c. 113.

—duties.

—truant officers may visit business establishments.



ical, mercantile and other business establishments in their several cities and towns during the hours in which the public schools of such city or town are in session, and ascertain whether any minors under the age of fifteen years are employed therein, and shall report any cases of such employment to the superintendent of schools or the superintending school committee of their city or town, and if employed therein contrary to the provisions of chapter forty, shall also report such illegal employment to the commissioner of labor. The owner, superintendent, overseer or agent of all manufacturing, mechanical, mercantile or other business establishment, upon request, shall produce for the inspection of such truant officers all certified copies of records of birth and baptism, passports and age and schooling certificates required to be kept on file in such establishments under chapter forty of the revised statutes. Every city or town neglecting to elect truant officers, and truant officers neglecting any duty required of them under the provisions of this chapter shall forfeit not less than ten nor more than fifty dollars. The municipal officers shall fix the compensation of the truant officers, elected as prescribed in this section. Superintending school committees may fill vacancies occurring during the year, and shall elect truant officers at their first meeting after the annual meeting of the town in case the town neglects to do so, or the truant officers elect, or any of them, fail to qualify.

—compensation.

Habitual truant shall be admonished and punished. 1899, c. 80, § 4. 1901, c. 185, § 2.

SEC. 52. If a child without sufficient excuse, shall be absent from school at six or more consecutive sessions, during any term, he shall be deemed an habitual truant, and the superintending school committee shall notify him and any person under whose control he may be that unless he conforms to section forty-nine, the provisions of the two following sections will be enforced against them; and if thereafter such child continues irregular in attendance, the truant officers or any of them shall, when so directed by the school committee or superintendent in writing, enforce said provisions by complaint.

Penalty for abetting truancy. 1899, c. 80, § 5. 1905, c. 48, § 11.

SEC. 53. Any person having control of a child, who is an habitual truant, as defined in the foregoing section, and being in any way responsible for such truancy, and any person who induces a child to absent himself from school, or harbors or conceals such child when he is absent, shall be punished by a fine not exceeding twenty dollars or shall be imprisoned not exceeding thirty days.



SEC. 54. On complaint of the truant officer an habitual truant, if a boy, may be committed to the State School for Boys, or if a girl, to the State Industrial School for Girls, or to any truant school that may hereafter be established. Police or municipal courts and trial justices shall have jurisdiction of such complaint and of the offenses described in sections forty-nine, fifty-one and fifty-three. All warrants issued by said courts or trial justices upon such complaint, or for an offense committed under said sections and all legal processes issued by said courts or trial justices for the purpose of carrying into effect the provisions of this section and of said sections numbered forty-nine, fifty-one and fifty-three, may be directed to and executed by the truant officer, or either of the truant officers, of the town where the offense is committed. All fines, collected under said two last named sections, shall be paid to the treasurer of the city or town in which the offense is committed, for the support of the public schools therein.

Habitual truants may be placed in suitable institutions. 1899, c. 80, § 6, 7. 1905, c. 48, § 12.  
Truant officers may execute warrants.

\*FREE HIGH SCHOOLS.

SEC. 55. No town shall receive state aid for the maintenance of a free high school unless its appropriation and expenditure for such school has been exclusive of the amounts required by law for common school purposes.

State aid to free high schools. R. S. c. 11, § 28. 1901, c. 197, § 1. 1911, c. 109.

SEC. 56. 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 expenditures of 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. 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 established and maintained by taxation; and

Free high schools, town may establish two. R. S. c. 11, § 29.  
—adjoining towns may maintain school.  
—conveyance of pupils. 1909, c. 148.

\*See also An Act for the improvement of Free High Schools, Chapter 71, P. L., 1909, and An Act additional to Chapter 71, P. L., 1909, Chapter 196, P. L., 1909.

—funds received.

—penalty for misapplying money appropriated by state.

Inhabitants of any section of a town may maintain free high school.  
1893, c. 216,  
§ 7.

—officers, how chosen, powers and duties.

—sections of adjoining towns may organize precincts.

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 purpose; 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.

SEC. 57. The inhabitants of any section of a town which fails or neglects to provide for the maintenance of free high schools, may organize a free high school precinct in the manner hereinafter provided, and may establish and maintain a free high school therein, 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 aid extended to the precincts in any town shall not exceed the sum that the town might have received. On petition of any five voters resident in said section, reciting the limits of the precinct proposed, the municipal officers of the town shall call a meeting of the voters within said limits by causing notices, specifying the time, place and purposes of said meeting, to be posted in two or more conspicuous places within said limits seven days before the time appointed. Said meeting shall choose a moderator and a clerk who shall be sworn, and shall, by a majority vote of those present and voting, determine whether said precinct shall be organized. It shall choose an agent who shall be duly sworn. Such precinct may continue its organization from year to year by the holding of meetings called in the manner aforesaid, so long as the town shall neglect or refuse to support free high schools. Sections of adjoining towns may organize as herein provided, and unite in the support of such schools. But no more than two such precincts shall exist at the same time in any town.

SEC. 58. Any town, precinct or union of towns or precincts, voting to establish a free high school as herein provided, may locate the same permanently, or vote that the terms thereof be held alternately in such places within the town or towns, precinct or precincts, as may be selected, and as may accept said school. The town or precinct, in which said school is thus held, shall supply appropriate equipments, and furnish and warm a suitable building for the same; *provided* that any schoolhouse within such town or precinct may be used for such free high school, when not required for ordinary school purposes.

Location.  
R. S. c. 11,  
§ 30.

—school-  
rooms, etc.,  
how supplied  
and fur-  
nished.

SEC. 59. The course of study in the free high schools, shall embrace the ordinary English academic studies which are taught in secondary schools, especially the natural sciences in their application to mechanics, manufactures and agriculture; but the ancient or modern languages and music shall not be taught therein except by direction of the superintending school committees having supervision thereof. Such schools, when established by any town or union of towns, shall be free to all the youth in such town or towns who have such scholastic attainments as will fit them to attend such schools with profit, and the superintendent, or superintending school committee, having supervision thereof shall make such examination of candidates for admission to said schools as they consider necessary.

Course of  
study and  
what it shall  
embrace.  
R. S. c. 11,  
§ 31.  
1897, c. 299.

—schools to  
be free.

When such school is established by any precinct or union of precincts, it shall be free in the same manner to the scholars within such precincts, and open also to scholars passing the required examination from without such precincts; but within the towns in which said precincts are situated, on payment to the agent of the precinct in which such school is located, of such tuition, to be fixed by the superintending school committee or committees having supervision of the same, as is equivalent to the cost of a scholar of maintaining such school, after deducting the aid extended by the state. Whenever in the judgment of the superintending school committees having the supervision of any free high school or schools, the number of pupils in the same may be increased without detriment, scholars from without the towns directly interested in such school or schools, may be admitted to the same on passing the required examination and paying such tuition as may be fixed by such committee, to the treasurer of the town in which the school is kept, when the

—precincts  
or union of  
precincts.

—school  
committee  
may admit  
pupils from  
without  
town.



school is maintained by a town or union of towns, or to the agent of the precinct in which the school is kept, when such school is maintained by a precinct or union of precincts.

Free high schools subject to school laws.

—how managed, established by towns.

—established by a union of towns.

—established by a precinct.

—established by precincts in different towns.

Towns may raise money to maintain free high schools.  
R. S. c. 11, § 33.

Provisions for pupils in towns having no free high schools.  
R. S. c. 11, § 34.  
1899, c. 6, § 13.  
1905, c. 48, § 13.  
1911, c. 88.

SEC. 60. Free high schools, established and maintained under the foregoing provisions, are subject to the laws relating to common schools, so far as applicable, except as otherwise provided. When established and maintained by a town, they shall be under the supervision and entire management of the superintending school committee of such town. When established and maintained by a union of towns, such school shall be under the supervision and entire management of the school committees of such towns, who constitute a joint board for that purpose. When established and maintained by any precinct, such school shall be under the supervision of the superintending committee of such town, or of the state superintendent, when the precinct so elects, and under the financial management of the agent of the precinct, who, in connection with said committee or superintendent, shall employ teachers for the same. When established and maintained by precincts composed of sections of adjoining towns, such school shall be under the supervision of the superintending school committee of such towns, who constitute a joint board for that purpose, and under the financial management of the agents of both precincts, who, in connection with said committees, shall employ the teachers.

SEC. 61. Towns and precincts may raise money for establishing and maintaining free high schools, and erecting buildings and providing equipments for the same, in the same manner as for supporting common schools and erecting schoolhouses.

SEC. 62. Any town which does not maintain a free high school of standard grade may, from year to year, authorize its superintending school committee to contract with and pay the superintending school committee of any adjoining town or the trustees of any academy located within such town or in an adjoining town, for the tuition of scholars within said town in the studies contemplated by the seven preceding sections. When such contract has been made with the trustees of an academy a joint committee for the selection of teachers and the arrangement of the course of study in such academy shall include the superintending school committees of the contracting towns with an equal number of members of the board of trustees of such

academy when such academy has less than ten thousand dollars endowment. The expenditure of any town for tuition as provided in this section shall be subject to the same conditions and shall entitle such town to the same state aid as if it had made such expenditure for a free high school.

SEC. 63. Any youth who resides with a parent or guardian in any town which does not support and maintain a free high school giving at least one four years' course properly equipped and teaching such subjects as are taught in secondary schools of standard grade in this state may attend any school in the state which does have such a four years' course and to which he may gain entrance by permission of those having charge thereof, provided said youth shall attend a school or schools of standard grade which are approved by the state superintendent of public schools, and provided also the said youth shall have satisfactorily passed an examination conducted by the superintendent of schools of the town in which he has residence, papers for said examination having been procured from the state superintendent of public schools. In such case the tuition of such youth, not to exceed thirty dollars annually for any one youth, shall be paid by the town in which he resides as aforesaid, as long as such youth maintains good standing in such school, and said tuition so paid shall be made a part of the high school fund of the town receiving the same; and towns shall raise annually, as other school moneys are raised, a sum sufficient to pay such tuition charges.

SEC. 64. When any town shall have been required to pay and has paid tuition as aforesaid the superintending school committee of such town shall make a return under oath to the state superintendent of public schools before the first day of September for the preceding school year, stating the name of each youth for whom tuition has been paid, the amount paid for each, and the name and location of the school which each has attended and thereupon shall be paid, annually in the month of December, from the state treasury out of the appropriation for the support of free high schools, to each town paying tuition and making return as aforesaid, a sum equal to two-thirds of the amount thus paid by such town not exceeding five hundred dollars.

—towns entitled to state aid.

Persons residing in towns not supporting free high schools, may attend in other towns.  
1903, c. 68, § 1.  
1907, c. 73.  
1909, c. 116.

—proviso.

Returns to be made.  
1903, c. 68, § 2.  
1909, c. 112.

—partial reimbursement.

Superintendents of schools shall make annual return to state superintendent. R. S. c. 11, § 35. 1901, c. 197, § 2. 1909, c. 28.

—state superintendent to certify amounts to which towns are entitled.

—penalty for defrauding the state.

High school precinct taxes, how assessed and collected. R. S. c. 11, § 75. 1893, c. 216.

SEC. 65. Superintendents shall, annually, before the first day of July, make returns under oath to the state superintendent, on blanks prepared and sent out by him, of the amount appropriated and the amount expended by each town or precinct for instruction in such free high schools during the current year; also of the amount appropriated and the amount expended for common school purposes by each town maintaining the same; the number of weeks during which such schools have been taught; the wages paid each teacher; the number of pupils registered; the average attendance; the number of pupils in each branch of study pursued, and the amount received for tuition. If the state superintendent is satisfied that the provisions of sections fifty-five to sixty-two have been complied with, he shall certify to the governor and council the sum which each town or precinct is entitled to receive from the state. Any town or precinct, dissatisfied with his decision, may appeal to the governor and council and the governor and council shall issue a certificate to the treasurer of the town or agent of the precinct, for such amount as they adjudge such town or precinct entitled to receive from the state treasury. Any person connected with the management of such free high schools, either as teacher, agent or superintendent, who in any way aids or abets in defrauding the state into the payment in support of said schools of more than is contemplated by this chapter, shall forfeit not less than five hundred dollars, or be imprisoned in the county jail not less than one year.

