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Extracts from the State Constitution Respecting Public Schools.

SECTION VII.

6. The fund for the support of free schools, and all money, stock and other property which may hereafter be appropriated for that purpose, or received into the treasury under the provision of any law heretofore passed to augment the said fund, shall be securely invested and remain a perpetual fund; and the income thereof, except so much as it may be judged expedient to apply to an increase of the capital, shall be annually appropriated to the support of public free schools, for the equal benefit of all the people of the State; and it shall not be competent for the Legislature to borrow, appropriate or use the said fund, or any part thereof, for any other purpose, under any pretence whatever. The Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in this State between the ages of five and eighteen years.

11. The Legislature shall not pass private, local or special laws providing for the management and support of free public schools.

NEW JERSEY
SCHOOL LAWS

With Notes, Blanks and Forms

For the Use and Government of School Officers,

PREPARED BY THE

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

TO BE PRESERVED AND DELIVERED BY EACH OFFICER
TO HIS SUCCESSOR.



TRENTON, N. J.:
MACCRELLISH & QUIGLEY, BOOK AND JOB PRINTERS.

1891.



THE SCHOOL LAW

AN ACT to Establish a System of Public Instruction.

STATE BOARD OF EDUCATION.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That the general supervision and control of public instruction in the State of New Jersey shall be vested in a state board of education, which shall consist of the trustees of the school fund and eight members, who shall be appointed by the governor, one from each congressional district, by and with the advice and consent of the senate; not more than four of the members so appointed shall be of the same political party; their term of office shall commence on the first day of April, one thousand eight hundred and ninety-one, and they shall hold office for the term of five years and until their successors are appointed.

State board, how composed.
P. L. 1891,
Chap. CI, § 1

2. The board of trustees of the state normal school is hereby abolished; all the duties and offices of such board shall hereinafter be exercised and performed by the state board of education, provided for in the first section of this act.

Trustees of state normal school.
Ibid. § 2.

3. Said institution (New Jersey school for deaf-mutes) shall be under the control and management of the state board of education; such board shall have all the powers and perform all the duties of the board of trustees created by the act to which this is a supplement, which board of trustees is hereby abolished.

Trustees of deaf-mute school.
P. L. 1891,
Chap. XC VII,
§ 2.

(For the powers and duties of the state board of education as trustees of the state normal school and trus-

tees of the New Jersey school for deaf-mutes, see "Normal School" and "Deaf-Mute School.")

Quorum.
P. L. 1875,
Chap. LXIX,
§ 1.

Powers and
duties
P. L. 1867,
Chap.
CLXXIX, § 2.

Make rules.
[See sec. 31]

Recommend
laws.

Appoint county
superintendents.
P. L. 1889,
Chap. CLXV,
§ 1.

Make rules for
institutes.
P. L. 1867,
Chap.
CLXXIX, § 2.

Authorize pay-
ment of expenses
of state superin-
tendent.
Ibid § 2.

Decide appeals.

Compensation.
Ibid. § 3
P. L. 1885,
Chap. CVXIV,
§ 1, div. 4.

Annual report.
P. L. 1867,
Chap.
CLXXIX, § 4.

4. A quorum of the state board of education shall consist of eight members.

5. The state board of education shall have power, and it shall be their duty :

I. To frame and modify at pleasure such by-laws as may be deemed expedient for their own government, not inconsistent with the provisions of this act, and to prescribe and cause to be enforced all rules and regulations necessary for carrying into effect the school laws of this state ;

II. To consider the necessities of the public schools, and recommend to the legislature, from time to time, such additions and amendments to the laws as are deemed necessary for perfecting the school system of the state ;

III. To appoint the county superintendents of the several counties of the state ;

IV. To prescribe all rules and regulations for holding teachers' institutes ;

V. To authorize the payment by the treasurer of the school fund, upon the warrant of the state comptroller, of all the necessary incidental expenses incurred by the state superintendent in the performance of his official duties ;

VI. To decide all appeals from the decision of the state superintendent of public instruction.

6. The members of the board shall receive no compensation for their services, but the treasurer of the school fund shall pay the necessary expenses of the said members, upon the warrant of the state comptroller.

7. The board shall report annually to the legislature in regard to all matters committed to their care.

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

8. The state superintendent of public instruction shall be appointed by the governor, by and with the advice

and consent of the senate, for the term of three years, and until his successor is appointed, and shall receive annually a salary of three thousand dollars, to be paid out of the income of the school fund; *provided*, that nothing herein contained shall prevent his re-election.

9. He shall be required to have his office in the state house, at Trenton.

10. It shall be his duty to carry out the instructions of the board, and to enforce all rules and regulations prescribed by them.

11. He shall be, *ex officio*, secretary of the board of education, president of the state association of school superintendents, and a member of the state board of examiners, and of all county and city boards of examiners.

12. He shall have the supervision of all the schools of the state receiving any part of the state appropriation, and shall be the general adviser and assistant of the county superintendents; he shall, from time to time, as he shall deem for the interests of the schools, address circular letters to said superintendents, giving advice as to the best manner of conducting schools, constructing school houses, furnishing the same, and procuring competent teachers.

13. The state superintendent, under the direction of the trustees of the school fund, shall apportion to the several counties the state school moneys to which each may be entitled, which apportionment shall be made in the ratio of the number of children between the ages of five and eighteen in the said counties, as ascertained by the last annual report of the state superintendent; he shall furnish to the state comptroller, and to the county superintendent and the county collector of each county, an abstract of such apportionment, and shall draw his order on the state comptroller for the amount to which each county is entitled, in favor of the county collector of said county.

14. He shall have power, and it shall be his duty to direct and cause the county superintendent of any county, or any board of trustees or other school officers,

State superintendent, how elected, term of office, salary. P. L. 1880, Chap. V, § 1.

Proviso.

Location of office. P. L. 1867, Chap. CVXXIX, § 6.

To carry out instructions of state board. Ibid. 7.

Officer *ex-officio*. Ibid. § 8. [See sec. 43.]

Supervision of schools. Ibid. § 9.

Apportionment of school moneys [See sec. 158.] Ibid. § 20.

Power of with holding school moneys. [See secs. 22, 41 and 121.]
Ibid. § 11.

to withhold from any officer, or district, or teacher, that part of the state appropriation derived from the revenue of the state, until such officer, district, or teacher shall have complied with the provisions of this act and its supplements, relating to his, its or their duties, and with all the rules and regulations made in pursuance thereof by the state board of education; he shall forbid the payment of said part of the state appropriation to any district in which the school or schools have not been kept according to law, or in which a public school has not been kept for at least nine months during the year next preceding the demand for payment.

[See sec. 147.]

Blanks and forms, how furnished
Ibid. § 12

[See sec. 179.]

15. He shall prepare, and cause to be printed, suitable forms for making all reports and conducting all necessary proceedings under the school laws of this state, and shall transmit them to the local school officers and teachers; he shall cause all school laws to be printed in pamphlet form, and shall annex thereto forms for making reports and conducting school business.

To decide disputes.
Ibid. § 13.
[See secs. 5, div. vi, and 42]

16. He shall decide, subject to appeal to the state board of education, and without cost to the parties, all controversies or disputes that may arise under the school laws of the state or under the rules and regulations prescribed by the state board of education, the facts of which controversies or disputes shall be made known to him by written statements by the parties thereto, verified by oath or affirmation, if required, and accompanied by certified copies of all documents necessary to a full understanding of the question in dispute; and his decision shall be binding until a different decision shall be given by the state board of education.

Preserve books and apparatus.
Ibid. § 14.

17. He shall preserve in his office such school books, apparatus, maps, charts, works on education, plans for school buildings, and other articles of interest to school officers or teachers, as may be secured without expense to the state.

File report, & c.
Ibid. § 15.

18. He shall file all school reports of this state and of other states which may be sent to his office, and shall

keep a record of all the acts connected with his official duties, and preserve copies of all the decisions given by him.

19. He shall provide a seal, with suitable device, for use in his office, by which all his official acts and decisions may be authenticated.

Office seal.
Ibid. § 16.

20. He shall report to the state board of education, at its annual meeting in December of each year, a statement of the condition of the public schools and of all the educational institutions receiving support from the state, which report shall contain full statistical tables of all items connected with the cause of education that may be of interest to the school officers or people of the state, together with such plans and suggestions for the improvement of the schools and the advancement of the public instruction in the state as he shall deem expedient.

Annual report.
Ibid. § 17.

21. He shall, at the expiration of his term of office, deliver to his successor his official seal, together with all property, books and documents, maps, records, reports and other papers belonging to his office, or which may have been received by him for the use of his office.

Deliver property
to successor.
Ibid. § 18.

22. He shall (unless the state board of education shall, for good cause shown, otherwise direct) have power, and it shall be his duty, to direct and cause the county collector of any county to withhold from any county superintendent any portion of his salary until he has fully complied with the provisions of the act to which this is a supplement, or any of its supplements, relating to his duties; and (unless the state board of education shall, for good cause shown, otherwise direct) it shall be his duty to direct and cause the county superintendent of any county, or any board of trustees or school officers, to withhold from any officer, or district, or teacher, that part of the state appropriation derived from the revenue of the state, until such officer, district, or teacher shall have complied with the provisions of the act to which this is a supplement, or any of its supplements, relating to his, its, or their duties, and with all the rules and regulations made in pursuance of any of these acts by

Power of with-
holding school
moneys. [See
secs. 14, 41 and
121.]
P. L. 1872,
Chap.
DXXXVIII, § 1.

Suspend or re-
voke teacher's
certificate.

the state board of education; and by and with the advice and consent of the state board of education, he shall have power, and it shall be his duty, to suspend or revoke the license of any teacher, when the county superintendent shall make formal report that such teacher does not possess the attainments or qualifications which are essential to his office, or that the school or department of a school, under the charge of such teacher, is suffering from his or her incompetency, or from his or her failure or inability to govern or instruct the children who are under his or her care.

Prepare plans
for school houses.
P. L. 1889,
Chap. LXXVII,
§ 1.

23. The state superintendent of public instruction shall cause to be prepared and printed in convenient form, plans and general specifications for the construction of school-houses of the various sizes and styles adapted to the needs of this state, with such general directions as to heating, lighting, ventilation and other sanitary conditions and details as may be desirable, and shall furnish such plans and directions, upon application, to school trustees and other school officers of this state; *provided*, that not more than five hundred dollars shall be expended for this purpose in any one year, and that the same shall be paid on the warrant of the comptroller, out of the income of the school fund.

Proviso.

COUNTY SUPERINTENDENTS.

County Super-
intendent, how
appointed.
P. L. 1889,
Chap. CLXV,
§ 2.

Term.

24. The state board of education shall appoint for each county a person of suitable attainments to be the county superintendent of the public schools of that county, who shall hold office for the term of three years and until his successor shall have been appointed as aforesaid, unless sooner removed for cause by the state board.

Salary of county
superintendent.
P. L. 1889,
Chap. CCXXI,
§ 1.

25. In order to enable county superintendents of schools to devote more time in the discharge of the duties of their office, and to properly examine and direct the schools under their charge, by frequent visits to said schools, and counsel and direction to teachers in the

proper method of instruction, their yearly salary shall be at the rate of twelve and a half cents for each child in the county between the ages of five and eighteen, as ascertained from the last annual report of the state superintendent; *provided*, that the salary shall in no case be less than eight hundred dollars, nor more than thirteen hundred dollars; *and provided*, that in case any city or town shall have a city or town superintendent of schools, the children belonging to such city or town shall not be counted in determining the salary of the county superintendents, and the supervision of the schools of said city or town, which would otherwise belong to the county superintendent, shall devolve upon the city or town superintendent.

Proviso.

Proviso.

City or town superintendent.

Expenses of county superintendents.
P. L. 1871,
Chap. DCX, § 1.

Proviso.

Proviso.

26. In order to enable county superintendents of schools to discharge their duties with greater efficiency, they shall receive annually, in addition to the salary now allowed them, such sums as they may need to pay the actual expenses incurred by them in the performance of their official duties, which sums shall be paid by the collector of the county on the order of the state superintendent of public instruction; *provided*, that no such order shall be given in favor of any county superintendent until such county superintendent shall have furnished the state board of education a certified statement, under oath, by items, of the expenses he has incurred, and that, during the year for which such order is drawn, he has performed faithfully all the duties imposed by the school law and by the regulations of the state board of education; *and provided, further*, that in no case shall the expenses aforesaid exceed three hundred annually.

27. The county superintendent shall have power to administer all necessary oaths or affirmations to district clerks and other school officers, for which he shall receive no compensation.

County superintendent authorized to administer oath
P. L. 1871,
Chap. DXXVII
§ 13.

28. He shall issue orders on the county collector in favor of each township collector and of each city treasurer for that portion of the state appropriation to which

County superintendent to issue orders.
 [See sec. 159.]
 P. L. 1867,
 Chap
 CLXXIX, § 23

said township or city is entitled; and shall file with each township collector and the clerk of each school district in any township, a copy of the apportionment of the township school funds made by him for said township within twenty days after making said apportionment.

License teachers, fix boundaries of districts, &c.
 P. L. 1890,
 Chap. CXXVII,
 § 1.

[See sec. 30.]

Proviso.

29. He shall examine and license teachers, fix the boundaries of school districts, divide or unite any district or districts, whether organized and incorporated under general or special laws, form new districts; *provided*, that any district organized under a special act of the legislature shall not be divided while there are outstanding any bonds or other obligations for the payment of money issued by said district under the provisions of its special act of incorporation; provide for graded schools, and discharge other duties of general supervision and superintendence over the public schools of the county in accordance with the regulations prescribed from time to time by the state board of education; that each incorporated city or town shall hereafter constitute but one school district for all school purposes, and such consolidated district shall hold all the property and be liable for all the lawful debts of the district so consolidated; *provided*, that when any county superintendent shall neglect or refuse to form a new school district, or change the boundaries of any existing school district, when petitioned in writing so to do, appeal may be made to the state superintendent of public instruction, who shall have the power to form such new school district or to change the boundaries as aforesaid, if, in his judgment, such new district or change in boundaries is necessary.

[See sec. 5.]

Incorporated city or town to form but one district.

Proviso.

State superintendent may form district in certain cases.

New districts to have 75 children, except in special cases.
 P. L. 1876,
 Chap XIII, § 1.

30. No new school district shall hereafter be formed which shall contain less than seventy-five children, between five and eighteen years of age, by the county superintendent of any county, except the circumstances of the case be, in his opinion, extremely urgent, in which case he shall certify to the state superintendent of public instruction the facts of the particular case, with his re-

commendation in the premises; and upon the state superintendent indorsing his approval thereon in writing, a new district may be formed; *provided*, that no such new district shall contain less than twenty-five children, between the ages aforesaid.

Proviso.

31. It shall be lawful for the state board of education, on application made to them in the manner herein provided, to consolidate into one school district all the then existing school districts in any township in this state whose territorial area does not exceed four square miles; but such application shall be in writing, and shall be signed by a majority of the trustees of each of the school districts in said township.

Consolidation of school districts. P. L. 1886, Chap. CCXLIX § 1.

32. Whenever the state board of education, on application made to them for that purpose, shall consolidate into one district all the previously existing school districts of any township, thereupon and thereafter the property, real and personal, of the said several school districts embraced within such consolidation shall become and be the property of the district formed by the consolidation of the said several districts in its corporate capacity, and shall be held in its corporate name, and the several obligations and debts of said districts, whether secured by bond or otherwise, shall be assumed by, and shall become the obligations and debts of the district formed by the consolidation.

Property of districts consolidated. Ibid § 2.

33. In any township consisting of a single school district by reason of such consolidation, but not divided into wards, there shall be a school board consisting of six trustees, all of whom shall be elected at the annual school meeting next succeeding such consolidation; at the first meeting of said trustees they shall proceed by lot to divide themselves into three classes of two members each, who shall hold office for one, two and three years, respectively; and annually thereafter two trustees shall be chosen at each annual school meeting who shall hold office for the term of three years.

Six trustees in consolidated districts Ibid § 3.

34. In any township consisting of a single school district by reason of such consolidation, and which is

Trustees to be
elected from
wards.
Ibid. § 4.

divided into wards, the school board shall consist of two trustees from each ward, all of whom shall be chosen at the annual school meeting next succeeding such consolidation, and at such election one person shall be chosen from each ward to serve for a term of one year, and one person to serve for a term of two years, and annually thereafter one person shall be chosen from each ward to serve for a term of two years as member of the board of school trustees.

Appointment of
trustees by
county superin-
tendent
Ibid. § 5.

35. It shall be lawful for the county superintendent to appoint the members of the board of trustees in any township consolidated into one district under the provisions of this act, immediately after such consolidation shall go into effect, having regard to the appointment of members of the boards of trustees in the several districts embraced in the consolidation, as far as practicable, but the persons so appointed shall hold office only until the election of trustees at the succeeding annual election, as herein provided.

Organization of
boards of
trustees.
Ibid. § 6.

36. Each board of trustees created under the provisions of this act, shall organize by the election of one of its members as president, and the election of a district clerk, and shall have power to fix the compensation of said clerk; said board of trustees shall be in all things subject to the provisions of the act to which this is a supplement, and to the supplements thereto and amendments thereof, and none of the rights, powers or franchises of a school district shall be abrogated or abridged by reason of its being formed or constituted by the method of consolidation herein provided.

District school
tax.
Ibid. § 7.

37. It shall be lawful for the legal voters of any consolidated district at the annual school meeting or at a special meeting called in accordance with the provisions of the eleventh division of the thirty-ninth section of the act to which this act is a supplement, to vote, grant and raise such sum or sums of money as a majority present may determine, for the purpose of buying land, building or enlarging school houses, or for any purpose

[Sec. sec. 66.]

for which money may be lawfully granted or raised in any school district under the provisions of the act to which this is a supplement.

38. In any township consisting of a single school district, formed by consolidation under the provisions of the supplement approved May eleventh, one thousand eight hundred and eighty-six, it shall be lawful for the school board of such consolidated district to sell and convey any real or personal property belonging to such district, whether the title to such property has been derived through such consolidation or otherwise, and to execute and deliver to the purchaser a due and proper conveyance therefor in the corporate name of such district; *provided, however*, that the provisions of this act shall not apply to or authorize the sale of any property, real or personal, which may be in use for school purposes, or any part of any school lot or grounds upon which a building is erected and used and occupied as a school house, but shall only apply to such real and personal property as are not in use for school purposes and which, in the judgment of such school board, are not needed for school purposes.

Trustees of consolidated district may sell property
P. L. 1890,
Chap. XLIV,
§ 1.

Proviso.

39. He shall have power, and it shall be his duty, to appoint trustees for any district which for any cause fails to elect at the regular time; to appoint trustees to fill vacancies; to appoint the first trustees for any new district; *provided, however*, that when a new district is organized, such of the trustees of the old district as reside within the limits of the new one shall be trustees of the new one, and the vacancy in the old district shall be filled by his appointment.*

Appointment of trustees
P. L. 1867,
Chap.
CLXXXIX, § 25.
[See sec 40.]

Proviso.

40. Whenever any county superintendent of schools shall receive satisfactory evidence that any district clerk in his county has neglected or refused to perform any official duty assigned to him by law, he may declare the office of said district clerk vacant, and proceed to fill, by appointment, such office for the unexpired term;

Removal of district clerk.
P. L. 1888,
Chap. LVIII,
§ 1.

*The office of trustee is not vacated by an unaccepted resignation. *Townsend v. Trustees, &c.*, 12 Vr. 312.

Proviso

provided, that due notice of his proposed action shall be sent by the county superintendent to such district clerk, who shall have opportunity to present satisfactory reasons for such neglect or refusal, and that the office of such district clerk shall not be declared vacant until the expiration of three weeks from the date of said notice; *and provided further*, that the action of the county superintendent shall be approved by the state superintendent of public instruction.

Proviso.

Power of withholding school moneys [See secs. 14, 22 and 121]
P. L. 1883,
Chap.
CXXXVIII, § 1.

41. He shall have power to withhold that part of the state appropriation derived from the revenue of the state from any district in which the inhabitants fail to provide a suitable school building and outhouses; *provided*, that no building of two or more stories, used for the purpose of public instruction, in which any of the doors at places of exit are so constructed as to open inwardly, shall be considered a suitable school building within the meaning of this section.

Doors to open outwardly.

To give advice.
P. L. 1867, Chap.
CLXXIX, § 28.

42. In all controversies arising under the school law, the opinion and advice of the county superintendent shall first be sought, and from him appeal may be made, if necessary, to the state superintendent of public instruction.*

Appeal to state superintendent.

State association of school superintendents.
Ibid. § 29.
P. L. 1872,
Chap.
DXXVIII, § 3.

43. The county and city superintendents shall together constitute an association, to be called "The State Association of School Superintendents," which association shall meet annually, at such times and places as the state board of education may appoint, and at such other times as they may agree upon.

Annual report by county and city superintendents
P. L. 1873,
Chap. DXCIX,
§ 1.
[See sec. 45.]

44. Each county superintendent and each city superintendent, in his annual report to the state superintendent, in the manner and form prescribed by him, shall specifically set forth any and all such facts within his purview as touch and describe the location and capacity of each school healthfully to accommodate the pupils in attendance, to the end that a full observation may be

*In controversies arising under the school law, the appeal is to be made to the county superintendent, and not to the city superintendent. *Macfarland v. Gloucester City*, 16 Vr. 100.

deduced, favorable or otherwise, as to an ample supply of sittings, suitability of conveniences, eligibility of position, attention to ventilation, and as to all such other pertinent subjects as may clearly and fully exhibit the sanitary condition of the public schools under his official inspection.

45. The annual reports required of city superintendents, district clerks and township collectors shall be made on or before the first day of August, and that the reports of the county superintendents shall be made on or before the first day of September of each and every year.

When reports shall be made.
P. L. 1874,
Chap. CCCLV,
§ 4.

SCHOOL TRUSTEES.

46. An annual meeting for the election of school trustees shall be held in each district on the Tuesday of the week following the annual town meeting, at the district school house, if there be one, and, if there be none, at a place to be designated by the district clerk, who shall post notices thereof, specifying the day, time, object and place of such meeting, in at least three public places in the district, one of which shall be at the school house, if there be one, at least ten days previous to the time of meeting; the voters shall be legal voters of the district, and a plurality of votes shall elect; and no person shall be eligible to the office of trustee unless he is a resident in the district; and further, no person shall be eligible to the office of school trustee unless he or she can read and write; but women who are residents in the district, and over the age of twenty-one years, shall also be eligible to the office of school trustee, and may hold such office, and perform the duties of the same, when duly elected by the legal voters of the district; *provided*, that the term of office of any trustee which would otherwise expire on the first or second day of July of any year, shall expire on the Tuesday of the week following the annual town meeting of the same year.

Trustees, when and how elected.
P. L. 1882,
Chap. XVII, § 1.
[See secs. 47 and 49.]

[See sec. 50.]

[See sec. 48.]

Trustees must be able to read and write.

Women eligible to the office of school trustee.

Proviso.

[See secs. 52 and 53.]

Penalty for failure of district clerk to post notice for annual meeting.
P. L. 1891,
Chap. XXI, § 1.

47. Any district clerk who shall fail to post notices of the election of trustees, as required by the act to which this is a supplement, shall pay a fine of twenty dollars, to be recovered in an action of debt in the court for the trial of small causes, by any person resident of said school district.

Legal voters at school meetings.
P. L. 1887,
Chap. CXVI,
§ 1.

48. Every citizen of the United States, of the age of twenty-one, who shall have been a resident of this state for one year, and of the county in which he or she claims a vote for five months next before said meeting, shall have the right to vote at any school meeting in any school district of the state wherein they may reside; *provided*, that no person in the military, naval or marine service of the United States, by being stationed in any garrison, barrack or military or naval force or station within the state, and no pauper, idiot, insane person, or person convicted of a crime, which now excludes him or her from being a witness, unless pardoned or restored by law to the right of suffrage, shall enjoy the right to vote in any school meeting.

Proviso.

Where annual school meeting may be held in certain cases.
P. L. 1888,
Chap. XCVI,
§ 1.

49. Whenever the school-house in any school district in this state is not sufficiently commodious for the annual school meeting for the election of school trustees, the annual school meeting may be held in such a convenient public place within the district as may be selected by the school trustees, and notices thereof shall be posted by the district clerk as provided in the act to which this is a supplement.

Trustees to be elected by ballot.
P. L. 1889,
Chap.
LXXXIV, § 1.

50. The legal voters of the several school districts in this state are, in each and every of the said school districts, hereby authorized and required to elect by ballot, and not otherwise, at their annual school meetings, their school trustees, until otherwise required by law.

Meetings of township boards.
P. L. 1872,
Chap.
DXXVIII, § 4.

51. The township boards of trustees of the several townships of this state shall meet semi-annually, at such times and places as the county superintendent may appoint.

Term of office of trustees.
P. L. 1867,
Chap.
CLXXIX, § 32.
[See sec. 53.]

52. In all districts in which elections have been previously held, one trustee shall be elected for the term of three years, and if there are vacancies to be filled, a suffi-

cient number shall be elected to fill them for the unexpired term.

53. Whenever it shall appear by the annual school census that there are five hundred or more children of legal school age in any school district in this state having but three trustees, before the number of such trustees shall be changed at least one-fifth in number of the legal voters residing within such school district shall petition the trustees, by a petition duly signed and witnessed by two persons of lawful age, who shall make affidavit that such petition was signed by said voters in their presence, requesting said trustees to insert in the call for the annual school meeting a notice as prescribed in section three of this act, then it shall be lawful for the legal voters to determine by a majority vote of those present whether the number of school trustees shall or shall not be increased to five.

When lawful to elect five trustees
P. L. 1890,
Chap. XCIII,
§ 1.

[See sec. 55.]

54. In case it be decided to increase the number of school trustees in any such school district to five, then the said legal voters shall proceed to elect, in the manner in which school trustees are now elected, two additional trustees, one to hold office for two years, and one for three years; and annually thereafter a trustee or trustees shall be elected for the term of three years, to fill the places of those whose terms expire.

Election of additional trustees.
P. L. 1889,
Chap. IX, § 2.

55. It shall be the duty of the district clerk in districts coming within the provisions of the first section of this act, in his notice of the annual meeting for the election of school trustees, to insert a notice that there are within the district five hundred children of legal school age, and that it will be determined at said annual meeting whether the board of school trustees shall consist of three or five; *provided further*, that no vote shall be taken upon this subject unless public notice shall have been given as herein provided for.

Notice that the question of five trustees will be voted on.
Ibid. § 3.

[See sec. 53.]

Proviso.

56. In new districts acting under trustees appointed by the county superintendent, three trustees shall be elected for one, two and three years, respectively.*

Trustees for new districts.
P. L. 1867,
Chap.
CLXXIX, § 33.

* Balance of section repealed. P. L. 1882, chap. XVII, § 1.

District clerk,
how elected.
Ibid. § 34.

When appointed
by county super-
intendent.

Duties of district
clerk.
Ibid. § 35.

School census,
when taken.
P. L. 1882.
Chap. XVII, § 2.
[See sec. 62]

Oath or affirma-
tion. [See sec.
27]

57. Each board of trustees shall, within ten days after the annual election, meet at the school house, or at some other convenient place, and proceed to elect one of their number clerk of the board, who shall be known and referred to as "district clerk;" and on their failure to do so the county superintendent shall appoint said clerk.

58. He shall record, in a suitable book, all proceedings of the board, and of the annual school meetings, and of special school meetings, and pay out, by orders on the township collectors, in the manner prescribed by law, all school moneys of the district, received from the state, township or district; he shall keep a correct and detailed account of all expenditures of school moneys in his district, and report the same to the county superintendent, and also to the township committee; at each annual school meeting he shall present his record book and his accounts for public inspection, and shall make a statement of the financial condition of the district and of the action of the trustees.

59. He shall take annually, or the board shall cause to be taken, during the month of May, an exact census of all children residing in the district between the ages of five and eighteen, not including the children who may be inmates of poorhouses, asylums or almshouses, and shall specify the names and ages of such children, and the names of their parents or guardians (all children who may be absent from home, attending colleges, boarding schools and private seminaries of learning, shall be included in the census list of the city, town or district in which their parents or guardians reside, and not be taken by the district clerk of the city, town or district where they may be attending such institutions of learning); and that he, or the person authorized to take the same, shall make a full report thereof, verified by him under oath or affirmation that the same is correct and true to the best of his knowledge and belief, on the blanks furnished for that purpose, to the county superintendent, on or before the first day of September next after his appointment, and keep a copy of the same for

the use of the school trustees, and shall receive for his services such compensation as the board of trustees may allow. Compensation.

60. The board of health of any township, or any city, borough, town or other local municipal government in this state, shall have the right to declare any epidemic or cause of ill health to be so injurious or hazardous as to make it necessary to close any or all of the public or private schools in the limits of such township, or of such city, borough, town or other local municipal government; but in case of public schools, the same shall not be closed except by the direction of the board of education, school trustees or other body having the control or direction thereof; any such board of education, school trustees or other body having control of public schools may, in such case, cause any or all of the schools under their control to be closed, if, in their judgment, such closing be necessary for sanitary purposes. Local boards authorized to declare epidemics, &c P. L. 1887, Chap. LXVIII, § 21. Public schools may be closed

61. Any board of education, school trustees or other body having control of the public schools, may, on account of the prevalence of any contagious disease, or to prevent the spread of such contagious disease, prohibit the attendance of any teacher or scholar upon any school under their control, and may specify the time during which such teacher or scholar shall remain away from such school, and may prohibit the attendance of any unvaccinated child who has not had the small-pox, and shall also have power to decide how far revaccination shall be required if a case or cases of small-pox have occurred in the city or district. Tru-tees may prohibit attendance of unvaccinated children. P. L. 1887, Chap. LXVIII, § 22.

62. At the enrollment of the children by the clerk of the school districts in the townships of this state, or by other proper officers in the cities or municipalities, inquiry shall be made as to how many of the children within the school age are unvaccinated, and the same shall be designated by a mark on the said roll, and in case any are found to be unvaccinated whose parents desire them to be protected from small-pox, and who, Unvaccinated children to be designated on census roll. Ibid. § 23.

in the judgment of the board of education or the trustees of the school districts, are unable to pay therefor, the clerk of said district, or other authorized person, may give to the said child or children a permit to appear at the office of any regularly licensed physician in said district or municipality to be vaccinated, and such physician, on presentation of said permit, with his certificate appended thereto that the said vaccination has been by him successfully performed, shall be entitled to receive from the said township or local municipal authority the sum of fifty cents for each case so certified, and the same shall be paid in the same manner that other bills for current expenses are paid therein.

Children may be vaccinated at expense of township.

Fuel and supplies.
P. L. 1867,
Chap.
CLXXIX,
§ 37.

63. He shall keep the school buildings in repair; he shall provide the necessary fuel, and obtain for the schools such supplies of crayons for blackboards, for the use of the pupils, as are necessary in carrying out the course of study prescribed therein; which repairs and supplies shall be paid for out of the moneys raised by the district.

Name and number of districts.
Ibid. § 38.

64. Every school district shall be known by the name and number assigned to it by the county superintendent, in accordance with the general regulations of the state board of education, and the trustees thereof shall be a body corporate, to be called and known by the name of "The Trustees of School District Number —, in the County of—," and shall be capable of suing and being sued in all courts and places whatever, and of purchasing, holding and conveying real and personal property for the use and benefit of the schools of such district, and may have a corporate seal.*

Trustees a corporate body.

65. When any execution shall be issued against any school district of this state, or against the trustees of any such school district as a body corporate represent-

Executions against school districts.
P. L. 1881,
Chap.
LXXVII, § 1.

* 1. The action must be brought against the district by its corporate name, and not against the trustees in their individual names, with description appended of "Trustees, &c." *Sproul v. Smith*, 11 Vr. 314. The trustees of a school district, in their corporate capacity, are not liable to be sued in a justice's or district court. *Townsend v. Trustees, &c.*, 12 Vr. 312; *Trustees, &c., v. Stocker*, 13 Vr. 115.

2. The fact that a debt was contracted by the trustees of a district, which was subsequently consolidated with another district, will not bar the right to recover; the new district having become entitled to all the property, rights and assets of and liable to all just claims against the several districts. *Sproul v. Smith*, 11 Vr. 314.

ing such school district, by any court authorized to issue the same, whether upon a judgment recovered before or subsequent to the passing of this act, and there shall be no property belonging to said school district or body corporate sufficient to satisfy the same liable to be levied on, then the officer authorized to execute such process shall serve a copy of the same upon the assessor or assessors of the township or townships in which said school district is situate, and also upon the collector or collectors of such township or townships; and upon receipt of such copy or copies, it shall be the duty of such assessor or assessors, at the time of the next regular assessment of school taxes in such school district, to assess and levy, in addition to said regular school taxes, the amount due upon said execution with interest to the time when the same shall be paid to the officer serving such process, upon the inhabitants of said school district and their estates, and upon the taxable property therein; and this tax shall be assessed and collected at the same time and in the same manner and under the same conditions, restrictions and regulations upon the assessor or assessors, collector or collectors, as other taxes for school purposes are required to be assessed and collected in such school district; and the amount of this tax, when collected, shall be a separate fund, and shall be paid over by the collector of the township in which such school district shall be situate, and if such school district be situate in two or more townships, then by the collector of that township in which the fraction of the school district containing the school house is situate, to the officer serving the process.

66. The board of trustees of any school district shall have power, and it shall be their duty:

I. To employ and dismiss teachers, janitors, mechanics and laborers, and to fix, alter, allow and order paid their salaries and compensations.*

Assessors to assess amount of executions.

Tax, how assessed and collected and to whom paid.

Power of trustees.
P. L. 1867,
Chap.
CLXXIX, § 39.

Employ teachers, &c.

*The employment of teachers by school corporations is an act judicial in its character, and should be done at a meeting of the trustees, of which all should have notice and in which all have opportunity to participate. *Townsend v. Trustees, &c.*, 12 Vr. 312. An appointment, by a body authorized by statute to appoint, of one of their own number, is a mere nullity. 33 Barber 287.

- Make rules. II. To make and enforce rules and regulations, not in conflict with the general regulations of the state board of education for the government of schools, pupils and teachers ;
- Erect buildings, buy land and borrow money. III. To erect, enlarge, repair or improve school building, and purchase, lease, mortgage or sell school lots or school houses, to borrow money, with or without mortgage, and to raise money by taxation for any such purpose, or to pay debts incurred therefor, or for the current expenses of any schools ; *provided*, that for any such acts they shall have the previous authority of a vote of the district ;
- Proviso. IV. To rent, furnish and repair school buildings, and keep the same insured ;
- Rent buildings. V. To purchase personal property, and to receive, lease and hold in fee, in trust for their district, any and all real or personal property, for the benefit of the schools thereof ;
- Purchase property. VI. To enforce the regulations prescribed by the state board of education, and, in connection with the county superintendent, to prescribe the course of study to be pursued, and a uniform series of text-books to be used in the school or schools under their charge ;
- Enforce rules of State Board. VII. To suspend or expel pupils from school ;
- Course of study. VIII. To provide books for indigent children ;
- Text books. IX. To require all children to be furnished with suitable books, as a condition of membership in the school ;
- Suspend pupils. X. To require every teacher to keep a state school register ;
- Provide books. XI. To call a special meeting of the legal voters of the district at any time when, in the judgment of said trustees, the interests of the school may require it, which meeting shall be called in the manner provided in section eighty-six of this act for calling the annual district meeting, and no business shall be transacted at such special meeting, except such as has been set forth in the notices by which said meeting was called ;*
- Require pupils to have books.
- Require teachers to keep register.
- Call special meetings of voters.
- [See secs. 169 and 173.]