SEC. 66. When a free high school precinct votes to raise money for establishing and maintaining a free high school, its clerk shall forthwith, or within the time prescribed by the precinct, certify the amount thereof to the assessors of the town, and the time when it must be raised; and within sixty days after receiving such certificate they shall assess it as they do town taxes, on the polls and estates of the residents and owners in the precinct at the time of raising said money, whether wholly in their town or not, and on the non-resident real estate in the precinct. They shall then make their warrant in due form of law, directed to any collector of their town if any, if not to a constable, requiring him to levy and collect such tax and pay it to the town treasurer within the time limited in the warrant; and they shall give a certificate of the assessment to such treasurer, and may abate such taxes as in the case of town taxes.





SEC. 67. The assessors may include in their assessment such sum over and above the sum committed to them to assess, not exceeding five per cent, thereof, as a fractional division renders necessary, and certify that fact to the town treasurer.

Assessors authorized to assess 5 per cent overlay.  
R. S. c. 11, § 76.

SEC. 68. The town treasurer shall pay the expense of assessing and collecting any free high school precinct tax out of the money of the precinct, upon the order of the selectmen.

Expense of assessment, how paid.  
R. S. c. 11, § 77.

SEC. 69. Section thirty-one of chapter ten, and all other sections relating to the same subject apply to taxes assessed by or for free high school precincts, so far as applicable; but the precinct and not the town is liable.

Precinct taxes assessed without authority.  
R. S. c. 11, § 78.

SEC. 70. The collector or constable, and the town treasurer, or treasurer and collector, if one person is both, each have the same powers and are subject to the same duties and obligations in relation to free high school precinct taxes, as to town taxes; and they and the assessors shall be allowed by the precinct for their services, a compensation proportionate to what they receive from the town for similar services.

Powers and duties of collectors; their compensation.  
R. S. c. 11, § 79.

SEC. 71. The money so raised and paid shall be at the disposal of the precinct agent, to be by him expended as provided in section sixty.

Money at disposal of agent.  
R. S. c. 11, § 80.

SEC. 72. The trustees of any academy or other corporation formed for educational purposes may by a majority vote of such of said trustees as reside in the state, surrender the whole, or any part of the property belonging thereto, to the municipal officers of any town, or the trustees of any school fund in any town in which said academy or corporation is situated, for turning the same into a free high school as hereinafter provided, and said municipal officers or trustees, for the time being, shall be a board of trustees to take and hold said property for maintaining a free high school; and upon receiving said property, they shall use proper diligence to make the same produce income for the support of said free high school.

Trustees of academies, etc., may surrender property to establish free high schools.  
R. S. c. 11, § 36.

SEC. 73. When such vote is so passed, the treasurer of said trustees shall convey, assign and deliver to the municipal officers of said town, or the trustees of such fund, all property belonging to said academy or corporation for the purposes indicated by the preceding section.

Property, how conveyed.  
R. S. c. 11, § 37.

SEC. 74. The municipality accepting the property in trust, as named in section seventy-two, shall apply the income thereof

Income of property, how applied.  
R. S. c. 11, § 38.

—qualification of pupils, how determined.

towards the support of a free high school, to be kept within said municipality, at least twenty-two weeks in each year, and provide suitable accommodations for the same, and the superintending school committee in said municipality shall determine the qualifications necessary to entitle any applicant to enter or attend said free high school, and no one shall attend it without certificate of said officers to that effect.

Tuition to be paid by non-residents.  
R. S. c. 11, § 39.

SEC. 75. All scholars residing within the municipality aforesaid, having such certificate, may attend said school without tuition fee, and all scholars not residents of said municipality, may attend said school upon such terms and conditions as said superintending school committee may impose.

Academies giving instruction equivalent to that given by high schools entitled to annual stipend.  
1901, c. 148, § 1.  
1907, c. 102, § 1.

SEC. 76. Whenever it shall be made to appear to the governor and council, from returns made as herein provided, that any incorporated academy in the state is prepared to give instruction equivalent to that required by law to be given in free high schools, that the pupils attending the said academy, are qualified to receive such instruction, and that the teachers in the said academy have the qualifications fitting them to give instruction in secondary school studies, such academy shall be entitled to receive annually from the state a sum not exceeding five hundred dollars in case it maintains an English secondary school course of study as prescribed by the state superintendent of public schools, or a sum not exceeding seven hundred and fifty dollars in case it maintains in addition to an English course, a college preparatory course, or a sum not exceeding one thousand dollars in case it maintains an English course, a college preparatory course and a training course for teachers, provided the courses of study herein named shall be subject to the approval of the state superintendent of public schools, and provided that the amount paid by the state to any academy under this section shall be expended by the said academy for instruction during the year for which payment is made, and shall not exceed the total income of the said academy from all other sources; and provided further, that in addition to the amount received from the state, a sum equal thereto shall be expended for instruction and maintenance of the academy during said year; and provided further, that every academy receiving money from the state under this section shall provide instruction as contemplated by this section for not less than thirty weeks in

—maintaining a college preparatory course.

—maintaining in addition a training-course.

—state aid not to exceed total income.

—provide instruction for at least thirty weeks in each year.

each year; and provided further, that no academy shall be credited with maintaining a course of study under this section unless the said academy shall have an average of not less than twelve students in said course.

SEC. 77. The governor and council may draw warrants on the treasurer of state for the payment annually to the legal representatives of such academies, as shall be entitled to receive money from the state under the preceding section, at the times and in the manner provided by law for the payment of money in aid of free high schools, the amounts to which they shall be severally entitled thereunder; *provided*, that no payment shall be made to any academy until the state superintendent of public schools shall have certified to the governor and council all the facts which by law are made necessary to entitle an academy to receive money from the state under the preceding section.

How payments shall be made.  
1901, c. 148,  
§ 2.

SEC. 78. Any town providing free tuition for its high school scholars in any academy, shall receive state aid to the amount of one-half the sum expended for such instruction, *provided*, no town shall receive more than two hundred and fifty dollars in any given year; and *provided further*, that no town shall receive state aid under this section if a free high school of standard grade is maintained in said town.

Towns providing free tuition shall receive aid from the state.  
1901, c. 148,  
§ 3.

SEC. 79. No academy shall receive state aid under section seventy-six unless incorporated prior to May one, nineteen hundred and seven.

Incorporation.  
1901, c. 148,  
§ 4.  
1907, c. 91.

SEC. 80. No academy shall receive state aid under section seventy-six unless the average attendance in said academy for the year preceding or for five years next preceding shall exceed thirty students, and no academy shall receive to exceed five hundred dollars unless the average attendance in said academy for the year preceding shall exceed sixty students.

Attendance.  
1901, c. 148,  
§ 5.  
1907, c. 102,  
§ 2.

SEC. 81. No academy shall receive state aid under section seventy-six if said academy has an annual income from invested funds exceeding sixteen hundred dollars, and no academy shall receive state aid to exceed five hundred dollars in any given year provided the said academy has an annual income from invested funds exceeding one thousand dollars.\*

Income.  
1901, c. 148,  
§ 6.  
1907, c. 78.  
1909, c. 102,  
§ 2.

\*See also An Act for the encouragement of Industrial Education, Chapter 188, P. L., 1911.



Institutions receiving state aid shall make report to state superintendent. 1897, c. 246. 1901, c. 148, § 7.

—word "academy" includes "seminary or institute."

SEC. 82. Every educational institution receiving state aid, and the officers and teachers of every academy receiving money from the state under the six preceding sections, shall annually, on or before the first day of January, report to the state superintendent of public schools the total and average attendance, an itemized account of all the moneys received and expended during the preceding year, the number of instructors, number and length of terms, with attendance for each, and answer such other questions as he shall require, and shall make such further report to him as he may from time to time require. Such reports shall be published in the annual report of the state superintendent of public schools. Every such educational institution failing to comply with the above requirements shall forfeit whatever aid or assistance it would otherwise receive from the state. Wherever in sections seventy-six to eighty-two inclusive, the word "academy" occurs, it shall be construed to include "seminary or institute."

#### DUTIES AND QUALIFICATIONS OF INSTRUCTORS.

Presidents of colleges, tenure of office. R. S. c. 11, § 123.

Fees for degrees. R. S. c. 11, § 124.

Teachers to keep school register. R. S. c. 11, § 96.

SEC. 83. Presidents of colleges are removable at the pleasure of the trustees and overseers, whose concurrence is necessary for their election.

SEC. 84. No officer of a college shall receive as perquisites any fees for a diploma or medical degree conferred by such college, but such fees shall be paid into the college treasury.

SEC. 85. Every teacher of a public school shall keep a register thereof, containing the names of all the scholars who enter the school, their ages, the dates of each scholar's entering and leaving, the number of days during which each attended, the length of the school, the teacher's wages, a list of text-books used, and all other facts required by the blank form furnished him; such register shall at all times be open to the inspection of the school committee, and be returned to them at the close of the school. Teachers may be paid for their services at the close of each school month, but no teacher shall receive final payment for services for any term until the register herein described, properly filled, completed, and signed, is deposited with the school committee, or with a person designated by them to receive it.

—payment for teachers' services. 1909, c. 74.

SEC. 86. The presidents, professors and tutors of colleges, the preceptors and teachers of academies, and all other instructors of youth, in public or private institutions, shall use their best endeavors to impress on the minds of the children and youth committed to their care and instruction, the principles of morality and justice, and a sacred regard for truth; love of country, humanity and a universal benevolence; sobriety, industry and frugality; chastity, moderation and temperance; and all other virtues which ornament human society; and to lead those under their care, as their ages and capacity admit, into a particular understanding of the tendency of such virtues to preserve and perfect a republican constitution, secure the blessings of liberty, and to promote their future happiness; and the tendency of the opposite vices, to slavery, degradation and ruin; all teachers in the public schools of the state shall devote not less than ten minutes of each week of the school term, to teaching to the children under their charge, the principles of kindness to birds and animals.

Duties of  
instructors  
of youth.  
R. S. c. 11,  
§ 97.

—kindness  
to birds  
and animals  
shall be  
taught.  
1891, c. 29.

SEC. 87. Whoever teaches a public school without first obtaining a certificate from the superintendent of schools of the town, forfeits not exceeding the sum contracted for his daily wages, for each day he so teaches, and is barred from receiving pay therefor; and no certificate shall be valid for more than one year, without the approval of the superintendent of schools annually endorsed thereon.

Forfeitures  
for teaching  
without a  
certificate.  
R. S. c. 11,  
§ 98.  
1889, c. 225.

SEC. 88. The following days shall be observed as school holidays, namely: New Year's day, January one; Washington's birthday, February twenty-two; Patriot's day, April nineteen; Memorial day, May thirty; Independence day, July four; Labor day, first Monday in September; Columbus day, October twelve; Christmas day, December twenty-five; Thanksgiving and Arbor days, as appointed by the governor and council. *Provided, however,* that Arbor day shall not be recognized as a school holiday, unless observed by teacher and pupils for the purpose for which it is designated by the governor and council. All teachers of public schools in the state may close their schools on the days above mentioned and draw pay the same as if their schools had been in session upon those days. When any one of the above named holidays falls upon a Sunday, the Monday following shall be observed as a school holiday, with all the privileges applying

School  
holidays.  
1901, c. 202,  
1905, c. 48,  
§ 14.  
1907, c. 48,  
§ 1.  
1909, c. 190,  
§ 1.  
1911, c. 23.

—proviso  
regarding  
Arbor day.

—public  
schools may  
be closed.

—Lincoln day.

to any of the days above named. February twelve shall be observed by the teachers and pupils in all the public schools of the state as Lincoln day, some part of which day, as far as may be expedient, shall be devoted to the study of the life and character of Abraham Lincoln. When Lincoln day falls on a Saturday or Sunday the observance of the same shall be as above stated on the following Monday.

#### TEACHERS' ASSOCIATIONS.

Teachers and school officers may form associations. 1885, c. 273, § 1. 1893, c. 283.

—may hold conventions.

—expenses, how paid.

—proviso.

Teachers may suspend schools during conventions. 1885, c. 273, § 2.

Certificates showing attendance must be presented.

Governor to draw warrants to pay expenses. 1885, c. 273, § 3. 1909, c. 30.

SEC. 89. Whenever not less than thirty of the teachers and school officers of any county shall have formed an association under rules of government approved by the state superintendent of public schools, for the purpose of mutual improvement in the science and art of teaching, and of creating popular interest in, and diffusing a knowledge of the best methods of improving our public school system, by the holding of conventions at least once every year under the supervision of the state superintendent, the state shall defray the necessary expenses attending the holding of such convention for which purpose the sum of one thousand dollars is hereby annually appropriated to be deducted and set aside therefor by the treasurer of state from the annual school fund of the state; *provided, however*, that no more than two such associations shall be formed in any county, and that the expenses as aforesaid of no more than two conventions of any such association in any year shall be defrayed by the state.

SEC. 90. Teachers of public schools may suspend their schools for not more than two days in any year during the sessions of such conventions within their counties and also for not more than two days in any year during the sessions of any state teachers' convention approved by the state superintendent of public schools, unless otherwise directed in writing by the school officers, and attend said conventions without forfeiture of pay for the time of such attendance, *provided* they shall present to the officers employing them, certificates signed by the secretaries of such conventions and countersigned by the state superintendent of public schools, showing such attendance.

SEC. 91. The governor and council may draw warrants on the treasurer of state for the payment of bills for the expenses provided for in section eighty-nine, when such bills shall have been approved by the state superintendent of public schools,



*provided, however*, that no bills shall be so paid except those for advertising such conventions, and for services and actual traveling expenses of speakers and lecturers not residing in the counties in which such conventions are held.

## SCHOOLS IN PLANTATIONS AND UNORGANIZED TOWNSHIPS.

SEC. 92. Plantations have the same powers and liabilities as towns for electing superintending school committees, superintendents of schools, treasurers and collectors, and for raising, assessing and collecting school money, to be apportioned and expended as in towns. The assessors of plantations may take a census of the inhabitants thereof, at the expense of the plantation, and when so taken, the money raised therein for schools shall be upon the basis of such census and not upon the census of the state.

Powers of plantations to maintain schools.  
R. S. c. 11,  
§ 99.  
1889, c. 211.

SEC. 93. All moneys due plantations from the state treasury for school purposes, shall be paid to the treasurers of such plantations, under the same conditions as in case of towns, and the same shall be expended by such plantations, under the same restrictions and limitations as are required of towns.

School moneys of plantations, how expended.  
1885, c. 281.

SEC. 94. Whenever in any unorganized township in the state there shall be two or more children between the ages of five and twenty-one years, the state superintendent of public schools shall cause an enumeration of said children to be made, and returned to him, and shall provide for the schooling of said children, either by establishing a school in the township, or by sending the children to schools in adjoining towns or plantations, or both, as shall by him be deemed expedient. In case any of said children are, by the state superintendent, sent to schools in adjoining towns or plantations, said children so sent shall have the same rights in such school as children resident in said town or plantation. *Provided, however*, that in case the interest on the reserve fund in any organized township together with the amount arising from the per capita tax called for in this section, is not sufficient to provide schooling for the children of said township for at least twenty-six weeks in a year the remainder of the expense shall be paid from the fund appropriated by section ninety-seven. *Provided, further*, that no money shall be expended under this section for the benefit of any township

Schooling of children in unorganized townships, provided for.  
1899, c. 89,  
§ 1.

—expenses, how paid.  
1903, c. 128,  
§ 1.  
1909, c. 87,  
§ 1.

until the inhabitants of said township shall have been assessed by the duly appointed agent therefor the sum of forty cents for each of said inhabitants resident therein on the first day of April, and said agent shall have made return of such assessment to the state superintendent of schools.\*

How cost of  
schooling  
shall be paid.  
1899, c. 89,  
§ 2.  
1901, c. 206,  
§ 1.

SEC. 95. The state superintendent of public schools shall certify to the governor and council the number and residences of the children enumerated and schooled, as provided in the preceding section, together with the cost of schooling said children, and the governor and council shall direct the treasurer of state to pay the state superintendent of public schools so much of the interest on the reserved land fund of the township in which said children reside as, added to the amount received from the inhabitants of the township from the per capita tax, shall pay the expense of said school. The state superintendent of public schools shall pay to the treasurer of any town or plantation in which he may school any of said children, such amount for each scholar as shall be his proportional part of the cost of the school to which he is sent.

Agents, ap-  
pointment  
and duties of.  
1899, c. 89,  
§ 3.  
1901, c. 206,  
§ 2.  
1911, c. 24.

SEC. 96. The state superintendent of public schools may appoint agents for the several townships in which schools shall be established under section ninety-four, who shall, under the direction of the state superintendent, enumerate the pupils, assess and collect the per capita tax, employ the teacher and attend to all necessary details in connection with said schools; for which purpose the state superintendent is hereby authorized to expend annually from the appropriation for the support of schools in unorganized townships a sum not exceeding two thousand two hundred dollars. Said agents in the collection of the per capita tax aforesaid, shall have the same powers and may use the same methods as collectors of taxes in towns are authorized to exercise and use for the collecting of personal and poll taxes committed to them; said agents may act as truant officers in their several townships, and may in their discretion compel the regular daily attendance at school of every child in their townships between the seventh and seventeenth anniversaries of his birth by arresting and taking to school any child when absent therefrom, and any parent or guardian of any such

—authority  
of agents.  
1903, c. 128,  
§ 2.

—may com-  
pel attend-  
ance.  
1909, c. 87,  
§ 2.

\*See also Chapter 62, P. L. 1909, An Act to extend the privileges of secondary instruction to youths resident in Unorganized Townships.

child or children, wilfully refusing to allow said children under his control to attend school, or opposing said agent in arresting and taking said children to school, may be prosecuted by said agent in the name of the state before the nearest trial justice, and if found guilty shall forfeit a sum not exceeding twenty dollars for the use of the schools in the township wherein said children are resident, or shall be imprisoned for not exceeding thirty days. The state superintendent may supply school books for the schools established under said sections under such conditions as to the purchase and care thereof as he may deem proper.

—school  
books, how  
supplied.

SEC. 97. For the purpose of carrying out the provisions of the three preceding sections, there is hereby appropriated the sum of eighteen thousand dollars annually, which sum shall be deducted and set aside therefor by the treasurer of state from the annual school funds of the state.

Appropriation.  
1903, c. 128,  
§ 3.  
1905, c. 45.  
1909, c. 87,  
§ 3.  
1911, c. 29.

#### STATE SUPERINTENDENT OF PUBLIC SCHOOLS.

SEC. 98. The governor with the advice and consent of the council shall appoint a state superintendent of public schools, who shall continue in office three years, or during the pleasure of the executive; vacancies shall be filled by a new appointment for a like term.

Appointment  
and term  
of office.  
R. S. c. 11,  
§ 102.  
1897, c. 237.

SEC. 99. An office shall be provided for him at the seat of government, where he shall preserve all school reports of this state and of other states which he may receive, the returns from the various towns, and institutions of learning and such books, apparatus, maps, charts, works on education, plans for school buildings, models, and other articles of interest to school officers and teachers as may be procured without expense to the state.

Office at the  
capitol.  
R. S. c. 11,  
§ 103.

SEC. 100. In addition to the duties elsewhere specifically imposed on him his duties are as follows:

Duties.  
R. S. c. 11,  
§ 104.

I. To exercise a general supervision of all the public schools, and to advise and direct the town committees and superintendents in the discharge of their duties, by circular letters and personal conference, devoting all his time to the duties of his office.

To exercise  
general  
supervision  
over the  
schools.

II. To obtain information as to the school systems of other states and countries, and the condition and progress of public school education throughout the world; to disseminate this in-

Obtain in-  
formation  
regarding  
school  
systems.



Resolves,  
1897, 1899,  
1901.

formation, with such practical hints upon the conduct of schools, improved systems of instruction, and the true theory of education as observation and investigation convince him to be important, by public addresses, circulars and articles prepared for the press, and by outlines, suggestions and directions concerning the management, discipline and methods employed in teaching, prepared for and distributed among the teachers of the schools and school officers of the state; and to do all in his power to awaken and sustain an interest in education among the people, and to stimulate teachers to well-directed efforts in their work.

State edu-  
cational con-  
ventions.

III. To take such measures as he deems necessary to secure the holding of a state educational convention once each year, with a view of bringing together the teachers, school committees, school superintendents, and friends of education, for consultation with reference to the interest of public schools and the most approved method of instruction.

Summer  
training  
schools.  
Resolves of  
1895, 1897,  
1899, 1901.

IV. To encourage the formation of county teachers' associations, approve rules of government therefor, and to supervise the conduct of conventions held by such associations. He shall also conduct summer training schools for teachers, whenever provision is made by the legislature for holding such schools.\*

Publish  
abstract of  
proceedings.

V. To prepare and cause to be printed and distributed such portions of the proceedings of state institutes or teachers' conventions as he deems important in the furtherance of education.

Issue copies  
of school  
laws and  
circulars of  
information.  
1889, c. 307.

VI. Biennially, as soon as practicable after the adjournment of the legislature, to compile and distribute, in pamphlet form, to the municipal and school officers of the several towns, three thousand copies of the amended school laws of the state; and to prepare and issue thus biennially, such circulars of information and advice to school officers, relating to new school enactments, as he shall deem necessary for the intelligent and effectual enforcement of such enactments.

Prescribe  
studies to be  
taught.

VII. To prescribe the studies to be taught in the common schools, reserving to town committees the right to prescribe additional studies.

Furnish rec-  
ord books  
to school  
officers.  
1897, c. 273.

VIII. To furnish to the school officers of each town, proper blank books in which shall be kept complete and itemized records of all matters relating to moneys appropriated, received

\*See Chapter 188, Res. 1901.

and expended for schools, which said books shall remain the property of the state.

IX. To assume the control and management of all free public schools established and maintained by gifts or bequests, when said gifts or bequests are conditioned upon said state superintendent assuming such control and management; and he shall carry out the provisions upon which such gifts or bequests are conditioned, when said conditions are approved by the governor and council.

Assume control of schools maintained by gifts so conditioned. 1901, c. 135.

X. To perform all duties imposed upon him by any charter or charters granted by the legislature to educational institutions in the state.

Perform duties imposed by charters. 1901, c. 272.

XI. Annually, to report to the governor and council the result of his inquiries and investigations, and the facts obtained from the school returns, with such suggestions and recommendations as in his judgment will best promote the improvement of public schools.

Make annual report. Resolves 1895, c. 7.

SEC. 101. The state superintendent shall prepare and furnish to the town officers such blanks as he deems proper to secure the fiscal returns required in section twenty-eight. He shall return to the treasurer of state on the first day of July annually, a list of such towns as have made such fiscal returns; and no school moneys shall be paid by the treasurer of state to any town, so long as it neglects to make such returns.

Blanks for fiscal returns and list of towns returning same. R. S. c. 11, § 14.

SEC. 102. He shall prepare and print blank forms for all other returns required by law, or deemed by him necessary, and shall, on the first day of each March, forward to the superintendents of schools of the several towns, blanks for the annual school return, and registers for the school year commencing on the first day of April following.

Blanks for annual school returns. R. S. c. 11, § 105.

SEC. 103. He shall, on the first day of each June, notify the school committee of any town whose returns were not received at his office in May, and shall, annually, ascertain on the first day of July the number of children between five and twenty-one years of age, in the towns from which returns are received, and furnish a list thereof to the treasurer of state.

Notify delinquent committees; return to treasurer of state number of school children. R. S. c. 11, § 106.

SEC. 104. He shall cause to be held, at such convenient times and places as he may from time to time designate, public examinations of candidates for the position of teacher in the public schools of the state. Such examinations shall test the profes-

Cause public examinations of teachers. 1895, c. 152, § 1.

—notice shall  
be given.

sional as well as the scholastic abilities of the candidates, and shall be conducted by such persons and in such manner as he may from time to time designate. Due notice of the time, place and other conditions of the examinations shall be given in such public manner as he may determine.

Certificate of  
qualification  
given  
candidates.  
1895, c. 152,  
§ 2.

SEC. 105. A certificate of qualification shall be given to all candidates who pass satisfactory examinations in such branches as are required by law to be taught, and who in other respects fulfil the proper requirements. Such certificate shall be either probationary or permanent and shall indicate the grade of schools which the person named is qualified to teach.

List of ap-  
proved can-  
didates to  
be kept.  
1895, c. 152,  
§ 3.

SEC. 106. A list of approved candidates shall be kept in the office of the state superintendent, and copies of the same with such information as may be desired shall be sent to school committees and superintendents upon their request.

Certificates  
to be ac-  
cepted in  
lieu of per-  
sonal ex-  
amination.  
1895, c. 152,  
§ 4.  
1903, c. 57.

SEC. 107. The certificates issued under the provisions of section one hundred and five shall be accepted by school committees and superintendents in lieu of the personal examination and certification required by section thirty-six.