*1. A special meeting of the legal voters of a school district, duly called, may vote to raise money for school purposes, although such appropriation has been refused at the annual

XII. It shall be the duty of the trustees of any school district in this state to call a special meeting of the legal voters of such district whenever one-fourth of such legal voters shall request them, by petition, so to do; and in the notices calling such special meeting shall be inserted the purpose or purposes named in said petition.

Trustees to call special meetings upon petition of legal voters.
P. L. 1888,
Chap. LVIII,
§ 2.

XIII. To permit a school house to be used for other than school purposes, when a majority of the trustees present shall so agree at a meeting regularly called for that purpose;

Permit school house to be used for other purposes.
P. L. 1867,
Chap. CLXXIX, § 39

XIV. To make an annual report, on or before the first of August, to the county superintendent, in the manner and form prescribed by the state superintendent of public instruction.

Make report
P. L. 1874,
Chap. CCCLV, § 4.
[See sec. 182.]

67. In case of the failure of any district clerk or city superintendent to send his annual report to the county superintendent of his county in the form prescribed, on or before the first of August, such county superintendent shall make up his report for such district or city from the last published report of the state superintendent; in making up such report, however, he shall deduct one-fifth from the school census; *provided, however*, that all such cases of delay or negligence shall be reported to the state superintendent of public instruction, whose duty it shall be to investigate the same, and to restore the number deducted from the school census in all cases

Penalty for failure of district clerk to report.
P. L. 1871,
Chap. DXXVII, § 12

Proviso.

meeting. *State, Trustees, &c., v. Lewis*, 6 Vr. 377. Special meetings of the voters of a school district cannot be called unless ordered by the board of trustees regularly convened. *Bogert v. Trustees, &c.*, 14 Vr. 358. Where money is ordered to be raised by taxation at a special meeting the previous action of the trustees in calling such meeting in pursuance of authority here given, must appear in the certificate of the clerk to the assessor. *Lamb v. Hurff*, 9 Vr. 310; *Slack v. Palmer*, 10 Vr. 250.

2. Notices for special school meetings to raise special school taxes should be put up at least ten days before the time of meeting. *Davis v. Rapp*, 14 Vr. 594.

3. At a special district meeting called by the board of trustees of a school district to build an addition to a school house, a majority of the votes of the taxable residents present at the meeting is sufficient authority to act. *Crandall v. Trustees, &c.*, 22 Vr. 138.

4. A special school tax, ordered by a special meeting of the voters, which was not called by the board of trustees and of which the district clerk did not give notice, will be set aside. *Apgar v. Van Syckle*, 17 Vr. 492.

5. A special meeting can vote to raise money to build a school house, although a similar proposition has been rejected at a previous special meeting held in the same year. *Stackhouse v. School Dist. 43, Sussex Co.*, 23 Vr. 291.

6. See note 2 at end of section 169.

when he receives satisfactory reasons for such delay or negligence.

Trustees authorized to provide text-books and supplies. P. L. 1890, Chap. CXXI, § 1.

68. The trustees of all public schools within this state are hereby authorized to provide such text-books and other school supplies as shall, pursuant to existing law, be approved by the county superintendent and such boards of trustees, and supply the same free to the use of the pupils in said schools; *provided*, that when any pupil shall lose, deface or destroy any book supplied to such pupil under the provisions of this act, the parents or guardians of such pupil shall replace such book so lost, defaced or destroyed, or shall be liable for damages to the amount of the cost of such book, on the complaint of the teacher, and collected by the district clerk, by an action in debt therefor, in any court having jurisdiction, in his name as district clerk, together with the costs of said action.

Proviso.

Districts may raise special tax for text-books. Ibid. § 2.

69. The payment of the cost of such text-books and other school supplies shall be provided by special district tax in the same manner as other special school taxes are assessed and collected; *provided, however*, that if any district now has, or hereafter shall have, to its credit, surplus funds which shall have accrued otherwise than from appropriations made by the state, and available, wholly or in part, to defray said cost, then and in that case the trustees of such district may, with the written consent of the county superintendent, use such surplus for such payment.

Proviso.

Trustees of public schools, when to meet. P. L. 1880, Chap. CXVIII, § 1.

70. The trustees of the public schools, elected in each school district in this state, shall meet for the transaction of business connected with the public schools in their respective districts, on the first Tuesday after the first Monday in March, June, September and December, or oftener if the business of the board require it.

Bills and demands to be passed on in open session. Ibid. § 2.

71. All bills and demands for money expended for school purposes, and all contracts entered into, shall be presented and passed on in open session of the board of school trustees, and no bills or demands for money on

that account shall be paid which have not been thus passed on and approved.

72. It shall be unlawful for any board of school trustees or board of education of this state, to pay or disburse, out of the school moneys under their control, any sum for school supplies, books, maps, charts, globes, fuel, erecting, enlarging, repairing or improving school buildings and grounds, and janitors' salaries, unless the person claiming or receiving the said moneys shall first present to the board of trustees or board of education a detailed bill of items or demand, specifying particularly how such bill or demand is made up, and the dates thereof, and the names of the persons to whom the amount composing such bill or demand is due; *provided*, that the district clerk, as he may be authorized by the board of trustees, is empowered to purchase for the school or schools under their control, such supplies as may be necessary, and shall present an itemized bill of the same, with affidavit attached, which shall be acted on and paid as other bills; and said itemized bill shall be considered as satisfying all the provisions of this act.

Unlawful for trustees to pay any bills or demands unless the same are itemized. *Ibid.* § 3.

Proviso.

73. Any person or persons presenting any such bill or demand, shall make an affidavit that the goods or services, itemized in said bill or demand, have been delivered or rendered, that no bonus has been given or received by any person or persons with the knowledge of the deponent in connection with the claim, and that the same is correct and true; *provided*, that the clerk of any board of trustees or board of education is hereby authorized to take said affidavit without cost.

Affidavit to be made to all bills. *Ibid.* § 4.

Proviso.

74. Any board of school trustees or board of education who shall willfully violate the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not to exceed one hundred dollars, or as the court may direct.

Penalty for violating secs 70, 71, 72 and 73. *Ibid.* § 5.

75. The district trustees of each township shall together constitute an association, to be called "The Township Board of Trustees;" said board shall meet at such times and places as the county superintendent may appoint,

Meetings of township boards of trustees. [See sec. 50] P. L. 1867, Chap. CLXXIX, § 40.

for the purpose of hearing from him communications and suggestions in regard to the management of the schools, and of submitting to him questions for advice or opinion relating to the same.

TEACHERS.

School register,
how kept.
Ibid. § 41.

76. Every teacher of a public school shall keep a school register in the manner provided therefor, and no salary shall be paid to such teacher until said register is exhibited to the district clerk or other officer authorized to make payment, and until said officer finds, by examination, that the register has been properly kept for the time for which salary is demanded, and enters upon the register a certificate to that effect.*

Report to
county super-
intendent.
Ibid. § 42.

77. Every teacher who shall leave a school before the close of the school year shall, at the time of leaving, make to the county superintendent a report of the school for all that portion of the current school year that the school has been in his or her charge, and shall, at the same time, give a duplicate of said report, and surrender the school register to the district clerk, and any teacher who may be teaching any school at the close of the school year shall, in his or her annual report, include all the statistics from the school register for the entire school year, notwithstanding any previous report for a part of the year; no school money shall be paid to any teacher for the last month of his or her services, until the report herein required shall have been made and received, and the register exhibited; *provided*, that in graded schools, in which there are more teachers than one, the principal teacher alone shall be responsible for the school report and register.

School register
left with district
clerk.

Proviso.

* 1. A school teacher who has rendered services according to the requirements of the school law, and is refused compensation out of the fund specially provided for that purpose, is entitled to a mandamus to compel the proper officers to perform their duty, and to make payment of what is justly due. *Apgar v. School Trustees, &c.*, 5 Vr. 308.

2. In an action brought by a teacher to recover of the trustees of a school district for services as a teacher an objection that the plaintiff was not the holder of a proper teacher's certificate in full force and effect cannot be made after the evidence is closed and the cause being summed up. *Sproul v. Smith*, 11 Vr. 314.

78. No teacher shall be entitled to any salary unless such teacher shall be the holder of a proper teacher's certificate in full force and effect.

When not entitled to salary
Ibid. § 42.

79. In every contract, whether written or verbal, between any teacher and board of trustees, a school month shall be construed and taken to be twenty school days, or four weeks of five school days each; and no teacher shall be required to teach school on the first day of January, the twenty-second day of February, thirtieth day of May, fourth day of July, first Monday in September (to be known as Labor Day), Thanksgiving Day, twenty-fifth day of December and any day upon which a general election shall be held for members of assembly in each year, and also any day set apart by proclamation of the governor of this state or by the president of the United States for the purpose of public observance; and no deduction from the teacher's time or wages shall be made by reason of the fact that a school day happens to be one of the days referred to in this section; any contract made in violation of this section shall have no force or effect as against the teacher.

School month and holidays.
Ibid. § 44.

P. L. 1887,
Chap. CXIV,
§ 1.

80. Every teacher shall have power to hold every pupil accountable in school, for any disorderly conduct on the way to or from school, or on the play grounds of the school, or during recess, and to suspend from school any pupil for good cause; *provided*, that such suspension shall be reported by the teacher to the trustees as soon as practicable; and if such action is not sustained by them, the teacher may appeal to the county superintendent, whose decision shall be final.

Teacher's authority over pupils.
P. L. 1867,
Chap. CLXXIX, § 45.

Proviso.

[See sec. 83.]

81. No teacher shall be permitted to inflict corporal punishment upon any child in any school in this state.

Corporal punishment forbidden.
P. L. 1867,
Chap. CLXXIX, § 98.

82. In case of the dismissal of any teacher before the expiration of any contract entered into between such teacher and trustee, the teacher shall have the right of appeal to the county superintendent, and if the county superintendent shall decide that the removal was made without good cause, said teacher shall be entitled to compensation for the full time for which the contract

Dismissal of teacher.
Ibid. § 46.

was made; but it shall be optional with the trustees whether he or she shall or shall not teach for the unexpired term.

PUPILS.

Pupils to submit to authority of teacher.
Ibid. § 47
[See sec. 80.]

83. The pupils of the public schools shall comply with the regulations established in pursuance of law for the government of such schools; shall pursue the course of study, and use the series of text-books prescribed by the trustees and county superintendent, and shall submit to the authority of the teachers; continued and willful disobedience, or open defiance of the authority of a teacher, the use of habitual profanity or obscene language, shall constitute good cause for suspension or expulsion from school; any pupil who shall in any way cut, deface or otherwise injure any school house, fences or outbuildings thereof, shall be liable to suspension and punishment, and the parents of such pupils shall be liable for damages to the amount of injury, on complaint of the teacher, the amount to be determined by the trustees, and collected by the district clerk, by an action in debt therefor, in any court having jurisdiction, in his name as district clerk, together with the costs of said action.

Parents liable for damages.

No child to be excluded from any public school
P. L. 1881,
Chap. CXLIX,
§ 1.

84. No child between the age of five and eighteen years of age shall be excluded from any public school in this state on account of his or her religion, nationality or color.*

Penalty for voting to exclude any child from any public school.
Ibid. § 2.

85. Any member of any board of trustees of any school district, or any member of any board of education in this state, who shall vote to exclude from any public school in this state, any child between the age of five and eighteen years of age, on account of his or her religion, nationality or color, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than two hundred and fifty dollars, or by imprisonment

*School trustees cannot exclude children from any public school on the ground that they are of the negro race. *Pierce v. Union District Trustees*, 17 Vr 76; 18 Vr 348.

in the county jail, workhouse or penitentiary of the county in which the offense is committed, not less than thirty days, nor more than six months, or both fine and imprisonment may be imposed in the discretion of the court.

86. It shall not be lawful to charge tuition fees for the support of public schools in this state, but that all such schools shall be free to all persons over five and under eighteen years of age residing within the district, so long as such schools can be thus maintained with the public school funds.

Tuition fees not allowed.
P. L. 1871,
Chap.
DXXVII, § 9.

87. The trustees of all public school districts within this state be and they are hereby authorized and required to admit to such public schools, all pupils between the ages of five and twenty years, residing in their respective districts; *provided, always*, that attendance shall not be compulsory in the case of any pupil under the age of six or over the age of eighteen years; *and provided further*, that in taking the school census, only pupils between the ages of five and eighteen years shall be enrolled, as heretofore.

Ages of pupils.
P. L. 1889,
Chap. LI, § 1.

Proviso.

Proviso.

BOARDS OF EXAMINERS.

88. There shall be a state board of examiners, consisting of the state superintendent of public instruction and the principal of the state normal school; they shall have power, and it shall be their duty, to hold examinations of teachers, and to grant state certificates, or revoke the same, under such rules and regulations as the state board of education may prescribe; and a certificate thus granted shall entitle the holder, without further examination, to teach in any part of the state, so long as the certificate remains valid by the terms thereof, and in any school not of a higher grade than that for which the certificate represents him as qualified.

State board of examiners.
P. L. 1867,
Chap.
CLXXIX, § 48.

Certificates of state board.

89. There shall be in each county a county board of examiners, which shall be composed of the county superintendent, who shall, ex-officio, be chairman, and of a

County boards of examiners.
Ibid. § 49.

number of teachers, not to exceed three, to be appointed by him, who shall hold office for one year from the time of their respective appointments; but no person shall be appointed as county examiner unless he holds either a state or a first grade county certificate; the county superintendents shall fill vacancies that occur from absence or other causes, but if he cannot find any teacher in his county qualified under the provisions of this section willing to serve, he shall conduct the examination himself; the board shall meet at such times and places as may be designated by the chairman, and shall hold a session at least as often as once in every three months, and at the place and during the session of any teacher's institute held in the county; each member of the county board of examiners, except the county superintendent, shall receive for his services, in addition to traveling expenses, a sum not exceeding five dollars for each of the quarterly examinations held by said board in February, August and November, and eight dollars for the regular quarterly examination in May, to be paid by the county collector on the order of the county superintendent; *provided*, that this compensation shall be paid only for the regular quarterly examinations; and that whenever said board shall hold sessions at any other time, no compensation shall be allowed from the county; but in cases of such special examinations, said board may charge each applicant an examination fee not exceeding two dollars; the county board of examiners shall have power to conduct examinations and to grant certificates of different grades, in accordance with the general regulations on the subject prescribed by the state board of education, and the highest grade of certificate thus granted shall entitle the holder, without further examination, to teach in any part of the state so long as this certificate remains valid, and in any school not of a higher grade than that for which the certificate represents the holder as qualified; any county certificate lower than the highest grade will only entitle the holder to teach a school of a correspond-

Compensation.
P. L. 1880,
Chap. CCXXI,
§ 2.

Proviso.

Certificates of
county boards.

ing grade in the county for which such certificate was granted.

90. In every city having a board of education governed by special laws there may be a city board of examiners, to consist of such members as said board of education of that city may appoint; said examiners shall have power, subject to such rules and regulations as may be prescribed by the city board of education, to grant certificates of qualification, which shall be valid for all schools of that city, and no teacher shall be employed in any of the schools of that city unless possessing such certificate, or a state certificate, nor in any school of a higher grade than that for which such certificate represents the holder to be qualified; any city board of examiners may recognize the certificates of any other city, and, without examination, issue to the holders certificates of a corresponding grade.

City boards of examiners.
P. L. 1885,
Chap. LXXIV,
§ 1.

SCHOOLS.

State Normal School.

91. There shall be a normal school, or seminary, for the training and education of teachers in the art of instructing and governing the common schools of this state, the object of which normal school or seminary shall be the training and education of its pupils in such branches of knowledge, and such methods of teaching and governing, as will qualify them for teachers of our common schools.

Normal school.
P. L. 1867,
Chap.
CLXXIX, § 57.

92. To the said board of trustees shall be committed the control and use of the buildings and grounds owned and used by the state for the use of the normal school, the application of the funds for the support thereof, the appointment of teachers and the power of removing the same, the power to prescribe the studies and exercises of the school, and rules for its management, to grant diplomas, to appoint some suitable person treasurer of the board, and to frame and modify, at pleasure, such by-laws as they may deem necessary for their own gov-

Supervision of normal school.
Ibid. § 54.
[See sec. 2.]

Treasurer.

Annual report

ernment; and they shall report annually to the legislature their own doings and the progress and condition of the school.

Repairs, &c., to normal school.
P. L. 1867,
Chap. CLXXIX, § 2,
div. vi.
P. L. 1885,
Chap. CLXIV,
§ 1, div. 3.

93. To order all necessary repairs to the grounds, buildings and furniture of the state normal school, and to keep said buildings and furniture insured, and the comptroller shall draw warrants on the treasurer of the school fund for the payment of the same, upon the certificate of the president of said board.

Number of pupils
P. L. 1867,
Chap. CLXXIX, § 55.

94. The number of pupils shall not exceed three for each member of the senate and general assembly, and each county shall be entitled to fill three times as many seats in the school as it has representatives in the legislature; the applicants shall give on admission a written declaration, signed with their own hands, that their object in seeking admission to the school is to qualify themselves for the employment of public school teachers, and that it is their intention to engage in that employment in this state for at least two years.

Declaration of applicants.

Scholarship fund
P. L. 1872,
Chap. DXXVIII, § 6.

95. The applicants for admission to the normal school shall give on admission a written obligation, signed by their own hands, that their object in seeking admission to the school is to qualify themselves for the employment of public school teachers, and that it is their intention to engage in that employment in this state for at least two years, or refund to the state the cost of their tuition; and, in addition to the annual sum appropriated to the support of the normal school, there is hereby appropriated annually the sum of five thousand dollars, to be paid out of the income of the school fund in like manner, which will constitute a scholarship fund, to be applied as follows: there shall be fifty scholarships of one hundred dollars each, two of which shall be allotted to each county, to be competed for by the pupils in the normal school from that county, and the remainder shall be open to free competition by pupils in the normal school from the state at large; the competitive examinations above mentioned shall be conducted by the principal of the state normal school

P. L. 1885,
Chap. CLXIV,
§ 1, div. ii.

and his assistants; *provided*, that scholarships shall be awarded to those pupils only who shall first enter into a satisfactory bond to the treasurer of the state, obligating themselves to teach in the public schools of this state for the term of five consecutive years, or to refund the amount paid them upon a failure to do so from any cause save continued sickness or death; *provided*, that until such system of scholarships shall be perfected by the board of trustees of the state normal school, said scholar's life fund shall be paid toward and for such purposes connected with the state normal school and boarding-house property belonging to the state as, in the judgment of said trustees, will be for the best interest of the state and the advantage of the cause of education.

Proviso.

Trustees authorized to expend fund.
P. L. 1873,
Chap.
CCCCXLVII,
§ 1.

96. At the opening of each term of the normal school, the principal, with his assistants, shall proceed to examine applicants, and to admit to the school such as appear to be possessed of the proper qualification to the number to which each county may be entitled.

Pupils, how admitted.
P. L. 1867,
Chap.
CLXXIX, § 56.

97. In case any county is not fully represented, additional candidates may be admitted from other counties, on sustaining the requisite examination.

Vacancies, how filled
Ibid. § 57.

98. The board of trustees shall appoint and procure the number of teachers which may be necessary to carry out, in the best and highest sense, the purposes and designs of this act, and shall furnish for the use of the pupils the necessary apparatus and text-books, so far as the funds hereafter to be named and appropriated for the support of the school will allow; and the tuition in the normal school shall be gratuitous.

Teachers, how appointed.
Ibid. § 58.
[See sec. 2.]

Provide text-books.

99. The board of trustees are authorized to maintain a model school, under permanent teachers, in which the pupils of the normal school shall have opportunity to observe and practice the modes of instruction and discipline inculcated in the normal school, and in which pupils may be prepared for the normal school.

Model school.
Ibid. § 59.
[See sec. 2.]

100. For the support of the normal school, and to carry out the purpose and designs of this act, there is

Appropriation.
P. L. 1872,

Chap. CCCCLXXX-VIII, § 1.
P. L. 1885,
Chap. CLXIV,
§ 1, div. 1.
School year for normal school.
P. L. 1872,
Chap. CCCCXCI, § 1.

appropriated hereby the annual sum of fifteen thousand dollars, to be paid out of the income of the school fund upon the warrant of the comptroller.

101. The school year, so far as regards the state normal school, shall hereafter terminate on the last day of June.

Deaf-Mute School.

Property designated and uses prescribed.
P. L. 1882,
Chap. CLXXXVII,
§ 1.

102. The property lately used as a home for soldiers' children shall be taken and set apart to be used as an institution for the maintenance and instruction by the state of its indigent deaf and dumb.

Name of institution.
P. L. 1884,
Chap. CIII, § 2.

103. The name and title of the institution shall hereafter be "the New Jersey school for deaf-mutes."

Qualifications of pupils.
P. L. 1882,
Chap. CLXXXVII,
§ 6.

104. Indigent deaf and dumb persons of suitable age and capacity for instruction, who are legal residents of this state, shall be entitled to the privilege of the school without charge, and for such a period of time in each individual case as may be deemed expedient by the board of trustees; *provided*, that whenever more persons apply for admission at one time than can be properly accommodated in the said school, the trustees shall so apportion the number received that each county may

Term of instruction
[See sec. 106.]
Proviso.

be represented in the ratio of its deaf and dumb population to the total population of such persons in the state; application for admission into the said school shall be made to the board of trustees in such manner as they may direct, but the board shall require each application to be accompanied by a certificate from a county judge or county clerk of the county, or the chosen freeholder, or clerk of the township, or the mayor of the city where the applicant resides, setting forth the applicant is a legal resident of the town, township or city, county and state, claimed as his or her residence, and the age, circumstances and capacity of such pupil, and the ability or inability of the parent or guardian of such pupil to pay any part of the expense of tuition, care and maintenance of the person in whose behalf such application

Apportionment to counties.

Application for admission.
[See sec. 3]
Certificate required.

may be made; the primary object of the school shall be to furnish to the indigent deaf and dumb children of this state the best known facilities for the enjoyment of such a share of the benefits of the system of free public education established in this state as their afflicted condition will admit of; the board of trustees shall have charge of all the affairs of the school, with power to make such by-laws and regulations for the government and the proper management thereof, as well as for the admission of pupils, as shall be approved by the state board of education; they shall elect from their own number a president, treasurer and secretary, together with such standing committees as they may deem necessary; the treasurer shall have the custody of all the funds of the said school, and pay out the same only on proper authenticated orders of the board, or its executive committee; before entering upon the duties of his office he shall give bond, with at least two sureties, to be approved as hereinafter stated, to the people of the state of New Jersey, in the penal sum of ten thousand dollars conditioned for the faithful discharge of his trust, which bond shall be approved by the board of trustees of this state [institution], and deposited in the office of the secretary of state; the board of trustees shall have power to appoint a competent and experienced superintendent, who shall be the chief executive officer of the school, together with an efficient corps of teachers and subordinate officers, prescribe the duties and terms of service of the same, fix and pay their salaries, and for just cause remove any or all of them; they shall likewise employ the requisite number of servants and other assistants in the various departments of the school, and pay the wages of the same; and they shall purchase all furniture, school books, school apparatus, and other supplies necessary to the equipment and carrying on of the same, and in the manner hereinafter described.

105. The trustees of said institution shall receive no compensation for their services except in the case of

Object of the school.

Trustees to make by-laws and regulations with approval of state board of education.

Officers of board of trustees.

Committees.

Duties of treasurer.

To give bond.

By whom approved.
Where deposited.

Appointment of superintendent and teachers.

Terms of service and salaries.

May be removed by trustees.

Employment of assistants and servants.

Payment of their wages.

Purchase of furniture, books and supplies.

[See sec. 108.]

Trustees to receive no compensation.
Ibid. § 7.

Payment of
their expenses.

Treasurer may
be paid.

Who may be
admitted.
P. L. 1884,
Chap. CIII, § 1.
[See sec. 104.]

Term of instruc-
tion.
Proviso.

Proviso.

Tuition and
maintenanc e of
pupils not indi-
gent.
P. L. 1882,
Chap.
CLXXXVII,
§ 9.

Additions and
repairs to build-
ings to be made
by contract.
Ibid. § 10.

the treasurer, who may be fairly compensated at the discretion of the board, but they shall be paid all necessary expenses incurred by them in the discharge of their duties, to be paid by the treasurer of said board of trustees on the order of the governor.

106. Any indigent deaf-mute of suitable capacity, who shall be a legal resident of this state, and who shall be not less than eight years nor more than twenty-one years of age, may be admitted to and be entitled to the benefits of the institution, subject to such rules and regulations as have been or may be established by the board of trustees, and the term of instruction shall be three years; *provided*, that in any case in which it may seem proper in the judgment of the trustees, the term may be by them extended to a period not exceeding eight years; *and provided, further*, that when it shall be found, in the judgment of the trustees, that any pupil now in the institution, or hereafter admitted, shall be, from want of capacity, or other cause, not capable of receiving the benefits designed to be conferred by the law, or that the retention of any pupil is or may be detrimental to the interests of the school, the said trustees shall have power to shorten the term of or to dismiss from the school such pupil upon reasonable notice given to his or her parents or guardians.

107. Whenever the board of trustees shall be satisfied that the resources of any person applying for the benefits of this act, or those of his or their parents or guardians, are sufficient to defray a part of the expense of instructing and maintaining such person, but not sufficient to defray the whole expense, then the board of trustees may cause to be paid such proportion as to them may seem just and equitable of the annual expense of educating such person.

108. All improvements, additions and repairs to the buildings to be used for the purposes of this act, together with the furnishing of the same, shall be by contract, after due notice is given and specifications furnished; and that it shall be the duty of the super-

intendent, under the direction of the board of trustees, to invite proposals twice in each year, at intervals of six months, for supplying the institution with dry goods, wearing apparel, groceries, provisions, vegetables, fuel, illuminating material, and all other articles the necessity of which it is practicable to determine as being needed for the ensuing six months, the standard of quality of which shall be determined by the board, and standard sample grades of non-perishable articles shall be kept in the office of the superintendent, for the inspection of bidders; the inviting of proposals shall be advertised ten consecutive days in two daily newspapers published in the city of Trenton, and which advertisement shall classify the articles which shall be grouped in each bid, and also state, as near as practicable, the amount and quantity needed, and that said goods are to be delivered during the ensuing six months, as wanted, on the order of the superintendent; and it shall be the duty of the board to award the contract to the lowest average bidder on each class or group of articles advertised for, and to require the contractors to enter into suitable bonds for the faithful performance of the same; *it is further provided* that the board of trustees reserve the right to reject any or all bids not considered to be to the interest of the state.

Supplies to be contracted for.

Proposals to be invited by advertisement.

Bonds to be given by contractors.

Trustees may reject all bids.

109. It shall be the duty of the trustees of the New Jersey school for deaf-mutes to submit a quarterly report to the governor of the state showing the number of pupils taught and maintained in the school in each quarter, and upon the approval of the said report by the governor, there shall be paid to the said trustees, for such expenses, the sum or sums required to defray the expenses of teaching, maintaining and clothing the said pupils for the said quarter; *provided*, the said sum shall not exceed for any three months the sum of seventy-six dollars for each pupil taught, maintained and clothed within the said period, the same to be paid by the state treasurer, out of the income of the school fund, upon the warrant of the comptroller.

Trustees to make quarterly report to governor.
P. L. 1888,
Chap
CCXXXVII,
§ 1.

Appropriation.

Proviso.

Graded Schools.

Graded schools,
how established.
P. L. 1867,
Chap.
CLXXIX, § 61.

110. Any two or more districts, by a majority vote of the inhabitants at a meeting regularly called or advertised by the county superintendent, or superintendents of the county or counties in which said districts are situated, may cause to be established and maintained a graded school, which shall be entitled, according to the number of children in attendance, to its proper share of the state appropriation and of the township school taxes belonging to the districts which have caused said graded school to be erected; and a school thus established shall be governed by a joint board, combined of the trustees of the combining districts, and subject to such regulations as they may prescribe.

District Schools.

Suitable school
buildings
required.
Ibid. § 62.
[See sec. 41.]

111. The inhabitants of every school district shall be required to provide a suitable school building and out-houses for the accommodation of their children; and in case such buildings are not provided, or those already in use shall be pronounced by the county superintendent unfit for the purposes for which they are applied, such district shall be deprived of the benefit of that part of the state appropriation derived from the revenues of the state until suitable buildings shall be erected.

Penalty.

School houses to
be provided with
fire escapes
P. L. 1889,
Chap
CCLXXXVII,
§ 1.

112. Every building now or hereafter used in whole or in part as a school house shall be provided with proper ways of egress or other means of escape from fire sufficient for the use of all persons assembling in such building, and such ways of egress and means of escape shall be kept free from obstruction, in good repair and ready for use; all doors in any building subject to the provisions of this section shall open outwardly, if the inspector or one of his deputies shall so direct in writing; no portable seats shall be allowed in the aisles or passageways of such building during any service or entertainment held therein.

[See § 41.]

113. A copy of this act shall be kept posted in a conspicuous place in every such building by the person occupying the premises.

Copy of law to be posted.
Ibid. § 2.

114. Every story above the second story of a building subject to the provisions of section one of this act shall be supplied with means of extinguishing fire, consisting either of pails of water or other portable apparatus, or of a hose attached to a suitable water supply, and capable of reaching any part of such story; and such means of extinguishing fire shall be kept at all times ready for use and in good condition.

Fire extinguishers.
Ibid. § 7.

[See sec. 112.]

115. All buildings now or hereafter erected in which twenty or more persons live or congregate or are employed, temporarily or otherwise, above the first or ground floor thereof, shall have one or more, as the proper authority shall direct, external wrought-iron fire escapes, of such dimensions and character and subject to such regulation and construction as the said proper authority shall designate.

Fire escapes on buildings.
P. L. 1890,
Chap. LXIII,
§ 1.

116. In all incorporated municipalities the board of aldermen, city council or borough commissioners shall provide for the enforcement of the provisions of this act by ordinance.

Who to enforce in municipalities.
Ibid. § 2

117. In all sections outside of incorporated municipalities, township committees shall have power to enforce the provisions of this act.

Who to enforce in townships.
Ibid. § 3.

118. No school district shall be entitled to receive any part of the school appropriation which shall not have maintained a public school for at least nine months during the then next preceding school year; *provided*, that any new district, or a district in which the school is discontinued on account of the repairing of an old or the erection of a new school building, shall not be deprived of its full share of the public school funds on account of the restrictions of this section.

Time schools must be maintained. [See sec. 147.]
P. L. 1867,
Chap. CLXXIX, § 63.
Proviso.

119. Not more than twenty dollars annually of the school moneys received by any school district, except such as may be raised within the district, shall be used for any other purpose than the payment of teachers' sal-

Twenty dollars for incidentals.
P. L. 1884,
Chap. LXXVI,
§ 1.
[See sec. 168.]

Proviso.

aries and fuel bills; *provided, however*, that where there has been apportioned to any district more than three hundred and fifty dollars, and such district, by such apportionment, shall receive from the state appropriation state school tax and interest of surplus revenue, a sum exceeding five dollars for each child in such district, according to the last published school census, it shall be lawful for the trustees of such district to use such excess for the improvement of the school house and grounds, the purchase of school furniture or apparatus, or for any other purpose connected with the school or schools under their charge; *provided*, that the written consent of the county superintendent of the county in which such district is situated shall be first obtained.

Proviso.

Power of school districts to borrow money to pay teachers' salaries.
P. L. 1886,
Chap. LXXII,
§ 1.

120. Any school district may, after the first day of September and before the thirty-first day of December, in any year, borrow a sum not exceeding four-tenths of the amount apportioned to such district from the state school moneys for such year, for the purpose of paying teachers' salaries falling due within said year; and that the said district may pay the amount so borrowed, together with interest thereon at a rate not exceeding six per centum per annum, out of the state school moneys apportioned to said district for the then current school year, as soon as the same shall have been received by the township collector of the township in which said district is situated.

Power of withholding school money. [See secs. 14, 22 and 41.]
P. L. 1881,
Chap. CLXXX,
§ 1.
[See sec. 119.]

121. In case any school district or city shall use any of the school money apportioned to it for any other than public school purposes, as these purposes are defined and limited in the ninety-first section of this act, such district or city shall forfeit out of the next annual apportionment a sum equal to twice the amount thus used; and it shall be the duty of the county superintendent to re-apportion the money thus forfeited among the other districts and cities of his county; *provided*, the state superintendent may remit such penalty for cause.

Proviso.

WHEREAS, Certain school districts in this state are subject to the provisions of special or local laws applicable to such districts, and it is deemed desirable that such districts should be governed solely by the provisions of the general school law of this state; therefore,

Preamble.

P. L. 1886,
Chap. CCXXX.

122. Any such district may be relieved from the provisions and limitations of such special or local laws upon the adoption of the provisions of this act by the legal voters of said district at any meeting of such voters called for the purpose, as hereinafter provided.

Districts having
local laws may
adopt the gen-
eral law.
Ibid. § 1.

123. Whenever the trustees of any such district shall by resolution decide to submit the question of the adoption of this act to the voters of the district, they shall call a meeting for that purpose, giving notice of the time, place and object of said meeting, in the manner provided for the calling of school meetings by the eighty-sixth section of the "Act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, and if at any such meeting a majority of the legal voters present shall vote to adopt the provisions of this act, thereafter said district shall be governed solely by the general school laws of this state applicable thereto, instead of the special act, and the said trustees shall forthwith file a certificate with the county school superintendent, setting forth the determination of such meeting.

Special meetings
to vote on ques-
tions of aban-
doning special
school laws.
Ibid. § 2.

[See sec. 169.]

124. In case of the adoption of this act by any district, the said district shall retain all its property, real and personal, and be subject to any lawful obligations it may have incurred, in the same manner and to the same extent as if the provisions of this act had not been adopted.

Obligations of
districts not
changed.
Ibid. § 3.

-125. The school year shall begin on the first day of September and end on the last day of August.

School year.
P. L. 1867,
Chap.
CLXXIX, § 64.

REVENUE AND APPORTIONMENT.

State School Fund.

Trustees of
school fund.
Ibid. § 65.