Appropri-  
ation.  
1895, c. 152,  
§ 5.

SEC. 108. A sum not exceeding five hundred dollars may be annually expended for the necessary and contingent expenses of carrying out the provisions of the four preceding sections.

#### NORMAL SCHOOLS, AND MADAWASKA TRAINING SCHOOL.

Four normal  
schools,  
where  
located.  
R. S. c. 11,  
§ 107.  
1903, c. 211.

SEC. 109. The northern normal school at Farmington, the eastern normal school at Castine, the western normal school at Gorham and Aroostook county normal school at Presque Isle, shall be conducted for the purposes and upon the principles herein set forth.\*

Their  
objects.

I. They shall be thoroughly devoted to the training of teachers for their professional labors.

Course of  
study.

II. The course of study shall include the common English branches in thorough reviews, and such of the higher branches as are especially adapted to prepare teachers to conduct the mental, moral and physical education of their pupils.

Art of  
school man-  
agement.

III. The art of school management, including the best methods of government and instruction, shall have a prominent place in the daily exercises of said schools.

\*See also Chapter 44, P. L. 1909, An Act to establish an additional normal school to be located at Machias in the county of Washington.



IV. Said schools, while teaching the fundamental truths of Christianity, and the great principles of morality, recognized by law, shall be free from all denominational teachings, and open to persons of different religious connections on terms of equality.

Christianity and morality to be taught without sectarianism.

V. The principals of the normal schools and of all other schools in which normal departments are supported, wholly or in part, by the state, shall keep a register containing the names of all students entering such schools or departments, the date of entering and leaving, their ages, number of days' attendance, the length of the term, a list of text-books used, and all other information required in the blanks furnished by the state superintendent. Such register and blanks shall be returned to said superintendent by the first day of each December, and the information so furnished shall appear in his annual report, for the use of the legislature.

Principals of normal schools or normal departments to forward statistics of students therein to state superintendent.

SEC. 110. The course of study shall occupy two years with suitable vacations; and with the terms of admission shall be arranged by said superintendent, subject to the approval of the governor and council. The trustees may arrange for a course of study, occupying three or four years, for such students as elect to pursue the same.

Course of study.  
R. S. c. 11,  
§ 108.  
1895, c. 75.

SEC. 111. Any student who completes the course of study prescribed, and otherwise complies with the regulations of the school, shall receive a diploma certifying the same.

Diplomas to be issued.  
R. S. c. 11,  
§ 109.

SEC. 112. Applicants for admission shall be sixteen years of age if females, and seventeen if males, and shall signify their intention to become teachers and come under obligation to teach in this state for at least one year, and if they receive a diploma, two years after they have graduated; on these conditions they shall be received without charge for tuition.

Applicants for admission, qualifications of.  
R. S. c. 11,  
§ 110.  
1909, c. 27.

SEC. 113. Said schools are under the direction of a board of nine trustees, seven of whom shall be appointed by the governor with the advice and consent of the council, for not more than three years under one appointment; and the governor and state superintendent of public schools are, by virtue of their office, members of the board. Said board has charge of the general interests of said schools; shall see that the affairs thereof are conducted as required by law and by such by-laws as the board adopt; employ teachers and lecturers for the same; and, annu-

Trustees of normal schools, appointment, etc.  
R. S. c. 11,  
§ 111.  
1905, c. 11.  
1909, c. 103.

—annual financial statement to governor and council.

ally, on the first day of December lay before the governor and council, for the information of the legislature, a financial statement, furnishing an accurate detailed account of the receipts and expenditures for the school year preceding.

Madawaska Training School.  
1887, c. 82.

SEC. 114. The trustees of state normal schools shall maintain for not less than eight months annually, the Madawaska Training School, at Fort Kent, for the purpose of training persons to teach in the common schools of Madawaska territory, so called, which school shall be under their control and direction, in the same manner and to the same extent as the other state normal schools.

Appropriation for normal and training schools.  
R. S. c. 11, § 112.  
1897, c. 308.  
1903, c. 219.  
1909, c. 106.  
1911, c. 186.

SEC. 115. For the support of the five normal schools and the Madawaska Training School, the sum of seventy-seven thousand five hundred dollars is appropriated for the year nineteen hundred and eleven and the sum of seventy-seven thousand five hundred dollars is annually appropriated thereafter to be expended under the direction of said trustees, which sum the treasurer of state shall deduct for said purpose from any school money raised for the support of common schools. The governor and council may from time to time, as they think proper, draw warrants therefor on said treasurer in favor of said trustees.

#### INSTRUCTION FOR THE BLIND.

Blind children may be educated at Perkins Institute.  
1899, c. 2.

SEC. 116. Upon the request of the parents or guardians, the governor may, with the approval of the council, send such blind children as he may deem fit subjects for education, for a term not exceeding ten years, and thereafter in the discretion of the governor and council, in the case of any pupil, to the Perkins Institute for the blind at South Boston, Massachusetts. In the exercise of the discretionary power conferred by this section, no distinction shall be made on account of the wealth or poverty of the parents or guardians of such children. No such pupils shall be withdrawn from such institution except with the consent of the proper authorities thereof or of the governor; and the sums necessary for the support and instruction of such pupils in such institution, including all traveling expenses of such pupils attending such institution shall be paid by the state; *provided*,

—expenses shall be paid by state.

—proviso.

*however*, that nothing herein contained shall be held to prevent the voluntary payment of the whole or any part of such sums by the parents or guardians of such pupils.

#### PENAL PROVISIONS AFFECTING SCHOOLS.

SEC. 117. Forfeitures under this chapter, not otherwise provided for, may be recovered by indictment, and shall be paid into the treasury of the town where they occurred, for the support of schools, therein, in addition to the amount required by law to be raised; but costs of prosecution shall be paid into the county treasury; any town neglecting for one year, so to expend such money, forfeits an equal sum to any person suing therefor in an action of debt.

Forfeiture, how recovered and appropriated.  
R. S. c. 11, § 113.  
  
—neglect to expend money.

SEC. 118. Whoever, whether a scholar or not, enters any schoolhouse or other place of instruction, during or out of school hours, while the teacher or any pupil is present, and wilfully interrupts or disturbs the teacher or pupils by loud speaking, rude or indecent behavior, signs or gestures, or wilfully interrupts a school by prowling about the building, making noises, throwing missiles at the schoolhouse, or in any way disturbing the school, forfeits not less than two, or more than twenty dollars, to be recovered as aforesaid, or on complaint.

Penalty for disturbing schools.  
R. S. c. 11, § 114.

SEC. 119. If a minor injures or aids in injuring any schoolhouse, outbuildings, utensils or appurtenances belonging thereto; defaces the walls, benches, seats or other parts of said buildings by marks, cuts or otherwise, or injures or destroys any school property belonging to a town, such town by a truant officer thereof, may recover of his parent or guardian, in an action of debt, double the damage occasioned thereby.

Parents or guardians liable.  
R. S. c. 11, § 115.  
  
—double damages.

SEC. 120. Whoever defaces the walls, benches, seats, blackboards or other parts of any schoolhouse or outbuildings belonging thereto, by obscene pictures, language, marks or descriptions, shall be fined not exceeding ten dollars, on complaint made within one year.

Penalty for defacing school houses.  
R. S. c. 11, § 116.

SEC. 121. If an innholder, confectioner, or keeper of a shop, boarding house, or livery stable, gives credit for food, drink or horse or carriage hire, to any pupil of a college or literary institution in violation of its rules he forfeits a sum equal to the amount so credited, whether it has been paid or not, to be recov-

Innholders, stable-keepers and others, not to give credit to students.  
R. S. c. 11, § 125.



ered in an action of debt by the treasurer of such institution; half to its use, and half to the town where it is located; and no person shall be licensed by the municipal officers for any of said employments, if it appears that within the preceding year he had given credit contrary to the provisions hereof.

## STATE SCHOOL FUNDS.

Permanent  
school fund.  
R. S. c. 11,  
§ 117.  
1903, c. 228.

SEC. 122. The treasurer of state shall keep a separate account of all moneys received from sales of lands appropriated for the support of schools or from notes taken therefor, and of any other moneys appropriated for the same purpose; and such sum shall constitute a permanent school fund, which may be put at interest as the legislature directs. A sum equal to six per cent of the amount of such fund, and one-half the sum received by the state from the tax on the franchises of savings banks, and one-half the sum assessed upon the deposits of trust and banking companies, shall be annually appropriated to the support of common schools, and distributed among the several towns according to the number of children therein between five and twenty-one years of age.

Treasurer to  
apportion  
school funds.  
R. S. c. 11,  
§ 118.  
See §§ 13, 37.

SEC. 123. The treasurer shall, immediately after the first day of July, apportion to the towns all the state school funds for the year, according to the list of children furnished by the state superintendent of public schools, as provided in section one hundred and three. The number of scholars belonging to a town from which either the school committee or the municipal authorities have failed to make the returns required by law, shall be reckoned by taking the number used as the basis of the last apportionment, and deducting all scholars set off to other towns, or incorporated into a new town within a year, and one-tenth of the remainder, and the residue shall be the basis of the new apportionment. Immediately after making the apportionment, the treasurer shall notify each town of its proportion; which shall not be paid to any town until its returns, both common school and fiscal, are made to the state superintendent of public schools, nor so long as any state tax assessed upon such town remains unpaid.

—basis  
when returns  
are not  
received.

—school  
funds not  
to be paid  
until re-  
turns are  
made.

SEC. 124. A tax of one and one-half mills on a dollar shall annually be assessed upon all the property in the state according to the valuation thereof, and shall be known as the mill tax for the support of common schools.\*

Mill tax.  
R. S. c. 11,  
§ 119.  
1907, c. 111,  
§ 2.

SEC. 125. This tax shall be assessed and collected in the same manner as other state taxes, and be paid into the state treasury and designated as the school mill fund.

How as-  
sessed and  
collected.  
R. S. c. 11,  
§ 120.

SEC. 126. This fund shall be distributed by the treasurer of state on the first day of January, annually, to the several cities, towns and plantations according to the number of scholars therein, as the same shall appear from the official return made to the state superintendent of public schools for the preceding year.†

How dis-  
tributed.  
R. S. c. 11,  
§ 121.

SEC. 127. All of the school mill fund not distributed or expended during the financial year, shall at its close be added to the permanent school fund.

Unexpended  
balance to  
be added to  
school fund.  
R. S. c. 11,  
§ 122.

\*See also Chapter 177, P. L. 1909, An Act relating to the Common School Fund and the means of providing for and distributing the same.

†See also Chapter 198, P. L. 1909, An Act for the equalization of school privileges.

## FUNDS FROM SALE OF TIMBER LANDS TO BE APPLIED TO SUPPORT OF SCHOOLS.

(Chap. 7, Sec. 17, R. S. 1903.)

Money to constitute school fund. R. S. c. 5, § 13.

The money arising from the sale of timber and grass, or from trespasses on reserved lands, paid into the treasury of the county in which the township is situated, or into the state treasury, constitutes funds for school purposes, of which the income only shall be expended and applied as is by law provided.

## INSTRUCTION IN FORESTRY IN PUBLIC SCHOOLS.

(Chap. 7, Sec. 65, R. S. 1903.)

Elementary instruction in forestry in the public schools. 1891, c. 100, § 15.

The forest commissioner shall take such measures as the state superintendent of public schools and the president of the University of Maine may approve, for awakening an interest in behalf of forestry in the public schools, academies and colleges of the state and of imparting some degree of elementary instruction upon this subject therein.

## MAINE SCHOOL FOR THE DEAF.

(Chapter 446, Private and Special Laws, 1897.)

School for deaf and dumb, established.

SEC. 1. The Maine School for the Deaf is hereby established—to be devoted to the education and instruction of deaf and dumb children.

Location.

SEC. 2. Said school shall be located at Portland, in the county of Cumberland, and the governor and council are hereby authorized, on behalf of the state, to accept a conveyance from the city of Portland of the school lot, building and fixtures now used as a school for the deaf in said Portland, upon the condition that the state shall hereafter assume the entire charge, responsibility and expense of maintaining said school.

Trustees, appointment and tenure.

SEC. 3. The government of said school is hereby vested in a board of five trustees, to be appointed by the governor with the advice and consent of the council, to hold office for a term of five years, except, however, that the trustees first appointed shall hold office, one for one year, one for two years, one for three years, one for four years, and one for five years.