126. The governor of this state, the president of the senate, the speaker of the house of assembly, the attorney-general, the secretary of state, and the comptroller, and their successors in office, be and they are hereby constituted and appointed trustees of the fund for the support of public schools in this state, arising either from appropriations heretofore made, or which may hereafter be made by law, or which may arise from the gift, grant, bequest or devise of any person or persons whatsoever, which trustees shall be known by the name, style and title of "The Trustees for the Support of Public Schools;" *provided*, that it shall not be lawful for any teacher, trustee or trustees to introduce into or have performed in any school receiving its proportion of the public money, any religious service, ceremony or forms whatsoever, except reading the Bible and repeating the Lord's Prayer.

Religious ser-
vices in school.

School fund,
how constituted.
Ibid. § 66.

127. The public stocks and moneys heretofore appropriated by law shall constitute the funds in the hands of the trustees appointed by the foregoing section of this act, and shall be held by the said trustees in trust, the interest and dividends arising therefrom to be applied by the said trustees, or a majority of them, for the support of public schools in this state, in the mode now prescribed or hereafter to be prescribed by any act or acts of the legislature, and for no other use or purpose whatsoever.

Money derived
from sale of
riparian lands.
P. L. 1890.
Chap. LV1, § 1.

128. All moneys hereafter paid into the state treasury as the proceeds of sales, grants or leases, made after the approval or passage of this act, of lands under water belonging to the state, shall be deemed a part of the current revenue of the state, and shall be applied to and used for the payment of the necessary expenses of the state and for the payment of such general or special appropriations as may now or hereafter be authorized by

law to be paid from the state fund ; *provided*, that nothing in this act shall be construed as transferring from the school fund of the state any right, title or interest in any securities or property now a part of the assets of that fund, or as in any way impairing the right of the school fund to the proceeds or income derived from any securities or property now belonging to said school fund. Proviso.

129. There shall be annually appropriated from the income or revenue of the fund for the support of public free schools of this state, so much of the said income or revenue as shall be required to meet the following named disbursements, to wit : Appropriations from income of school fund. P. L. 1885, Chap. CLXIV, § 1.

I. The sum of fifteen thousand dollars for the support of the state normal school. State normal school.

II. The sum of five thousand dollars for a scholarship fund or other purposes. Scholarship fund

III. The sum required to be paid for the necessary repairs to the grounds, buildings and furniture of the state normal school, and for keeping the said buildings and furniture insured, and for the payment of the necessary incidental expenses of the state superintendent of public instruction. Repairs to normal school.

IV. The sum required to pay the expenses of the members of the state board of education. Expenses of state board of education.

V. The sum required to pay the salary of the state superintendent of public instruction. Salary of state superintendent.

VI. The sum required to defray the expenses of teachers' institutes. Teachers' institutes

VII. The sum required to pay the appropriations for free public school libraries. School libraries

VIII. The sum required to pay the salary of the assistants in the office of the state superintendent of public instruction. Assistants in state superintendent's office P. L. 1889, Chap. CXCIII.

IX. The sum required to pay the appropriation for the support of the Farnum Preparatory School at Beverly. Farnum school

X. The sum required to pay the amount to be contributed by the state to any technical schools now established or hereafter to be established in this state. Technical schools.

Costs of foreclosure.

XI. The sum required to pay the taxed costs attending foreclosure proceedings in the case of lands or premises bought by the trustees for the support of public schools.

School fund expenses.

XII. The sum required to defray such legal and other expenses as may be incurred by or under the direction of the trustees for the support of public schools in the investment and protection of the school fund, and in the collection of the income thereof.

Payment by comptroller.
Ibid. § 2.

130. The comptroller is hereby directed to draw his warrants upon the treasurer of the school fund for the above-mentioned appropriations and expenditures when they shall severally become due and payable, and the said treasurer is directed to pay the same out of any moneys now in his hands or which may come to his hands as income or revenue from the investments of the school fund, from rentals or leases of lands under water, or from grants of lands under water; *provided*, that nothing in this act shall be construed to authorize the expenditure of any portion of the principal of the said school fund; *and provided further*, that nothing in this act shall be so construed as to prevent, hinder or in any way interfere with the payment of the annual appropriation of one hundred thousand dollars toward the support of public schools out of the income of the said fund as now provided by law.

Principal of fund not to be expended.

Annual appropriations to schools.

Payments to be paid by state in certain cases.
Ibid. § 3.

131. If at any time the payments hereby authorized to be made from the income of the school fund shall become due and payable, the said income shall not have been collected to a sufficient amount to meet the required payments, the necessary sum shall be drawn from the state treasury upon the warrant of the comptroller.

Money derived from leases added to school fund
P. L. 1872,
Chap.
CCCCXXXIV,
§ 1.

132. All leases which shall hereafter be made of lands belonging to the state, now or formerly lying under water, or which have been made since the sixth day of April, eighteen hundred and seventy-one, shall be transferred to the trustees of the school fund of this state, and become a portion of the free school fund; and the annual income arising from said leases shall be distributed

[See sec. 128.]

by the said trustees for the support of free public schools, in the same manner that other moneys are now distributed for that purpose.

133. The fund above mentioned, together with all the moneys which shall be received by the treasurer in payment of the principal or interest of the bank or turnpike stock belonging to the fund for the support of free schools, all the taxes which may hereafter be received into the treasury from any of the banking and insurance companies in this state, the capital stock of which now is, or may hereafter be liable by law to be taxed, all appropriations to said fund made or to be made by any law of this state, and the amount of all gifts, grants, bequests or devises hereafter made by any person or persons to the said trustees, for the purpose contemplated by this act, shall be invested by the treasurer of this state, under the direction of said trustees, or a majority of them, in the bonds of the United States, or of New Jersey, or in the bonds of any county, city, town or township of this state, in any case where the total indebtedness of such county, city, town or township does not exceed in the aggregate fifteen per centum of the total assessable valuation of all taxable property within such county, city, town or township, the interest thereof to be applied to the support of the public schools in the mode which now is, or may hereafter be, directed by law, and to no other use or purpose whatsoever; an account of the management of the said fund shall be laid before the legislature with the annual statement of the treasurer's account; and no compensation shall be made to said trustees or treasurer for any service performed in pursuance of the direction of this act; and all investments of money and property belonging to said fund now held or existing in the name of "The Trustees for the Support of Free Schools," are hereby and shall hereafter be vested in and held, and any proceeding or action whatever relative thereto may be taken, had, made and maintained by said trus-

Investment of
school fund.
P. L. 1886.
Chap. CXIX,
§ 1.

Report to Legis-
lature.

Compensation.

tees, in the name of the trustees for the support of public schools.

School fund may be invested in U. S. and municipal bonds. P. L. 1878, Chap. CIII, § 69.

134. Whenever, in the judgment of the trustees for the support of free schools of this state, or a majority of them, it shall not be deemed advisable or for the best interests of the school fund to invest the income of the said fund in bonds secured by mortgage on land, they shall have the power to invest the said income, or any portion thereof, in the bonds of the United States and of this state, and of the several counties, townships, boroughs and cities of the same.

State school fund not to be loaned on mortgage. P. L. 1883, Chap. XCIV, § 1.

135. From and after the passage of this act, it shall not be lawful for the trustees of the school fund to invest any part of the principal or interest of said fund in bonds secured by mortgage on lands in this state, except in such cases as hereinafter provided.

Trustees of school fund may purchase land at foreclosure sale. P. L. 1875, Chap. CCLXXXIII, § 1.

136. The "trustees for the support of public schools" be and they are hereby authorized and empowered to bid for and purchase any lands and premises exposed to sale under the order and decree of any court, for the payment and satisfaction of any mortgage encumbrance thereon held by the said trustees, and to take and hold the title to the lands and premises so purchased in and by their official name, style and title, and as part of the assets of the school fund of New Jersey; *provided*, that said trustees shall not bid a higher price for such lands and premises than shall be sufficient to save the amount due upon their said mortgage encumbrance and costs, the taxed costs attending such proceedings and sale, if any, to be paid by the treasurer of this state, on warrant of the comptroller, out of the income of the school fund.

Proviso.

P. L. 1885, Chap. CLXIV, § 1, div. xi.

Real estate belonging to the fund to be sold. P. L. 1883, Chap. XCIV, § 2.

137. All real estate now held by the trustees of the school fund shall be sold, either at private or public sale, at such times and at such prices as will, in their judgment, be for the best interests of the state; and the said trustees are hereby authorized to loan to the purchaser of said property, or other properties which may come into their possession by foreclosure, one-half the amount of purchase money, the same to be secured by bond and

mortgage on the premises so purchased, and that they shall be empowered to advertise such properties, either at private or public sale, in such manner as to them seems judicious; and the proceeds arising from such sales shall be paid into the fund and be invested by the trustees as provided for by existing laws.

138. In case the trustees of the school fund shall further acquire real estate under foreclosure proceedings, that the same shall be disposed of at public or private sale, in the manner provided by section two of this act, and the proceeds arising from such sales shall be invested as hereinbefore directed.

Real estate acquired under foreclosure to be sold.
Ibid. § 3.
[See sec. 137.]

139. The trustees are hereby directed and required to cause foreclosure proceedings to be commenced without delay, in all cases where the interest on bonds, secured by mortgage, is or may become due and remain unpaid for the space of six months; *provided*, that in case foreclosure proceedings shall have been commenced, the said trustees may, in their discretion, discontinue the same upon the payment of accrued interest and the cost of such proceedings.*

Foreclosure proceedings to be begun when interest is in arrears six months.
Ibid. § 4.

Proviso.

140. The treasurer of this state, under the direction of "The Trustees for the Support of Public Schools," is authorized to invest the fund for the support of public schools in this state, in addition to the securities mentioned in section sixty-nine of this act, in the bonds of the several school districts of this state, and in the bonds of any city or municipality of this state, legally issued, for the purpose of building school houses, either by authority of special acts of the legislature, or by the consent of the inhabitants of the district, as hereafter herein provided for.

Loans for building schoolhouses.
P. L. 1872,
Chap. DXLI,
§ 1.

[See sec. 133.]

141. The treasurer of this state, under the direction of the "trustees for the support of public schools," is authorized to invest the fund for the support of the public schools of this state in the bonds of the several school districts legally issued for the purpose of build-

Rate of interest on loans to school district.
P. L. 1886,
Chap. XLV, § 1.

* Money belonging to the state is not liable to taxation. *Trustees of the School Fund v. Trenton*, 3 Stewart, 618-667.

ing school houses, at a rate of interest not less than five per centum per annum, payable half yearly.

Report concern-
ing school fund.
P. L. 1867,
Chap.
CLXXIX, § 68.

142. The treasurer of this state shall annually make and furnish to the board of trustees for the support of public schools, on the first day of the stated annual meeting of the legislature, and at such other times as the majority of the said trustees shall require the same, a particular statement of the school fund, containing an account of the securities belonging to said fund, with the dates of investment, their value, and the interest arising from each denomination of securities, together with an account of the moneys in the treasury belonging to said fund.

Secretary.
Ibid. § 69.

143. The secretary of state is hereby constituted and appointed secretary of the said board of trustees, whose duty it shall be to record, in a book to be kept for that purpose, the proceedings of the said board, and the accounts to be furnished by the treasurer as hereinbefore stated.

Appropriation of
school fund to
schools.
P. L. 1878,
Chap. XXXV,
§ 1.

144. It shall be the duty of the trustees of the school fund of this state, on or before the first Monday of April of every year, to appropriate out of the annual income of the fund for the support of public schools the sum of one hundred thousand dollars; and if the annual income of said fund shall not have been received in full, or shall be insufficient for that purpose, then the said trustees are hereby authorized and empowered to draw for any sum necessary to make up the deficiency, by warrant, signed by the comptroller, upon the treasurer of the state, who is directed to pay the same; which sum, so drawn from the treasury aforesaid, shall be replaced from the annual income of said school fund so soon as the same shall be received.

Deficiency, how
provided for.

Payment of ap-
propriation to
schools.
P. L. 1867,
Chap.
CLXXIX, § 75.

145. The trustees of the school fund of this state shall have authority to divide the aforesaid sum of one hundred thousand dollars into two or more annual installments, which shall be paid by the state treasurer to the several county collectors on the warrants of the state comptroller.

146. For the purpose of defraying the expenses of teachers' institutes and procuring teachers and lecturers for said institutes and other necessary expenses of the same, there may be paid annually to the state superintendent of public instruction, out of the income of the school fund, upon the warrant of the comptroller upon itemized accounts rendered to him by the state superintendent of public instruction of the expenses incurred, a sum not exceeding one hundred dollars to one teachers' institute in any county; and where two or more counties join in holding a union institute there may be paid a sum not exceeding one hundred dollars for each county joining in such union institute.

Teachers' Institutes.
P. L. 1886,
Chap. LX XIII,
§ 1.

Union institute.

TAXATION.

State School Tax.

147. For the purpose of maintaining free public schools there shall be assessed, levied and collected annually upon the taxable real and personal property in this state, as exhibited by the latest abstract of ratables from the several counties, made out by the several boards of assessors and filed in the office of the comptroller of the treasury, a state school tax equal to five dollars for each child in this state between the ages of five and eighteen years, as exhibited by the next preceding school census, which tax shall be assessed, levied and collected at the same time and in the same manner in which other taxes are assessed, levied and collected; but if the moneys received by the school districts in any township from the tax imposed by this section shall not be sufficient to maintain free schools for at least nine months in each year, then the inhabitants thereof may raise by township tax such additional amount as they may need for that purpose in the same manner as such taxes have heretofore been raised.

State tax imposed.
P L 1888,
Chap. CXXXII
§ 1.

School nine months.
[See sec. 118.]
Township school tax

148. It shall be the duty of the comptroller aforesaid to apportion the said tax among the several counties, in

Comptroller shall apportion tax among counties.

P. L. 1881,
Chap. CVI, § 2.

Transmit state-
ment.

[See P. L. 1866,
Chap.
CCCCLXXX-
VII.]

Duties of as-
sessors.

Assessment of
state school tax
when said tax
has not been as-
sessed at the
regular time.

P. L. 1891,
Chap. LXI, § 1.

Assessor to as-
sess within thirty
days after re-
ceiving notice.
Ibid. § 2.

proportion to the amount of taxable real and personal estate of said counties respectively, as shown by the ratables respectively as aforesaid, and it shall be his further duty to transmit, on or before the first day of April of each year, to the county collector of each county, a statement of the amount of said tax apportioned to and payable by said county, and said county collector shall lay said statement before the board of assessors of the townships and wards within his county at their next annual meeting, to apportion the taxes among said townships and wards, and said assessors shall thereupon proceed to apportion said school taxes as other taxes are apportioned, and to assess the same according to law.

149. Whenever any borough or other taxing district in this state has refused or neglected, or shall hereafter refuse or neglect to elect or appoint an assessor to assess and levy, or a collector to collect the state school tax or other tax due to the state, it shall be the duty of the assessor and collector of the township from which the said borough or taxing district was originally carved or set off to assess, levy and collect all taxes due from such borough or taxing district, whether in arrears or otherwise, in the manner provided in the act to which this is a supplement, to wit, said supplement of April eleventh, one thousand eight hundred and sixty-six, and to pay over the same as by law they would be required to do if they had assessed, levied and collected the same under said act of April eleventh, one thousand eight hundred and sixty-six.

150. It shall be the duty of such township assessor, within thirty days after written notice from the county collector of the amount of taxes due and unpaid from such borough or taxing district, to assess and levy upon the taxable property of such borough or taxing district the taxes due and unpaid, and in giving such notice the county collector shall state the amount of taxes due or in arrears, and such statement and notice shall be a sufficient warrant to the assessor in assessing the same.

151. The said assessor upon receiving such notice shall proceed immediately to make such assessment, and as soon as the same is completed shall turn over his duplicate to the collector of said township, and such assessor shall be entitled to the same rate of compensation for assessing such taxes as he is now entitled to receive under the said act of April eleventh, one thousand eight hundred and sixty-six, or any act which amends or changes the provisions thereof.

Compensation of assessor.
Ibid. § 3.

152. The collector of said township shall, within two days after receiving the said duplicate, notify the commissioners of appeal of such township that the duplicate has been delivered to him, whereupon it shall be the duty of said commissioners of appeal, within ten days and upon giving not less than five days' notice of a time and place to be by them appointed, to hear all complaints relating to such assessment, and to correct and amend such assessment as fully and effectually as they are now empowered to correct assessments by said act of April eleventh, one thousand eight hundred and sixty-six, or any act which amends or changes the provisions thereof; and such commissioners of appeal shall be entitled to the same compensation for such service as they are now entitled to receive under said act of April eleventh, one thousand eight hundred and sixty-six, or any act which amends or changes said act.

Commissioners of appeal
Ibid. § 4.

153. It shall be the duty of the collector of such township to proceed within two days after the meeting of said commissioners of appeal to collect the taxes assessed and levied by the assessor under this act; and in making such collections the said collector is hereby vested with all the powers conferred upon him for that purpose by any act of the legislature; and such collector shall be entitled to the same rate of compensation for collecting such taxes as he is now entitled to receive under any act of the legislature.

Collector to collect said tax.
Ibid. § 5.

Compensation.

154. It shall be the duty of the county collector of any county in which is located a borough or taxing district, such as is described in the first section of this

County collector to pay to state treasurer.
Ibid. § 6.

[See sec. 149.]

act, to pay over to the state treasurer out of any moneys that may be in his hands belonging to the county and unappropriated, the amount of taxes due the state from said county, whether the full amount of tax has been collected or not.

Freeholders to borrow in advance of such collection
Ibid. § 7.

155. The board of chosen freeholders of the county shall have power to borrow the amount of any such taxes due the state, in anticipation of the collection of said taxes, upon such terms as they may deem proper, and issue proper obligations therefor signed and executed as bonds of said county are signed and executed, and pay said taxes to the state immediately.

Duties of county collectors
P. L. 1871,
Chap. DXXVII
§ 3.
[See sec. 157.]

156. It shall be the duty of the county collectors of the several counties of this state to pay to the treasurer of this state the quotas due from their respective counties of the taxes imposed by this act, on or before the first day of January, annually, next ensuing the assessment thereof.

Collectors in counties of third and fourth classes may pay teachers' orders before settlement with county collector.

P. L. 1890,
Chap. LXXIX,
§ 1.

157. Hereafter it shall be lawful for the collector of any town or township, school district or districts in counties of the third and fourth class with the advice and consent of the county collector, to disburse and pay out for the salaries of teachers in the public schools any money received and collected by him for state school tax, pending settlement by him with the county collector of and for the amount due from the town or township to the county collector, and the amount due and coming through the hands of the county collector to the school district or districts as the apportionment of state school money, other than the state appropriation; *provided*, that the amount of such disbursement shall not exceed seventy-five per centum of the amount of said apportionment of state school money; and all such payments so made, on presentation of warrants legally and regularly issued by the board of school trustees, shall be considered and credited as partial payments of the state school tax from the town or township to the county collector, and the warrants so paid shall be placed in his hands and retained by said county collector until final settlement be made by him with said township col-

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lector for the state school tax and state school apportionment for that current year, when the said warrants shall be returned, as part payment to the amount of their face value, of the apportionment of state school money due the town, township or school district or districts.

158. Ten per centum of the full amount of money annually raised by virtue of the seventy-seventh section of this act shall be known as a reserve fund, and shall be apportioned among the several counties of this state, by the state board of education, equitably and justly, according to their own discretion, on or before the fifteenth day of April subsequently to the aforesaid apportionment by the comptroller of the treasury; and it shall be the duty of the state superintendent of public instruction, on or before the tenth day of January next ensuing said apportionment, to draw orders on the comptroller of the treasury, and in favor of the county collectors, for the payment of ninety per centum of the amount of school tax paid by the counties respectively; and the said county collectors shall apply for and be entitled to receive the amount of said orders as soon as the same are received; and the said superintendent shall also draw his orders in favor of the respective county collectors, for such portion of the reserve fund as shall have been apportioned to the counties respectively, as aforesaid, which orders shall be payable when the said reserve fund has been paid by the several counties; *provided*, that no portion of said moneys shall be used for the support of sectarian schools.

State board of education shall apportion reserve fund among the counties.
P. L. 1881,
Chap. CVI, § 3.
[See sec. 147.]

State superintendent to draw orders.

Proviso.

159. It shall be the duty of the county superintendent of each county to apportion annually to the districts and cities of his county the state school moneys, together with the interest of the surplus revenue belonging to said county, and such other money as may be raised for school purposes upon the basis of the last published school census; *provided*, that all children residing in fractional districts, situated in two or more adjoining townships, shall be included in the census of that township in which the

County superintendents shall apportion moneys among townships, cities and districts.
P. L. 1888,
Chap. CXXXII
§ 2

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fraction containing the school house is situated; and *provided also*, that no district shall receive less than two hundred and seventy-five dollars; and that districts with forty-five children or more shall not receive less than three hundred and seventy-five dollars.

State superintendent to give orders in favor of county collector. P L 1867, Chap. CLXXIX, § 74.

160. The state comptroller, annually, after having received from the state superintendent of public instruction a statement of the apportionment of the state appropriation among the several counties, shall draw his warrant on the state treasurer in favor of the county collector of any county for the portions to which said county is entitled, whenever such county collector shall present an order for the same drawn by the state superintendent of public instruction in favor of such county.

County superintendents to give orders in favor of township collectors. Ibid. § 75.

161. The county collector of each county shall receive and hold in trust that part of the state appropriation belonging to his county, and shall pay out the same to the collectors of the several townships, and to the city treasurers of the cities of his county, only on the orders of the county superintendent; *provided*, that in townships where there are less than two hundred children between the ages of five and eighteen, the inhabitants may raise such a sum per child as will be sufficient to maintain their schools.*

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* (1) A county collector is not required or permitted to exercise any discretion as to how much of the state appropriation the several township collectors in the county are entitled to receive from him. The question as between these officers is settled conclusively by the order of the county superintendent of public schools. (2) The notion that a county collector can, in any case, lawfully reduce the amount by setting up some counter-claim, whether in his own behalf or in behalf of his county, and whether against the township collector, personally, or against his township, is neither justified by the language nor consistent with the policy of our school laws. *State, Herder, &c., v. Collector, &c.*, 7 Vr. 363.

(1) The county collector of each county shall receive and hold in trust the state appropriation for public schools belonging to his county, and pay the same to the collectors of the several townships and to the city treasurers of the cities of his county only on the orders of the county superintendent, and is responsible for these moneys if otherwise expended. (2) School taxes are to be levied and applied for the fiscal year beginning September 1st, succeeding the assessment, and not for the preceding year. (3) A mandamus will be allowed for the payment of the county superintendent's order for the state appropriation for public schools, where the moneys have been applied for school purposes in the preceding year, beginning January 1st. *State, ex rel. Board of Education, &c., v. Sheridan, &c.*, 13 Vr. 64.

A mandamus will be granted against a county collector in favor of a township collector or city treasurer to compel the payment of school moneys, although the township collector or city treasurer may owe the county collector money for state or county taxes. *Board of Education v. Sheridan*, 16 Vr. 276.

162. It shall be the duty of the township collector of each township to receive and hold in trust all school moneys belonging to the township or to any of the districts thereof, whether received from the state appropriation, from township or district tax, or from other sources, and to pay out the same only on the orders of the district clerks of the several districts of his township, which order shall specify the object for which it is given, and shall be signed by at least one other trustee beside said clerk, and shall be made payable to the order of and be indorsed by the person entitled to receive it, and he shall, on the order of the township committee, pay over any balance of school funds remaining in his hands to his successor in office, and he shall procure a suitable book, in which he shall keep a separate account with each school district in his township, crediting each with the amounts apportioned to it by the county superintendent, and the amount raised by tax in the district, and charging each with the orders paid for said district, and he shall present his accounts to be examined and settled by the township committee at the close of the year, a copy of which settlement, certified by the committee, showing the amounts received, the amounts expended by him for school purposes during the year (and the balance remaining in his hands); he shall transmit said copy within ten days to the county superintendent, and another copy of the same he shall file with the clerk of the township, and as compensation for such service the township collector shall be entitled to receive three-fourths of one per centum on all school funds received and paid out by him for such purposes during the year, to be paid by the township committee from the funds of the township.*

Township collectors to hold school moneys in trust.
Ibid. § 78.
[See secs. 163, 164, 165, 167 and 168.]

[See sec. 172.]

To keep accounts of school moneys.

Report to township committee and to county superintendent.

Compensation.

* 1. The township collector is entitled to three-fourths of one per cent. on all school moneys received and held in trust by him, and three-fourths of one per cent. on all school moneys paid out by him, exclusive of the balance received from his predecessor, and the balance paid to his successor. *Demarest v. New Barbadoes*, 11 Vr. 604.

2. A mandamus will be granted to compel a township collector to pay the balance of school moneys to his successor. *Meinzer v. Disbrow*, 13 Vr. 141.

3. An order of the district clerk, which specifies the object for which it was given without any designation of the yearly taxes out of which it shall be payable, is a sufficient voucher for the township collector. *Zimmerman v. Mathe*, 20 Vr. 45.

School orders to bear interest when collector has no funds to honor same
P. L. 1890,
Chap. CXII, § 1.

163. Whenever any order for payment of teachers' salaries or the incidental expenses of public schools shall be drawn by any board of trustees on any township collector or other disbursing officer, which order there shall be no funds in the hands of such collector or other disbursing officer to meet, that then and in every such case such order shall bear legal interest until such time as said collector or other disbursing officer shall be prepared to honor the same, of which readiness he shall give public notice, whereupon said interest shall cease.

Fractional districts
P. L. 1871,
Chap. DXXVII
§ 6.

164. All school moneys belonging to fractional districts shall be held, subject to the order of the trustees, by the collector of that township in which the fraction containing the school house is situated.

Sinking funds for schools.
P. L. 1882,
Chap. CXLIX,
§ 1.

165. The officer in every township whose duty it now is by law to receive and hold in trust the school moneys of the several school districts in such township (whether such officer be called collector of taxes, receiver of taxes, township treasurer, or by any other name), shall collect, receive and hold in trust and be accountable for all securities, funds and moneys of any school district in such township, which belong to any sinking fund or interest account, or to a fund provided for the redemption of any bonds or the payment of any debt of such district; and all payments and disbursements of money, whether for interest, for discharge of principal debt, or for investment, shall be made by and through such township financial officer, on school orders duly signed by the district trustees.

Trustees to pay and deliver moneys and securities to collector or other financial officer.
Ibid § 2.

166. It shall be the duty of the school trustees of any school district in this state, within thirty days after the passage of this act, to pay over and deliver to the township collector, receiver of taxes or other financial officer as aforesaid, of the township in which such district is situate, all moneys and securities in their hands belong-

4. The township collector paying out school moneys on statutory orders is not responsible for the application the school trustees have made of the money. *Zimmerman v. Mathe*, 20 Vr. 45.

5. See note to section 171.

ing or relating to any funded indebtedness of such district.

167. The bonds or other securities given and to be given for the faithful performance of duty by any such township collector, receiver of taxes or other financial officer of any township, into whose hands shall come the money and securities of any school district, shall be liable for and held to embrace the faithful performance of duty raised by this or any other act relating to the care of school funds and securities by such financial officer.

168. On or before the fifteenth day of September in each year, it shall be the duty of all township collectors, city treasurers, and other persons who may be the custodians of moneys belonging to the several school districts in this state, to pay to the county collectors of their respective counties all balances derived from moneys apportioned to said districts by the county superintendents which may then be in their hands to the credit of said districts, and to report forthwith to the county superintendents of their respective counties the amounts thus paid over; and it shall be the duty of each county collector, on or before the first day of October in each year, to report to the county superintendent of his county the amount of money received by him by virtue of the provisions of this act, and the county superintendent shall thereupon re-apportion such amount among all the school districts in his county, except as hereinafter provided, and the sums thus re-apportioned shall immediately be returned to the several township collectors, city treasurers, and other persons entitled to the custody of the school moneys, on the orders of the county superintendent, and shall be available for the then current school year; and the sum thus re-apportioned to any district shall be in addition to and in excess of the sum apportioned to such district by the county superintendent for said school year; *provided*, that the county superintendent may, for good cause shown, allow the balance due any school

Bonds of collector, etc.
Ibid. § 3.

Balances due districts to be paid to county collectors
P. L. 1891,
Chap. CLXV,
§ 1.

County collector to report to county superintendent

County superintendent to re-apportion balances.

Proviso.

Balance used for improvements in certain cases.

Proviso.

district to remain in the hands of the custodian of the school funds of such district to the credit of such district, and such balance shall thereafter be used and expended by the trustees of such school district for the purpose of paying teachers' salaries and fuel bills, or, by and with the written consent of the county superintendent, in the improvement of the school house and grounds, the purchase of school furniture or apparatus, or for any other purpose connected with the schools of such district; *and provided also*, that in case the county superintendent shall allow any district to retain any such balance, the said district shall not be included in any such re-apportionment nor entitled to any of the proceeds thereof.

DISTRICT TAX.

Cities and districts may raise school tax.*
[See sec. 147.]
P. L. 1879,
Chap.
CLXXVIII, § 1.

Annual district meeting for ordering school tax.
[See sec. 173.]

Mode of procedure for raising district tax.

Power of district meeting.

169. In addition to the tax imposed by the seventy-seventh section of this act, each city and school district may raise by tax such other sums of money as they may need for school purposes, in the following manner, unless otherwise authorized by any special act applicable to such city school district; the legal voters of such districts are hereby authorized and required to meet on the Tuesday of the week following the annual town meeting, for the purpose of determining what additional school tax, if any, shall be levied upon the district; said meeting shall be held at some convenient public place within the district, and notice thereof, setting forth the time, place and object of such meeting and the amount of money desired to be raised, shall be given by the district clerk, and set up in at least three public places within the district, ten days before the day of meeting,* and the said inhabitants, so met, shall have power, by the consent of a majority of those pres-

* 1. When an assessment is ordered by the inhabitants of a school district called for that purpose, to sustain the assessment, proof must be clear that ten days' legal notice of the time, place and purposes of such meeting had been given. *State v. Van Winkle*, 1 Dutcher 73.

2. A notice indicating that the object of the meeting is to purchase a school house, will not warrant a resolution to pay for a house already built. *Lamb v. Hurff*, 9 Vr. 310.

ent, to authorize the trustees of said district to purchase land for school purposes,* to build, enlarge or repair a school house or school houses, and to borrow money therefor, or to sell or mortgage a school house or school houses, and to raise by taxation for these purposes, or to pay a debt of the district incurred for such purposes, and for the current expenses of the school or schools, such sum of money as a majority of the inhabitants so assembled shall agree to; and if at such meeting the trustees shall be authorized to borrow money not exceeding four hundred dollars in amount, to build or repair a school house to cost less than five hundred dollars, such meeting may direct that the money to pay the debt so authorized be raised by poll-tax,† as- [See sec. 313.]
 sessed upon the taxable inhabitants of said district, and that one hundred dollars, with interest, on the amount of said borrowed money remaining unpaid be so raised in each year, for a period of four years; and in case any money shall be ordered, by a vote of a majority of said meeting, to be raised by taxation, the district clerk shall make out and sign a certificate thereof, under oath or affirmation, that the same is correct and true, and deliver the same to the assessor or assessors of the township or townships in which said district is situated,‡ and to the county superintendent,

Certificate of clerk.

* The trustees must designate the place where the lands to be purchased lie, and the notices calling the district meeting must contain a description of the lands so designated. The district meeting cannot authorize the purchase of land not described in the notices. *Zabriskie v. School District 10, Bergen Co.*, 23 Vr. 104.

† The authority to raise a poll-tax for school purposes is repealed by P. L. 1891, Chap. CCLXXI.

‡ 1. The sworn certificate of the clerk to the assessor must specify the amount to be raised for each purpose; that the notices were posted in "at least three public places in said district," and all other facts necessary to show that the law has been complied with.

The affidavit must verify all the material facts set forth in the certificate. *State v. Hardcastle*, 11 Dutcher 143, 3 Dutcher 551; *Winsor v. Donahay*, 1 Vr. 404; *Banghart v. Sullivan*, 7 Vr. 89; *Trustees v. Padden*, 15 Vr. 151; *Quaid v. Trustees, &c.*, 20 Vr. 607.

2. It is essential to the validity of the certificate of district clerk, that it set forth that due notice has been given of the amount of money proposed to be raised at the district meeting. *Slack v. Palmer*, 10 Vr. 250.

3. The certificate to the assessor must show how the money ordered to be raised is to be apportioned, and that the apportionment was made by the district meeting. *Duryea v. Greenleaf*, 5 Vr. 441; *Banghart v. Sullivan*, 7 Vr. 89; *Corrigan v. Duryea*, 11 Vr. 226; *Trustees v. Padden*, 15 Vr. 151.

4. The certificate to the assessor must state what the notice given of the meeting was, and when and where the notices were put up. *Quaid v. Trustees*, 20 Vr. 607.

Assessment.
[See secs. 170
and 171.]

Collection.

Proviso.

[See sec. 66,
div. 11.]

Proviso.

Special school
tax to be a
separate item
in tax levy.
P. L. 1882,
Chap. CII, § 1.

which said assessor or assessors shall assess on the inhabitants of said school districts and their estates, and the taxable property therein, in the same manner as township taxes are assessed, such sum of money as shall have been ordered to be raised by the said meeting, in the manner aforesaid; and said money shall be assessed, levied and collected; and it shall be the duty of the collector or collectors of the township or townships in which said district is situate, to pay over all moneys by him or them received, which shall have been assessed by virtue of such a vote of a district meeting as aforesaid, on the order of the district clerk of said district, to be used for the purpose directed by the district meeting so held as aforesaid; *provided*, that whenever any district school meeting shall be held as aforesaid, or at the call of the trustees, as provided in the eleventh division of the thirty-ninth section of this act, it shall not be lawful for such meeting to order a greater sum of money to be raised by a district tax than shall have been mentioned and designated in the notice of such meeting set up in the manner required by law; *and provided further*, that whenever in the judgment of the trustees of any district, it shall not be necessary to levy a district tax for school purposes, the district clerk thereof shall not set up the notices directed to be given as aforesaid.*

170. In all cases where a tax shall be levied in any city, borough, town or township of this state, which tax shall include any moneys to be raised for school pur-

*1. The resolution passed at the district meeting must direct the particular purpose, which must be one of the purposes in the act, and must be contained in the notice. If money is voted for more than one purpose, the resolution must specify the amount apportioned to each. *Cochrane v. Garrabrant*, 3 Vr. 444; *Banghart v. Sullivan*, 7 Vr. 89; *Corrigan v. Duryea*, 11 Vr. 266.

2. A resolution to raise money to build and furnish a school house is not bad because the amount to be used for building and the amount for furnishing are not separately stated. *Stackhouse v. School Dist. No. 43, Sussex Co.*, 23 Vr. 291.

3. A resolution to sell an old school house, passed at the same meeting that it was resolved to raise money to build a new house, is illegal if the notice calling the meeting does not state that it would be a subject for consideration. *Stackhouse v. School Dist. No. 43, Sussex Co.* 23 Vr. 291.

4. It is essential that the purpose for which the tax is imposed shall be particularly designated. "For incidentals" is not sufficient. *Schomb v. Cole*, 22 Vr. 277.

5. School taxes must be assessed upon the same property, and in the same manner as all other taxes. *Roll v. Perrine*, 5 Vr. 254.

poses, the amount of tax against any property, either real or personal, which shall be intended for such school purposes, shall be entered in the tax levy made against said property as a separate item; and all tax bills which shall be sent out or rendered by any city, borough, town or township of this state shall state the amount of said school tax in a separate item.

171. The several assessors and collectors of the townships and wards of this state shall be entitled to receive five cents, and no more, for each name for assessing, levying and collecting district school taxes.*

Compensation to assessors and collectors.
P. L. 1875,
Chap. CCCXLVI, § 1.

172. Nothing in the act entitled "An Act to establish a system of public instruction" (Revision), approved March twenty-seventh, eighteen hundred and seventy-four, shall be construed to require the township collector to pay over to the county collector any school moneys received by him from special township or district school taxes raised under the eighty-sixth section of said act.

Township and district taxes not to be paid to county collector.
P. L. 1885,
Chap. CXLI, § 1.

[See sec. 169.]

173. At each annual or special school meeting held in any school district in this state, the legal voters thereof shall vote by ballot, and not otherwise, to raise money for any school purposes whatever.

District meetings to vote only by ballot.
P. L. 1889,
Chap. LXXXIV, § 2.

DISTRICT BONDS.

174. It shall and may be lawful for the inhabitants of each district, when met in conformity to the provisions of the eighty-sixth section of this act, or at the call of the trustees, as provided in the eleventh division of the thirtieth section of this act, by the consent of a majority of those present, to authorize the trustees, for the purpose of purchasing land for school purposes, or for the purpose of building a school house or school houses, or making additions, alterations, repairs or improvements in or upon such school house or school houses already

Districts may issue bonds.
[See sec. 66,
div. xi.]
P. L. 1888,
Chap. CCCVII,
§ 1.
[See secs. 169
and 173.]

* In view of the fact that the collection of district school taxes is the same thing as receiving district school taxes, I come to the conclusion that the receipt of three-fourths of one per cent. for collecting these taxes is forbidden. *Bergen Circuit Court, New Barbadoes, v. Van Horn*, Dec. 1887.

erected, and the lands upon which the same are located, and any additional lands purchased for school purposes in such district, to issue bonds of the district in the corporate name of the district in such sums and in such amounts, and payable at such times as the inhabitants so met may direct, with interest at a rate not exceeding six per centum per annum, payable half yearly; which bonds shall be signed by the trustees of such district and attested by the clerk under the seal of the district; and the bonds so issued shall be a lien upon the property of the said district.

Rate of interest.

Cities may borrow money to build school-houses.
P. L. 1889,
Chap.
CCXII, § 1.

175. The board of education, board of school trustees, or other body having charge and control of the public schools in any school district in this state, acting under a special charter, or under the provisions contained in the charter of any city, town, borough or other municipality, is hereby authorized and empowered, for the purpose of building or enlarging school houses, by and with the consent of the board having charge and control of the finances of such municipality, to borrow from the "trustees of the fund for the support of public schools" such sum or sums of money as may be necessary for that purpose; that the money thus borrowed shall be secured by bonds to be issued in the corporate name of said municipality or school district, to be known as district school bonds, which bonds shall bear interest at the rate of five per centum per annum, payable annually, and the said bonds shall and are hereby declared to be the first lien upon the school house and lot on which the same is erected, and for the erection or repair of which they shall have been issued; that no loan authorized by this act shall be less than five hundred dollars; that such loan may be paid at such times and in such amounts as the board of education, board of school trustees or other body borrowing money under the provisions of this act may direct; *provided*, that the first payment on any such loan shall become due and payable not later than five years from the date of said loan, and that the last pay-

Money to be secured by bonds.

Time of payment of bonds.

ment on any such loan shall be made not later than ten years from the date thereof.

176. If any charter of any incorporated school district, city, town, borough or other municipality in this state shall limit the amount of indebtedness that may be incurred, or shall limit the amount of tax or the rate of taxation in any incorporated school district, city, town, borough or other municipality or by its terms prevent the carrying out of the provisions of this act, the same shall not hereafter be held to apply to the raising of money under the provisions of this act, and the powers herein conferred shall embrace every school district in this state, any public, local, special or other law to the contrary notwithstanding.

Charter limitations respecting indebtedness not to apply to money borrowed under this act. Ibid. § 2.

177. The treasurer of this state, under the direction of the "trustees for the support of public schools," is hereby authorized to invest the fund for the support of public schools in this state in the bonds issued by virtue of this act; *provided, always*, that said trustees, before giving such direction, shall be satisfied that the lot upon which the school-house is proposed to be erected or repaired is free from all incumbrances, and that the said bonds, when issued, will become the first lien upon said lot with the improvements thereon, and that the city, town, borough or municipality applying for the loan has not defaulted in the payment of the principal or interest of any bonds theretofore issued within two years from the date of the application.

Bonds may be taken by state school fund Ibid. § 3.

Proviso.

178. Copies of all papers and proceedings authorizing the issuing of such bonds shall be submitted to the attorney-general for his approval of the legality of the same, and that duplicate copies of such papers and proceedings shall be filed in the office of the state superintendent of public instruction.

Proceedings to be approved by Attorney-General. Ibid. § 4.

179. The state superintendent of public instruction shall prepare and furnish the necessary blanks and forms for all proceedings under this act.

Blanks to be prepared by state superintendent. Ibid. § 5.

180. It shall be the duty of the officers or board charged with the raising, levying and assessing of taxes

Assessment for payment of bonds. Ibid. § 6.

in any school district or municipality issuing bonds under the provisions of this act to assess upon the inhabitants thereof and their estates and the taxable property therein, an amount sufficient to pay the bond or bonds of the district maturing in such year, together with the interest accruing upon the whole issue of the unpaid bonds of such district or municipality, and the tax thus ordered shall be assessed, levied and collected in the same manner as other taxes for school purposes are assessed, levied and collected.

Bonds a lien upon district.
P. L. 1886,
Chap. CI, § 1.

181. The bonds of the several school districts of this state, heretofore or hereafter legally issued for the purpose of building school-houses, or for enlarging or repairing school-houses, shall be a lien upon the real and personal estates of the inhabitants of the said districts, as well as the property of the districts; and the property of the inhabitants, as well as the property of the districts, shall be liable for the payment of the same; and the interest on said bonds shall be payable semi-annually, and coupons shall be attached thereto; and that in all cases copies of all papers and proceedings authorizing the issuing of such bonds shall be submitted to the attorney-general for his approval of the legality of the same; and that duplicate copies of such papers and proceedings shall be sent to the state superintendent of public instruction.

Proceedings to be approved by attorney-general.

Duplicate copies to be sent to state superintendent.

Report of indebtedness to be sent to state superintendent.
Ibid. § 2.

182. The district clerk, or other person performing the duties of a district clerk, in any district in which there is any interest-bearing school debt, shall, on or before the first day of September in each year, report to the state superintendent of public instruction the amount of such debt then remaining unpaid, together with the rate of interest, the date or dates on which the bonds, notes or other evidences of indebtedness were issued, and the date or dates on which they shall fall due.

Assessments for payments on bonds.
P. L. 1872,
Chap. DXLI,
§ 3.

183. Whenever any district shall order and authorize the issue of bonds, for the purpose aforesaid, it shall be the duty of the district clerk of such district, each and

every year, to issue the warrant of the district, signed by the trustees, and attested by the clerk under the seal of the district, to the assessor or assessors of the township or townships in which such district is situate, directing him to assess upon the inhabitants of said school district, and their estates and the taxable property therein, an amount sufficient to pay the bond or bonds of the district maturing in such year, together with the interest accruing upon the whole issue of the unpaid bonds of such district, which warrant, so issued as aforesaid, shall be executed in the same way and manner as is provided by the eighty-sixth section of this act.

184. Whenever any bonds shall have been legally issued for the purpose of purchasing land and building school houses by any school district in this state, under authority of law, or any renewal or renewals thereof, and the same shall be due or unpaid or outstanding, and whenever it may be desirable for the interests of the district that the same or any part thereof should be renewed by the execution of new bonds, the trustees or a majority of them of such district are hereby empowered to renew such outstanding bonds or any part thereof by the issuing of new bonds for that purpose in the name and under the seal of said district; provided such renewal issue shall be authorized by said district at a meeting specially called to vote thereon, and such bonds shall be in the general form and manner of the bonds heretofore issued, signed by the trustees of said district or a majority of them, and attested by the clerk of the said district, which bonds shall be made payable at periods of time not exceeding fifteen years from the date of issuing the same, and they shall bear interest at a rate not exceeding six per centum per annum and be issued in such sums of not less than one hundred dollars nor more than one thousand dollars, as the said trustees may determine, and which bonds shall have coupons attached for current payment of interest, which coupons shall be attested by the clerk of the district and bear its seal and shall be numbered to correspond with the bond

Renewal of
school bonds.
P. L. 1886,
Chap. XV. § 1.

Rate of interest.

to which they shall be respectively attached; and any bonds so issued shall be numbered and a proper registry thereof be kept by the said clerk; and such bonds may be sold at public or private sale for the best attainable price, but not less than par, and the money so realized shall be at once applied to the taking up and cancellation of such outstanding bonds; or said renewal bonds may be exchanged on an equal basis of principal and interest for such outstanding bonds; and the said bonds so redeemed shall be forthwith cancelled by the said trustees.

Bonds a lien on districts.
Ibid. § 2.

185. The bonds of the several school districts of this state, so issued to renew bonds heretofore or hereafter legally issued for the purpose of purchasing land and building school-houses, shall be a lien upon the real and personal estates of the inhabitants of the said districts as well as the property of the said districts; and the property of the inhabitants as well as the property of the districts shall be liable for the payment of the same; *provided*, that in all cases copies of all resolutions, papers and proceedings authorizing the issuing of such bonds shall be submitted to the attorney-general for his approval of the legality of the same, who shall receive such compensation for the examination thereof as shall be fixed by the trustees for the support of public schools, which sum shall be paid by the districts issuing such bonds.

Proviso.

Notice to Assessor.
Ibid. § 3.

186. Whenever any district shall order and authorize the issue of bonds for the purpose aforesaid, it shall be the duty of the district clerk of such district, each and every year next before any such bond shall mature, to issue the warrant of the district, signed by the trustees and attested by the clerk under the seal of the district, to the assessor or assessors of the township or townships in which such district is situate, directing him or them to assess upon the inhabitants of said school district, and their estates and the taxable property therein, an amount sufficient to pay the bond or bonds of the district then next maturing, together with the interest

accruing upon the whole issue of the unpaid bonds of such district, which warrant so issued as aforesaid shall be duly executed by him and the moneys be assessed, levied and collected; and the collector shall pay over, on the written order of the district clerk of said district, all moneys so collected by him.

187. On the taking up of such outstanding bonds, or on the payment of any bonds of any school district, now issued or hereafter to be issued, the trustees of the district shall forthwith stamp and mark the same as canceled; and when so marked and canceled they shall be deposited in the office of the state superintendent of public instruction.

Cancellation of
old bonds.
Ibid. § 4.

188. The treasurer of this state, under the direction of the trustees for the support of public schools, is authorized to invest the funds for the support of public schools in this state in such renewed bonds of the several school districts of this state, or to exchange therefor other bonds of the same district.

School fund
may be invested
in new bonds.
Ibid. § 5.

SURPLUS REVENUE.

189. The several townships in this state are authorized and required to appropriate the interest of the surplus revenue received by them, and from other funds not raised by tax, such sums for the support of the public schools as they shall order and direct at their annual town meetings, in addition to the amount received from the state appropriation and the amount which they raise by tax.

Interest on sur-
plus revenue
appropriated
to schools.
P. L. 1867,
Chap.
CLXXIX, § 77.

SCHOOL LIBRARIES.

190. The treasurer of the school fund, upon the order of the state superintendent of education, is hereby authorized and directed to pay over the sum of twenty dollars out of the income of the school fund, to every public school for which there shall have been raised by subscription or entertainment a like sum for the same

Library appro-
priation.
P. L. 1878,
Chap. CCXLII,
§ 1.
P. L. 1885,
Chap. CLXIV,
§ 1, div. vii.

purpose, to establish in such school a school library, and to procure philosophical and chemical apparatus; and the further sum of ten dollars annually, upon a like order, to the said public school, upon condition that there shall have been raised by subscription or entertainment a like sum for such year, for the purposes aforesaid.

Districts having more than one building may consolidate library.
P. L. 1892,
Chap. CXCI, § 1

191. In all school districts where there are more than one school-house, it shall be lawful to receive from the state treasury, as in said bill directed, the sum prescribed to be paid to each school-house, and that such district shall have power to consolidate and establish a library in one place in said district as may be designated by the board of education or such other power as has control of the public schools in said district.

Selection of books.
P. L. 1871,
Chap. DLVI,
§ 2.
Rules.
Ibid. § 2.

192. The selection of books and apparatus shall be approved by the school trustees of such district.

193. The school trustees of each district shall make proper rules and regulations for the management, use and safe keeping of such libraries.

Teachers' library, appropriation for.
P. L. 1891,
Chap. LXXIX,
§ 1.

194. Whenever in any county in this state there shall have been raised by subscription a sum of money not less than one hundred dollars for the establishment of a library of pedagogical books for the use of the teachers of public schools in such county, the treasurer of the school fund, upon the order of the state superintendent of public instruction, is hereby authorized and directed to pay the sum of one hundred dollars out of the income of the school fund to the county superintendent of said county; and the further sum of fifty dollars annually thereafter, upon a like order, upon conditions that there shall have been raised by subscription a like sum for such year for the purpose aforesaid.

Rules.
Ibid. § 2.

195. The county superintendent, and three teachers of public schools in such county appointed by him, shall constitute a committee for the selection of said books and the necessary apparatus, and the making of rules and regulations for the management, use and safe keeping of such libraries.

ARBOR DAY.

196. In order to secure the coöperation of the schools in carrying into effect the provisions of the joint resolution relative to the annual arbor day, it shall be the duty of the state superintendent of public instruction to prepare and issue such circulars of information and instruction as may be necessary.

State superintendent to issue circulars of information, etc. P. L. 1884, Chap. CIX, § 1.

197. On said annual arbor day appropriate exercises shall be introduced in all the schools of the state, and it shall be the duty of the several county and city superintendents to prepare a programme of the exercises used on such day in all the schools under their respective jurisdiction.

Exercises. Ibid. § 2.

COMPULSORY EDUCATION.

198. All parents and those who have the care of children, shall instruct them or cause them to be instructed in spelling, reading, writing, English grammar, geography and arithmetic, and every parent, guardian or other person having control and charge of any child or children, between the ages of seven and twelve years, shall be required to send any such child or children to public day school for a period of at least twenty weeks in each year, eight weeks, at least, of which attendance shall be consecutive, unless such child or children are excused from such attendance by the board of the school district in which such parents or guardians reside, upon its being shown to their satisfaction that the bodily or mental condition of such child or children has been such as to prevent his, her or their attendance at school, or that such child or children are taught in a private school or at home by some qualified person or persons in such branches as are usually taught in primary schools.

Children between 7 and 12 years of age to attend school 20 weeks each year. P. L. 1885, Chap XVII, § 1.

199. No child under the age of fifteen years shall be employed by any person, company or corporation to labor in any business whatever, unless such child shall have attended within twelve months immediately preced-

Children under 15 years of age not to be employed in any business unless they have attended school the preceding year. Ibid. § 2.

ing such employment some public day or night school, or some well recognized private school; such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks, which may be divided into two terms of six consecutive weeks each, so far as the arrangement of school terms will permit, and unless such child or his parents or guardians shall have complied with the provisions of the act approved March fifth, eighteen hundred and eighty-three, limiting the employment hours of the labor of children.

Parents or guardians to compel children to attend school. Ibid. § 3.

200. Every parent, guardian or other person having charge or control of any child, from twelve to sixteen years of age, who has been temporarily discharged from employment in any business in order to be afforded an opportunity to receive instruction or schooling, shall send such child to some public or private day school for the period for which such child shall have been discharged, unless such child shall have been excused from such attendance by the inspectors of factories and workshops, or by the board of the school district, for reasons as stated in section one hereof.

[See sec. 198.]

Penalty for failure to comply with sections 198 and 200. Ibid. § 4.

201. In case any parent, guardian or other person shall fail to comply with the provisions of sections one and three of this act, such parent, guardian or other person shall be deemed guilty of a misdemeanor, and shall, on conviction, be liable to a fine of not less than ten dollars nor more than twenty-five dollars for each subsequent offense, or to imprisonment for not less than one month nor more than three; the said fines, when paid, to be added to the public school money of said school district in which the offense occurred.

Juvenile disorderly persons. Ibid. § 5.

202. All children between the ages of seven and fifteen years, who are habitual truants from school, or who, while in attendance at any public school, are incorrigible, vicious or immoral in conduct, and all children between the said ages who absent themselves habitually from school, and habitually wander about streets and public places during school hours, having no

business or lawful occupation, shall be deemed juvenile disorderly persons, and subject to the provisions of this act.

203. In all cities having a duly organized police force, it shall be the duty of the police authority, at the request of the inspectors of factories and workshops, or of the school authority, to detail one or more members of said force to assist in the enforcement of this act, and in districts having no regular police force, subject to this act, it shall be the duty of the board of education, or the school district officers, to designate one or more constables of said city, township or village, whose duty it shall be to assist in the enforcement of this act, as occasion may require, and said board of education shall fix and determine the compensation to be paid said police officer or constable for the performance of his duties under this act; members of any police force or any constable designated to assist in the enforcement of this act, as provided in this section, shall be known as truant officers; *provided*, that in districts where no constable resides the said board shall have power to appoint some other suitable person as truant officer.

Truant officers.
Ibid. § 6.

Compensation.

Proviso.

204. It shall be the duty of any such truant officer or officers detailed to enforce the provisions of this act, to examine into all cases of truancy, when requested so to do by the inspectors of factories and workshops, or by the district school board, and to warn such truants, their parents or guardians, in writing, of the final consequences of truancy, if persisted in, and also to notify the parents, guardian or other person having the legal charge and control of any juvenile disorderly person, that the said person is not attending any school, and to require said parent, guardian or other person to cause the said child to attend some recognized school within five days from said notice; and it shall be the duty of said parent, guardian or other person having the legal charge and control of said child, to cause the attendance of said child at some recognized school; if said parent, guardian or other person having the legal charge and

Duties of
truant officers.
Ibid. § 7.

Notify parents
or guardians.

Duties of
parents, etc.

Penalty to be imposed on parent or guardian.

If parent is unable to compel child to attend school, such child may be sent to reform school.

Proviso.

Proviso.

control of said child shall wilfully refuse, fail or neglect to cause said child to attend some recognized school, it shall be the duty of said officer to make, or cause to be made, a complaint against said parent, guardian or other person having the legal charge and control of said child, in any court of competent jurisdiction in the school district in which the offense occurred, for such refusal or neglect, and upon conviction thereof said parent, guardian or other person, as the case may be, shall be punished by a fine of not less than ten dollars nor more than twenty-five dollars; or the court may, in its discretion, require the person so convicted to give a bond in the penal sum of one hundred dollars, with one or more sureties, to be approved by said court, conditioned that said person so convicted shall cause the child or children under his or her legal charge or control to attend some recognized school within five days thereafter, and to remain at said school during the term prescribed by law; *provided*, that if said parent, guardian or other person in charge of said child shall prove inability to cause said child to attend said recognized school, then said parent, guardian or other person shall be discharged, and said court shall, upon complaint of said truant officer or other person, that said child is a juvenile disorderly person within the meaning of this act, then said court shall thereupon sentence said child to a juvenile reformatory until such child shall arrive at the age of sixteen years, unless sooner discharged by the board of control of said juvenile reformatory; *provided, however*, that such sentence may be suspended, in the discretion of said court, for such time as the child shall regularly attend school and properly deport himself or herself; *it is further provided*, that if, for any cause, the parent or guardian or other person having charge of any juvenile disorderly person, as defined in this act, shall fail to cause such juvenile disorderly person to attend said recognized school, then complaint against such juvenile disorderly person may be made, heard, tried and determined in the same manner as is provided for in case the parent pleads

inability to cause said juvenile disorderly person to attend said recognized school; *and it is further provided*, Proviso. that no child under the age of nine years shall be sent to a juvenile reformatory under the provisions of this act.

205. It shall be the duty of the officers empowered, detailed or appointed under the provisions of this act to assist in the enforcement thereof, to institute or cause to be instituted, proceedings against any parent, guardian or other person having legal charge and control of any child, or any person, company or corporation violating any of the provisions of the sections of this act; *provided*, Proceedings to be instituted against persons or corporations violating this act. Ibid. § 8. this law shall not be operative in those school districts of the state where there are not sufficient accommodations to seat the children compelled to attend school under the provisions of this act; and that no prosecution shall be instituted against any parent, guardian or child unless they have received due notification from an officer empowered under this act that they are acting in violation of the provisions of this act. Proviso.

206. When there is not within the distance of two miles from the factory or shop in which a child under the age of fifteen years is employed, or from the residence of the child, a recognized efficient school, attendance at a school temporarily approved by an inspector of factories and workshops, shall, for the purposes of this act, be deemed attendance at a recognized efficient school, and the inspector of factories shall immediately report to the educational department every case of the approval of a school by him under this section. Schools other than public schools to be approved by an inspector. Ibid. § 9.

207. Two weeks' attendance of children between twelve and fifteen years of age, at a recognized half-time or evening school, shall, for all purposes of this act, be counted as one week at a day school. Attendance at half-time schools. Ibid. § 10.

208. When any provisions of this act are violated by a corporation, proceedings may be had against any of the officers or agents of said corporation who in any way participate in or are cognizant of such violation by the corporation of which they are the officers or agents, and Corporations liable for violations of this act. Ibid. § 11.

said officers or agents shall be subject to the same penalties as individuals similarly offending.

CONDEMNATION OF LAND.

Condemn land.
P. L. 1888,
Chap. LIX, § 2.

209. It shall be lawful for any school district of this state at their annual meeting, or at any special meeting called for that purpose, upon legal notice, to vote and appropriate money for the purchase or acquirement of lands and the construction of a school house, or for the purchase or acquirement of additional lands to increase the present school grounds of said district, at such place in the said school district as the school trustees thereof may designate, and for that purpose the said school trustees may acquire the said land by purchase or condemnation; *provided*, a majority of the taxable voters of said school district shall be present at any meeting as aforesaid and shall vote on any proposition presented for the condemnation of land; and any money heretofore raised by tax for any of the purposes aforesaid in any school district, and not otherwise appropriated or expended, may be used for such purpose upon the order of the school trustees of such district.

Majority of taxable voters to vote on question of condemnation.

Trustees may make necessary surveys
P. L. 1880,
Ch. p.
CLVIII, § 2.

210. It shall be lawful for such school trustees to enter upon any lands and make all such preliminary examinations, explorations, measurements and levelings as may be necessary and proper for their purposes, doing thereby as little damage as possible to the owner or owners thereof.

Supreme Court Justice may appoint commissioners.
Ibid. § 3.

211. In case said school trustees cannot agree with the owner or owners, or other persons interested in any lands which said school trustees may desire to take, use and occupy, or from which they may desire to take or divert, either in whole or in part, for the purposes of their building, or cannot agree with the owner or owners for the whole or any part of any lands as to the amount of compensation to be paid for such taking, use, diversion or occupation or interest, it shall be lawful for any justice of the supreme court of this state, upon application by

said school trustees, and upon two weeks' previous notice, served in person, or by leaving at the dwelling-house or usual place of abode of such owner or owners, or, in case of absence from the state or legal disability, published in a newspaper published nearest to the lands in question, to appoint three disinterested commissioners, residents of the county in which said lands are situated, to assess and ascertain the value of the lands so proposed to be taken, used and occupied, which commissioners shall appoint a time and place at which they shall meet to execute the duties of their appointment, and shall cause two weeks' notice thereof to be given to the parties interested therein, either by personal service or by publication in a newspaper published in the county where such lands may be, at which time and place the said commissioners shall meet and view the premises, and hear the parties interested, and take evidence, if any be offered, and for that purpose shall have power to administer oaths or affirmations, and to adjourn from day to day; and in case of the refusal or failure of either or any of said commissioners to attend and perform their said duties, the said judge shall have power to appoint another or other disinterested person or persons as commissioners to act in the place of such absent commissioner or commissioners; and the said trustees shall make and exhibit to the said commissioners at their meeting aforesaid, for the use of the parties interested, a statement and description in writing, or by drawings or maps, or both, of the lands by them sought to be taken or diverted as aforesaid, and of the use, occupation of, and excavations upon any lands by them sought to be made; and the said commissioners shall thereupon ascertain and assess the value and damages aforesaid, and shall execute under their hands and seals, or the hands and seals of a majority of them, an award to said trustees of the lands by them sought in the statements and description aforesaid, stating therein the amount of damages and compensation therefor by them assessed in favor of such owner or owners, which award shall be by

Notice to
owners.

Meetings of
commissioners.

Vacancy in
commissioners.

Proviso.

them acknowledged and filed in the county clerk's office, and by him recorded; *provided, always*, that if any real estate, the owner or owners of which shall not have given his, her or their consent in writing to the diversion or to the taking of said land, shall not have been ascertained and paid pursuant to the directions of this act, shall be injured or damaged by the diversion or diminution of any said land, that the owner or owners thereof may have and maintain his, her or their action to recover damages for such injury which he, she or they may sustain by reason of anything done under this act, as if this act had not been passed.

Payment for
land condemned.
Ibid. § 4.

212. Before taking possession of any such lands, or entering thereon for the purpose of making any excavation or occupation thereof, or taking any interest in land as aforesaid, the said trustees shall pay or tender to such owner or owners, or, in case of absence from the state or legal disability, shall deposit with the clerk of the circuit court of said county the value and damages so awarded; and the award of said commissioners and the payment or tender or deposit as aforesaid of the same, shall vest in said corporation the lands by them sought, described and set forth in said statement and description, in all respects the same as if the same had been conveyed to said trustees by said owner or owners under their hands and seals.

Appeal to Cir-
cuit Court.
Ibid. § 5.

213. If either party feel aggrieved by said assessment and award, such party may appeal to the next or second term of the circuit court of said county, by petition and notice thereof served upon the opposite party two weeks prior to such term, or published a like space in a newspaper published nearest the lands in question, which petition and notice so served or published shall vest in said courts full power to hear and determine said appeal, and if required, they shall award a venire for a jury to come before them, who shall hear and finally determine the issue under the direction of the court, as in other trials by jury; and it shall be the duty of the said jury to assess the damages to the said lands as above men-

tioned, and the value of such lands as shall be absolutely taken; and said court shall have power to order a struck jury, or a jury of view, or both, to try any such appeal, and also to order any jury which may be empaneled and sworn to try any such appeal, to view the premises in question during said trial; and the right of said trustees to appeal from and dispute the correctness of any award shall not be waived or taken away by the paying or tendering the amount of the award and taking possession of the land, or exercising the rights covered by such award; and the right of any owner of any such lands or rights in like manner to appeal, shall not be waived or lost by the acceptance of the amount so awarded, when tendered; and upon the final determination of any such appeal, the said court shall render such judgment in favor of the one party and against the other, as the right and justice of the case shall require, and shall award to the party substantially succeeding and prevailing in said appeal, his, her or their costs of said appeal against the opposite party, and shall have power to enforce the judgment so rendered by execution, as other judgments are enforced, and also by summary proceedings and attachments for non-payment thereof.

214. In case any school district of this state has purchased any lands in this state, or may hereafter purchase any lands, and has built, or may hereafter build thereon, any school house or school houses, the title to which said lands is in any way defective, it shall and may be lawful for any justice of the supreme court of this state, and the said justice is hereby directed, upon application by the trustees of said school district, upon two weeks' previous notice, served in person, or by leaving a copy thereof at the dwelling-house or usual place of abode of the owner or owners of said lands, or in case of the absence from the state or legal disability of the owner or owners, then the said notice shall be published in the newspaper published in the county where said lands are situate, for two weeks prior to the time fixed for such application, to ap-

Trial by jury.

Proceedings in case title to lands is defective
P. L. 1888,
Chap. XXXI,
§ 1.

Notice to owner.

point three disinterested persons commissioners, which said commissioners shall be residents of the county where said lands are situate, to condemn and assess and ascertain the value of the lands so purchased as aforesaid, which commissioners shall appoint a time and place at which they shall meet and execute the duties of their appointment, and shall cause two weeks' notice thereof to be given to the owner or owners thereof, either by personal service or by leaving a copy thereof at the dwelling-house or usual place of abode of said owner or owners, or in case of the absence from the state or legal disability of said owner or owners, then said notice shall be published in a newspaper printed in the county where said lands are situate, for two weeks prior to the time of such meeting; at which time and place the said commissioners, or any two of them, shall meet and view the premises and lands, and hear all the parties interested, and take evidence, if any shall be offered, and for that purpose shall have power to administer oaths and affirmations, and to adjourn from time to time; and the said trustees of said school district shall make and exhibit to the said commissioners at their meeting aforesaid, a description of said lands purchased as aforesaid, either in writing or by maps or drawings or both; and the said commissioners, or any two of them, shall thereupon ascertain and assess the value of said lands, and shall execute under their hands and seals, or the hands and seals of any two of them, and award to said trustees of said school district of the lands by them sought in the description aforesaid, stating therein the amount of compensation therefor by them assessed in favor of said owner or owners, and a description of the said lands, which said award shall be acknowledged by the commissioners making the same and filed in the clerk's office of the county where said lands are situate, and recorded by the said clerk in the same manner and in the same books that deeds for real estate are now recorded.

Commissioners
to meet.

Assess value of
lands.

215. When the said commissioners, or any two of them, shall make their award and assess the value of the lands aforesaid, that it shall be the duty of the trustees of said school district to pay to the owner or owners of said land the amount so assessed by the said commissioners, and in case the said owner or owners refuse to receive the same, or reside out of this state, or are legally disqualified, or cannot be found, then the said trustees shall pay the said amount so assessed to the clerk of the circuit court of the county where said lands are situate.

Trustees to pay
amounts as-
sessed.
Ibid. § 2.

216. The award of the commissioners aforesaid, or any two of them, and the payment of the money so assessed as aforesaid by the trustees of said school district in the manner aforesaid, shall vest in the trustees of said school district the lands and premises described in said award, the same estate that would have vested in them had the owner or owners thereof conveyed the same to the trustees of said school district under their hands and seals in fee simple.

Title to vest in
trustees
Ibid. § 3.

217. If the trustees of said school district or the owner or owners of said lands are not satisfied with the assessment of the said commissioners of the amount to be paid to the owner or owners of said lands, then and in that case either party may appeal to the next or second term thereafter of the circuit court of the county where said lands are situate, by filing a petition with the clerk of said circuit court, and serving a notice of such appeal upon the opposite party, three weeks prior to such term, or by publication in a newspaper printed in the county where said lands are situate for four weeks prior to such term; which petition, when filed, and the notice served or published as aforesaid, shall vest in said court full power to hear and determine said appeal.

Proceedings in
case of appeal.
Ibid. § 4.

218. In all cases of appeal from the assessment of the commissioners it shall and may be lawful for either party to demand and have a trial by jury, and the assessment of the court or jury shall be final.

Trial by jury.
Ibid. § 5.

Districts may
vote money.
Ibid. § 6.

219. It shall and may be lawful for any school district in this state, at their annual meeting, to vote money to carry out the provisions of this act, as money is now voted for said school district under any existing law.

Condemnation
of land for
school purposes
in cities.
P. L. 1889,
Chap. CXXXVI,
§ 1.

220. Whenever, in the judgment of the board or body having control of the public schools, and the authority to purchase lands therefor in any of the cities of this state, the price demanded by the owners of any lands or real estate which may be deemed by such board or body necessary for the use of the public schools of any such city, is exorbitant and more than the reasonable and fair market value thereof, it shall and may be lawful for such board or body, with the concurrence of the common council (whenever the concurrence of the common council or other governing body is necessary for the purchase of lands for public school purposes in any such city), to apply to a judge of the circuit court in and for the county in which such city is located, for the appointment of three commissioners to make an appraisal of the value of the lands and of the damages which the owner or owners may suffer by reason of the taking and condemnation thereof; such application shall be made upon petition, setting forth that the said board or body has been unable to agree with the owners for the purchase of such lands, and that the price demanded therefor is, in the judgment of the said board or body, exorbitant, and more than the market value thereof, and praying the same may be condemned, giving in the said petition a description of the lands which it is desired shall be condemned for the purposes aforesaid, and thereupon it shall be the duty of the said judge to appoint as commissioners three suitable persons (who shall be freeholders and residents in the county within which such application is made), to make an appraisal of the value of the lands so to be condemned, and of the damages which the owner or owners of such lands may suffer by reason of the taking thereof.

Appointment of
commissioners.

221. Such commissioners appointed by the circuit court having taken an oath faithfully and impartially to

Commissioners
to take oath.
Ibid. § 2.

execute the duties of their office, shall forthwith proceed to estimate and determine the fair value of the lands and real estate so to be taken and condemned as aforesaid, and of the damages which the owner or owners thereof will suffer by reason of the taking thereof, first having given at least ten days' notice in writing to the said owner or owners, either personally or by leaving the same at his or her place of abode, of the time and place when and where they may be heard in relation to the matter; in case any owner shall be an infant, married woman, *non compos mentis* or absent from the city or place where such condemnation proceedings are taken, or be from any cause incapacitated to act in this behalf, then notice of the time and place and object of said meeting shall be advertised or other notice given, as the judge may direct, and said meeting or meetings may be adjourned from time to time at the discretion of said commissioners, and as soon as they shall have determined upon said valuation they shall make and sign a certificate thereof and file the same in the office of the city clerk of such city, or at such other place as the said judge may direct; and immediately upon the payment to said owner or owners of the amount of the said valuation, or in case he or they will not or cannot receive the same, upon deposit of the same in such bank or institution as the said court or judge may direct, the title to and right of possession of such property shall immediately become vested in such city or place; and any owner conceiving himself or herself aggrieved by the proceedings of said commissioners, may appeal therefrom to the supreme court of this state at any time within sixty days after the filing of said certificate, and the said court shall thereupon order a trial by jury to assess the value of the said property and the said damages, which trial shall be conducted in all respects as in other cases of trial by jury, and the final judgment of the said court upon the verdict rendered therein shall be conclusive upon all parties as to the said valuation and damages, and the amount already paid or deposited

Notice to owners

Meetings of
commissioners.Payment of
award.Appeal from
award of com-
missioners.

as aforesaid shall be increased or diminished accordingly.

Title to be in name of city.
Ibid. § 3.

222. All titles taken for the purposes mentioned in this act shall be in the name of the city in which the said lands are purchased or condemned by virtue of the provisions of this act.

Compensation of commissioners.
Ibid. § 4.

223. The commissioners so to be appointed by the said judge of the circuit court shall receive such compensation for their services as the said judge shall order and direct, and the same, as well as the other expenses incident to the condemnation proceedings, shall be paid by the said city in which the lands are situate.

Expenses to be paid by city.
Ibid. § 5.