SEC. 4. The trustee shall have charge of the general interests of the school and see that its affairs are conducted in accordance with law and such by-laws as they may adopt; they may adopt by-laws which shall be valid when sanctioned by the governor and council; they may employ a principal and such teachers and other employees as they may deem advisable and fix the compensation of the same, subject to the approval of the governor and council; they may from time to time prescribe the system of education and course of study to be pursued in the school and shall be allowed for their services their actual expenses and two dollars a day when actually employed.

Duties of trustees.

—course of study.

SEC. 5. With the consent of its parent or guardian, the trustees may admit to said school, for a term not exceeding twelve years, any deaf or dumb child residing in this state and not less than five years of age, who shall not be withdrawn or discharged from said school, except with the consent of the trustees or the governor and council, and the sums necessary for the support and instruction of such children while attending said school, shall be paid by the state.

Admission and support of pupils.

SEC. 6. Deaf and dumb children residing in other states may, at the discretion of the trustees, be admitted to said school upon the payment by their parents or guardian of a reasonable compensation to be fixed by the trustees.

Children from other states may be admitted

## SUMMER TRAINING SCHOOLS AND THE DISTRIBUTION OF EDUCATIONAL DOCUMENTS.

(Chap. 188, Resolves 1901.)

Resolved, That the sum of two thousand five hundred dollars be appropriated annually, from the state school fund, to defray the expenses of holding at least four summer training schools for teachers and for the purpose of preparing and distributing among the teachers of the schools and school officers of this state, outlines, suggestions and directions concerning the management, discipline and methods employed in teaching, for the purpose of promoting improved systems of instruction; said schools to be conducted by and said documents to be prepared and distributed under the direction of the state superintendent of public schools. The governor and council are hereby author-

Summer training schools, in favor of.

ized to draw their warrant from time to time for the expenditure of said sum, upon the presentation of bills properly avouched by said superintendent.

## AN ACT TO PROVIDE FOR THE CARE AND EDUCATION OF THE FEEBLE MINDED.

(Chap. 44, P. L., 1907, as amended by Chap. 167, P. L. 1909.)

School for  
idiotic and  
feeble-  
minded, to  
establish.

SEC. 1. The state shall establish and maintain a school for the care and education of the idiotic and feeble minded six years of age and upward, which shall be known as the Maine School for Feeble Minded. All such feeble minded persons supported by towns in the state, who, in the judgment of the municipal officers of towns or state board of charities are capable of being benefited by school instruction, shall be committed to this institution.

Appointment  
of trustees.

SEC. 2. The governor shall, with the advice of the council, appoint five persons, all of whom shall be inhabitants of this state and one of that number shall be a female, to be trustees of such school.

Tenure.

The trustees shall be appointed as follows: The first three to serve for two years, the other two for four years, and thereafter said trustees shall be appointed to serve for four years.

Management  
of school.

The said trustees shall have the general management and supervision of said school and one or more of said trustees shall visit said school as often as once each month, and said board of trustees shall annually on or before the first day of October of each year furnish a report to the governor and council containing a history of the school for the year and a complete statement of all accounts, with all the funds, general and special, appropriated or belonging to said school with a detailed statement of disbursements.

Destitute  
subjects may  
be admitted  
as state  
charges.

SEC. 3. All indigent and destitute persons in this state, who are proper subjects for said schools, and have no parents, kinsmen or guardian able to provide for them, may be admitted as state charges and all other persons in this state, who are proper subjects for said school when parents, kinsmen or guardian bound by the law to support such persons are able to pay, shall pay such sum for care, education and maintenance of such persons as the trustees shall determine, and such persons from

—subjects  
from other  
states may  
be received.

other states having no such institution and similar schools may be received into such school when there is room for them without excluding state charges, at a cost to each person or those who are legally responsible for their maintenance at a cost of not less than three dollars and twenty-five cents per week.

SEC. 4. The governor shall be, ex-officio, a member of the board of trustees of said school and shall annually visit said school.

Governor,  
ex-officio  
trustee.

SEC. 5. Whenever it is made to appear, upon application to the judge of probate for any county and after due notice and a proper hearing, that any person resident in said county or any inmate of the Maine Industrial School for girls, the State School for boys, the Bath Military and Naval Orphan Asylum or any person supported by any town, is a fit subject for the Maine School for Feeble Minded, such judge may commit such person to said school by an order of commitment directed to the trustees of said school for feeble minded accompanied by a certificate of two physicians who are graduates of some legally organized medical college and have practiced three years in this state, that such a person is a proper subject for said institution. Whenever, upon such application, there is occasion for the judge of probate to attend a hearing on days other than days fixed as the regular day for holding the probate court, said judge of probate shall be allowed five dollars per day for his services and expenses, which shall be paid by the county treasurer upon the certificate of the county commissioners.

Judge of  
probate may  
commit to  
school.

—compensation of  
judge of  
probate for  
services.

SEC. 6. Any order of committal under this act shall be subject to appeal in the same manner by the same persons and to the same extent that decrees of the judge of probate appointing guardians over persons alleged to be insane or incompetent or spendthrift, and no committal under this act shall bar habeas corpus proceedings, but the court upon habeas corpus proceedings may confirm the order of commitment whenever justice requires. Any inmate of the Maine School for the Feeble Minded may be discharged by any three of the trustees or by a justice of the supreme or superior court of the state whenever a further detention in such school in their opinion is unnecessary, but any person so discharged who was under sentence of

Order of  
committal  
subject to  
appeal.

—discharge  
of inmate.



imprisonment at the time of his commitment, the period of which shall not have expired, shall be committed or remanded to prison for such unexpired time.

Order of admittance.

SEC. 7. Feeble minded persons shall be admitted to the institution in the following order: First, feeble minded persons who are now in public institutions supported entirely at public expense; second, feeble minded persons in public institutions not supported as aforesaid; third, feeble minded persons who are not in any institution of the state, who have no parents, kinsmen or guardian able to provide for them, or who are committed by a judge of probate; fourth, those residing within the state whose parents, kinsmen or guardian bound by law to support such persons are able to pay; fifth, persons of other states whose parents, kinsmen or guardian are willing to pay.

Governor and council shall select and purchase suitable site.

SEC. 8. The governor and council shall select and purchase a suitable site for said school and home and the board of trustees, as soon as appointed and organized, shall proceed as soon as practicable to erect thereon and properly furnish and equip suitable buildings and structures to accomplish the objects set forth in this act.

Trustees to make rules and regulations.

SEC. 9. Said trustees shall have power to make all necessary rules and regulations as to admission to said institution and for the government and control of said institution and its inmates, and to do everything necessary to properly care for and educate the feeble minded of the state.

Governor shall draw warrant.

For all bills contracted by the governor and council as aforesaid in purchasing a site the governor shall draw his warrant upon any money in the treasury to pay the same not otherwise appropriated, and all bills contracted by the trustees in erecting, repairing and equipping suitable buildings and operating the institution shall each year be audited by the governor and council, and the governor shall draw his warrant upon any money in the treasury to pay the same not otherwise appropriated.

—accounts of trustees shall be audited.

Appropriation.

SEC. 10. A sum of money not exceeding sixty thousand dollars shall be appropriated under this act to be used and expended for the purposes therein named within the next two years.

Compensation of trustees.

SEC. 11. The trustees shall receive five dollars per day when employed and actual expenses.

SEC. 12. All acts and parts of acts inconsistent with this act, are hereby repealed.

AN ACT REQUIRING STEAM PLANTS IN SCHOOL BUILDINGS, CHURCHES, AND OTHER PUBLIC BUILDINGS, TO BE IN CHARGE OF COMPETENT PERSONS.

(Chap. 82, P. L. 1907.)

SEC. 1. Whenever any school building, church, or other public building is heated by a steam plant, located in, under or near such building, such steam plant shall be in charge of a person qualified as provided by this act.

Steam heating plants to be in charge of qualified person.

SEC. 2. The municipal officers of any town or city in which any of the buildings enumerated in the preceding section, heated by steam, are located, shall require the person or persons contemplating taking charge of the steam plant for such purpose, to be first examined by them, and they shall require him to produce before them proof of his competency to have charge of such steam plants; and unless the person so applying has been licensed as an engineer, or has had previous experience as a machinist, or as an engineer of a steam plant, he shall be required to satisfy said municipal officers that he possesses the requisite qualifications and experience to assume charge of the particular plant which he desires permission to operate; and if said municipal officers, after such examination, are satisfied that the applicant possesses the requisite qualifications for such work, and is of temperate habits, they, or the majority thereof, shall issue under their hands a certificate in the following form:

Examined by municipal officers.

—officers shall issue certificate.

STATE OF MAINE.

'City (or) Town of.....:

This is to certify that.....having made application to the municipal officers of the city (or) town of....., for permission to take charge of, and operate a steam plant located in said city (or) town, (here describe the nature of the steam plant of which the applicant is authorized to have charge, and its location); and having produced evidence of his competency to act in said capacity, we have issued to him this certificate as provided by chapter.....of the public laws, approved on the.....day of March, nineteen hundred and seven.'

Form of certificate.

Certificate shall be filed.

Said certificate when issued shall be filed in the office of the city or town clerk, and such clerk shall issue and deliver to said applicant a duly attested copy of such certificate, and the copy so issued shall be posted by the holder thereof, in a conspicuous place in or near the room in which the boiler to be operated is located.

Unlawful to issue certificate to applicant without proof of qualification.

SEC. 3. It shall be unlawful for the municipal officers of any city or town to issue the certificate provided for by this act without receiving proof that the person to whom such certificate is issued has had experience in such work, and is in all respects qualified to discharge the duties referred to in the certificate granted, and is also of temperate habits.

Duty of municipal officers when notice is received of incompetency.

SEC. 4. Whenever the municipal officers of any town or city receive notice in writing, signed by ten or more of the residents thereof, stating that the person in charge of a steam plant located in, under, or near, any school building, church, or other public building situated in said city or town, and furnishing or supplying heat for such building, is incompetent for the discharge of such duties, or by reason of negligence, intemperance, or any other cause, ought not longer to remain in charge, it shall be the duty of said municipal officers to immediately suspend temporarily the authority of such person to act in said capacity; and until the investigation herein provided, can be made, shall cause a person qualified as provided by this act to be placed in charge of said steam plant; and said municipal officers shall as soon thereafter as practicable, cause an investigation to such complaint to be made, and shall thereupon inquire into the habits and qualifications of the person so complained of, and if such person is, for any reason, found to be incompetent or unsuitable to longer remain in charge of said steam plant, said municipal officers shall immediately cause the certificate granted under the provisions of this act, to be revoked, and notice of such revocation shall be filed with the clerk of such city or town, and thereupon said municipal officers shall, if such plant is under their control, place a person qualified as herein provided, in charge thereof; and if such steam plant is not in charge of such municipal officers, they shall give the person or corporation having the control of such steam plant, notice of their findings, and if such person or corporation having control of such steam plant, shall, after the



receipt of such findings, neglect or refuse to cause said steam plant to be placed in charge of some person qualified under the provisions of this act, such person or corporation shall be subject to the penalties herein provided.

SEC. 5. Every person violating any of the provisions of this act shall be subject to indictment, and upon conviction thereof shall be punished by a fine not exceeding fifty dollars, or imprisonment for a term not exceeding ninety days, or both, as the court in which such conviction is obtained, shall determine.

Penalty for violation of this act.

SEC. 6. This act shall take effect the first day of September in the year nineteen hundred seven.

When this act shall take effect.

### AN ACT TO ENCOURAGE THE COMPILING AND TEACHING OF LOCAL HISTORY AND LOCAL GEOGRAPHY IN THE PUBLIC SCHOOLS.

(Chap. 88, P. L. 1907, as amended by Chap. 138, P. L. 1909, and Chap. 159, P. L. 1911.)

SEC. 1. The governor, with the advice and consent of the council, shall appoint a state historian, who shall be a member of the Maine Historical Society and whose duty it shall be to compile historical data of the state of Maine and encourage the teaching of the same in the public schools. It shall also be his duty to encourage the compiling and publishing of town histories, combined with local geography. It shall further be his duty to examine, and when he decides that the material is suitable, approve histories of towns compiled as provided in section two of this act.

Governor shall appoint state historian.

—duties.

SEC. 2. Whenever any town shall present to the state historian material which he considers suitable for publication as a history of the town presenting the same, then he may approve of the publication of a history with the local geography which will be suitable for the use in the grammar and high school grades of the public schools.

May approve of town history.

SEC. 3. Whenever material for a town history with local geography has been approved by the state historian, and the same has been published by the town, and provision has been made for its regular use in the public schools of said town; then the state treasurer shall pay the town so publishing a sum not

Towns publishing history shall receive state aid.

exceeding one hundred and fifty dollars, provided that the state shall not pay to any town, to exceed one-half the amount paid by said town for printing and binding said histories.

Board to compile history.

SEC. 4. The superintending school committee, and the superintendent of schools, shall elect some citizen of the town to serve with them; and these persons shall constitute a board to compile a history and the local geography of the town in which they reside. Two or more towns may unite in compiling and publishing a history and the local geography of the towns forming the union. It shall be the duty of the superintendent of schools to forward two copies of said history to the Maine state library and notify the superintendent of public schools of the title of said history.

—towns may unite.

—history to be placed in state library.

Expenses of historian.

SEC. 5. All the actual cash expenses of the said state historian incurred while in the discharge of his official duties shall be paid on the approval and order of the governor and council, and shall not exceed five hundred dollars per annum.

Publication of historical data.

SEC. 6. The state historian is authorized to expend, under the direction of the governor and council, any portion of the amount appropriated by this act, in the publication of historical matter and data relating to the history of Maine, or in making available by card catalog and otherwise historical materials in the possession of the state.

—availability, 1911, c. 159.

Historical sites.

SEC. 7. The marking of historical sites, as authorized by the legislature, shall be under the direction of the state historian.

## AN ACT RELATING TO THE STATE SUPERINTENDENT OF PUBLIC SCHOOLS.

(Chapter 171, P. L. 1907, as amended by Chapter 125, P. L. 1909.)

Salary of state superintendent of schools.

SEC. 1. The salary of the state superintendent of schools is hereby established at twenty-five hundred dollars per annum. He shall receive in addition his actual cash expenses incurred in the performance of his official duties which sum shall be paid out of the specific appropriation for that purpose. He shall employ a clerk, who may serve as his deputy, at a salary not to exceed fifteen hundred dollars annually, with necessary expenses when on official business within the state, and other clerical assistance at a cost not to exceed one thousand dollars

—shall employ clerk who may serve as deputy.

annually. He shall perform his official duties at the office provided for him at the seat of government and not elsewhere, not meaning however, to prohibit him from making such necessary journeys and performing such duties as are necessary or incidental to the immediate object of such journey.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

## AN ACT TO PROVIDE SCHOOLS WITH FLAGS.

(Chap. 182, P. L. 1907.)

It shall be the duty of superintendents of schools to report to the municipal officers of cities, towns and plantations all schools within their jurisdiction without flags, and it shall be the duty of said municipal officers to furnish flags to all such schools, to be paid for by said municipalities. These flags are to be used in all schools for the education of the youth of our state, to teach them the cost, the object and principles of our government, the great sacrifices of our forefathers, the important part taken by the Union army in eighteen hundred sixty-one to eighteen hundred sixty-five, and to teach them to love, honor and respect the flag of our country that cost so much and is so dear to every true American citizen.

Flags to be  
furnished  
schools.

## SECTION ONE OF AN ACT DESIGNATING THE OFFICIAL FLAG OF THE STATE OF MAINE AND DESCRIBING THE SAME.

(Chapter 19, P. L. 1909.)

SEC. I. The flag to be known as the official flag of the state of Maine shall be of blue, same color as the blue field in the flag of the United States, and of the following dimensions and designs: to wit, the length, or height, of the staff, to be nine feet, including brass spear-head and ferule; the fly of said flag to be five feet six inches, and to be four feet four inches on the staff; in the center of the flag there shall be embroidered in silk the same on both sides of the flag the coat of arms of the state of Maine, in proportionate size; the edges to be trimmed with knotted fringe of yellow silk, two and one-half inches

State flag,  
description  
of.



wide, a cord, with tassels, to be attached to the staff at the spear-head, to be eight feet six inches long and composed of white and blue silk strands.

## AN ACT RELATING TO THE WELFARE OF SCHOOL CHILDREN.

(Chap. 31, P. L. 1909.)

Pupils may be excluded from school until cleansed, cured and disinfected.

SEC. 1. When a teacher becomes aware or suspects that any of the pupils attending his school are in a condition which renders them a source of offense or danger to the other pupils in school on account of filthiness, or because they are the bearers of vermin or parasites, or have an infection or contagious disease of the skin, mouth or eyes, he shall notify the superintendent of schools, and when a superintendent of schools knows or learns that any of the pupils attending any school within his jurisdiction, are affected with any of the conditions, infections, or diseases herein mentioned, he shall notify the parents to cleanse the clothing and the bodies of the children and to furnish them with the required home or medical treatment, for the relief of their trouble, and the superintendent of schools may, when he deems it necessary, exclude such children from the schools temporarily or until they may be cured, cleansed and disinfected.

Duty of parents.

SEC. 2. Parents thus notified of the condition of their children shall forthwith have them and their clothing cleansed and shall promptly do what is necessary, or furnish them such medical treatment as may be required, to rid the children of vermin, parasites, or contagion; and any parent who fails to do what is required so that the children may return to school with as little loss of time as is possible, shall be guilty of a misdemeanor and shall be liable to a fine not to exceed five dollars for the first offense, and not to exceed ten dollars for a second or subsequent offense.

—penalty.

AN ACT TO ESTABLISH AN ADDITIONAL NORMAL SCHOOL TO BE LOCATED AT MACHIAS IN THE COUNTY OF WASHINGTON.

(Chap. 44, P. L. 1909.)

SEC. 1. Another normal school to be known as Washing-<sup>Normal</sup>ton State Normal School is hereby created and established upon <sup>school es-</sup>such plans as the board of trustees for normal schools may <sup>tablished.</sup>direct.

SEC. 2. Said normal school shall be located at Machias in <sup>Location of</sup>the county of Washington, provided and upon condition that <sup>school.</sup>the inhabitants of said town of Machias, shall, within six months after the date of the approval of this act, to donate and cause to be conveyed to the state for the purpose and use of such schools a lot of land not less than five acres in extent and whatever buildings stand thereon may be selected and approved by the said board of trustees for normal schools.

Said inhabitants of said town of Machias at a legal meeting <sup>Selectmen to</sup>of said inhabitants called and held within six months, are here- <sup>be authorized</sup>by authorized and empowered by a majority vote of the legal <sup>by majority</sup>voters voting at said meeting to authorize and direct the select- <sup>vote to pur-</sup>men of said town of Machias to purchase the lot and buildings <sup>chase lot and</sup>so selected and approved by said board of trustees for normal <sup>buildings.</sup>schools, to donate said lot of land and buildings to said state for the use and purpose aforesaid, and to instruct and direct the said selectmen to make, execute and deliver for and in behalf of said inhabitants a proper deed conveying said lot of land and buildings to the state for the use and purposes aforesaid. Said deed shall be delivered to the board of trustees of normal schools who are hereby authorized and empowered to accept and receive the same for and in behalf of said state, and when so delivered it shall be conclusive evidence of the legality of the meeting of said inhabitants to be held as aforesaid and of the proceedings at such meeting; and the title of said lot of land and buildings thereon, shall be forever vested in said state for the use and purposes aforesaid, and when such conveyance and delivery of <sup>—title shall</sup>such deed are made, said trustees are authorized, instructed and <sup>be forever</sup>directed to procure teachers and put in operation such school. <sup>vested in</sup>

The cost of maintenance of such school shall be deducted and <sup>Maintenance</sup>paid from the public school fund. When so established, said <sup>of school,</sup> <sup>how paid.</sup>

school shall be under the direction of said board of trustees, be conducted for the purposes, and upon the principle of the other state normal schools, and be subject to all the laws of the state relating to the same.

Appropriation.

SEC. 3. For the purposes of this act the sum of twenty-five thousand dollars is hereby appropriated; such sum to be available only when said lot and building are donated to the state as provided in section two of this act.

How funds shall be used.

SEC. 4. So much of said sum of twenty-five thousand dollars as may be necessary shall be used by said trustees for repairing buildings on said lot of land the balance to be used in erecting any other necessary building or buildings on said lot.

### AN ACT TO EXTEND THE PRIVILEGES OF SECONDARY INSTRUCTION TO YOUTHS RESIDENT IN UNORGANIZED TOWNSHIPS.

(Chap. 62, P. L. 1909.)

Youths in unorganized townships may attend any secondary school.

Any youth who resides with a parent or guardian in any unorganized township in which schools are regularly maintained may attend any secondary school in the state to which he may gain entrance by permission of those having charge thereof, provided said school shall be of standard grade approved by the state superintendent of public schools. In such case the tuition of such youth not to exceed thirty dollars annually shall be paid by the state under such provisions and regulations as may be made by the state superintendent and approved by the governor and council.

—tuition.

### \*AN ACT FOR THE IMPROVEMENT OF FREE HIGH SCHOOLS.

(Chap 71, P. L. 1909.)

Classification of high schools.

SEC. I. No school shall be regarded as a high school within the meaning of any of the provisions of chapter fifteen of the revised statutes unless such school shall be included in the following classes:

Class A

Class A. This class shall include such schools as maintain at least one approved course of study through four years of thirty-six weeks each and of standard grade, together with

\*See also Sections 55-62, Chap. 15, R. S., pages 21-24.



approved laboratory equipment, and shall employ at least two teachers, provided the town, precinct or union maintaining such school shall appropriate and expend for instruction therein at least eight hundred and fifty dollars annually exclusive of all tuition received.

Class B. This class shall include such schools as maintain one approved course of study through at least two years of thirty-six weeks and of standard grade together with approved equipment, provided the town, precinct or union maintaining such school shall appropriate and expend for instruction therein at least five hundred dollars annually exclusive of all tuitions received.

Class C. This class shall include such schools as maintain at least one approved course of study through four years of thirty weeks each; provided the town, precinct or union maintaining such school shall appropriate and expend for instruction therein at least four hundred and fifty dollars annually exclusive of all tuitions received.

SEC. 2. A town, precinct or union maintaining a high school, as defined in section one of this act, shall be reimbursed by the state for two-thirds of the amount paid for instruction in such school; but in no case shall more than five hundred dollars be paid by the state to a town, precinct or union in any one year.

SEC. 3. A town, precinct or union maintaining a high school, as provided in class A of section one of this act, shall not be obliged to pay tuition under section sixty-three and sixty-four of chapter fifteen. A town, precinct or union maintaining a high school, as provided in class B of section one shall not be obliged to pay tuition for any pupil until he has completed the first two years of the course of the class B school, and for only two years of subsequent work. A town, precinct or union maintaining a high school, as provided in class C of section one, shall be obliged to pay tuition for such portion of a four years course as may be determined by the state superintendent of public schools.

SEC. 4. All schools of secondary grade receiving state aid shall be inspected annually under the direction of the state superintendent of public schools, and for this purpose he shall be authorized to expend not to exceed two thousand dollars annually, which sum shall be paid from the state appropriation

Class B.

Class C.

Reimbursement of towns.

Town not obliged to pay tuition under sections 63 and 64, chapter 15, R. S.

Schools shall be inspected annually.

for the support of high schools; and he shall determine what schools are included in the classification of section one of this act, what schools maintain the courses of study, what schools are entitled to state aid and what schools maintain approved courses for the reception of tuition scholars.

When other state aid shall cease.

SEC. 5. After this act takes effect all other state aid for high schools as provided by law shall cease.

AN ACT ADDITIONAL TO CHAPTER SEVENTY-ONE OF THE PUBLIC LAWS OF NINETEEN HUNDRED AND NINE, ENTITLED "AN ACT FOR THE IMPROVEMENT OF FREE HIGH SCHOOLS."

(Chap. 196, P. L. 1909.)

State aid, when payable.

State aid to free high schools under the provisions of chapter seventy-one of the public laws of nineteen hundred and nine shall be payable annually in the month of December.

AN ACT RELATIVE TO THE APPOINTMENT OF SCHOOL PHYSICIANS.

(Chap. 73, P. L. 1909.)

School physicians, appointment of.

SEC. 1. The school committee of every city and town shall appoint one or more school physicians and shall assign one to the medical inspection of not over one thousand pupils of the public schools within its city or town, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act, provided, however, the said committee has been so authorized by vote of town at regular town meeting or at a special town meeting called for that purpose.

Duties of physician.