224. Any city in which such condemnation proceedings are taken shall provide the necessary funds to pay for the lands so condemned and the damages for the taking thereof, and such other expenses as may be incidental thereto, and for this purpose shall have power to raise money by taxation.

MANUAL TRAINING.

State appropriation for manual training.
P. L. 1888,
Chap.
XXXVIII, § 1.

225. Whenever any board of school trustees or board of education of any school district in this state shall certify to the state superintendent of public instruction that there has been raised by special district school tax, or by subscription, or both, a sum of money not less than five hundred dollars for the establishment in such district of a school or schools for manual training, or for the purpose of adding manual training to the course of study now pursued in the school or schools of such district, it shall be the duty of the said state superintendent of public instruction, with the approval of the governor, to draw his order on the comptroller and in favor of said district for a sum equal to that contributed by said school district as aforesaid for said object; and when such school or schools shall have been established, or manual training shall have been added to the course of study in any district, there shall be annually contributed

by the state, in manner aforesaid, for the maintenance thereof, a sum of money equal to that raised each year in said district for such purpose; *provided*, that the course of manual training established or introduced under the provisions of this act shall be approved by the state board of education; *provided further*, that the moneys appropriated by the state as aforesaid to any school district shall not exceed in any one year the sum of five thousand dollars, and that all payments made in pursuance of the provisions of this act shall be paid on the warrant of the comptroller out of the income of the school fund.

Proviso.

Proviso.

226. The trustees of any school district in this state receiving an appropriation under the provisions of this act shall annually, on or before the first day of September, make a special report to the state superintendent of public instruction of the progress of manual training in such district, and give such other information in connection therewith as he may require.

Report to state superintendent.
Ibid. § 2.

INDUSTRIAL EDUCATION.

227. Whenever any board of education, school committee, or other like body, of any city, town or township in this state shall certify to the governor that a sum of money not less than three thousand dollars, has been contributed by voluntary subscriptions of citizens, or otherwise as hereinafter authorized, for the establishment in any such city, town or township, of a school or schools for industrial education, it shall be the duty of the said governor to cause to be drawn, by warrant of the comptroller, approved by himself, out of the income of the school fund, an amount equal to that contributed by the particular locality as aforesaid for the said object; and when any such school or schools shall have been established in any locality as aforesaid, there shall be annually contributed by the state, in manner aforesaid, for the maintenance and support thereof, a sum of money equal to that contributed each

State appropriation for technical schools.
P. L. 1881,
Chap. CXLIV,
§ 1.P. L. 1885,
Chap. CLXIV,
§ 1, div. x.

Proviso.

year in said locality for such purpose; *provided, however,* that the moneys contributed by the state, as aforesaid, to any locality, shall not exceed in any one year the sum of five thousand dollars.

Money to be applied under direction of trustees.
P. L. 1881,
Chap. CXLIV,
§ 2.

228. All moneys raised and contributed as aforesaid shall be applied under the direction of a board of trustees, organized as hereinafter provided, to the establishment and support of schools for the training and education of pupils in industrial pursuits (including agriculture), so as to enable them to perfect themselves in the several branches of industry which require technical instruction.

Local tax.
Ibid: § 3.

229. Any city, town or township shall have power to appropriate and raise by tax for the support of any such school therein, such sum of money as they may deem expedient and just.

Trustees.
Ibid. § 4.

230. There shall be a board of trustees of each of such schools, which shall consist of the governor, *ex-officio*, who shall be president thereof; two persons selected by the state board of education; two by citizens and associations contributing; two by the board of education, school committee or other like body of the locality where such school is established; and one by the common council, township committee or other governing body thereof, if such city, town or township shall contribute to the maintenance of such school; the said board of trustees shall have control of the buildings and grounds owned and used by such schools, the application of the funds for the support thereof, the regulation of the tuition fees, the appointment and removal of teachers, the power to prescribe the studies and exercises of the school and rules for its management; to grant certificates of graduation, to appoint some suitable person treasurer of the board, and to frame and modify at pleasure such by-laws as they may deem necessary for their own government; they shall report annually to the state and local boards of education their own doings and the progress and condition of the schools.

Powers.

Treasurer.

231. The board of trustees of schools for industrial education, provided for and organized under the act to which this is a supplement, be and they are hereby created a body corporate under the name and style of "the board of trustees of schools for industrial education," with the right of perpetual succession, to sue and be sued, to purchase, lease and hold personal and real property, and to sell and mortgage the same, and with power to accept donations and bequests of money and property to be used for the purposes for which said boards are constituted and organized.

Trustees of industrial schools created bodies corporate.
P. L. 1890,
Chap. IX, § 1.

[See sec. 230.]

232. The said trustees shall receive no compensation for their services, but the expenses necessarily incurred by them in the discharge of their duties shall be paid out of the income of the school fund upon the approval of the governor.

Compensation.
P. L. 1881,
Chap. CXLIV,
§ 5.
P. L. 1885,
Chap. CLXIV,
§ 1, div. x.

233. Whenever in any school district there shall have been raised by special school tax or by subscription, or both, a sum of money not less than five hundred dollars, for the establishment in such district of a school or schools for industrial education or for the purpose of adding industrial education to the course of study now pursued in the school or schools of such district, there shall be appropriated by the state, out of the income of the school fund, an amount equal to that appropriated by the district as aforesaid; and when such school or schools shall have been established in any district, or said industrial education has been introduced into the course of study in the school or schools of any district, there shall be appropriated by the state for the maintenance and support thereof a sum of money equal to that appropriated each year by the district for such purpose; *provided*, that the moneys appropriated by the state as aforesaid to any school district shall not exceed in any one year the sum of five thousand dollars; the treasurer of the city or the collector of the township, as the case may be, shall be the legal custodian of any and all funds subscribed, allotted or raised for the purpose of carrying out the instruction contemplated by this act, and he

State appropriation for industrial education.
P. L. 1888,
Chap. CXIV,
§ 1.

Proviso

shall keep a separate and distinct account thereof, apart from all other moneys in his custody whatsoever, and shall disburse the fund on the properly authenticated drafts of the trustees of the school district, or other persons or board having charge of public schools in such district; any unexpended balance to the credit of this fund in any township or city at the end of any fiscal year, shall not be covered into the treasury of the city or township, but shall be at the disposal of the school trustees or other persons or board having charge of public schools in the district, for the purpose of aiding industrial education in the succeeding year or years; *provided*, that any such unexpended balance shall not be included in the report of the amount raised in any succeeding year for the purpose of procuring state funds as above provided.

Proviso.

Report to state superintendent.
Ibid. § 2.

234. The trustees or other persons or board having charge of public schools of any district in [this] state receiving an appropriation under the provisions of this act shall annually, on or before the first day of September, make a special report to the superintendent of public instruction of the progress of industrial education in such district and such other information in connection therewith as he may require.

Who may be trustees
Ibid. § 3.

235. It shall be lawful for the trustees or other persons or board having charge of public schools of any school district to associate with themselves in the management of this fund a number of citizens not exceeding ten representing the donors, in case the sum or any part thereof necessary to obtain the state appropriation shall have been raised by private subscription.

CHILDREN IN FACTORIES.

Ages of children in factories.
P. L. 1883,
Chap. LVII, § 1.

236. No boy under the age of twelve years, nor any girl under fourteen years of age, shall be employed in any factory, workshop, mine or establishment where the manufacture of any goods whatever is carried on.

237. On and after the first day of July, one thousand eight hundred and eighty-four, no child between the ages of twelve and fifteen years shall be employed in any factory, workshop, mine or establishment where the manufacture of any kinds of goods whatever is carried on, unless such child shall have attended, within twelve months immediately preceding such employment, some public day or night school, or some well recognized private school; such attendance to be for five days or evenings every week during a period of at least twelve consecutive weeks, which may be divided into two terms of six consecutive weeks each, so far as the arrangement of school terms will permit, and unless such child, or his parents or guardian shall have presented to the manufacturer, merchant or other employer seeking to employ such child, a certificate giving the name of his parents or guardian, the name and number of the schools attended, and the number of weeks in attendance, such certificate to be signed by the teacher or teachers of such child; *provided*, that in case the age of the child be not known, such teacher shall certify that the age given is the true age, to the best of his or her knowledge and belief; *provided*, that in case of orphan children, where necessity may seem to require, the guardian or others having charge of the same, may, upon application to the inspector provided for in this act, receive from him a permit for the employment of such child or children, under such regulations as the said inspector may prescribe.

Children between ages of twelve and fifteen must attend school before employment in factory, etc
Ibid. § 2.

Proviso.

Proviso.

238. No child or children under the age of fourteen years shall be employed in any factory, workshop, mill or establishment where the manufacture of any kind of goods is carried on, for a longer period than an average of ten hours in a day, or sixty hours in week.

Children under fourteen not to be employed more than ten hours a day.
Ibid. § 3.

239. Every manufacturer, merchant or other employer employing any person contrary to the provisions of this act, or who shall be guilty of any violation hereof, shall be liable to a penalty of fifty dollars for each offense, to be recovered in an action of debt in any district court

Penalty for violation of act.
P. L. 1884,
Chap.
CXXXVII, § 5.

in any city, or before any justice of the peace having jurisdiction, and that any parent or guardian who knowingly permits the employment of any such child or children, shall be liable in any like action to a penalty of not more than fifty dollars, as the court shall fix; that such action shall be prosecuted in the name of the inspector; the trial shall proceed as other actions of debt, and the first process shall be a summons returnable in not less than five days or more than ten after issue, and it shall not be necessary to indorse the same as *qui tam* actions, the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, and in case such defendant is committed under such an execution, he shall not be discharged under the insolvent laws of the state, but shall only be discharged by the court making the order for the body execution, or one of the justices of the supreme court, when such court of justice shall be satisfied that further confinement will not accomplish the payment of the judgment and costs; an affidavit of the age of any minor, made by its parent or guardian at the time of its employment, shall be conclusive evidence of the age of such minor upon any trial against a manufacturer or employer for a violation of this act, but any parent or guardian that shall knowingly swear falsely in such affidavit shall be guilty of perjury, and the inspector or deputy inspector shall be authorized, in case they shall find any minor employed under any false affidavit given as aforesaid, to order and compel such minor to desist from work; the provisions of this act in relation to the hours of employment shall not apply to or affect any person engaged in preserving perishable goods in fruit canning establishments.

240. The governor shall, immediately after the passage of this bill, appoint, with the advice and consent of the

senate, some suitable person, who shall be a resident and citizen of this state, as inspector, at a salary of twelve hundred dollars per year, to be paid monthly, whose term of office shall be for three years; the said inspector shall be empowered to visit and inspect, at all reasonable hours, and as often as practicable, the factories, workshops, mines and other establishments in the state where the manufacture or sale of any kind of goods is carried on, and to report to the governor of this state on or before the thirty-first day of October in each year; it shall also be the duty of said inspector to enforce the provisions of this act, and prosecute all violations of the same in any recorders' courts of cities, and justices of the peace or other courts of competent jurisdiction in the state.

Salary and term
of office.
P. L. 1883,
Chap. LVII, § 5.

241. All necessary expenses incurred by said inspector in the discharge of his duty shall be paid from the funds of the state, upon the presentation of proper vouchers of the same; *provided*, that not more than one thousand dollars shall be expended by him in any one year.

Expenses.
P. L. 1884,
Chap.
CXXXVII, § 6.

242. All fines collected under this act shall enure to the benefit of the school fund of the district where the offense has been committed.

Fines.
P. L. 1883,
Chap. LVII, § 7.

AGRICULTURAL COLLEGE.

243. It shall be the duty of the county superintendent, at such time and place as the state superintendent may appoint, to examine such candidates for state scholarships at the agricultural college as may present themselves, and the candidates shall be subjected to such examination as the faculty of the said college and the state superintendent shall prescribe; and the candidates who shall receive certificates of appointment to the agricultural college in any one county shall be those who obtain, on such examination, the highest average for scholarship; and the number of certificates thus

Appointment of
student for
agricultural
college.
P. L. 1867,
Chap.
CLXXIX, § 27.

granted shall in no case exceed the number of state scholarships to which such county is entitled.*

Additional free
scholarships
P. L. 1890,
Chap. CVIII,
§ 1.

244. In order that students in all schools in all parts of the state may receive the stimulus afforded by the opportunity to pursue the courses of study in the state agricultural college, and in order to enable said state agricultural college to furnish instruction gratuitously to students, residents of this state, in its several courses of study, as special courses of advanced study in the public school system of this state, there shall be sent to the said college students to the number of one each year from each assembly district in this state, to be selected and designated as hereinafter provided, who shall receive gratuitous instruction in any or all of the prescribed branches of study in any of the courses of study of said state college, under the general powers of supervision and control possessed by the board of visitors of said state college; said students so received shall be residents of this state and shall be admitted into said state college upon the terms and subject to the rules and discipline which shall apply to all the free students of said state college, and if there should be more than one suitably prepared applicant from the same assembly district in the same year, such additional applicant may, in the discretion of the board of visitors of the said state agricultural college, be received upon any vacant scholarships of any other assembly districts until such district shall require such scholarships, after notice has been served upon the superintendent of education of the county in which such vacant assembly districts are situated.

Students from
each assembly
district.

Students may be
received on
vacant scholar-
ships.

Examination for
scholarships.
Ibid § 2.

245. Said students shall be selected as follows: a competitive examination under the direction of the city superintendents and the county superintendent of education in each county, shall be held at the county court house in each county of the state, upon the first Saturday in June in each year, and the necessary traveling

* Each county is entitled to as many students as it has representatives in the Legislature. P. L. 1864, Chap. CCCLXIX, § 10.

expenses of said examiners, not otherwise provided for by law, on the approval of the president and secretary of the board of visitors of said state agricultural college, shall be paid by said state college; students who apply for examination shall be examined upon such subjects as may be designated by the faculty of said college, and the state board of education, and the said city and county superintendents shall report to the president of said college and the state superintendent of public instruction the names of all such students examined as in their opinion are suitably prepared to enter said college, with their estimate of the order of excellence in scholarship shown by said students at such preliminary examination; certificates of appointment to the state agricultural college shall be issued by the state superintendent of public instruction to all such students as are so found to be qualified to enter said college, and in case the vacant scholarships shall not be sufficient to receive all such successful candidates, preference to appointing to vacant scholarships shall be given to successful candidates in the order of the excellence of their examination as certified by said superintendents, and in general the regulations and provisions governing the conduct of such examinations and the appointment of said students to said scholarships shall be subject to the control of said board of visitors of said college.

Certificates, by whom issued.

246. Each student so appointed and admitted to said college shall be regarded as holding a state scholarship, and for each scholarship so held there shall be paid as hereinafter provided, on the first day of November in each year, to the treasurer of said college, the same sum of money as the said college is entitled to receive for each scholarship established in said college under the existing state agricultural college fund; *provided*, that such payment shall be made only out of the income of the fund for the support of public free schools remaining after appropriations heretofore made payable out of said income are met.

Students appointed to hold state scholarships. *Ibid.* § 3.

Appropriation from income of state school fund.

Proviso

President of college to certify number of students.
Ibid. § 4.

247. In order to ascertain the number of scholarships for which payment shall be made as aforesaid, the president of said college shall, in the month of October, in each year, make his certificate in writing, setting forth the names of the students so as aforesaid appointed and then in attendance at said college, the assembly districts from which they were appointed and the classes in college in which they belong, or the special courses of study which they are pursuing, which certificate, when approved by the president of the board of visitors of the state agricultural college, shall be plenary evidence of the number of scholarships for which payment shall be made, and on filing the same with the comptroller of the state he shall draw his warrant upon the treasurer of the school fund for the sum of money to which the said college may accordingly be entitled, and the said treasurer shall thereupon pay the same as aforesaid.

Certificate filed with state comptroller.

CITIES.

Census of school children in cities.
P. L. 1880,
Chap.
CXXXV, § 1.

248. From and after the passage of this act, in all cities wherein there now are, or may hereafter be, school boards, boards of education, or boards of school trustees, the enumeration and census of the children of school age in such cities shall be made and taken annually, on or before the first day of June, by the clerk or secretary of said boards, or by such other person or persons as may be appointed by said boards for such purposes, and a report thereof, duly attested by affidavit as correct, filed with the board of education or school trustees, who shall procure the same to be reported to the county superintendents of their respective counties.

Census, how taken.
Ibid. § 2.

249. The enumeration and census so as aforesaid made and taken, shall contain the name in full and age of each child and the names and residences of their parents, and the person or persons making the said census and reporting the same shall be entitled to such price, not less than three nor more than five cents, as may be fixed by the said school boards.

Fee for each name.

250. In any city in this state where the board of education is authorized by law to determine the amount required for the current expenses of such board, without the concurrence of any other board, it shall be lawful for such board of education to incur expenditures for such purposes in excess of and beyond any limit now fixed by law; *provided*, that such expenditures shall not exceed in any one year, the average enrollment of pupils in the public schools in such city during the next preceding year; *provided*, that this act shall not be construed so as to decrease the limit of expenditure for the purposes aforesaid in any city where by present law the limit is more than fifteen dollars or where there is no limit.

Boards of education in certain cities to incur expenditures in excess of limit. P. L. 1890, Chap. CLXXIX, § 1.

Proviso.

Proviso.

251. It shall be lawful for the board of education of any city, with the concurrence of the board of aldermen or other body having charge of the finances of such city, to appropriate and expend such sum and sums of money as in the judgment of such boards shall be needed from time to time for the current expenses of the public schools of such city, or for the improving or increasing the school accommodations of such city, by the erection or alteration of school houses or otherwise, in excess of and notwithstanding any limitation upon any such expenditure in this or any other law of this state, general, special or local contained.

May appropriate money for current expenses for buildings, &c. Ibid. § 2.

252. It shall be lawful for any city in this state to raise, by taxation, and expend for the purposes of current expenses of the department of public instruction for any fiscal year, an amount which, together with the state appropriation for schools, shall equal fifteen dollars per scholar on the average number reported as enrolled in the public schools of such city in the last preceding year; *provided*, that this act shall not be construed so as to decrease the limit of expenditure for the purposes aforesaid in any city where by present law the limit is more than fifteen dollars or where there is no limit.

Limit of expenditures in cities. P. L. 1886. Chap. CLXXII, § 1.

Proviso.

253. The municipal board in any city authorized to determine annually what amount of tax shall be re-

City tax for schools.

P. L. 1885,
Chap. CCXXII,
§ 1.

quired for school purposes, shall have power to determine an amount not to exceed one-half of one per cent. of the taxable valuation of the real and personal property in any city, in addition to the state school tax levied for that year; and such amount of tax so determined shall be assessed and collected at the same time and in the same manner with the taxes of the city assessed and collected for other city purposes; *provided*, that this act shall not take away from any city any power now existing to raise a larger amount of taxes for school purposes; *and further provided*, that this act shall not take effect in any city until the same shall have been first submitted to a vote of the qualified voters at any annual municipal election, and shall have received the approval of a majority of those voting at such election.

Proviso.

Proviso.

Repealer.
Ibid. § 2.

254. All special charters and acts limiting the amount to be raised for school taxes in any such city, and all other acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Special city
school tax not to
exceed amount
received from
state.
P. L. 1878,
Chap.
CXXXIV, § 11.

255. The amount of money raised in any one year by tax in any city, by order of the board of aldermen, for the current expenses of public schools, shall not be greater than the entire amount received from the state for school purposes during the preceding fiscal year; *provided*, that a special additional appropriation may be made at any time by a three-fourths vote of all the members of the board of aldermen.

Proviso.

Boards of edu-
cation may
modify appro-
priations.
P. L. 1877,
Chap. CXII,
§ 1.

256. It shall be lawful for any board of education of any incorporated city of this state, from time to time, to modify the several appropriations made by the board, to be expended under the direction of its several committees during any fiscal year; *provided, however*, that said modifications shall not authorize any expenditure in excess of the sum appropriated for the current expenses of the department of public instruction at the time when such appropriation shall have been originally made.

Proviso.

Appropriations
for current ex-
penses not to be
used for other
purposes.
Ibid. § 2.

257. The amount appropriated by the board of aldermen or other body charged with the duty of making

appropriations for defraying the current expenses of the department of public instruction of any city of this state, for each successive year, shall thereby become appropriated to defray such current expenses and shall be used for no other purpose whatever.

258. Whenever it has become or may become necessary in any of the cities of this state to use the whole or any part of the appropriation annually made by the state for the support of public schools therein, before the same has been actually paid over by the state to such city, it shall and may be lawful for such city to borrow, on temporary loans, in anticipation of such receipt, the whole or any part thereof; *provided*, the amount so borrowed shall not exceed in any one year the amount so apportioned.

Cities may borrow for school purposes on temporary loans. P. L. 1889, Chap. LXXXII, § 1.

Proviso.

259. It shall be the duty of such city to pay off and discharge all such loans outstanding when such money so anticipated is received.

Payment of temporary loans. Ibid. § 2.

260. Whenever in the opinion of the board of education of any city in this state, it shall become necessary for the proper maintenance and continuance of the schools in such city, to use and expend the money appropriated by the state for school purposes, it shall be lawful for the said board to use and expend the same at any time during the calendar year, and without regard to the state school year; *provided*, that the said board shall not use or expend the same for any purpose inconsistent with or other than those specified in the act to which this is a supplement.

State school moneys may be used for calendar year instead of school year. P. L. 1886, Chap. XXIV, § 1.

Proviso.

261. Boards of education now prohibited by law from purchasing any article necessary for the schools under their control without advertising for the same, are hereby authorized to purchase, without advertising, to the extent of twenty-five dollars for any one article; *provided*, the same be sanctioned by a majority of the board.

Purchase supplies without advertising. P. L. 1878, Chap. LXXXVI, § 1.

Proviso.

262. In addition to its yearly appropriations for school purposes, it shall be lawful for the body having control of the finances of any city in this state to raise, in its annual tax levy, a sum of money not exceeding one thou-

Appropriations for relief and education of indigent children in cities. P. L. 1883, Chap. CLXII, § 1.

sand dollars, which, together with any moneys obtained therefor by voluntary contributions, shall be expended for the relief and primary education of such indigent, homeless or deserted children of said city as, by reason of their age, their inability to obtain suitable clothing, their necessary occupations or otherwise, are unable to attend the public schools; *provided, however*, that the moneys thus appropriated shall be expended under the direction of the mayor of said city.

Proviso.

Salary of president of boards of education.
P. L. 1880,
Chap. CCVII,
§ 1.

263. In cities of this state where the office of president of the board of education, or board of directors of education, exists or is created by any general or special law, such president shall hereafter receive no salary or compensation whatever for performing the duties of such office, but nothing herein contained shall be deemed or taken to affect or take away the salary of the present incumbent of any such office.

Superintendents in cities of the second class.
P. L. 1891,
Chap. XXXVI,
§ 1.

264. Any board of education of cities of the second class in this state shall have power to appoint a person of suitable attainments to be city superintendent of schools, define his duties and fix his term of office, not to exceed three years, and his compensation, which shall not be changed during his term of office.

Term of office.
Ibid. § 2.

265. The city superintendent of schools shall hold office for the said term and until his successor is appointed, subject to removal by the board of education on complaint for cause stated.

Term of office of members of boards of education in cities of third class.
P. L. 1883,
Chap. XXXI,
§ 1.

266. In all cities of the third class the term of office of members of the board of education shall be for as many years as there are members of such board of education elected from each ward; and that at each annual municipal election after the next succeeding election, each ward shall elect one member of such board of education.

Shall divide into classes.
Ibid. § 2.

267. At the next succeeding municipal election the members of the board of education shall be elected as heretofore, and at the first meeting of such board of education then elected, the members from each ward shall, by lot, divide themselves into classes, so that the

term of office of one member from each ward shall expire in each succeeding year.

268. The corporate authorities of the cities of the first class of this state, upon request by the board of education or other body having the charge of the public schools in such city of the first class, shall purchase lands and shall erect school houses thereon, and shall furnish the same from time to time, as the increase of population in any part of such city of the first class having the least school accommodations may demand; *provided, however*, that the expenses incurred in each year shall not exceed forty thousand dollars; *and provided further*, that such expenditures shall be concurred in by the city board authorized by law to make appropriations for the expenses of the city government.

Authorities in cities of the first class to purchase to purchase land and erect school houses.
P. L. 1884,
Chap. CXXIX,
§ 1.

Proviso.

Proviso.

269. To raise the funds for the purpose aforesaid, the corporate authorities of such city of the first class shall have power to raise money by temporary loans for a term not exceeding three years, and to meet such loan they shall include in the next annual tax levy one-third at least of the amount of such temporary loan, with interest thereon, and in the second succeeding annual tax levy they shall include at least one-third of such amount with interest thereon, and in the third succeeding tax levy they shall raise any balance unpaid with interest, and as fast as such moneys shall come into the treasury of such city of the first class, they shall be applied to pay such temporary loan, and such loan shall be so obtained that it can be paid by installments with interest payable semi-annually.

May raise funds for building school houses by temporary loans.
Ibid § 2.

270. To secure such temporary loan, the corporate authorities may authorize the issue of temporary loan bonds or scrip, which shall bear such interest as may be agreed upon not exceeding the legal rate, to an amount not exceeding the expenditure to be incurred in each year.

May issue bonds or scrip to secure loan.
Ibid. § 3.

271. Such temporary loan bonds or scrip may be taken for the sinking fund of any such city of the first class, if the authorities having charge of such sinking

City sinking fund may invest in bonds.
Ibid. § 4.

fund shall so select, and if such bonds can be so taken, it shall be the duty of such authorities to so take them, and the money raised by taxation, for the payment of the principal and interest, shall then be paid into the sinking fund.

Bonds for school houses in cities not to exceed \$50 000.
P. L. 1882,
Chap. CXIII,
§ 1.

Proviso.

272. It shall and may be lawful for any city in this state, from time to time, to purchase lands for the purpose of erecting school-houses thereon, and to raise the money required for such purpose by loan on the credit of such city; *provided*, that the total amount of bonds outstanding and unpaid, issued for such purpose, shall not exceed at any one time the sum of fifty thousand dollars; and further, that said bonds shall not bear more than the legal rate of interest, and said bonds shall not be sold at less than par value.

Bonds to be authorized by common council.
Ibid. § 2

273. All such loans shall be authorized by an ordinance of the common council or board of aldermen of such city, which ordinance shall distinctly specify and provide the ways and means, exclusive of loans, to pay the principal of said loans and the interest on the same annually, and also the time within which the said bonds shall be paid, which ordinance shall be irrevocable until such debt is paid.

Bonds already issued to be included in the amount authorized by this act.
Ibid. § 3.

274. When, in any city of this state, loans have heretofore been made for the purpose of purchasing lands and erecting school-houses thereon, and the bonds issued for such purpose are still outstanding and unpaid, the amount of the bonds so issued shall be included within the amount authorized to be issued by this act, and nothing in this act shall be taken or construed as authorizing the issuing of bonds to a greater amount, at any one time, than the sum of fifty thousand dollars, for the purposes aforesaid.

School houses authorized to be built.
P. L. 1882,
Chap.
CLXXIX, § 1.

275. It shall be lawful for the corporate authorities of the cities of this state, upon request by the board of education or other body having the charge of the public schools in such city, to purchase lands and erect school-houses thereon, and to furnish the same, from time to time, as the increase of population in any such city may

demand; *provided, however*, that the expense incurred in any one instance shall not exceed forty thousand dollars; *provided, further*, that where the charter of any city, or any supplement or supplements thereto provides a limit of annual expenditure for permanent improvements, nothing in this act shall authorize expenditure in excess of such limit.

Proviso.

Proviso.

276. To raise the fund for the purposes aforesaid, the corporate authorities of such city shall have power to raise money by temporary loans for a term not exceeding three years; and to meet such loan they shall include in the next annual tax levy one-third, at least, of the amount of such temporary loan, with interest thereon, and in the second succeeding annual tax levy they shall include at least one-third of such amount, with interest thereon, and in the third succeeding tax levy they shall raise any balance unpaid, with interest; and as fast as such moneys shall come into the treasury of such city they shall be applied to pay such temporary loan; and such loan shall be so obtained that it can be paid by installments, with interest, semi-annually.

Loans to be paid in three installments. *Ibid.* § 2.

277. To secure such temporary loan the corporate authorities may authorize the issue of temporary loan bonds or scrip, which shall bear such interest as may be agreed upon, not exceeding the legal rate, to an amount not exceeding the expenditure to be incurred in any one instance; *provided, however*, that no bonds shall be issued in excess of ten per centum of the assessed valuation of such city.

Security for loan. *Ibid.* § 3.

Proviso.

278. Such temporary bonds or scrip may be taken for the sinking fund of any such city, if the authorities having charge of such sinking fund shall so elect, and if such bonds can be so taken it shall be the duty of such authorities to so take them, and the money raised by taxation for payment of the principal and interest shall then be paid into the sinking fund.

Loans taken by sinking fund. *Ibid.* § 4.

279. If, in the judgment of any board of education of any city in this state or other body having control of the public schools in any city of this state, it shall at any

Mortgage school property to build school houses. P. L. 1882, Chap. CLXXXI, § 1.

time be deemed necessary and expedient to provide additional school accommodations in such city for the benefit of those entitled to attend the public schools in such city, it shall be lawful for the mayor and common council or other governing body in such city to authorize money to be borrowed for the purpose of purchasing land and the erection of suitable school buildings and providing such school buildings with suitable school appliances and conveniences and to secure the payment of the money borrowed as aforesaid by mortgage bearing annual interest at a per cent. not greater than the legal rate on the land purchased and the building or buildings to be erected thereon in pursuance of this act; or if the city own suitable land, rendering a purchase of land unnecessary, on such land and the building or buildings to be erected thereon; and in case the title to lands on which public school buildings are now erected in any city is vested by law in a board of education or other body having control of the public schools in such city, such board of education or other body having the control of public schools in such city, and not the mayor and common council or other governing body of such city, shall have the power to borrow money as aforesaid, and to secure the payment of the same by mortgage as aforesaid; *provided*, that not more than one school building, with the necessary appliances and conveniences, shall be authorized to be erected in any city in any one year in pursuance of the powers conferred by this act.

280. Any mortgage to be given in pursuance of this act shall be payable in less than ten years from the time of giving the same except at the option of the city, board of education, or other body giving the same, who are authorized to renew such mortgage; and money to pay the annual interest accruing on any such mortgage shall be raised in the same manner as the money to pay the current expenses of the public schools is raised in any city in which the property on such mortgage shall be given is situate; any money may be raised for a sinking fund to pay such mortgage in the same manner; *provided*,

Mortgage to be payable in ten years.
Ibid. § 2.

Proviso.

however, that nothing in this act shall be held to permit the authorities of any city in this state to exceed any limit of expenditures for such purposes now fixed by any city charter or any supplement thereto, nor to exceed the limit of indebtedness fixed by any such charter.

281. That the common council or other legislative body of any city of this state shall have power to borrow any sum or sums of money, not exceeding in the aggregate the sum of thirty thousand dollars, to be used for the purchase of land and the erection, furnishing and fitting up of a building or buildings for public school purposes in said city; and that the said common council or other legislative body of said city may secure the repayment of the said sum or sums so borrowed, together with interest thereon at a rate not to exceed five per centum per annum, in such manner and upon such terms as to the said common council or other legislative body may seem proper, by the issuing of bonds in the corporate name of said city, to be signed by the mayor or other chief executive officer of said city and countersigned by the city clerk or other person performing the duties of recording officer for the said common council or other legislative body, as the case may be, and sealed with the common seal of said city; *provided*, that in cities having a board of education or other board having control of the public schools than the common council, the purchase of land, erection, furnishing and fitting up of a school house or school houses with the money so borrowed shall be made in the same manner as heretofore provided by law for the city borrowing money by virtue of this act.

282. It shall and may be lawful for any city of the second class in this state, from time to time, to purchase lands for school purposes and to erect school houses thereon, and to raise the money required for such purposes on the credit of the city by the sale of its bonds; *provided*, that the total amount of outstanding and unpaid bonds issued by any such city for school purposes, under any general, public, special or local law or laws whatever,

Cities may borrow money to erect school houses.
P. L. 1887,
Chap. CXXXV,
§ 1.

Issue bonds.

Proviso.

Cities of the second class may issue bonds to build school houses.
P. L. 1890,
Chap. CXXXVII,
§ 1.

Proviso.

shall not at any one time exceed the sum of fifteen dollars for each child between five and eighteen years of age within such city, as shown by the last school census of such city.

Rate of interest.
Ibid. § 2.

283. Said bonds shall bear interest at a rate not exceeding five per centum per annum, shall not be sold below their par value, and shall be made payable in not more than twenty years.

Common council
to authorize the
issue of bonds.
Ibid. § 3.

284. Before any moneys shall be raised under the provisions of this act, authority therefor shall be given by an ordinance of the common council, board of aldermen or other governing body of the city desiring to raise moneys for the purposes aforesaid, which shall distinctly specify and provide the ways and means of paying the principal of said bonds and the interest thereon, and also the time within which said principal shall be paid and when the interest thereon shall be paid.

Cities of the
second class
may issue bonds
to reconstruct
school houses.
P. L. 1891,
Chap. CXCIX,
§ 1.

285. Hereafter it shall be lawful for the common council, board of aldermen or other governing body of any city of the second class in this state in which a public school house shall be in a dilapidated, unsanitary, unsafe or unsatisfactory condition for school purposes, to purchase additional ground, either adjoining such school house or elsewhere, as may seem best for school purposes, and reconstruct such school house on a larger scale and with better and more modern appointments, at an expense not to exceed one hundred thousand dollars.

Bonds not to ex-
ceed \$100,000.
Ibid. § 2.

286. For the purposes aforesaid, it shall be lawful for said common council, board of aldermen or other governing body to issue bonds of such city for the payment of such expenditure, not to exceed the said sum of one hundred thousand dollars, payable in not less than twenty years, at a rate not to exceed five per centum, pledging the faith and credit of such city for the payment thereof, which bonds shall be sold to the highest bidder, after having first advertised the same for sale in two newspapers of the county for at least two weeks.

TOWNSHIPS, TOWNS, BOROUGHS AND SPECIAL CHARTERS.

287. The inhabitants of any town or borough or any township having a special charter, or of any township which has or hereafter may have a population exceeding six thousand inhabitants, may become a body politic and corporate in fact and in law, by the name and title of "the town of _____, in the county of _____," whenever, at a special election, to be called for that purpose as hereafter provided, it may be so decided by a majority of the electors of said proposed town who shall vote at such special election.

Inhabitants of towns, boroughs or townships may incorporate. P. L. 1888, Chap. CCCXXV, § 1.

288. The town and ward officers of the town shall be a * * * * town treasurer, * * * * a board of education, consisting of three members from each ward.

Board of education Ibid. § 9.

289. At the annual town election held under this act one member of the board of education for each ward shall be elected for one year, and one member for two years, and one member for three years; and the electors voting at such election shall designate on their ballots the terms for which the several candidates for such offices shall hold; and thereafter, annually, a member of the board of education shall be chosen for three years.