SEC. 2. Every school physician shall make a prompt examination and diagnosis of all children referred to him as herein-after provided, and such further examination of teachers, janitors and school buildings as in his opinion the protection of the health of the pupils may require.

Pupils, by whom treated.

SEC. 3. The pupils so examined by school physicians when treatment is necessary shall not be referred to the school physicians for such treatment except the school physician be the

regular family physician of such pupil, but shall be referred to the regular family physician of such pupil through the parents or guardian.

SEC. 4. The school committee shall cause to be referred to a school physician for examination and diagnosis every child returning to a school without a certificate from the board of health or family physician after absence on account of illness or from unknown cause; and every child in the schools under its jurisdiction who shows signs of being in ill health or of suffering from infectious or contagious diseases, unless he is at once excluded from school by the teacher; except that in case of schools in remote and isolated situations, the school committee may make such other arrangements as may best carry out the purposes of this act.

Examination  
of pupils  
after absence  
on account  
of sickness.

—exception.

SEC. 5. The school committee shall cause notice of disease or defects, if any, from which any child is found to be suffering to be sent home to his parents or guardian. Whenever a child shows symptoms of smallpox, scarlet fever, measles, chicken pox, tuberculosis, diphtheria or influenza, tonsilitis, whooping cough, mumps, scabies or trachomo, he shall be sent home immediately or as soon as safe and proper conveyance can be found, and the board of health and superintendent of schools shall at once be notified.

Notice of  
disease or  
defects.

SEC. 6. The school committee of every city or town shall cause every child in the public schools to be separately and carefully tested and examined at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. Tests of sight and hearing shall be made by the teachers or by the school physicians. The committee shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child, and shall require a physical record of each child, to be kept in such form as the state superintendent of public schools shall prescribe after consultation with the state board of health.

Examination  
of sight and  
hearing.

—notice to  
parent or  
guardian.



State superintendent of schools shall prescribe directions for tests of sight and hearing.

—amount to be expended.

Expense that may be incurred by city or town.

Applies to cities and towns having less than forty thousand inhabitants.

Plans and specifications for school buildings to be furnished by state superintendent.

—appropriation.

Plans and specifications to be approved.

SEC. 7. The state superintendent of public schools shall prescribe after consultation with the state board of health the directions for tests of sight and hearing, and shall prescribe and furnish to the school committees suitable rules of instruction, test cards, blanks, record books and other useful appliances for carrying out the purposes of this act. The state superintendent of public schools may expend during the year nineteen hundred and nine a sum not greater than five hundred dollars for the purpose of supplying the material required for this act.

SEC. 8. Expenses which a city or town may incur by virtue of the authority herein vested in the school committee shall not exceed the amount appropriated for that purpose in cities by the city council and in towns by a town meeting. The appropriation shall precede any expenditure of any indebtedness which may be incurred under this act and the sum appropriated shall be deemed sufficient appropriation in the municipality where it is made. Such appropriation need not specify to what section of the act it shall apply and may be voted as a total appropriation to be applied in carrying out the purposes of this act.

SEC. 9. The provisions of this act shall apply only to cities and towns having a population of less than forty thousand inhabitants.

## AN ACT RELATIVE TO SCHOOL BUILDINGS.

(Chap. 88, P. L. 1909.)

SEC. 1. It shall be the duty of the state superintendent of public schools to procure architect's plans and specifications for not to exceed four room school buildings, and full detail working plans therefor. Said plans and specifications shall be loaned to any superintending school committee or school building committee desiring to erect a new school building. For the use of the state superintendent of public schools in procuring such plans and specifications the sum of two hundred dollars is hereby appropriated for the year nineteen hundred and nine and a like sum for the year nineteen hundred and ten.

SEC. 2. Where the plans and specifications prepared by the state superintendent are not used, all superintending school committees of towns in which new schoolhouses are to be

erected, shall make suitable provision for the heating, lighting and ventilating and hygienic conditions of such buildings, and all plans and specifications for any such proposed school buildings shall be submitted to and approved by the state superintendent of public schools and the state board of health before the same shall be accepted by the superintending school committee or school building committee of the town in which it is proposed to erect such building.

SEC. 3. In case no special building committee has been chosen by the town, the superintending school committee shall have charge of the erection or reconstruction of any school building, provided that said superintending school committee may, if they see fit, delegate said power and duty to the superintendent of schools.

When school committees shall have charge of construction.

## AN ACT FOR THE SAFEGUARDING OF SCHOOLS AGAINST DANGER FROM FIRE.

(Chap. 100, P. L. 1909.)

SEC. 1. Any building which is used in whole or in part as a schoolhouse shall be provided with proper egresses or other means of escape from fire sufficient for the use of all persons therein accommodated. These egresses and means of escape shall be kept unobstructed, in good repair and ready for use. Stairways on the outside of the building shall have suitable railed landings at each story above the first, accessible at each story from doors or windows and such stairways, doors or windows shall be kept clean of snow, ice and other obstructions. In school buildings of more than one story there shall be at least two separate means of egress by inside or outside stairway, and each story above the first shall be supplied with means of extinguishing fire consisting of pails of water or other portable apparatus, or of a hose attached to a suitable water supply and such appliance shall be kept at all times ready for use and in good condition. Upon written notification by the superintending school committee that any school building does not meet the specifications herein named, the municipal officers of the town shall at once proceed to correct the defects, and any failure so to act shall render the town liable to the provisions of section sixteen of chapter fifteen of the revised statutes.

School buildings shall have proper exits.

—kept in repair.

—stairways.

—doors and windows.

—school buildings of more than one story.

—when municipal officers shall correct defects.

\*AN ACT RELATING TO THE COMMON SCHOOL FUND AND THE MEANS OF PROVIDING FOR AND DISTRIBUTING THE SAME.

(Chap. 177, P. L. 1909.)

Assessment of tax for support of schools.

SEC. 1. A tax of one and one-half mills on a dollar shall annually be assessed upon all of the property in the state according to the valuation thereof and shall be known as the tax for the support of the common schools.

How tax shall be assessed.

SEC. 2. This tax shall be assessed and collected in the same manner as other state taxes and shall be paid into the state treasury and designated as the common school fund.

How fund shall be distributed.

SEC. 3. One-third of this fund shall be distributed by the treasurer of state on the first day of January, annually, to the several cities, towns and plantations according to the number of scholars therein, as the same shall appear from the official returns, made to the state superintendent of public schools for the preceding year and the remaining two-thirds of said fund shall be distributed by the treasurer of state on the first day of January, annually, to the several cities, towns and plantations according to the valuation thereof as the same shall be fixed by the state assessors, for the preceding year.

Unexpended fund, how disposed of.

SEC. 4. All of the said fund not distributed or expended during the financial year, shall at its close, be added to the permanent school fund.

All money to be expended for common schools.

SEC. 5. All moneys provided by towns, or apportioned by the state for the support of common schools, shall be expended for the maintenance of common schools, established and controlled by the towns by which said moneys are provided, or to which said moneys are apportioned.

How money received by towns shall be deemed to have been raised.

SEC. 6. Sums received by any city, town or plantation from the distribution provided by section three, shall be deemed to be raised by such city, town or plantation within the meaning of revised statutes, chapter fifteen, section thirteen, as amended.

This act not to affect certain provisions of the revised statutes.

SEC. 7. The passage of this act shall in no wise affect the provisions of sections one hundred twenty-four, one hundred twenty-five, one hundred twenty-six and one hundred twenty-

\*Additional to Sections 124, 125, 126 and 127, Chap. 15, R. S., pages 42-43.



seven of chapter fifteen of the revised statutes, or of section two of chapter one hundred and eleven of the public laws of nineteen hundred and seven.

## AN ACT FOR THE EQUALIZATION OF SCHOOL PRIVILEGES.

(Chap. 198, P. L. 1909.)

SEC. 1. The treasurer of state shall immediately after the first day of July, nineteen hundred and eleven, and annually thereafter deduct the sum of twenty-seven thousand five hundred dollars from the state school funds and the same shall be set aside and denominated the school equalization fund which shall be used in the manner hereinafter designated for the purpose of aiding those towns wherein a rate of taxation considerably in excess of the average rate for the state fails to produce a school revenue sufficient to secure a reasonable standard of educational efficiency.

School equalization fund set aside.

—purpose. 1911, c. 192.

SEC. 2. It shall be the duty of the state superintendent of public schools to cause a special investigation to be made of the educational facilities of such towns as are included under section one of this act and, whenever it appears to the state superintendent that any town should receive special aid or encouragement for the purpose of raising the standard of qualifications of common school teachers or of increasing the length of the school year or otherwise adding to the efficiency of the common schools he shall issue to the governor and council a recommendation relative thereto and the governor and council shall have authority to draw a warrant in the favor of the treasurer of said town for the payment from the equalization fund of a sum which shall be expended under the direction of the superintending school committee of said town in accordance with the recommendation as made by the state superintendent of public schools and within the purposes of this act. The state superintendent of public schools shall be authorized to expend for the special investigation of educational facilities as herein provided a sum not to exceed two thousand dollars which shall be deducted from the equalization fund and he shall annually publish in his printed report a complete statement relative to all disbursements as provided in this act.

Method of distribution. 1911, c. 192.

—special investigation of educational facilities.

Fund not  
expended,  
how dis-  
posed of.

SEC. 3. All of the school equalization fund not distributed nor expended during the financial year shall at its close be added to the permanent school fund.

AN ACT TO AMEND CHAPTER FORTY OF THE REVISED STATUTES AND CHAPTER FORTY-SIX OF THE PUBLIC LAWS OF NINETEEN HUNDRED AND SEVEN, RELATING TO THE EMPLOYMENT OF MINORS IN MANUFACTURING OR MECHANICAL ESTABLISHMENTS IN THIS STATE.

(Chap. 257, P. L. 1909.)

Sections 52,  
53 and 54,  
chapter 40,  
R. S. as  
amended,  
repealed.

SEC. 1. Sections fifty-two, fifty-three and fifty-four of chapter forty of the revised statutes as amended by chapter forty-six of the public laws of nineteen hundred and seven are hereby repealed.

Chapter 40,  
R. S.,  
amended.

SEC. 2. Chapter forty of the revised statutes is hereby amended by inserting as section fifty-two the following:

Child under  
fourteen  
years of  
age, not to  
be employed  
in manufact-  
uring es-  
tablishments,  
etc.

'Section 52. No child under fourteen years of age shall be employed or allowed to work in or in connection with any manufacturing or mechanical establishment. It shall be unlawful for any person, firm or corporation to employ for wages or hire any child under fourteen years of age in any manufacturing, mechanical, mercantile or other business establishment, or in any telephone or telegraph office; or in the delivery and transmission of telephone or telegraph messages during the hours that the public schools of the town or city in which he resides are in session. Whoever, either for himself, or as superintendent, overseer or agent or another, employs or has in his employ any child in violation of the provisions of this section, and every parent or guardian who allows any child to be so employed shall be punished by a fine not less than one dollar nor exceeding fifty dollars for each offense.'

—penalty.

Chapter 40,  
R. S.,  
amended.

SEC. 3. Chapter forty of the revised statutes is hereby amended by inserting as section fifty-three the following:

Conditions  
under which  
a child  
between the  
ages of 14  
and 16 years  
may be  
employed.

'Section 53. No child over fourteen years of age and under sixteen years of age shall be employed or allowed to work in any manufacturing or mechanical establishment until he, or some one in his behalf, shall have produced and presented to the owner, superintendent, overseer or agent or such establishment,

a certified copy of the town clerk's record of the birth of such child, or a certified copy of his baptismal record showing the date of his birth; or his passport showing the date of his birth; or an age and schooling certificate duly issued to him as hereinafter provided. No such child between his fourteenth and fifteenth birthdays shall be employed or allowed to work in any manufacturing, mechanical, mercantile or other business establishment, or in any telephone or telegraph office; or in the delivery and transmission of telephone or telegraph messages during the hours in which the public schools of the city or town in which he resides are in session, until he shall have produced and presented to the owner, superintendent, overseer or agent of such establishment an age and schooling certificate duly issued to him as hereinafter provided. No such child between his fifteenth and sixteenth birthdays shall be employed or allowed to work in any manufacturing or mechanical establishment during the hours in which the public schools of the city or town in which he resides are in session, until he shall have produced and presented to the owner, superintendent, overseer or agent of such establishment an age and schooling certificate duly issued to him as hereinafter provided. The employer shall keep on file such birth record, baptismal record, passport or age and schooling certificate in duplicate containing the name of such child, the name of his parents, guardian or custodian, and such data as may be required by the commissioner of labor. Blank employment certificates, in form approved by the attorney general, shall be furnished by the commissioner of labor. One of such certificates shall be delivered to such child and the other be immediately forwarded to the office of said commissioner of labor to be kept on file by him. When such child leaves such employment, the employer shall return to such child the copy of the town record, baptismal record, passport or age and schooling certificate furnished by him as aforesaid, and shall immediately notify said inspector that such child has left his employ. The commissioner of labor or any of his assistants, may demand of any employer or corporation the names of all children under sixteen years of age in his employ in the several cities and towns of the state, and may require that the birth record, baptismal record, passport or age and schooling certificate of such children shall be produced for his inspection,

—between  
fourteenth  
and fifteenth  
birthdays.