Election of members of board of education. Ibid. § 16

290. No person shall be eligible to any office under this act unless he shall have resided in the town for the period of at least one year, and no person shall be eligible to any ward office unless he shall be an actual resident of the ward; no person shall be eligible to any office unless he is a citizen of the United States.

Who are eligible as members of board of education. Ibid. § 17.

291. In case any vacancy shall occur in the board of education, said board of education may fill such vacancy by appointment until the next town election, when the vacancy shall be filled by the electors of the town; *provided*, that if at any town election there shall be a vacancy in any office to be filled, and at the same time an election for the full term of such office, the term for

Vacancy, how filled. Ibid. § 18.

Proviso.

which each person shall be voted for shall be designated on each ballot cast therefor.

Treasurer to hold school moneys.
Ibid. § 30.

292. The town treasurer shall receive, safely keep and disburse all moneys raised and received for public school purposes; he shall keep separate accounts thereof and pay the same out only on warrant signed by the chairman and clerk of the board of education, and no warrant for any such purpose shall be drawn on the treasurer except in pursuance of an order or resolution passed at a stated meeting and entered in their minutes, and the provisions of the last preceding section of this act relative to warrants on the treasurer by the town council shall apply to the warrants of the board of education; and the said treasurer shall do and perform all acts and duties enjoined upon township collectors by the school laws of the state.

Council may appropriate money for schools.
Ibid. § 52, div. xi.

293. The council shall have power to pass ordinances appropriating and providing for raising by taxation moneys for the support of public schools.

School districts in towns incorporated under this act to be consolidated.
Ibid. § 82.

294. All the property, real and personal, of the several school districts existing within the limits of any town, township or borough, before its incorporation under this act, shall, upon such incorporation under this act, become and be held in its corporate name, and the several obligations, contracts and debts of said previously-existing school districts shall be assumed by and shall become and be the obligations, contracts and debts of such incorporated town; and that the board of education shall possess and exercise all the powers and perform all the duties by law vested in or imposed upon the boards or trustees of school districts; they shall annually organize by choosing a chairman and a clerk, and may establish schools and provide for their government; they shall define and fix the duties and compensation of their clerk, who shall also perform all duties enjoined by law on district clerks, and of the principals, teachers and janitors of public schools in the town; *provided*, that no property shall be bought or building erected by the said board unless a majority of the voters of the town voting

Proviso.

at an annual town election shall have ordered an appropriation for that purpose.

295. That in all municipalities where a consolidated school district has been formed from two or more individual districts, by reason of the incorporation of such municipality, any subsequent division of such municipality shall not create a division of said consolidated school district.

Consolidated school districts. P. L. 1887, Chap. XXXII, § 1.

296. That for the better government and representation of such consolidated districts, the original individual districts of which such consolidated district is formed shall be known as sub-district number one, two, three, four, and so on, of school district number —, of — county, and that in such consolidated district the elective members of the board of trustees or board of education shall consist of two members elected from each original individual district, whose term of office shall be equal in length to the number of original districts from which the consolidated district was formed, but that both of said trustees from said sub-districts shall not be elected in one year.

Districts, how known. Ibid. § 2.

Trustees to be elected from sub-districts.

297. That before the first annual election after the passage of this act, the existing board of trustees or board of education of such consolidated district shall meet and so distribute the representation by trustees; that at the coming annual election two trustees shall be elected to represent the sub-districts in which there may have been no trustees heretofore elected and shall so divide the time for which said trustees or members of the board of education shall be elected, that a portion of the board shall be elected each year, but no two from any sub-district shall be elected in any one year after the first election; that notice of such distribution and the length of time for which said members shall be elected shall be published by the district clerk in his notice of the annual election of school trustees; *provided*, that all trustees or members of the board of education now in office shall remain in office until the time for which they have been elected has expired.

Term of trustees, Ibid. § 3.

One trustee from each sub district.

District clerk to give notice of term *Proviso.*

Act not to apply.
Ibid § 4.

298. That this act shall take effect immediately, but shall not apply to districts that are governed by the charters of any chartered municipality.

Township committee to build school houses.
P. L. 1885, Chap. CCXXI, § 1.

299. The board of township committee, or other legislative body of any township in this state, upon written notice duly served upon them by the board of education, or other body having charge of the school affairs of such township, that in their judgment it is necessary to build an addition to any school house in said township, or to construct a new school house therein, in order to provide proper accommodation for the children of school age in said township, may proceed and cause said addition to said school house to be built, or may purchase lands and construct a new school house thereon, and shall furnish the same from time to time.

Township bonds.
Ibid § 2.

300. To raise the funds required for the purposes aforesaid, the said board of township committee or other legislative body of any township of this state, are hereby authorized and empowered to issue in the corporate name of such township, either coupon or registered bonds, bearing interest not exceeding six per centum per annum, payable semi-annually; the principal of the whole number of bonds issued for any of the purposes aforesaid shall be payable in ten annual payments from the date of the issue thereof; said bonds shall be signed by the president or chairman of said committee, and countersigned and registered where registered bonds are issued by the township clerk, and sold at public or private sale at not less than the par or face value thereof.

Payment of bonds
Ibid § 3.

301. It shall be the duty of the said board of township committee or other legislative body of any township of this state, to place in the annual tax levy of each year a sum sufficient to pay the interest and extinguish the principal of said bonds as the same shall become due and payable, and apply the same to the purposes of this act, and to no other purpose whatever.

[Sections 299, 300 and 301 apply only to such townships as have township boards of education.]

302. Whenever in the school districts of this state, except school districts in cities and towns of five thousand inhabitants and upwards, which said cities and towns have a common council, there may exist a board of education or trustees holding their charters by special act of the legislature and independent of any city charter, the district clerk shall be secretary of the board, and in addition to the duties as laid down in sections thirty-five and thirty-six of the act to which this is a supplement, he shall conduct the correspondence of the board, keeping copies of such letters as he may write, in some suitable manner, and filing all such letters and papers as the board may direct at their stated meetings; also, he shall notify the assessor of the amount of special tax to be assessed and collected in each and every year for the payment of the principal and interest of school bonds that may have been issued in such districts, also the amount of special tax to be assessed and collected to defray the incidental expenses of such schools during the year; and at the close of each year he shall present at the annual meeting for the appropriation of moneys for such district, a report of the general financial state of the district, the condition of the school property, the school work during the year, the requirements for the year to come, and such other matters as may be needful to an intelligent understanding of the present state or which is desirable for the future promotion of public education in the district; and for such services he shall receive such compensation as the board of education may allow.

In school districts having special charters the district clerk shall act as secretary.
P. L. 1882, Chap. LXXVI, § 1.

[See secs. 58 and 59.]

Duties of district clerk.

303. At the annual election of officers of such board a treasurer may be elected from the members of the board, who shall receive from the collector of the township or townships in which such district is situated all moneys due said district, from whatever source, within ten days from the time when such moneys shall come into such collector's hands; and said treasurer shall disburse the same in the way and manner provided in section eighty-four of the act to which this is a supplement,

Treasurer to hold school moneys.
P. L. 1878, Chap. CCLXII, § 2.

[See sec. 162.]

Treasurer to give bonds.

Report of treasurer.

[See sec. 162.]

Election of trustees.
P. L. 1882, Chap. LXXVI, § 2.

Proviso.

Term of office.
L. L. 1878, Chap. CCLXII, § 4.

and, within ten days after his election, he shall give such bonds for the faithful discharge of his duty as shall be acceptable to the township committee of the township in which the school house is situated, for double the amount that may come into his hands during any one year, and every year at the annual meeting for the election of trustees he shall present an itemized statement of the receipts and the expenditures of the year then closing; which statement, in conjunction with the annual report of the secretary, shall be published in the newspaper printed nearest to said district, or in such other manner as may be deemed best for the public good; and for his services he shall be entitled to receive the amount provided for the town collector for such disbursements in section eighty-four of the act to which this is a supplement.

304. The election of trustees or members of such boards of education shall be held in each district on the Tuesday of the week following the annual town meeting in each and every year; the terms of service of those then elected to begin immediately; and the term of any trustee which would expire on the first Monday of July following such election shall expire on the Tuesday of the week following the annual town meeting; and that five days' notice of said meeting for election of trustees shall be set up by the secretary in five of the most prominent places of the district; *provided, however*, that in all cases where the trustees of any district are elected at any municipal election, by virtue of any independent charter, the election for such trustees in such district shall be held in the manner and at the same time as heretofore, and the beginning and length of their terms of office shall remain as before the passage of this act.

305. In all boards of education or trustees hereafter elected, of which all the members are now elected annually, and to which this supplement applies, the principal of classification provided for trustees elected under the general school law shall govern, so that at

least two members of the board shall remain in office from each previous year.

306. Where the present number of trustees or members of the board of education of any district to which this supplement is applicable may be such as to embarrass a proper classification of the term of service of the members of the board, it shall be lawful for the legal voters of such district, by a majority vote at an annual meeting of the district, to make such change as may be desired in the number of trustees or members of the board of education; *provided*, that by such change the whole number shall not exceed six; *and provided further*, that public notice be given of such contemplated change by the district secretary in his notice for the annual meeting.

Number of trustees.
Ibid. § 5.

Proviso.

Proviso.

307. Each member elect of such boards of education, before entering upon the duties of his office, shall take the following oath or affirmation before some person duly authorized to administer an oath, to wit: "I, A. B., having been duly elected a member of the board of education of school district number C, D county, New Jersey, do solemnly swear (or affirm) that I will faithfully execute the trust reposed in me as a member of said board.

Trustees to take oath.
Ibid. § 6.

"Dated ———, A. D. ——. (Signed) ———."

308. The provisions of this act shall not apply to boards of education in any city or borough of this state nor to any county in this state containing less than twenty-five thousand inhabitants.

Act not to apply to counties having less than 25,000 inhabitants.
Ibid. § 7.

MISCELLANEOUS.

309. The board of education or board of school trustees in the several cities, towns, townships, boroughs, villages and school districts of this state be authorized to purchase a United States flag, flag-staff and the necessary appliances for displaying said flag upon or near the public building during school hours, and at such

Trustees authorized to purchase flags.
P. L. 1890, Chap. CLXXVII, § 1.

other times as the board of education or the board of trustees as aforesaid may direct.

Expense may be paid from school moneys
Ibid. § 2

310. It shall be lawful for said board of education or board of trustees to pay for said flag, flag-staff and the erection and maintenance of the same out of any public school moneys subject to their order not otherwise appropriated.

Special tax may be ordered to purchase flag.
Ibid. § 3

311. It shall be lawful, where no surplus school money is available, for the legal voters of the several cities, towns, townships, boroughs, villages and school districts of this state, at any annual school meeting, to vote a special school tax to defray the expense incurred by the purchasing of said flag, flag-staff, appliances and erection; *provided*, that notice of such special school tax and the amount proposed to be assessed shall be included in the public school notice calling the annual meeting; *and provided*, that the amount voted for the above-mentioned purposes to be assessed shall not exceed fifty dollars, which sum shall be assessed and collected in the same manner as moneys for public school purposes are now raised by law.

Proviso.

Proviso.

School officer to give bonds.
P. L. 1882, Chap. XLIII, § 1.

312. From and after the passage of this act any officer of public instruction of this state, being intrusted with the funds of any school board, and not directed by law to give security for the same, shall enter into such security as any school board under whom he may serve shall direct, before entering on the duties assigned to him by said board.

Not more than one poll tax to be assessed in any year.
L. L. 1891, Chap. CCLXXI, § 1.

313. Hereafter there shall not be assessed upon any inhabitant of this state more than one poll tax in any one year.

Injury to school property or disturbing schools.
P. L. 1871, Chap. CXVII.

314. Any person who shall enter the buildings or go upon the lands belonging to any public school district of this state, or used and occupied for school purposes by any public school in this state, and shall break, injure or deface such building, or any part thereof, or the fences or outhouses belonging to or connected with such building or lands, or shall disturb the exercises of such public school, or molest or give annoyance to the

children attending such school, or any teacher therein, shall be deemed and adjudged to be a disorderly person, and may be apprehended in the manner hereafter prescribed in this act, and taken before any justice of the peace of the county where such person may be apprehended; and it shall be the duty of the said justice to commit such disorderly person, when convicted before him by the confession of the offender, or by the oath or affirmation of one or more witness or witnesses, to the county jail of such county, there to be kept at hard labor for any term not exceeding thirty days.

315. Any person who shall directly or indirectly give, or receive, or promise, contract or agree to give or receive, any sum or sums of money, or any goods, chattels, gift, lands or real estate, or any other thing, bribe, present or reward whatsoever, for, or to obtain, or for giving out the printing of blanks, notices, advertisements, or any other printing, or for, or to obtain, or for giving out any other work or thing, connected with, or in or appertaining to, any office or department of this state, or any office or department in any county, city, town, township, borough or other place in this state, shall be guilty of a misdemeanor, and on conviction thereof shall, for every such offence, be liable to a fine not exceeding three hundred dollars, or suffer imprisonment at hard labor not exceeding one year, or both, at the discretion of the court.

Penalty for
bribery.
P. L. 1879, Chap.
CXLIII, § 1.

316. If any board of chosen freeholders or any township committee, or any board of aldermen or common councilmen, or any board of education, or any board of commissioners of any county, township, city, town or borough in this state, or any committee or member of any such board or commission, shall disburse, order or vote for the disbursement of public moneys, in excess of the appropriation respectively to any such board or committee, or shall incur obligations in excess of the appropriation and limit of expenditure provided by law for the purposes respectively of any such board or committee, the members thereof, and each member thereof thus dis-

Penalty for
exceeding ap-
propriations
P. L., 1876, Chap.
III, § 1.

bursing, ordering or voting for the disbursement and expenditure of public moneys, or thus incurring obligations in excess of the amount appropriated and limit of expenditure as now or hereafter appropriated and limited by law, shall be severally deemed guilty of malfeasance in office, and, on being thereof convicted, shall be punished by fine not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding three years, or both, at the discretion of the court.

Penalty for officers having an interest in furnishing supplies.
P. L. 1876,
Chap.
CXXXIV, § 1.

317. If any employee or person or persons having the control or management of any institution, the moneys for the support of which are drawn in whole or in part from the treasury of the state, shall be directly or indirectly interested in furnishing any goods, chattels, supplies or property of any kind whatsoever, to or for the use of any such institution, which may be in whole or in part supported by appropriations paid out of the treasury of the state, such person, officer or employee shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding one year, or both, at the discretion of the court.

Penalty for bribery.
P. L. 1879,
Chap.
LXXIV, § 1.

318. If any member of any state, county or city government, or any member of any public board, association or commission, shall hereafter solicit or receive, either directly or indirectly, any money or valuable consideration for his vote in the appointment of any person or persons to any position in any department of any public body aforesaid, the person or persons so offending shall be deemed and taken to be guilty of a misdemeanor, and on conviction thereof, be punished by fine or imprisonment, or both; said fine not to exceed one thousand dollars, nor such imprisonment one year, and be forever thereafter debarred from holding any office of profit, trust or emolument in this state.

Penalty for public officer being concerned in any public contract.
P. L. 1888,
Chap.
CCCXXVIII,
§ 1.

319. If any member of any board of chosen freeholders, or of any township committee, or of any board of aldermen or common councilmen, or any board of education

or school trustees in any city, or any board of commissioners of any county, township, city, town, borough or school district in this state, shall be directly or indirectly concerned in any agreement or contract for the construction of any bridge or building of any kind whatsoever, or any improvement whatever to be constructed or made for the public use or at the public expense, or shall be a party to any contract or agreement, either as principal or surety, between the county, township, city, town, borough or school district, as the case may be, and any other party, or shall be directly or indirectly interested in furnishing any goods, chattels, supplies or property of any kind whatsoever, to or for the county, township, city, town, borough or school district, the contract or agreement for which is made, or the expense or consideration of which is paid, by the board, council or committee of which such member is a part, shall be deemed guilty of a misdemeanor, and, on being thereof convicted, shall be punished by fine not exceeding one thousand dollars, or imprisonment at hard labor for any term not exceeding three years, or both, at the discretion of the court.

320. All acts and parts of acts of a general character on the subject of public schools, and of the normal school and its appropriations, passed before the twenty-first day of March, one thousand eight hundred and sixty-seven, are hereby declared to be repealed.

Repealer.
P. L. 1867,
Chap.
CLXXIX, § 32.

Rules and Regulations

PRESCRIBED BY

The State Board of Education.

OCTOBER 13TH, 1891.

RULES AND REGULATIONS

FOR THE

Government of School Officers.

Prescribed by the State Board of Education in conformity with the act entitled "An Act to establish a system of Public Instruction" (Sec. 4, Clause 1).

I.—GENERAL INSTRUCTIONS RELATING TO BOTH STATE AND COUNTY CERTIFICATES.

1. No person shall be employed as a teacher by any Board of Trustees unless he holds a regular teacher's certificate in full force and effect at the time that the engagement is made. Any person accepting a position as a teacher in any school in this State shall, before taking charge of such school, exhibit his or her certificate to the County Superintendent of the county in which such school is situated; and any contract entered into between any teacher and any Board of Trustees shall not be valid until the requirements of this rule are complied with. It shall be the duty of the County Superintendents to keep a record of such certificates.

2. Any person desiring to obtain a position as a teacher in any school in this State between the dates of the regular examinations, and who is not in possession of a regular certificate in full force and effect, may obtain from the State or County Board of Examiners a provisional certificate, good until the next regular examination; *provided*, that such provisional certificate shall not be renewed or extended.

3. No certificate shall be issued to a teacher whose average in any subject covered by the examination falls below 70.

4. All candidates are required to furnish testimonials as to their moral character, and as to the times and places in which they may have taught, and their success in teaching. Such testimonials shall be retained by the Board of Examiners, and form part of their permanent records.

5. Any certificate may be revoked for cause either by the Board which issued it or by the State Board of Examiners. Every such case shall be reported to the State Board of Education in writing.

6. Every Board of Examiners shall keep a full and correct list of all certificates issued, together with the names and addresses of the holders. Such list shall be transmitted to the State Superintendent within ten days after every examination, and shall be printed as part of the annual report of that officer.

7. In all examinations for teachers' certificates the diploma of a college in good standing shall be accepted in lieu of an examination in the academic subjects prescribed.

8. The State Board of Examiners may endorse the diploma of any Normal School or Training College or the permanent certificate issued by a State Superintendent or Board of Examiners of another State, when the course of study of such Normal School or Training College, or the requirements for such certificates, are, in the judgment of the State Board of Examiners, equivalent to those required for similar diplomas or certificates in this State; and when so endorsed, such diploma or certificate shall have full force and effect as if issued in this State.

9. With the exception of Reading, Elocution, Music, School Gymnastics, Drawing and Manual Training, all examinations are to be conducted in writing.

10. A special average will be given for correctness in Orthography and Composition, and for neatness and order in the general appearance of the examination papers. Special credit marks will be given for ability to teach Elocution, Music, School Gymnastics, Drawing and Manual Training.

11. Any Board of Examiners shall accept from any applicant for a Second or First Grade County Certificate, or for any State Certificate, any certificate of any grade issued since April 11th, 1889, in lieu of further examination in the academic subjects covered by said certificate; *provided*, that the applicant shall

have attained a general average of 85 per cent., and shall present satisfactory evidence of having been a teacher in good standing during the time subsequent to the granting of said certificate.

12. Applicants for employment as special teachers to give instruction in any subject not prescribed in the certificates granted by the State or County Boards of Examiners, may be examined by the Board of Examiners in such subject, and when satisfied of the fitness of the applicant to teach any of the branches referred to, said Board of Examiners may issue a special certificate to said applicant. Such certificates shall remain in force three years, and shall be valid as licenses to teach the subject for which they are issued, within the jurisdiction of the Board of Examiners granting the certificates.

II.—COUNTY EXAMINATIONS.

* 13. The County Superintendent, together with those persons whom he may appoint as County Examiners, shall hold four stated meetings during each year for the examination of teachers, in such places in the county as are most convenient of access to the teachers. The first examination shall be held on the first Saturday in February; the second on the first Friday and Saturday in May; the third on the first Friday and Saturday in August; and the fourth on the first Saturday in November; *provided*, that when any of these dates falls upon a legal holiday, the examination shall be postponed for one week. The February and November examinations shall be for Third Grade Certificates only; the August examination for Second and Third Grade Certificates; and the May examination for First and Second Grade Certificates.

14. The County Superintendent will issue certificates of three grades, to be known respectively as the First, Second and Third Grade County Certificates. No County Certificate issued after October 6th, 1891, shall be valid outside of the county in and for which it is issued.

15. Candidates for the *Third Grade County Certificate* are to be not less than eighteen years old. No experience in teaching will be required. Applicants for a Third Grade Certificate will

be examined in Orthography, Reading, Penmanship, Geography, Arithmetic, English Grammar, and the Theory and Practice of Teaching. The certificate will continue in force for one year from date, and will be valid as a license to teach in an ungraded school or in a primary school or department after October 6th, 1891. A Third Grade County Certificate shall not be issued to the same person more than twice.

16. Candidates for the *Second Grade County Certificate* are to be not less than nineteen years old, with an experience in teaching of not less than one year. The examination will be the same as that for the Third Grade Certificate, with the addition of English Composition, Physiology, the History of the United States and Book-keeping. The certificate will continue in force for three years from date, and will be valid as a license to teach in any school or department not above the grade of a grammar school.

17. Candidates for the *First Grade County Certificate* are to be not less than twenty years old, with an experience in teaching of not less than two years. The examination will be the same as that for the Second Grade Certificate, with the addition of Algebra, Physics, History of Education, the Constitution of the United States and the School Law of New Jersey. The certificate will remain in force for five years from date, and will be valid as a license to teach in any school or department in the county. A First Grade County Certificate may be renewed without a re-examination.

18. An ungraded school is defined as one in which but a single teacher is employed. A graded school is one in which more than a single teacher is employed, and which is divided into at least two departments. A primary school or department is defined as one having the first four years of the usual school curriculum, consisting of studies similar to those prescribed in the primary department of the State Model School. A grammar school or department is defined as one having the second four years of the usual school curriculum, consisting of studies similar to those prescribed in the grammar department of the State Model School. A high school is defined as a school the curriculum of which includes more advanced instruction than that of a grammar school, as herein defined.

19. A new set of questions shall be prepared for each county examination under the direction of the State Superintendent of Public Instruction, and ten questions will be given in each study. No special examination shall be held unless the consent of the State Superintendent of Public Instruction has been first obtained, and no questions shall be used at any regular or special examination except those issued or approved by the State Superintendent. County Superintendents, on granting certificates at special examinations, may grant them in the usual form; or, if they deem it advisable, they may grant them to be good only until the next regular examination.

20. Upon each County Certificate shall be written the special average in each study gained by the holder, and his or her general average, each marked as a percentage upon the scale of 100.

III.—STATE EXAMINATIONS.

21. The State Board of Examiners [School Law, Sec. 88,] will grant certificates of three grades, to be called respectively First, Second and Third Grade State Certificates, the third or lowest grade ranking one degree above the highest grade issued by a County Board of Examiners. Two examinations for State Certificates, and only two, shall be held each year, in the city of Trenton, beginning on the first Thursdays of June and December respectively. These examinations shall be public, and the questions used shall be approved formally by each member of the Board of Examiners.

22. Candidates for the *Third Grade State Certificate* are to be not less than twenty years old. No experience in teaching will be required. They will be examined in all the subjects required for a First Grade County Certificate, together with Psychology, Plane and Solid Geometry, Chemistry, Geology, Botany and Free-hand Drawing. The certificate will remain in force for seven years from date, and will be valid as a license to teach in any school in the State. It may be renewed without re-examination.

23. Candidates for the *Second Grade State Certificate* are to be not less than twenty-one years of age, with an experience in

teaching of not less than two years. The examination will be the same as that required for a Third Grade State Certificate, together with the Philosophy of Education and the Principles of Manual Training and Physical Culture. The license will remain in force for ten years from date, and will be valid as a license to teach in any school in the State. It may be renewed without re-examination.

24. Candidates for the *First Grade State Certificate* are to be not less than twenty-five years old, with an experience in teaching of not less than five years. Candidates will be required to present satisfactory evidence that their teaching has been in every way successful. The examination will be the same as that required for the Second Grade Certificate. The certificate will remain in force during the life of the holder, unless revoked for cause [See Rule 5], and will be valid as a license to teach in any school in the State.

25. Graduates of the State Normal School who have completed the two years' course shall be entitled to a Third Grade State Certificate, and those who have completed the three years' course shall be entitled to a Second Grade State Certificate; *provided*, that five years after graduation from the State Normal School, any holder of a Second Grade State Certificate is entitled to have said certificate renewed for life, without examination, by the State Board of Examiners, on presentation of satisfactory evidence to that Board that the holder has been continuously and successfully engaged in the profession of teaching during the five years next preceding the date of application.

IV.—COUNTY SUPERINTENDENTS.

26. It shall be the duty of each County Superintendent to visit the Schools in his county as often as may be necessary; *provided*, that he shall visit every school under his jurisdiction at least once in each year; *and provided further*, that the total number of visits made during the year shall equal at least twice the number of schools under his jurisdiction; the additional visits to be made to such districts as, in his judgment, most need his encouragement and advice.

27. He shall note at such visits, in a book provided for the purpose, to be designated "The Superintendent's Visiting Book," the condition of the school buildings and out-houses, the appearance and correctness of the records kept in the School Registers, the efficiency of the teachers, the character, record and standing of the pupils, the methods of instruction, the branches taught, the text-books used, and the discipline, government and general condition of each school; and from the notes thus taken he shall ascertain and report the relative grade of merit of each school.

28. He shall labor in every practicable way to elevate the standard of teaching and to improve the condition of the schools in his county; shall give such directions in the science, art and methods of teaching as he may deem expedient, and shall be the official adviser and constant assistant of the school officers of his county. [School Law, Sec. 25.]

29. He shall distribute promptly all reports, forms, laws, circulars and instructions which he may receive from the State Superintendent or the State Board of Education, and in accordance with their directions.

30. He shall take care that the decisions of the State Superintendent or of the State Board of Education, upon controversies relating to the school laws of the State, or to the rules and regulations prescribed by the State Board of Education, be complied with by the parties concerned; and in case such decisions are not complied with, he shall inform the State Superintendent thereof, and state the circumstances connected therewith. [School Law, Sec. 42.]

31. He shall carefully preserve all reports of school officers and teachers, and all examination papers of teachers examined by the County Board of Examiners, and, generally, shall carry out the provisions of the law "Establishing a System of Public Instruction," and the rules and regulations prescribed by the State Board of Education, and at the close of his official term shall deliver to his successor all records, books, documents, papers and property belonging to the office.

32. No County Superintendent shall act as agent for any author, publisher or bookseller, nor directly or indirectly receive any gift, emolument or reward for his influence in recommend-

ing or procuring the use of any book, or school apparatus, or furniture of any kind whatever in any public school; and any one who shall violate this provision shall be subject to removal from office.

33. He shall meet each Township Board of Trustees at least twice each year, which meetings shall be held at such times and places as he may appoint. [School Law, Secs. 48, 75.]

34. He shall ascertain from the Township Collectors, within five days after the annual town meetings, the amount of school tax ordered to be assessed in each township, and on or before the first day of May of each year, he shall apportion, according to law, to the several townships and school districts of his county, all the school moneys to which they are entitled for the following year, whether received by State appropriation or ordered to be assessed as township school tax. [School Law, Sec. 28.]

35. It shall be the duty of the District Clerk of any school district to deposit with the Township Collector, or other legal custodian, all moneys received by the Board of Trustees from tuition, loans, proceeds from the sale of bonds or other school property, or from any other source, and disburse the same only by orders upon the Collector of the township in which said school-house is located; and in case of the refusal of a District Clerk to comply with the above, it shall be the duty of the County Superintendent to serve the Collector with a written notice forbidding him to honor any drafts against the State moneys until the provisions of this rule be complied with. [School Law, Secs. 58 and 29.]

36. Every County Superintendent shall encourage and assist in the organization and management of County Institutes, as the Committee on Education may direct, and be present at and preside over the same.

37. He shall inquire and ascertain whether the boundaries of the school districts in his county are definitely and plainly described, and shall keep in his office a full and correct map, showing such boundaries and the location of the various school-houses, a copy of which he shall furnish to the State Superintendent of Public Instruction. No changes in the boundaries of school districts shall be valid without the approval of the State Superintendent.

38. No changes in the boundaries of districts, in which district taxes have been ordered, shall be made between the times of ordering and assessing the same.

39. At the close of their official terms, or on the vacation of their office, by resignation or otherwise, should the same occur during the scholastic year, all County Superintendents shall report to the State Superintendent for the portion of the year that may have expired, as provided for in the 44th section of the School Law, with reference to their annual reports; and no order shall be given for their last quarter's salary until such reports are received in a manner satisfactory to the State Superintendent.

40. That in case of the failure of any County Superintendent to make his report to the State Superintendent on the first day of September, as required by law, the State Superintendent shall not give to such County Superintendent any order for the payment of salary for the quarter next succeeding such delinquency, except by special resolution of the State Board of Education for this purpose.

41. All teachers are required to attend the annual Institute held for the county in which they are teaching; and no deduction shall be made by Trustees from the salary of any teacher for the time he or she is in attendance upon said Institute.

42. When it is within the knowledge of the State Superintendent that a County Superintendent is not attending to the duties of his office, he shall withhold from such County Superintendent orders for his quarterly salary until the Board shall direct such orders to be drawn.

43. No allowance shall be made for office rent in the expenses of the County Superintendents.

44. Whenever there is a vacancy in the office of County Superintendent, the State Superintendent is hereby authorized to appoint a suitable person as County Superintendent *pro tempore*; said appointment to be approved by the President of the State Board of Education.

DECISIONS

—BY—

STATE SUPERINTENDENT.

Decisions by State Superintendent.

No. 1.—Compensation for Assessing and Collecting Special District School Taxes.

Section 171 of the School Law allows Township Assessors and Collectors five cents per name for “assessing, levying and collecting district school taxes.” There appears to be some misapprehension as to the meaning of the words “district school taxes” in this section.

The compensation provided is for assessing, levying and collecting the *special school taxes ordered at district meetings*. The compensation for assessing, levying and collecting all other moneys raised for school purposes is included in the amount allowed for assessing, levying and collecting the general township taxes.

2.—School Census in Cities.

The act of 1867 required the school census to be taken in all parts of the State between “August 1st and August 20th.” The act of 1874 changed the time to “July 1st to July 20th,” both acts limiting the time to twenty days. The act of 1880 applies to cities only, and fixes the time to “on or before June 1st,” and the act of 1882 limits the time to “during the month of May,” and is, therefore, not inconsistent with the act of 1880. Taking the act of 1880 literally and by itself, it might be held that the census can be taken at any time before June 1st, but taken in connection with the other acts I do not think it was the intention of the act to extend the time beyond a month. As such extension, if permitted, might defeat the very object of the act, I am of opinion that the census must be taken in cities during the month of May.

No. 3.—The State School Moneys Intended Only for the School Year beginning September 1st next after the Apportionment is made.

As the amount of the State School Tax for any one year is determined by the number of children of school age as contained in the next preceding school census, and as the apportionment of the State school moneys is made upon the basis of the number of such children in the respective school districts, it is the evident intention of the statute that these school moneys should be applied for the maintenance of the school during the school year beginning September 1st next after the apportionment is made.

In the case of the Board of Education of Elizabeth *vs.* Patrick Sheridan, Collector, tried in the November Term of the Supreme Court in 1879, Justice Scudder held that the "School Taxes are to be levied and applied for the fiscal year beginning September 1st succeeding the assessments, and not for the preceding year."

The same rule will prevent the application of these taxes to a *succeeding* year.

In each year a large number of children pass beyond the school age, and a large number of children just enter it, so that each year has a school generation of its own. It is the generation of each year that is to be benefited by the school tax of that year, and not a future generation.

No. 4.—Compensation to Township Collectors.

Under section 30 of the act of March 11th, 1866, a Township Collector is entitled to receive twelve cents, and no more, for each name on his duplicate, for collecting all taxes, including state, county, township, school, poor, and all other taxes, except so far as this section has been modified by subsequent legislation.

The school act of March 21st, 1867, authorizes district school taxes and township school taxes to be collected by the Township Collector, and it makes it the duty of the Township Collector "to *receive and hold in trust* all school moneys belonging to the township or to any of the districts thereof, whether received from

the State appropriation, from township or district tax, or from other sources, and to pay out the same only on the orders of the District Clerks of the several districts of his township, * * * and as compensation for such service the Township Collector shall be entitled to receive three-fourths of one per centum on all school funds received and paid out by him for such purposes," &c.

This last clause has been frequently misinterpreted, and has led many Township Collectors into error.

In the case of Demarest [collector] *vs.* New Barbadoes [township], Judge Dixon, in his decision, said that while these taxes are to be collected by the Township Collector as other township taxes are, "it gives no fees for collection of them, but it does provide that the Township Collector shall receive and hold all school moneys, whether of township or district, whether from State, township or district tax or other source, and pay the same out only by an order of the District Clerk, and pay the balance to his successor on the order of the Township Committee; and as compensation he shall have three-fourths of one per cent. on all school funds received and paid out by him for such purposes. * * * Here, then, is the compensation to the Township Collector—not for collecting taxes for school purposes, but for receiving, holding and paying out the moneys for such purposes."

The court then goes into the question whether the Collector shall receive but one percentage, or shall receive three-fourths of one per cent. on the amount received and also three-fourths of one per cent. on the amount paid out for school purposes, and decides that the latter is the correct construction of the law. Continuing, he says:

"The question, then, is, What funds does he receive and pay out for school purposes? He collects, in this case, the district school tax. That, I think clearly, he receives for school purposes. The same thing is true of the township school tax. That, also, he receives for school purposes. As soon as it comes into his hands it is money devoted to that purpose. But that is not so true of the money he collects for the State. That he does not receive for school purposes. He receives that to pay into the State treasury. * * * Then he receives money from the County Collector. That money he receives for school purposes.

Just as soon as it reaches his hands it is devoted to school purposes. He holds it for that, and is to pay it out only for such purposes. Then the moneys that he pays on the orders of the District Clerks he pays for school purposes."

On the ground that the legislature did not intend that the two percentages should be levied on the same sum, the court held that—

"Upon whatever balance he has received of his predecessor, he shall not be allowed the three-fourths per cent., and upon whatever balance he pays over to his successor he shall not be allowed the three-fourths per cent. The result, then, is that the three-fourths of one per cent. must be calculated upon the amount of district school tax that he collects, the amount of township school tax that he collects, the amount that he receives from the County Collector for school purposes, and the amount that he pays out on the orders of the District Clerks."

On appeal to the Court of Errors and Appeals, tried in 1878, the court held that there was no error in the above ruling.

The only legislation as to compensation subsequent to that on which the above decision rests, is found in the act of April 5th, 1875, which entitles Township Collectors to receive five cents on each name for *collecting* the district school tax; and this appeared to me to be a compensation in addition to the three-fourths of one per cent., as the court distinctly held in the case referred to above that the three-fourths of one per cent. was not for *collecting*, but for receiving, holding and paying out the school moneys, and I so decided.