—between  
fifteenth and  
sixteenth  
birthdays.

—employer  
shall keep  
on file record  
of child  
employed.

—blank em-  
ployment  
certificates.

—certificate  
to be re-  
turned to  
child on  
leaving em-  
ployment.

—duty of  
commis-  
sioner of  
labor to  
examine  
certificates.  
1911, c. 143.



—penalty for violation of this section.

and the failure to produce the same shall be prima facie evidence that the employment of such child is illegal. Whoever, either for himself, or as superintendent, overseer or agent of another, employs or has in his employment any child in violation of the provisions of this section, and every parent or guardian who allows any child to be so employed shall be punished by a fine of not less than one nor more than fifty dollars for each offense.'

Chapter 40, R. S., amended.

Age and schooling certificate shall be issued.

—excuses from school attendance. 1911, c. 118.

SEC. 4. Chapter forty of the revised statutes is hereby amended by inserting as section fifty-four the following:

'Section 54. Age and schooling certificates shall be issued by the superintendent of schools of the city or town in which the child resides, or some person designated and authorized in writing by the school committee, and such age and schooling certificate when duly issued shall excuse such child from attendance at public school; but no person shall issue such certificate to any minor then in or about to enter his employment, or the employment of a firm or corporation of which he is a member, stockholder, officer or employee. The person who issues the certificate in accordance with the provisions of this section is hereby empowered to administer the oath provided for therein, but no fee shall be charged therefor.'

Chapter 40, R. S., amended.

Age and schooling certificate shall not be issued unless evidence of age of child is furnished.

SEC. 5. Chapter forty of the revised statutes is hereby amended by inserting as section fifty-five the following:

'Section 55. An age and schooling certificate shall not be issued until the child applying therefor, or some person in his behalf, shall furnish satisfactory evidence of the age of the child, which evidence shall be a certified copy of the town clerk's record of the birth of said child, or a certified copy of his baptismal record, showing the date of his birth, or a passport showing the date of his birth, or other document satisfactory to the superintendent of schools or the person authorized to issue such age and schooling certificates; nor until such child has demonstrated his ability to read at sight and write simple sentences in the English language, and perform simple arithmetical problems involving the fundamental processes of addition, subtraction, multiplication and division, such educational test to be prepared and furnished by the superintendent of schools or the school committee of each city and town in the state; or has furnished a certificate to that effect signed by any teacher in any

—nor till child has passed educational test.

of the public schools of the city or town in which such child resides, or by the principal of any approved private school, or a certificate signed by the principal of any evening school in said city or town, to the effect that said child is a regular attendant of said evening school.' —or is regular attendant of evening school.

SEC. 6. Chapter forty of the revised statutes is hereby amended by inserting as section fifty-six the following: Chapter 40, R. S., amended.

'Section 56. The form of the age and schooling certificate provided for in section fifty-three of this act shall be prepared and furnished to the superintendent of schools or the school committee of the cities and towns by the attorney general and shall be substantially as follows: Attorney general shall prepare and furnish form of certificates.

AGE AND SCHOOLING CERTIFICATE.

Revised Statutes, Chapter forty, Section fifty-three.

This certifies that I am the ....., father, mother, guardian or custodian, of ....., name of child, and that he was born at ....., name of city or town, in the state, or county, of ..... on the .... day of ..... in the year ..... and that at, his or her, last birthday' ..... he was .... years old. Form of certificate.

....., Signature of parent, guardian or custodian.

Then personally appeared before me the above named, ..... name of person signing, and having produced for my inspection the ..... record passport of said child, made oath that the foregoing certificate by ..... him or her, signed is true to the best of ..... his or her, knowledge and belief.

Having no sufficient reason to doubt that ..... he is of the age therein certified, I hereby approve the foregoing certificate of ..... name of child; whose signature, written in my presence, appears below; whose height is ..... feet and ..... inches; complexion is ..... fair or dark; hair is ..... color. I hereby certify that ..... he has satisfactorily demonstrated ....., his or her, ability to read at sight and to write legible simple sentences in the English language, and to employ the fundamental principles of arithmetic,

according to the test supplied by the local superintendent of public schools; that he has presented us a certificate to that effect signed by the principal a teacher of some public school in said town, or that he has presented a certificate signed by the principal of an evening school in said town to the effect that he, said child is a regular attendant in said evening school.

This certificate belongs to . . . . ., name of child, and is to be surrendered to . . . . ., him or her, whenever . . . . . he leaves the service of the employer holding the same, but if not claimed by said minor within thirty days from the time when . . . . . he leaves such employment, it shall be returned to the superintendent of schools, or to the person by whom it is issued.

Signature of child.

Signature of person authorized to issue and approve, with official character or authority.

City and town and date.

Whoever, being authorized to sign the foregoing age and schooling certificate, or whoever signing any certified copy of a town clerk's record of births, or certified copy of a child's baptismal record, shall knowingly certify to any false statement therein; and any parent or guardian who presents, or who permits or allows any child under his control to present, to any employer, owner, superintendent, overseer or agent as required under section fifty-three, any certified copy of birth or baptismal record, or passport, or age and schooling certificate containing any false statements as to the date of birth or age of such child, knowing them to be false, shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each offense.'

Penalty for certifying to false statement or presenting certificate containing false statement.

Sections 57, 58, 59, 60, 61 and 62, chapter 40, R. S., re-numbered.

SEC. 7. Sections fifty-seven, fifty-eight, fifty-nine, sixty, sixty-one and sixty-two of said chapter forty of the revised statutes are hereby renumbered respectively as sections fifty-eight, fifty-nine, sixty, sixty-one, sixty-two and sixty-three, so that said section fifty-seven shall hereafter be numbered section fifty-eight; said section fifty-eight shall hereafter be numbered section fifty-nine; said section fifty-nine shall hereafter be numbered section sixty; section sixty shall hereafter be numbered section sixty-one; section sixty-one shall hereafter be numbered section sixty-two; and section sixty-two shall hereafter be num-



bered section sixty-three; and said chapter forty is further amended by inserting as section fifty-seven the following:

'Section 57. Nothing in the nine preceding sections shall apply to any manufacturing establishment or business, the materials and products of which are perishable and require immediate labor thereon, to prevent decay thereof or damage there-  
 to. Provided, however, the employment of children therein shall be under the supervision of said inspector who shall on complaint investigate the sanitary conditions, hours of labor and other conditions detrimental to children, and if in his judgment he finds detrimental conditions to exist, he may in conjunction with the municipal officers of the town or city in which the complaint is made, prohibit the employment of children therein until such conditions are removed.'

Shall not apply to establishments, the materials or products of which are perishable.

—proviso.

## AN ACT FOR THE ENCOURAGEMENT OF INDUSTRIAL EDUCATION.

(Chap. 188, P. L. 1911.)

SEC. 1. The state superintendent of public schools shall be charged with the duty of extending the investigation of methods of industrial education, he shall advise and aid in the introduction of industrial courses into free high schools and academies aided by the state and shall report on all special schools in which industrial education is carried on. It shall be his duty to inspect the courses of study offered in such free high schools and academies and he shall have authority to approve such courses in all schools aided by the state.

State superintendent shall investigate, advise and aid in matter of industrial education.

SEC. 2. The trustees of the state normal schools shall cause to be introduced into all of the said normal schools such courses in manual arts, domestic science and agriculture as will enable their graduates to teach elementary courses in those subjects in the rural and grade schools. In not more than one of said schools the course in manual training shall be so extended as to offer opportunity to persons desiring to qualify as special teachers of that branch, and in not more than one the course in domestic science shall be so extended as to offer similar opportunity to persons desiring to qualify as special teachers

Industrial courses shall be introduced into state normal schools.

—expenditure

thereof. For the two special courses thus offered the trustees are authorized to expend annually not to exceed four thousand dollars, which shall be additional to other sums appropriated for the support of said normal schools and which the treasurer of state shall deduct from any funds raised for the support of common schools.

Aid to towns for courses in elementary schools.

SEC. 3. Whenever the superintendent of schools of any town shall certify under oath to the state superintendent of public schools according to form prescribed by the state superintendent, that instruction in manual training or domestic science has been provided pupils of elementary schools for the year preceding, then upon approval of such certificate of the state superintendent of schools state aid shall be paid to the amount of two-thirds the total salary paid each teacher, provided that the amount so paid by the state for the employment of any one instructor shall not exceed eight hundred dollars in one year and provided further that the appropriation made by the town for this purpose shall be exclusive of any other sum received from the state for the support of common schools and of the minimum requirement raised by the town as prescribed by section thirteen of chapter fifteen of the revised statutes as amended, and provided further that the course of study, equipment and qualifications of instructors shall have been approved by the state superintendent of public schools.

—amount.

—approval.

Aid for courses in secondary schools.

SEC. 4. The superintending school committee having charge of any free high school or the trustees of any incorporated academy may provide for instruction therein in the principles of agriculture and the domestic and mechanic arts. Whenever it shall be made to appear to the governor and council, from returns made as herein provided, that in any free high school or academy instruction has been furnished during the preceding year in the principles of agriculture, the mechanic arts or domestic science the said governor and council shall direct the treasurer of state to pay to the town supporting such free high school or to the treasurer of such academy in addition to other state aid if any, a sum equal to two-thirds the total expenditure for instruction in each of said courses, provided, however, that no school shall receive a total in excess of five hundred dollars in any one year for the support of said courses, and provided that state aid shall not be allowed for any course which has an

—amount.

average attendance of less than twelve students and provided further that such aid shall not be granted unless the course of study, equipment and qualifications of instructors shall first have been approved by the state superintendent of public schools. —approval.

SEC. 5. Chapter one hundred and two of the public laws of nineteen hundred and nine is hereby repealed. Chapter 102, P. L., 1909, repealed.

SEC. 6. Whenever the superintending school committee of any town shall have maintained during the school year an evening school as provided by section twenty-two of the revised statutes said town shall be reimbursed by the state a sum equal to two-thirds the amount paid for instruction in such evening school provided there shall have been offered, in addition to the subjects elsewhere prescribed for evening schools, courses in free hand or mechanical drawing, domestic science or manual training or the elements of the trades. Aid to towns maintaining evening schools.

SEC. 7. The superintending school committee of any town when authorized by vote of the town shall establish and maintain as a part of the public school system of such town a general industrial school for the teaching of agriculture, household science, the mechanic arts and the trades. Such general industrial schools shall be open to pupils who have completed the elementary school course or who have attained the age of fifteen years. The authority and duties of the superintending school committee and of the superintendent of schools in relation to such industrial schools shall be the same as in the case of the common and high schools, but the support of such schools shall be derived from funds raised in addition to any sums appropriated for the support of common and high schools. —support.

Whenever it shall be made to appear to the governor and council that any town has provided instruction in the trades and industries in a general industrial school maintained therein for a period of thirty-six weeks during the school year, and employing at least one teacher whose work is devoted exclusively to such instruction and having an average attendance of at least twenty pupils the governor and council shall direct the treasurer of state to pay to the treasurer of such town a sum equal to two-thirds the total amount spent for instruction in said school provided that not more than two thousand dollars shall be paid by the state to any one town in any year. —state aid. —amount.



Appropriation.

SEC. 8. For the purposes of this act there shall be deducted annually by the treasurer of state from the school and mill fund the sum of twenty-seven thousand five hundred dollars and any of this amount so deducted that is not apportioned during the financial year shall at its close be added to the permanent school fund. All reports required under this act shall be filed annually with the state superintendent of public schools on or before the first day of July and state aid shall be payable during the month of December next succeeding.

—reports

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