In the more recent case of *New Barbadoes Township vs. J. C. Van Horn*, collector, tried in the Bergen Circuit Court, December 13th, 1887, Justice Dixon decided: "That in view of the fact that the act of April 8th, 1875, giving the five cents for each name for collecting district school taxes, is a supplement to the school law, and in view of the fact that the collecting of district school taxes is the same thing as receiving district school taxes, and in view of the fact that this supplement of April 8th, 1875, declares that the collector shall receive five cents, and no more, for collecting district school taxes, I come to the conclusion that the receipts by him of the three-fourths of one per cent. on these sums is forbidden by the act of April 8th, 1875, and is unlawful."

The Township Collector, then, is entitled to the following compensation :

Five cents per name for collecting a district school tax.

Three-fourths of one per cent. for receiving and holding in trust the township school tax.

Three-fourths of one per cent. for receiving and holding in trust the portion of the State school tax or State fund paid to him by the County Collector.

Three-fourths of one per cent. for all school moneys paid out on the orders of the District Clerks.

No. 5.—Official Acts of Trustees.

For any act of a district clerk which requires the sanction of the school trustees, it is not sufficient that the said trustees individually consent. The trustees of the school district are municipal officers. All of their official acts must be performed in their corporate capacity at a regularly convened meeting, of which all should have notice and in which all have opportunity to participate.

No. 6.—Suspension of Pupils.

Section 80 of the School Law, so far as it relates to the suspension of pupils, does not confer that power upon assistant teachers in graded schools.

As such a construction would tend to interfere with the proper supervision of the school by the principal, I decide that, in a graded school which is under the general supervision of a principal, the section is restricted, in its application, to the principal, and does not give the right of suspending pupils to assistant teachers.

No. 7.—Salaries of City Superintendents not to be paid from the State School Moneys.

As the State provides supervision by County Superintendents, who are not paid out of the State school moneys, and, as City Superintendents take their places, and do their work in cities, I

think that City Superintendents should not be paid out of the State school moneys.

No. 8.—Corporal Punishment.

In the matter of corporal punishment the law is explicit, but provides no penalty for its violation. It is the duty of school officers, however, to see that the law is enforced, and they have an undoubted right to remove a teacher who violates it.

No. 9.—Use of State School Moneys for Incidentals.

On the question of the expenditure of the State school appropriation the law is so explicit that but one interpretation can be given it, and this Department has no power to change or modify it. The statute says that "not more than twenty dollars annually of the school moneys received by any school district, except such as may be raised within the district, shall be used for any other purpose than the payment of *teachers' salaries* and for *purchasing fuel*." The penalty for a violation of this provision is a forfeiture of twice the amount used for other than these specified purposes, to be taken out of the next appropriation.

No. 10.—School Year.

There is but one school year recognized in the State School Law, and that is the year beginning September 1st, and the State school moneys can only be appropriated for that year. Whatever may be the financial year of the city, the money received from the State for school purposes must be devoted to the maintenance of the schools during the year which begins September 1st.

No. 11.—Proceedings in Bonding a District.

1. The notices calling a district meeting to authorize the trustees to issue district bonds must be ordered at a regularly

called meeting of the board of trustees. The trustees must decide for what purpose or purposes the district meeting shall be called. Full and accurate minutes of the meeting of the trustees must be kept.

2. The notice calling the district meeting must state all the purposes of said meeting, as decided upon at the meeting of the trustees, and must be posted not less than ten days, in at least three public places in the district, one of which must be the school house, if there be one.

3. The district meeting must decide the amount of money to be appropriated to each object for which money is ordered to be raised, and the total amount voted must not exceed the amount stated as thought to be necessary in the notices. A majority of the taxable voters of the district must be present and vote on any proposition for the condemnation of land.

On all other questions a majority vote of the legal voters present at the meeting is all that is required.

The district meeting must decide the number of bonds to be issued, the denomination of the bonds, and the time or times of payment.

All proceedings must be approved by the Attorney-General before the bonds are issued. One copy of each of the following papers must be sent to the Attorney-General and one copy to the State Superintendent, viz. :

1. Minutes of the meeting of the Board of Trustees at which the posting of the notice was ordered.

2. The notice calling the district meeting.

3. Minutes of the district meeting.

These papers must be verified by an affidavit showing that they are true copies, and that the notices were posted according to law.

If the school meeting has voted on any proposition for the condemnation of land, there must also be an affidavit showing that a majority of the taxable voters were present and voted thereon.

On any question to raise money for any school purpose the vote must be taken by ballot.

The minutes of the trustee meeting and the notice of the district meeting should be sworn to by the district clerk. The

minutes of the district meeting should be sworn to by the secretary of said meeting.

No. 12.—School Residence of Children.

The State Constitution provides that "the Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children *in this State* between the ages of five and eighteen years." It does not require that the children shall have a legal residence here, but be *in this State*.

In obedience to the Constitution the Legislature enacted the present law. Section 86 of said law says: "It shall not be lawful to charge tuition fees for the support of public schools of this State," but that all such schools shall be free to all persons over five and under eighteen years of age residing within the district," etc. The statutes define the legal residence of voters and of persons who are incapable of self-support and become a public charge, but the statutes nowhere define the legal residence of a child for school purposes. As the local tax that is collected by the State for the support of the schools has no relation whatever to the number of children in that locality, or to the amount of money appropriated by the State for the support of the schools of that locality, the question of taxes has no bearing upon the child's right to attend school. In the supplement of 1885, commonly known as the child labor act, it is required that not only parents and guardians, but other persons "having control and charge" of children of school age, shall send them to school.

Under this act a person may be punished by fine or imprisonment for not sending a child to school even though said child may be only temporarily in charge of such person. I must decide, therefore, that the school law was enacted for the benefit of all the children in the State, and that children, to have the benefit of the law, must have the right to attend school wherever they are actually living at the time, without any regard to the legal residence of parents or guardians, or indeed to their existence.

No. 13.—Collectors to Return to Districts the Exact Amounts Ordered to be Raised by District Tax.

A School District may order to be raised, by District Tax, the exact amount required to enable it to fulfill its contracts and obligations. When the tax is collected, the Collector must place this sum to the credit of the District, or be held responsible for his failure to do so.

No. 14.—Fees of Assessors and Collectors Not to be Taken Out of the School Moneys.

Assessors and Collectors are township officers and must be paid out of township moneys provided for that purpose. Their fees cannot be taken from the school moneys, whether such school moneys are raised by tax or are derived from other sources.

No. 15.—Who are Legal Custodians of the School Moneys.

Our School Law nowhere provides that District School Trustees or District Clerks shall have the custody of any school moneys belonging to the Districts. It is, on the contrary, clearly the intention of the law that such district officers shall not, in any case, have such moneys in their custody, but that the moneys shall be held by some one else, subject to their order, and that they shall be paid out by the custodian only on orders signed by the District Clerk and one other Trustee.

The Township Collectors are made the custodians of *all* School moneys belonging to the Districts. (School Law, Sec. 162.) Section 164 provides that when a District extends beyond the limits of a Township, the moneys of that District shall be held by the Collector of the Township within which the school house is situated. For this service of the Township Collector, the law provides a compensation in fees.

In cities, the City Treasurer is made the legal custodian of the School moneys (School Law, Secs. 28 and 161), but his compensation is determined by the city charter.

No mention of Boroughs is made in the School Law, and so no direct provision is made for them, but we can easily apply the law to them. If no provisions are made in their charters contrary to the provisions of the General School Law, then the latter will apply to them as to other Districts, and the Township Collector is the only legal custodian of their funds. If their charters specially provide for a Treasurer of the Borough, then he must act as Treasurer of the School District within the Borough, as does the treasurer of a city.

In all cases, whoever is custodian of the moneys of a township or city is the custodian of the moneys belonging to the School Districts within that township or city, and this rule applied to Boroughs, which partake of the character of cities, will make the custodian of the Borough funds the custodian of the funds of all the Districts having their school houses within the limits of the Borough. If his compensation is fixed by the Borough charter, he is entitled to no fees under the General School Law, but if his compensation is not fixed by the charter, he is entitled to the fees provided in the School Law for Township Collectors.

No. 16.—Incompatible Offices.

There is no statute in this State that I know of, nor is there any decision that I can find, bearing upon the question as to whether a person may act as District Clerk and as Township Assessor at the same time. In giving an opinion, the only guide that I have is the Common Law principle that a person cannot hold two offices that are incompatible; or, where the duties of the one interfere with or are inconsistent with the duties of the other. For instance, a person cannot be at the same time employer and employee; or, holding one office, take another where his duties will be to fix, or help to fix his own salary, or determine his duties in his other office; or hold two offices where one is designed as a check upon the other, or where the duties of the

one are such as to interfere with or prevent his performance of the duties of the other.

Now, let us see whether the offices of District Clerk and Township Assessor come within this principle. The duties of a District Clerk are such that he need not neglect them to do the work of an assessor, and *vice versa*, neither office is intended to be, nor is it, in fact, a check upon the other. The only official business relation between the two officers is when the District Clerk is required to certify to the Assessor the amount of money voted to be raised by district taxation. The only purpose of this notice is to give to the proper tax officer the necessary information. I cannot see that the duties of either office are incompatible with the duties of the other, and, therefore, my opinion is that one person can legally hold both.

No. 17.—School Holidays.

No teacher shall be required to teach on January 1st, February 22d, May 30th, July 4th, the first Monday in September (Labor Day), Thanksgiving Day, December 25th, nor on any day on which a general election is held (an election for State officers) or any day set apart by proclamation of the Governor of this State, or the President of the United States, for the purpose of public observance, nor upon the Monday following when any of the above-named days falls on a Sunday.

If any of the above days fall on a Saturday, it is not to be counted as a school day in making up the teacher's time or the school term. If it falls on a Sunday, the Monday following is to be counted as a school day, though no school be held. If it falls on any other day in the week, it is to be counted as a school day, as though the school had been held.

Teachers cannot be required to make up any time lost by not teaching on any of the above days.

No. 18.—Collection of Delinquent Taxes.

In case of a failure to collect a district school tax, the property liable for the tax may be sold and the tax recovered in the same manner as township taxes are recovered.

When a Collector sells property for the taxes in pursuance of a writ from the Township Committee, he shall retain the amount belonging to any School District and pay the balance of the proceeds over to the Township Treasurer.

If the Township purchases the property sold for taxes, it should pay over to the Township Collector the amount belonging to any School District, as any other purchaser would have to do. In no case should the Township Treasurer retain in his custody money belonging to the School Districts. He is only authorized to hold such moneys as are subject to the orders of the Township Committee, and the proceeds of a School District tax are not subject to their order.

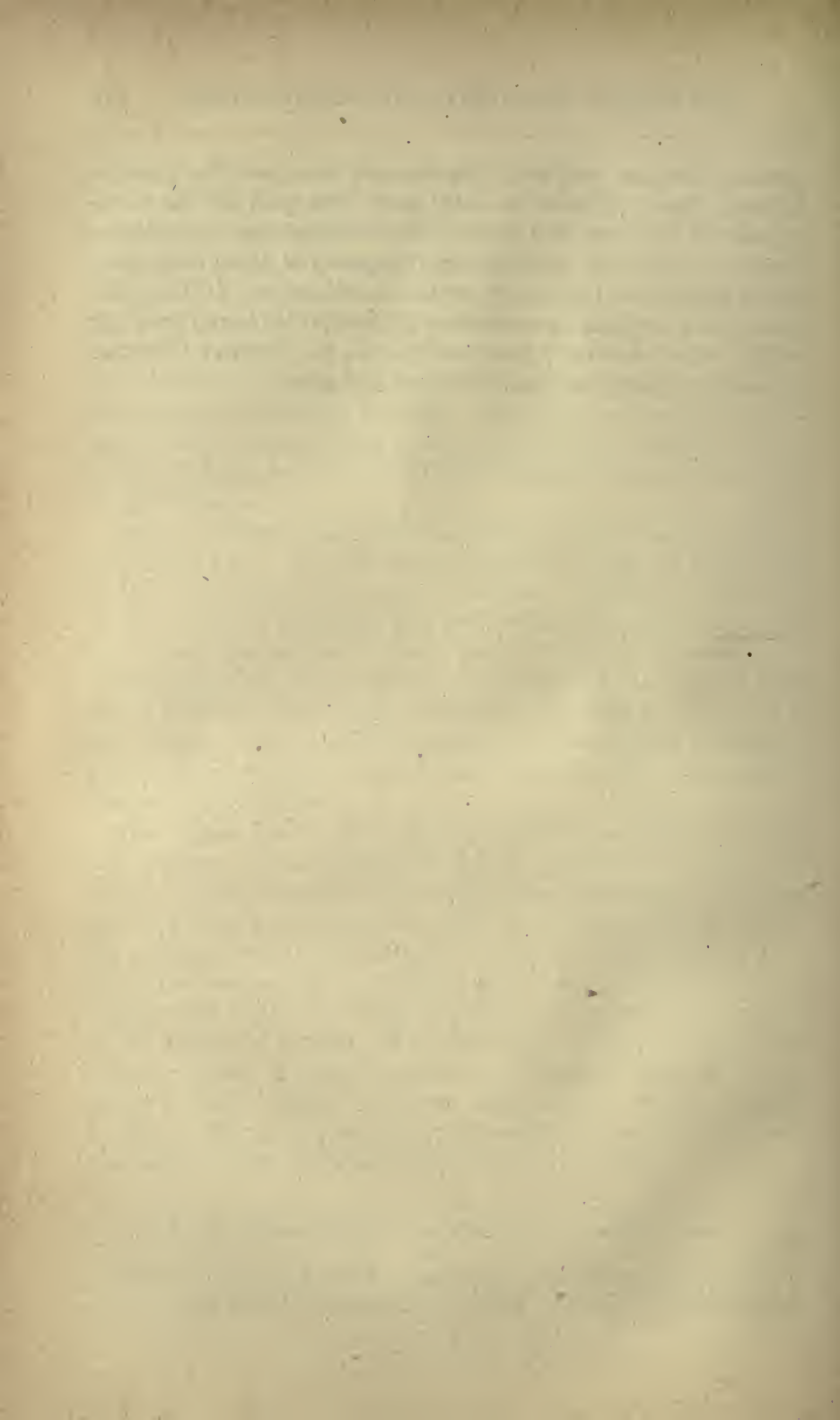
Such a course is absolutely necessary to the carrying out of the School Law. The citizens of a School District are authorized by law to vote taxes for certain purposes. Having notified the Assessor of such vote, they may make their contracts for the year based upon the amount of tax voted. The duty of levying and collecting the tax rests with the Township, which is vested with ample powers. If the taxing officers fail to collect the tax voted, the powers of the incorporated School District are destroyed, and the duties which the law imposes upon its officers and people cannot be performed.

The School Law is not perfect in itself in the matter of taxation, because it does not provide for the collection of delinquent taxes; for this purpose it relies on the general tax laws. But these are not perfect so far as relates to the schools, because they require the moneys received for delinquent taxes to be paid to the Township Treasurer, and do not require that they shall be returned to or paid over to the Township Collector to be placed to the credit of the School Districts. But law never contemplates its own defeat, nor can it justify injustice or misapplication of money, and we cannot shield ourselves with one law while violating another. We must take the tax acts and the school acts together, and carry out the spirit as well as the letter of both.

No. 19.—Meetings for the Election of District Clerk.

The School Law provides that school trustees shall meet for the election of a District Clerk within ten days of the annual

election of school trustees. Neither the time nor the place is definitely fixed. The law is silent as to who shall call the meeting and fix the time and place. The trustees may do it themselves at a previous meeting, or a majority of them may agree upon and sign a call to be duly sent to the minority. If this is not done by the trustees, or a majority of them, it is plainly the duty of the clerical officer of the district, viz., the District Clerk, to call such meeting, and name the time and place.



BLANKS AND FORMS

FOR SCHOOL OFFICERS.

BLANKS AND FORMS FOR SCHOOL OFFICERS.

The following Forms have been prepared for the use of all officers having duties to discharge under the School Law. Their use will secure uniformity and correctness in the transaction of financial and general school business. The *literal* use of these Forms is in no case *essential* to the validity of a school instrument. Any Form may be used which clearly expresses the objects designed, or the intention of the parties interested, and conforms in all respects to the requirements of the law, but as those annexed have been prepared with strict reference to these necessary conditions, their use is recommended. The blank spaces are to be filled to meet the varying circumstances in each case. These Forms have been submitted to and approved by the State Board of Education.

EDWIN O. CHAPMAN,
State Superintendent of Public Instruction.

Blanks and Forms.

COUNTY SUPERINTENDENTS.

Form No. 2c.

REPORT OF THE AGES OF SCHOOL CHILDREN IN COUNTY,
CENSUS OF 1891.

To, State Superintendent:

I hereby report the ages of Children, according to the census of 1891:

Number between	5	and	6	years of age,	.	.	.	.....
"	"		6	"	7	"	"	.....
"	"		7	"	8	"	"	.....
"	"		8	"	9	"	"	.....
"	"		9	"	10	"	"	.....
"	"		10	"	11	"	"	.....
"	"		11	"	12	"	"	.....
"	"		12	"	13	"	"	.....
"	"		13	"	14	"	"	.....
"	"		14	"	15	"	"	.....
"	"		15	"	16	"	"	.....
"	"		16	"	17	"	"	.....
"	"		17	"	18	"	"	.....
Total,								.....

Number of Children under 15 years of age employed in
factories or stores,

Number of Children over 10 years of age unable to read,

....., *County Superintendent.*

N. B.—County Superintendents should not include the cities in this report, as the City Superintendents report these statistics for their respective cities.

Form No. 10.

REPORT OF THE CONDITION OF SCHOOL HOUSES IN COUNTY.

This report should include all the School Houses in the County, excluding the Cities.

IN DISTRICTS WITH MORE THAN ONE BUILDING, GIVE NAME OR NUMBER FOR EACH.	1	Owned or rented.	2	Of what material constructed.	3	No. of class rooms.	4	Value of school house and lot. Give value of each building separately.	5	Condition of building, whether very poor, poor, medium, good, or very good.	6	Is it furnished with modern desks?	7	Are there maps and charts?	8	Is there a globe?	9	Is there a dictionary?	10	Is there a gazetteer?	11	Value of other apparatus.	12	Are there sufficient blackboards?	13	Does the District furnish text books?	14	Are there separate out-houses for the two sexes maintained in satisfactory condition?	15	Is there any system of ventilation other than doors and windows?
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- Number of Townships, Cities and Boroughs.....
- Number of School Districts, including Cities.....
- Number of School Houses erected during the year.....
- Number enlarged, refurnished or remodeled.....
- Number of unsectarian private schools (separate institutions, having 25 pupils or more),.....
- Number of sectarian private schools (separate institutions, having 25 pupils or more),.....

This report is to be made to the State Superintendent at the close of the school year.

Form No. 13.
 REPORT OF THE CONDITION OF SCHOOLS IN COUNTY.

This Report should include every Teacher in the County, excluding those in the Cities.

NAME OF TEACHER.		1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.
		New Jersey State Normal graduate. Yes or no.	New Jersey State Normal under-graduate.	Grade of certificate and kind, whether State or county.	Years. Months. How long has the teacher taught in the district.	Years. Months. Total experience in teaching.	Grade of School in the use of black-boards and objects.	Grade of School with respect to proficiency in studies.	Grade of School with respect to order.	Grade of School with respect to cleanliness.	Grade of School, considering all its conditions.	Is the teacher too closely confined to text-books in recitations. Ans. Yes or no.	Are the children required to study at home? Ans. Yes or no.	Is there uniformity of text-books?	How many studies are pursued in the room? (Different grades in the same subject to be considered different studies)	Average number of recitations heard daily.	Average enrollment.	Average daily attendance.	Average number of cases of tardiness per day.	Number of visits by County Superintendent. Report for each room.

This report is to be made to the State Superintendent at the close of the school year.

Number of District.

Form No. 17.
 STATISTICAL REPORT, BY DISTRICTS, FOR COUNTY OF , STATE OF NEW JERSEY, FOR THE SCHOOL
 YEAR ENDING AUGUST 31ST, 1891.

TOWNSHIPS AND DISTRICTS.	FINANCIAL STATEMENT.										ATTENDANCE.										19	20	21	22	23	24	25
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18									
	Amount due the District September 1st, 1890, from all sources, for Teachers' Salaries and Fuel.	Amount due the District September 1st, 1890, from District Tax for Building and Repairing School Houses, including amount raised for payment of debt and interest.	Total amount due the District September 1st, 1890.	Amount expended for Teachers' Salaries.	Amount expended for Fuel.	Amount expended for Building or Repairing (including debt and interest).	Amount expended for Incidentals.	Total amount expended.	Present value of School Property.	Whole number of children between 5 and 18 years of age, residing in the District.	Average number of months the Schools have been kept open. (Use decimals.)	Number of children between 5 and 18 years of age enrolled in the School Register during the year.	Number who have attended 10 months or more during the year.	Number who have attended 8 months, but less than 10.	Number who have attended 6 months, but less than 8.	Number who have attended 4 months, but less than 6.	Number who have attended less than 4 months.	Average number who have attended School during the time it has been kept open. (No fractions.)	Number of children in the District attending private school.	Number of children in the District who have attended no school during the year.	Number of children the school-house will seat.	Number of Male Teachers employed.	Number of Female Teachers employed.	Number of Male Teachers employed.	Average Salary per month paid to Male Teachers.	Average Salary per month paid to Female Teachers.	

This report is to be made to the State Superintendent at the close of the school year.

Form No. 17a.

REPORT OF THE APPORTIONMENT OF SCHOOL MONEYS, BY DISTRICTS, FOR THE COUNTY OF, STATE OF NEW JERSEY, FOR THE SCHOOL YEAR ENDING AUGUST 31, 1891.

TOWNSHIPS AND DISTRICTS OR CITIES.								
	1	2	3	4	5	6	7	8
No. of District.								
Number of Children in the District between 5 and 18 years of age.								
Amount of Apportionment from State Appropriation, including State School Tax and \$100,000.								
Amount of Apportionment from Township Tax.								
Amount of Apportionment from Surplus Revenue.								
Amount of District School Tax voted for payment of Teachers' Salaries.								
Amount of District School Tax voted to be used for Building, Purchasing, Hiring, Repairing or Furnishing Public School Houses.								
Total Amount of District School Tax ordered to be raised.								
Total Amount received from all sources for Public School purposes.								

This report is to be made to the State Superintendent at the close of the school year.

Form No. 20.—Teacher's County Certificate—First Grade.

TEACHER'S CERTIFICATE.

OFFICE OF
COUNTY SUPERINTENDENT.

..... COUNTY,
STATE OF NEW JERSEY.

First Grade.

GRADE IN
Orthography
Reading.....
Penmanship.....
Geography.....
Arithmetic.....
English Grammar.....
Theory and Practice of Teaching.....
History of the United States...
Book-keeping
Physiology.....
English Composition.....
Physics

having presented satisfactory evidence of good moral character, and having passed the required examination, with the results indicated in the annexed Grade, is hereby licensed as a Teacher in the Public Schools of this county for the term of five years from date, unless this certificate is sooner revoked.

GRADE IN	
Algebra.....	
History of Education.....	
Constitution of United States..	
School Law of New Jersey.....	
General Average.....	
SPECIAL CREDIT MARKS.	
Music	
Drawing	
Elocution.....	
Gymnastics.....	
Manual Training.....	
General appearance of examination papers.....	
Has taught.....years.....	

Given under our hands this day of 18.....

..... }
..... } *Examiners.*

....., *County Superintendent.*

Form No. 21.—Teacher's County Certificate—Second Grade.

TEACHER'S CERTIFICATE.

OFFICE OF
COUNTY SUPERINTENDENT.

.....COUNTY,
STATE OF NEW JERSEY.

Second Grade.

GRADE IN
Orthography
Reading.....
Penmanship.....
Geography
Arithmetic.....
English Grammar.....
Theory and Practice of Teaching.....
English Composition.....
Physiology.....
History of the United States.

.....
having presented satisfactory evidence of good moral character, and having passed the required examination, with the results indicated in the annexed Grade, is hereby licensed as a Teacher in the Public Schools of this county for the term of three years from date, unless this certificate is sooner revoked.

GRADE IN
Book-keeping
General Average
SPECIAL CREDIT MARKS.
Music
Drawing.....
Elocution
Gymnastics.....
Manual Training.....
General appearance of examination papers
Has taught.....years.....

Given under our hands this day of, 18.....

..... }
..... } *Examiners.*

....., *County Superintendent.*

Form No. 22.—Teacher's County Certificate—Third Grade.

TEACHER'S CERTIFICATE.

OFFICE OF
COUNTY SUPERINTENDENT.

..... COUNTY,
STATE OF NEW JERSEY.

Third Grade.

GRADE IN
Orthography
Reading
Penmanship
Geography
Arithmetic.....
English Grammar.....
Theory & Practice of Teaching
General Average.....

having presented satisfactory evidence of good moral character, and having passed the required examination, with the results indicated in the annexed Grade, is hereby licensed as a Teacher in the Public Schools of this county for the term of one year from date, unless this certificate is sooner revoked.

SPECIAL CREDIT MARKS.
Music.....
Drawing.....
Elocution.....
Gymnastics.....
Manual Training.....
General appearance of examination papers.....
Has taught years.....

Given under our hands this day of, 18.....

..... }
..... } *Examiners.*

....., *County Superintendent.*

Form No. 23.
 RECORD OF TEACHERS' CERTIFICATES GRANTED FROM 18....., to 18.....

NAME.	ADDRESS	Age.	Total length of time engaged in teaching.	Where educated.	Date of certificate.	Date on which certificate will expire.	Grade of certificate.	GRADE IN	SPECIAL CREDIT MARKS.	Remarks.
								Orthography.	Music.	
								Reading.	Drawing.	
								Pennanship.	Elcution.	
								Geography.	Gymnastics.	
								Arithmetic.	Manual Training.	
								English Grammar.	General appearance of examination papers.	
								Theory and practice of teaching.		
								History of United States.		
								Book-keeping.		
								Physiology.		
								English Composition.		
								Physics.		
								Algebra.		
								History of Education.		
								Constitution of United States.		
								School Law of New Jersey.		
								General average.		

Form No. 24.

REPORT OF TEACHERS' CERTIFICATES GRANTED IN COUNTY.

Number of First Grade granted to males,
 Number of First Grade granted to females,
 Number of Second Grade granted to males,
 Number of Second Grade granted to females,
 Number of Third Grade granted to males,
 Number of Third Grade granted to females,
 Total number granted to males,
 Total number granted to females,
 Total number granted,
 Number of male applicants rejected,
 Number of female applicants rejected,
 Total number rejected,
 Number of Certificates revoked,
 Per cent. of rejections out of the whole number exam-
 ined,
, *County Superintendent.*

This report is to be made to the State Superintendent as soon after the first of September as possible.

Form No. 27.—Notice of Institute.

....., N. J.,, 18.....
 The Teachers' Institute for County will be held at
, commencing 18..., and closing 18....
, *County Superintendent.*

RULE PRESCRIBED BY THE STATE BOARD OF EDUCATION.—“All Teachers are required to attend the Annual Institute, held for the county in which they are teaching, and no deduction shall be made by Trustees from the salary of any Teacher for the time he or she is in attendance upon said Institute.”

Form No. 28.—Certificate of Teacher's Attendance at Institute.

..... N. J.,, 18.....

To the Trustees of School District No. :

I hereby certify that has been in attendance at the Annual Institute of the County, just closed, days.

....., *County Superintendent.*

Form No. 33.

REPORT OF THE CONDITION OF SCHOOL LIBRARIES IN..... COUNTY.

NOTE.—The Library year coincides with the State fiscal year, beginning November 1st and ending October 31st.

District or School.	Amount raised during the year for Library.	Amount previously raised.	Amount received from the State during the year.	Amount previously received from the State.	Number of books purchased during the year.	Number of books previously purchased.	Amount expended for apparatus during the year, from Library Funds.	Amount previously expended for apparatus, from Library Funds.	Number of books now constituting the Library.	Number of books taken out during the year.

Form No. 34.—Statement of Expenses.

..... N. J.,, 18.....

To the State Board of Education :

I herewith submit a statement, by items, of the expenses I have incurred in the performance of my official duties as County Superintendent of County, for the six months ending, 18.....

OFFICE EXPENSES.

Postage,
 Expressage,
 Stationery,
 Printing,

MISCELLANEOUS EXPENSES.

.

EXPENSES INCURRED IN VISITING SCHOOLS.

Week ending, visited Schools Nos.
 Week ending, visited Schools Nos.

SUMMARY.

Office expenses,
 Miscellaneous expenses,
 Expenses incurred in visiting schools,
 Total,
 Total number of districts in the County,
 Total number visited during the six months ending,
 18.....,

STATE OF NEW JERSEY, }
COUNTY. } ss.

On this day of, 18....., before me personally appeared, County Superintendent of County, who, on his oath, saith that the within statement is true, and that, to the best of his knowledge and belief, he has, during the time for which this statement is made, faithfully performed all the duties imposed by the School Law and by the regulations of the State Board of Education.

Sworn and subscribed before }
 me thisday of, 18..... }

Form No. 53.—Order on County Collector for the \$100,000
 Appropriation.

OFFICE OF COUNTY SUPERINTENDENT, }
, N. J.,, 18..... }

To the Collector of County :

Pay to the order of the Collector of Township,
 Dollars, being the amount apportioned out of the State Appro-

apropriation of \$100,000 for the support of Public Schools in said Township, for the School Year beginning September 1st, 18.....
\$....., *County Superintendent.*

Form No. 54.—Order on the County Collector for the State School Tax.

OFFICE OF COUNTY SUPERINTENDENT, }
....., N. J.,, 18.... }

To the Collector of County:

Pay to the order of the Collector of Township,
 $\frac{1}{100}$ Dollars, being the amount apportioned out of the State School Tax for the support of Public Schools in said Township, for the School Year beginning September 1st, 18.....
\$....., *County Superintendent.*

Form No. 55.—Order on the County Collector for the Interest of Surplus Revenue.

OFFICE OF COUNTY SUPERINTENDENT, }
....., N. J.,, 18.... }

To the Collector of County:

Pay to the order of the Collector of Township,
 $\frac{1}{100}$ Dollars, being the amount apportioned out of the Interest of the Surplus Revenue for the support of Public Schools, for the School Year beginning September 1st, 18.....
\$....., *County Superintendent.*

Form No. 56.—Order on County Collector for Balances.

OFFICE OF COUNTY SUPERINTENDENT, }
....., N. J.,, 18.... }

To the Collector of County:

Pay to the order of the Collector of Township,
 $\frac{1}{100}$ Dollars, being the amount of Balance of the State appropri-

ation re-apportioned to districts of said Township for the support of Public Schools, for the School Year beginning September 1st, 18:.....

\$, County Superintendent.

Form No. 57.—Order on the County Collector for Examiner's Salary.

No. OFFICE OF COUNTY SUPERINTENDENT, }
..... N. J., 18....., }

To the Collector of County:

Pay to the order of, County Examiner,
 $\frac{1}{100}$ Dollars, being the amount due him for services and traveling expenses at the, 18....., session of the Board of County Examiners.

\$, County Superintendent.

Form No. 80.

..... OFFICE OF COUNTY SUPERINTENDENT, }
..... N. J., 18..... }

DEAR SIR:—There will be a meeting of the Township Board of Trustees of Township at on....., 18....., at o'clock.

..... , County Superintendent.

NOTE.—The law requires that the Township Boards of Trustees shall meet semi-annually at such times and places as the County Superintendent may appoint.

Form No. 81.—Appointment to fill a Vacancy in a Board of Trustees.

To :

The office of one of the Trustees of School District No., in the County of, having become vacant through failure

of the District to elect according to law [*or for any other reason*], you are hereby appointed to fill such vacancy, until the next annual meeting for the election of Trustees in said District.

Dated this day of, 18.....

....., *County Superintendent.*

Form No. 82.—Appointment of a District Clerk.

To :

The office of District Clerk of School District No., in the County of, being vacant through failure of the Trustees to elect according to law [*or for any other reason*], you are hereby appointed to fill such vacancy until the next annual meeting for the election of Trustees in said District.

Dated this day of, 18.....

....., *County Superintendent.*

Form No. 83.—Appointment of Trustees for a New District.

To :

Having, on the day of, 18....., formed a new School District, to be known as School District No., in the County of, comprising the following territory: [*here insert the description of the District,*] you are hereby appointed Trustee [*and District Clerk, if such is the fact,*] for said District until the next annual meeting for the election of Trustees.

I have appointed as your associates Messrs. and

Dated this day of, 18.....

....., *County Superintendent.*

NOTE.—When two Districts are united they each become extinct and a new District is formed, and the Trustees of the extinct Districts cannot continue to act as Trustees of the new one, but an entire new Board must be appointed by the County Superintendent.

Form No. 84.—Request for District Clerk to Call a Special School Meeting for Establishing a Graded School.

To, District Clerk of School District No., in the County of

SIR—You are hereby requested to call a special meeting of the legal voters of your District, on the day of, 18....., at o'clock in the noon, for the purpose of acting upon the question of uniting with Districts Nos. and, etc, in establishing and maintaining a Graded School in accordance with the provisions of Section 61 of the School Law.

Dated this day of, 18.....

....., *County Superintendent.*

NOTE.—The above request is only to be given when there is a known desire on the part of the inhabitants of the Districts thus notified to establish a Graded School. A separate meeting should be held in each District proposing to unite.

Form No. 85.—Order Organizing a Union School District for the Purpose of Establishing a Graded School.

WHEREAS, Districts now known as School Districts Nos. and, in the County of, did in accordance with the provisions of Section 61 of the School Law, agree to unite for the purpose of establishing and maintaining a Graded School, at public meetings called by order of the County Superintendent, on the following days, to wit: School District No. on the day of....., 18.....; School District No. on the day of....., 18.....; and School District No. on the day of, 18.....

Therefore, it is hereby ordered and made known that said districts are united for the purposes set forth, to be known hereafter by the name and title of

Given under my hand this day of, 18.....

....., *County Superintendent.*

NOTE.—One copy of the above order must be furnished to each Board of Trustees of the United District, and one copy retained by the County Superintendent.

Form No. 86.—Order Organizing a School District.

It is hereby ordered and determined that the following shall hereafter be the boundaries of School District, to be known as District Number, in the County of, State of New Jersey: beginning at [*here describe the boundaries*].

Given under my hand this day of, 18.....
, *County Superintendent.*

Approved this day of, 18.....
, *State Superintendent.*

NOTE.—The above order should be made out in triplicate, one copy to be retained by the County Superintendent, in his office, one copy to be sent to the State Superintendent, and the other to be held by the Trustees. The State Board prescribes that a map of the Districts of the County shall be drawn by the County Superintendent, and sent to the State Superintendent, to be retained in his office.

Form No. 87.—Notice by County Superintendent to the District Clerks of Districts to be affected by proposed District Changes.

To, District Clerk of School District No.,
 in the County of

You are hereby notified that I will be present at, on the day of, 18....., ato'clock in thenoon, to decide upon certain proposed alterations of the boundaries of your School District. The attendance of your Board of Trustees is requested.

Dated this day of, 18.....
, *County Superintendent.*

Form No. 88.—Notice to Township Collector, directing him to withhold School Moneys from a Teacher.

To the Township Collector of Township:

SIR:—You are hereby directed to withhold all further payment of salary to a teacher now employed in

School District No., situated in your Township, said Teacher not being in possession of a certificate [*or not having kept the School Register*], as is required by the School Law.

Dated this day of, 18.....

....., *County Superintendent.*

Form No. 89.—Notice to Township Collector, directing him to withhold School Moneys from a District.

To the Township Collector of Township :

SIR :—You are hereby directed to withhold [*here state the amount in words*] from the school moneys apportioned to School District No., situated in your Township, on account of said District [*here state the reason why the money is withheld*].

Dated this day of, 18.....

..... *County Superintendent.*

NOTE.—All moneys withheld must be re-apportioned the next year among all the Districts of the Township.

Form No. 90.—Notice of Meeting for Examination of Teachers.

Notice is hereby given that there will be a meeting of the County Board of Examiners of County, for the examination of candidates for teachers' certificates at, on, the instant. Each applicant for a certificate should be present as early as o'clock A. M.

....., *County Superintendent.*

....., 18.....

Form No. 91.—Notice to Teacher Revoking His Certificate.

To..... :

SIR :—The certificate of qualification held by you as a Public School Teacher in the County of, issued on the day

of, 18....., is hereby revoked, for the reason that [*here state reason why certificate is revoked.*]

Dated this.....day of 18.....
 , *County Superintendent.*

See Rule 5 of the State Board of Education.

Form No. 92.—Notice to District Clerk informing him of the Revocation of Teacher's Certificate.

To , District Clerk of School District No. ,
 of the County of :

SIR:—You are hereby notified that on the day of....., 18....., I revoked the certificate of qualification held by , a teacher in your District, for the reason that, in my opinion, the said does not possess the requisite qualifications as a teacher in respect to [*moral character, learning, or ability to teach, as the case may be.*]

Dated this day of , 18.....
 , *County Superintendent.*

NOTE.—When a teacher's certificate is revoked, a notice similar to the above should also be sent the Collector of the Township in which the Teacher has been engaged.

Form No. 93.—Notice to Township Collector of Apportionment of Balances.

OFFICE OF COUNTY SUPERINTENDENT, }
, N. J.,, 18..... }

To the Collector of Township :

The amount of balances of the State Appropriation due to Districts of your Township, under the act of 1887, have been apportioned as follows :

To District No. \$.....
 " " "
 , *County Superintendent.*

Form No. 94.—Notice to District Clerk of Apportionment of Balances.

OFFICE OF COUNTY SUPERINTENDENT, }
, N. J.,, 18..... }
, D. C., District No.

I have this day apportioned to your District, from the Balances of the State Appropriation, the sum of \$..... for the school year beginning September 1st, 18.....

....., *County Superintendent.*

Form No. 95.—Certificate of County Superintendent in Appeals.

OFFICE OF COUNTY SUPERINTENDENT, }
, N. J.,, 18..... }
 To, State Superintendent of Public Instruction :

SIR :—I transmit, herewith, a full and correct statement of the facts and the documentary evidence presented to me in the case of vs., together with my decision thereon, from which appeal has been taken to the State Department.

I certify that the accompanying statement is correct to the best of my knowledge and belief.

....., *County Superintendent for County.*

NOTE.—The above certificate should be furnished by the County Superintendent in cases of appeal, when requested by the State Superintendent.

Form No. 96.—Form of Certificate Condemning a School House.

This is to certify that I, the undersigned, have this day condemned the public school-house in District No., in the County of, as being, in its present condition, unfit for use.

Dated this..... day of, 18.....

....., *County Superintendent.*

NOTE.—This certificate is held by the County Superintendent, and the school-house remains condemned until repaired or rebuilt.

FORMS FOR CITY SUPERINTENDENTS.

Form No. 2b.

REPORT OF THE AGES OF SCHOOL CHILDREN ENROLLED IN THE
SCHOOLS OF CITY.

To , State Superintendent :

I hereby report the ages of children who have been in attendance at the Public Schools of City, for the School Year commencing September 1st, 1890, and ending August 31st, 1891.

Number between	5	and	6	years of age,	.	.	.	.....
"	"	6	"	7	"	"	"	.....
"	"	7	"	8	"	"	"	.....
"	"	8	"	9	"	"	"	.....
"	"	9	"	10	"	"	"	.....
"	"	10	"	11	"	"	"	.....
"	"	11	"	12	"	"	"	.....
"	"	12	"	13	"	"	"	.....
"	"	13	"	14	"	"	"	.....
"	"	14	"	15	"	"	"	.....
"	"	15	"	16	"	"	"	.....
"	"	16	"	17	"	"	"	.....
"	"	17	"	18	"	"	"	.....
Total,	.	.	.	.	.	.	.	.....

..... , *City Superintendent.*

This report should be sent to the State Superintendent at the close of the School Year.

Form No. 2c.**REPORT OF THE AGES OF SCHOOL CHILDREN ENROLLED IN THE
SCHOOLS OF CITY.**

To State Superintendent :

I hereby report the ages of children according to the census of 1891.

[Balance of report same as Form No. 2c, page 147.]

This report should be sent to the State Superintendent at the close of the school year.

Form No. 11.—Condition of School-houses.

This form is for reporting the condition of the school-houses in the city to the State Superintendent, and is the same as Form No. 10, page 148.

This report should be sent to the State Superintendent at the close of the school year.

Form No. 14.—Condition of Schools.

This form is for reporting the condition of the schools in the cities to the State Superintendent, and is the same as Form No. 13, on page 149.

This report should be sent to the State Superintendent at the close of the school year.

Form No. 15.

FINANCIAL REPORT CITY, INCLUDING ALL EXPENDITURES
FOR EDUCATIONAL PURPOSES.

CURRENT EXPENSES.

Amount expended for Teachers' salary,	\$.....
Amount expended for Superintendent's salary, . . . . .	.....
Amount expended for Janitors' fees, . . . . .	.....
Amount expended for Clerk's and Treasurer's fees, . . . . .	.....
Amount expended for fuel and light, . . . . .	.....
Amount expended for incidentals, . . . . .	.....
Total current expenses,	\$.....

PERMANENT EXPENSES.

Amount expended for building, including debt and interest,	\$.....
Amount expended for repairs, . . . . .	.....
Amount expended for furniture, . . . . .	.....
Amount expended for apparatus, . . . . .	.....
Amount expended for books and stationery, . . . . .	.....
Amount expended for printing and advertising, ..... ..	.....
Amount expended for taking census, . . . . .	.....
Total expense for building, etc.,	\$.....
Grand total,	\$.....

This report should be sent to the State Superintendent at the close of the school year.

Form No. 15a.

REPORT OF EVENING SCHOOLS CITY.

Number of evenings the schools have been kept open, . . . . .	.....
Number enrolled, . . . . .	.....
Average evening attendance, . . . . .	.....

Number of teachers,
 Average salary per week to teachers, \$
 Total expenditure for evening schools, \$
 , *City Superintendent.*

This report should be sent to the State Superintendent at the close of the school year.

Form No. 16.—City Superintendent's Annual Report.

1. Amount due the city September 1st, 1890, from all sources, for teachers' salaries and fuel, . . . \$
2. Amount due the city September 1st, 1890, from city Tax (or Appropriation) for building and repairing school-houses, including amount raised for payment of debt and interest,
3. Total amount due the city September 1st, 1890,
4. Amount expended for teachers' salaries,
5. Amount expended for fuel,
6. Amount expended for building or repairing (including debt and interest),
7. Amount expended for all other purposes,
8. Total amount expended,
9. Amount of School Tax voted for the payment of teachers' salaries (exclusive of State School tax),
10. Amount of School Tax voted for building, purchasing, hiring, repairing or furnishing school-houses,
11. Amount of School Tax ordered to be raised (exclusive of State School tax),
12. Total value of school property in the city,
13. Whole number of children between five and eighteen years of age residing in the city,
14. Average number of months Schools have been kept open.
15. Whole number of different pupils between five and eighteen years of age enrolled in the Schools during the year,

- 16. Number who have attended ten months or more during the year,
 - 17. Number who have attended eight months but less than ten,
 - 18. Number who have attended six months but less than eight,
 - 19. Number who have attended four months but less than six,
 - 20. Number who have attended less than four months,
 - 21. Average number who have attended the Schools during the time they have been kept open,
 - 22. Number of children in the city attending Private Schools,
 - 23. Number of children in the city who have attended no School during the year,
 - 24. Total seating capacity,
 - 25. Number of Male Teachers employed,
 - 26. Number of Female Teachers employed,
 - 27. Average salary per month paid to Male Teachers,
 - 28. Average salary per month paid to Female Teachers,
-, *City Superintendent.*

This report should be verified by affidavit and sent to the County Superintendent at the close of the School Year.

Form No. 70.—School House Bond for use in Incorporated Cities.

STATE OF NEW JERSEY.

DISTRICT SCHOOL BOND.

No. \$.....

School District No., County.

Know all men by these presents, that, in the county of, which municipality is also designated and known as School District No., in the county of, is justly indebted unto "The Trustees for the Support of Public Schools

of the State of New Jersey” in the sum of dollars, lawful money of the United States of America, to be paid to the said “The Trustees for the Support of Public Schools of the State of New Jersey” on the day of, eighteen hundred and, at the Bank, at, with interest therefor from the date hereof, at the rate of five per centum per annum, payable annually on the day of in every year, at the Bank, at, on the presentation of the annexed coupons as they severally become due.

This is one of a series of coupon bonds, amounting in the aggregate to the sum of dollars, numbered from to, both inclusive. And all of said bonds have been issued for money borrowed by the said for the purpose of building a school-house in said municipality or School District, pursuant to the statute entitled “A further supplement to an act entitled ‘An act to establish a system of public instruction’ (Revision), approved March twenty-seventh, one thousand eight hundred and seventy-four,” which said supplement was approved May sixth, one thousand eight hundred and eighty-nine, and by and with the consent of the of said municipality lawfully given, on the day of..... in the year one thousand eight hundred and, said being the body having charge and control of the finances of said municipality; and this bond, by virtue of the provisions of said statute, is made a first lien upon the lot of land upon which the school-house which shall be erected with the proceeds of the sale of said bonds, and also a first lien upon said school-house and all other improvements, of whatever nature, that are now on or that may hereafter be placed on said lot.

In witness whereof, on this day of, in the year one thousand eight hundred and, this bond is signed by the President and Secretary of the of said School District, and attested by the Secretary under the seal of the District.

....., *President.*

....., *Secretary of the Board*

Attest: of of the

....., *Secretary.*

DISTRICT SCHOOL BOND COUPON.

\$.....

Interest warrant for dollars, payable at the Bank, at, New Jersey, to the Trustees for the Support of Public Schools of the State of New Jersey,, 18....., for twelve months' interest on Bond No.

....., Secretary.

The within bond having been issued by and with the consent of the of the, the payment of the same is hereby guaranteed by

In witness whereof, on this day of, in the year one thousand eight hundred and, the of said municipality have hereunto signed their names and affixed the corporate seal of said municipality.

Attest:
.....

For forms for Application for State Aid to School Libraries, Application for State Aid for Manual Training, Application for Loan from State School Fund, and Report of School Debt see under heading "DISTRICT CLERKS."

FORMS FOR DISTRICT CLERKS.

Form No. 3.

CENSUS OF SCHOOL DISTRICT OF, No., IN TOWNSHIP,
 COUNTY, STATE OF NEW JERSEY, FOR THE YEAR 1892.

1. Number of Children under 15 years of age employed in factories or stores. Indicate by X in Column 1.....	
2. Number of Children in the District attending Private Schools. Indicate by X in Column 2.....	
3. Number of Children that have attended no School during the year. Indicate by X in Column 3.....	
4. Number of Children over ten years of age unable to read. Indicate by X in Column 4.....	

INSTRUCTIONS TO THE DISTRICT CLERK.

1. Two of these blanks are furnished, each of which should be carefully filled; one is to be preserved for the use of the Trustees of the District, and the other to be sent to the County Superintendent on or before the tenth day of June.

2. The School Census here reported must be for the entire District, whether it is situated in one township or more. If the District is situated in two Counties, report must be made for the entire District, and sent to the County Superintendent of that County in which the fraction containing the school-house is situated.

3. The law requires that the School Census shall be taken during the month of May.

4. In taking the District Census the directions in Section 59 of the School Law should be carefully observed, so that no child will be enrolled in two Districts. No person who is 18 years of age on or before the 31st day of May of this year can be included in this census, nor can anyone be included who is not 5 years of age on or before the 31st of May, even if he lacks but a single day.

5. To ascertain the number of children attending private schools (item 2), the District Clerk, while taking the Census, should note all those who have attended such schools during the year. Those children who have attended both the public and private schools during the year are to be recorded only as attending the public school.


6. By a recent act of the Legislature, census takers are required to report whether children are vaccinated or not. Those who are not may be designated X in Column 5.

7. The totals in Columns 1, 2, 3 and 4 should be placed in the blank spaces at the head of this sheet.

8. This report cannot be accepted unless all the blanks are filled.

EDWIN O. CHAPMAN,
State Superintendent of Public Instruction.

NAMES AND AGES OF CHILDREN BETWEEN 5 AND 18 YEARS OF AGE,
AND THE NAMES OF THEIR PARENTS OR GUARDIANS.

PARENTS OR GUARDIANS.	No.	CHILDREN.	AGE.				
			1	2	3	4	5
							

STATE OF NEW JERSEY, } ss.
..... COUNTY.

Before me personally came, Clerk of School District No., who made oath (or affirmation) that, to the best of his knowledge and belief, the facts here reported are true, and that the children herein enumerated are between the ages prescribed in the law, and are not included in the census of any other District.

Sworn and subscribed before me, this }
..... day of, A.D. 1892. }
.....

Number of Children between 5 and 6 years of age,	.....
“ “ “ 6 “ 7 “ “	.....
“ “ “ 7 “ 8 “ “	.....
“ “ “ 8 “ 9 “ “	.....
“ “ “ 9 “ 10 “ “	.....
“ “ “ 10 “ 11 “ “	.....
“ “ “ 11 “ 12 “ “	.....
“ “ “ 12 “ 13 “ “	.....
“ “ “ 13 “ 14 “ “	.....
“ “ “ 14 “ 15 “ “	.....
“ “ “ 15 “ 16 “ “	.....
“ “ “ 16 “ 17 “ “	.....
“ “ “ 17 “ 18 “ “	.....

Number of unsectarian private schools in the District
having 25 pupils or more,

Number of sectarian private schools in the District
having 25 pupils or more,

Form No. 3a.

REPORT OF, CLERK OF SCHOOL DISTRICT OF, No.
, IN TOWNSHIP, COUNTY, STATE OF NEW
 JERSEY, FOR THE YEAR ENDING AUGUST 31st, 1892.

FINANCIAL REPORT.

SIR—I herewith submit the Financial Report of School Dis-
 trict No., for the School year ending August 31st, 1892.

RECEIPTS.

Balance of State Funds, Surplus Revenue and Township Funds in hands of Collector, August 31st, 1891, \$.....	
Balance of District Tax for Teachers's salaries in hands of Collector, August 31st, 1891, . . . . .	.....
Balance of District Tax for other purposes in hands of Collector, August 31st, 1891, . . . . .	.....
Apportionment from State Appropriation of \$100,000, .....	.....
Apportionment from State School Tax, . . . . .	.....
Apportionment from Surplus Revenue, . . . . .	.....
Apportionment from Township School Tax, . . . . .	.....
Amount of District Tax voted for Teachers' salaries, for year ending August 31st, 1892, . . . . .	.....
Amount of District Tax voted for building and repair- ing, for year ending August 31st, 1892, . . . . .	.....
Total receipts,	<u><u>\$.....</u></u>

EXPENDITURES.

Amount expended for Teachers' wages,	\$.....
Amount expended for fuel, . . . . .	.....
Amount expended for building and repairing school- house, . . . . .	.....
Amount expended for incidentals, . . . . .	.....
Total expenditures	<u><u>.....</u></u>

Balance of State Funds, Surplus Revenue and Town-
 ship Funds due the District, August 31st, 1892, . \$.....

Balance of District Tax for Teachers' salaries due the District, August 31st, 1892, . . . . .	.....
Balance of District Tax for other purposes due the District, August 31st, 1892, . . . . .	.....

1. Amount of District Tax voted to be used for payment of Teachers' salaries from September 1st, 1892, to August 31st, 1893 (this must not include any moneys apportioned to the District by the County Superintendent), \$.....
2. Amount raised by special District Tax for building, purchasing, hiring, repairing or furnishing public school-houses, or incidentals, from September 1st, 1892, to August 31st, 1893,
3. Present value of school property,
4. Average number of months the schools have been kept open (twenty days constitute a month): (Use decimals),
5. Number of children between five and eighteen years of age enrolled in the School Register during the year,
6. Number who have attended ten months or more during the year,
7. Number who have attended eight months, but less than ten,
8. Number who have attended six months, but less than eight,
9. Number who have attended four months, but less than six,
10. Number who have attended less than four months,
11. Average number who have attended school during the time it has been kept open,
12. Number of children the school-house will seat comfortably,
13. Number of male Teachers employed,
14. Number of female Teachers employed,

15. Average salary per month paid to male Teachers, . \$.....
 16. Average salary per month paid to female Teachers, \$.....
, *District Clerk.*

This report must be verified by affidavit and sent to the County Superintendent at the close of the School year.

Form No. 6.

REPORT OF THE TOWNSHIP COMMITTEE OF TOWNSHIP.

I herewith submit the Financial Report of School District No. for the school year ending August 31st, 1892.

[*Balance of report same as the Financial Report in Form No. 3a. This report must be sent to the Township Committee by September 10th.*]

Form No. 6a.—Report of District Clerk to County Superintendent of the Amount of District School Tax ordered to be raised.

To, County Superintendent of County:

The legal voters of School District No., in the County of....., met at....., a convenient public place within the District, on the day of, 18....., and notice thereof, setting forth the time, place and object of said meeting, specifying dollars as the amount of money thought necessary to be raised, was given by the District Clerk, and set up at three public places within the District ten days before the meeting, and the said legal voters, so met, by the consent of a majority of those present, authorized the Trustees of said District, and ordered, by a like vote, dollars for the purpose of, and dollars for the purpose of, amounting in all to dollars, which sum is not in excess of the amount thought to be necessary as set forth in the notices.

Dated this day of, 18.....

..... *District Clerk.*

STATE OF NEW JERSEY, }
 COUNTY OF } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of School District No., in the County of, and that the above statement is correct and true.

Sworn and subscribed before me this day of, 18.....

Form No. 6ab.—Certificate of the amount of School Tax voted to be raised in a School District, to be delivered by the District Clerk to the Township Assessor.

To, Assessor of Township, County, State of New Jersey :

The legal voters of School District No., in the County of, met at, a convenient public place within the District, on the day of, 18....., and notice thereof, setting forth the time, place and object of said meeting, and specifying dollars as the amount of money thought necessary to be raised, was given by the District Clerk, and set up at three public places within the District, ten days before the meeting; and the said legal voters, so met, by the consent of a majority of those present, authorized the Trustees of said District [*to purchase land, etc., as the case may be*], and ordered by a like vote dollars for the purpose of [*as purchasing land*], and dollars for the purpose of [*as building a school-house*], etc., amounting in all to dollars, which sum is not in excess of the amount thought to be necessary, as set forth in the notices, and you are therefore directed to assess the said sum of dollars on the inhabitants of said School District, and their estates, and the taxable property therein, pursuant to the statute in such case made and provided.

Dated this day of, 18.....
, *District Clerk.*

STATE OF NEW JERSEY, }
 COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of School District No., in the County of

....., and that the above statement by him is correct and true.
 Sworn and subscribed before me this day of,
 18.....

NOTES TO FORM No. 6ab.—The certificate must state which of the object or objects specified in Section 169, for which the money is raised. 3 Vr. 444. If more than one object is specified, the amount of money apportioned to each must be stated. 7 Vr. 89.

A district tax ordered for the purpose of "maintaining a school" is illegal. The express purpose for which the money is to be used must be stated and voted upon.

The law requires that notice of the above action should also be sent to the County Superintendent.

Form No. 25.—Order on Township Collector for Teacher's Salary.

No., N. J., 18.....
 To, Township Collector for the Township of,
 County of, State of New Jersey:

Pay to the order of, Teacher,¹⁰⁰Dollars,
 being the amount of salary due for teaching our Public
 School from, 18....., to, 18.....
, D. C. } Trustees of
, } District No.
, } County of.....

I hereby certify that, the Teacher in whose favor this order is drawn, is in possession of a Teacher's Certificate, in full force and effect, and that has properly kept the School Register, as required by law, and that I have certified thereto in said Register.

....., District Clerk.

NOTE.—Money raised by district tax can be used for such school purposes as are specified at the meeting at which the money is ordered. All other school money, except twenty dollars annually, which the law allows for incidental expenses, must be reserved for the payment of teacher's salary and fuel bills.

Payments can only be made for the support of those schools that conform in all respects to the provisions of the School Law, and to those teachers only

who possess certificates in full force and effect, covering the time for which salary is demanded, and who have kept the School Register in the manner prescribed.

The collector should invariably refuse to pay orders until he is satisfied that all these conditions have been complied with.

Form No. 26.—Order on Township Collector for District School Tax Raised for other purposes than the Payment of Teacher's Salary.

To, Township Collector for the Township of,
County of, State of New Jersey :

Pay to the order of, ¹⁰⁰ Dollars, for [*here state for what the money is to be paid*], out of the funds raised by District School Tax in our District, now in your hands.

....., D. C.	}	<i>Trustees of</i>
.....,		<i>District No.,</i>
.....,		<i>County of</i>

Form No. 29.—Notice by District Clerk to County Superintendent of the Election of Trustees.

To, County Superintendent :

SIR :—You are hereby notified that at the annual meeting in School District No., in the County of, held on the day of, 18....., was elected Trustee in the place of, whose term had expired.

The Board of Trustees now consists of—

Mr., whose term expires 18.....

“ “ “ “ 18.....

“ “ “ “ 18.....

The Trustees have elected Mr. District Clerk, whose post office address is

....., *Secretary of School Meeting.*

NOTE.—This notice should be sent to the County Superintendent as soon after the election as possible. It may be sent by the District Clerk or the Secretary.

Form No. 30.—Application for State Aid to Establish a School Library.

....., N. J.,, 18.....

To the State Superintendent of Public Instruction :

SIR:—We, the undersigned, Trustees of School District No., of the Township of, County of, State of New Jersey, do hereby certify that there has been raised in our District, by subscription, [or entertainment, as the case may be,] the sum of Dollars, for the purpose of establishing a School Library within our District, in accordance with the provisions of Section 190 of the revised School Law. And we, therefore, request you to send an order for the amount due us from the State in accordance with the further provisions of said act.

....., D. C. } Trustees.
.....,
.....,

STATE OF NEW JERSEY, } ss.
..... County.

....., Clerk of District No., in the County of, being duly sworn, on his oath saith that the within statement is true.

Sworn and subscribed before me, this }
.....day of....., A. D. 18..... }
..... }

NOTE.—The first appropriation is twenty dollars, and subsequent ones ten dollars.

Form No. 31.—Report of Purchases Made for School Library.

.....; 18.....

To the State Superintendent of Public Instruction :

I hereby report that the following purchases have been made for our School, with the amount raised in the District, and the appropriation received from the State.

....., District Clerk.

N. B.—This report must be made in order that the District may be entitled to future payments. It should give the names and prices of the several articles purchased.

Form No. 52.—Report of District Indebtedness.

	..... County, District No.....
Amount of debt September 1st, 1890, not including interest, \$.....
Amount of debt incurred since September 1st, 1890,	. . . . .
Nature of security,	. . . . .
Date of issue,	. . . . .
When payable,	. . . . .
To whom payable,	. . . . .
Rate of interest,	. . . . .
Amount paid during year ending September 1st, 1891, not including interest,	. . . . .
Amount outstanding September 1st, 1891, not including interest,	. . . . .

I hereby certify that the foregoing is a correct statement of the interest-bearing indebtedness of District No., in the County of

....., *District Clerk.*

This report should be sent to the County Superintendent not later than September 10th.

Form No. 58.—Application for State Aid for Manual Training.

To the State Superintendent of Public Instruction :
 SIR :—We hereby certify that for the school year beginning September 1st, 18....., there has been raised by in District No., in the County of, the sum of dollars, for the purpose of course of Manual Training pursued in the Schools of the District, and that said amount has been appropriated for such purpose.

This application is made in accordance with the provisions of the act of the Legislature of the State of New Jersey, entitled “An act for the promotion of manual training,” approved Febru-

ary 15th, 1888, and we do hereby make application for a State appropriation equal to the sum of money so raised and appropriated as aforesaid.

.....
.....
....., *Trustees.*

Attest :
....., *District Clerk.*

Form No. 61.—Report of Proceedings Authorizing the Issue of Bonds.

MINUTES OF TRUSTEES' MEETING.

Pursuant to notice given to each member, the Board of Trustees of School District No., in the County of, met at, on the day of, 18....., at o'clock, in the, There were present Messrs. On motion of Mr. it was resolved that the District Clerk is hereby directed to post notices calling a meeting of the legal voters of the district, said meeting to be held at, on the day of, at o'clock in the, and that in said notices he state the following items of business to be acted upon at said meeting :

.....
.....
....., *District Clerk.*

STATE OF NEW JERSEY, }
COUNTY OF } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of School District No., in the County of, and that the foregoing is a true copy of the proceedings and resolutions adopted by the Trustees of said School District at a meeting held on the day of, 18.....

Sworn and subscribed before }
me this day of }
18..... }
.....
.....

NOTICE.

Notice is hereby given to the legal voters of School District No., in the County of, that a school meeting will be held at on the day of, 18....., at o'clock in the, at which meeting will be submitted the following propositions :

.....
.....

The amount of money thought to be necessary for the foregoing is dollars.

To authorize the Trustees to borrow the money ordered to be raised by issuing the bonds of the District.

Dated, 18.....

....., D. C., } Trustees of
..... } School District
..... } No.

STATE OF NEW JERSEY, }
COUNTY OF..... } ss.

....., being duly sworn, on his oath saith that he is the District Clerk of School District No., in the County of, and that he posted copies of a notice, of which the foregoing is a true copy, on the day of, 18....., in public places in said District, one of which was the school-house, and that the said notices were posted in all respects according to law.

Sworn and subscribed before }
me, this day of, }
18..... }

.....
.....

DISTRICT MEETING.

The legal voters of School District No., in the County of, met at, on the day of, 18, at o'clock in the, pursuant to legal notice, a copy of which notice is hereto appended. Mr. was elected Chairman and Mr. Secretary of the meeting. The Secretary read the notice calling the meeting.

The following resolutions were adopted :

Resolved, That the Trustees be authorized to purchase, as a lot on which to build a school-house, the plot of land situated as follows :

.....
.....

The cost of said land not to exceed the sum of dollars.

The vote on this resolution was by ballot—Ayes

Nays

Resolved, That the Trustees be authorized to erect and furnish a school-house on said plot of land, said school-house to be built of and to contain rooms, and to cost not more than dollars.

The vote on this resolution was by ballot—Ayes

Nays

Resolved, That for the purpose of securing the money needed to purchase said lot and to erect and furnish said school-house the sum of dollars be raised by issuing bonds of the District, in the corporate name of the District, in the denomination of each.

The vote on this resolution was by ballot—Ayes

Nays

Resolved, That one bond shall be issued for year , one for years, one for years, one for years.

And that each year until the last bond is paid a tax shall be levied, according to law, on the property and the inhabitants of the District sufficient to pay the bond maturing, together with the accrued interest on those then outstanding.

The vote on this resolution was by ballot—Ayes

Nays

....., *Secretary.*

STATE OF NEW JERSEY, }
COUNTY OF } ss.

....., being duly sworn, on his oath saith that he was the Secretary of the meeting of the legal voters of the School District No., in the County of, and that the foregoing is a

true copy of the proceedings and resolutions adopted at said meeting, and that all votes taken at said meeting were by ballot.

Sworn and subscribed before }
 me, thisday of, }
 18..... }

Form No. 62.—Application for Loan from State School Fund.

To the Trustees for the Support of Public Schools for the State of New Jersey :

The Trustees of School District No., in the County of, in the State of New Jersey, ask to borrow of the Trustees for the support of Public Schools the sum of dollars, for the purpose of purchasing land and building a school-house in the aforesaid District, and offer as security for said loan the coupon bonds of said District to the amount at par of said loan. Said loan and bonds were authorized by the inhabitants of said District when met, upon due and legal notice, for that purpose, upon the day of, 18..... The principal of said loan is to be paid in installments of dollars; the first installment to be paid on the day of, 18.....; the second installment to be paid on the day of, 18.....

.....

 with interest from date at the rate of five per centum per annum, according to the terms aforesaid; principal and interest payable at the bank at, and the bonds hereby offered are of the denomination of \$..... each, and are numbered from to, both inclusive.

We submit herewith a copy of the proceedings had at said meeting of said inhabitants, a copy of the minutes of the meeting of the Trustees of said District at which the posting of the notices calling said meeting of the inhabitants was ordered, a copy of the notices calling said meeting duly verified by affidavit,

and the approval of the Attorney-General as to the legality of said proceedings.

Dated, N. J.,, 18.....

.....,	} Trustees of School District
.....,	
.....,	

No., in the County
of, New Jersey.

Form No. 63.—Directions for Bonding a District.

1. There must be a regulary-called meeting of the Trustees, of which meeting all the Trustees must have had notice. At that meeting the Trustees must decide on the amount of money thought to be necessary. If land is to be purchased, the Trustees must decide upon the site or sites they think suitable. They must also decide upon the time for holding the District Meeting, and the form of the resolutions to be inserted in the notices to be posted by the District Clerk. Full minutes of the meeting must be kept.

2. The District Clerk must post the notices ordered by the Trustees at least ten days before the date of the meeting of the legal voters: the day the notices are posted must not be counted in the ten days. The notices must state the time and place of the District Meeting, and all business that is to be acted upon. It must state if land is to be purchased, and, if so, must describe the plot or plots thought to be suitable by the Trustees. The Trustees may submit more than one site, if they think best, in which case all the plots must be described in the notices. The notices must also state the amount of money thought to be necessary. It is not necessary to divide the amount among the several objects in the notices. The notices must also state that the question of authorizing the Trustees to issue bonds will be submitted. Not less than three notices must be posted, one of which notices must be posted on the school-house, if there be one.

3. The district meeting must decide the amount of money to be raised, and also decide what portion of the money so ordered shall be used for the purchase of land, and what portion for build-

ing and furnishing the school-house. The aggregate amount ordered raised must not exceed the sum named in the notices. The District Meeting must also decide how many bonds shall be issued, the denomination of each bond, and the time of its payment. It must also select a site from among those offered by the Trustees in the notices. The meeting may, however, reject all the sites offered. All votes in the District Meeting must be by ballot. Full minutes of the meeting must be kept.

4. Two copies of the minutes of the meeting of the Trustees, attested by the District Clerk; two copies of the notices posted, attested by said Clerk, and two copies of the minutes of the District Meeting, attested by the secretary of the meeting, must be sent to the State Superintendent, one copy to be approved by the Attorney-General, and the other to be filed in his office. When it is intended to borrow the money from the State School Fund, an application must accompany the copies of the proceedings sent to the State Superintendent. Blank Forms to be used for the copies of the proceedings to be sent to the State Superintendent may be obtained from the County Superintendent. In making reports, only such business as relates to the purchase of land, building the school-house and bonding the district need be inserted in the copies of the meetings of the Trustees and legal voters. In the blank for the report of the proceedings of the District Meeting, a resolution is inserted for the purchase of land; when land is not ordered to be purchased, this resolution should be crossed out in making the report, also in the application for the loan from the State School Fund.

5. The approval of the Attorney-General must be secured before bonds can be legally issued, whether the money is to be borrowed from the State School Fund or from private parties.

6. When district bonds have been issued, it is the duty of the District Clerk, when any bond is paid and canceled, to forward said canceled bond to the State Superintendent, to be filed as required by law.

7. Blank bonds will be furnished by the State Superintendent.

Form No. 69.—Bond to be Issued for Loan from School Fund.

No. Bond of School District No. \$.....
 County, N. J.

Know all men by these presents, that "The Trustees of School District No., in the County of,," in the State of New Jersey, are justly indebted unto, or bearer, in the sum of dollars, lawful money of the United States of America, to be paid to the said or bearer, on the day of, 18....., at the Bank,, N. J., with interest therefor from the date hereof, at the rate of per cent. per annum, payable semi-annually, on the days of and in every year, at the bank aforesaid, on the presentation of the annexed coupons, as they severally become due.

This is one of a series of coupon bonds of dollars each, issued by the Trustees of said School District, amounting in the aggregate to dollars, numbered from to, both inclusive; and the said bonds are issued for money borrowed by said Trustees for the purpose of building a school house in said School District, pursuant to the statute entitled "An Act to Establish a System of Public Instruction," approved March 27th, 1874, and by the consent of the inhabitants of said District lawfully given, at a meeting lawfully held on, 18.....

In witness whereof, on the day of, in the year eighteen hundred and, this bond is signed by the Trustees of said District, and attested by the Clerk, under the seal of said District.

.....,

Attest: *District Clerk.* *Trustees.*

[*Form of Coupon to be attached to the above Bond.*]

School District No., County of....., N. J.

SCHOOL HOUSE LOAN.

Interest warrant for dollars, payable at the Bank,, N. J., to bearer,, for six months' interest on Bond No.

....., *D. C.*

Form No. 96.—Notice for Annual Meeting for the Election of Trustees.

Notice is hereby given to the legal voters of School District No., in the County of, that the annual school meeting for the election of School Trustees will be held at....., on Tuesday, the day of, 18....., at o'clock M.

Dated this day of, 18.....

....., *District Clerk.*

DATE.—The above notice must be posted in three public places in the District, one of which shall be at the school-house, at least ten days previous to the time of the meeting. The election must be held on the Tuesday of the week following the annual town meeting.

Form No. 97.—Notice for a Meeting of the District Board of Trustees.

To

You are hereby notified that there will be a meeting of the Board of Trustees of School District No., on evening, 18....., at o'clock, in the school-house.

[*Date*].

....., *District Clerk.*

Form No. 98.—Notice for the Annual District Meeting for Determining what District School Tax shall be Assessed.

Notice is hereby given to the legal voters of School District No., in the County of, that the annual school-meeting will be held at, on the Tuesday of the week following town meeting, being the day of March (or

April), 18....., at o'clock in the noon, at which meeting will be submitted the question of voting a tax to maintain a free Public School the coming year [*or to build a school-house, etc.*]

The amount thought to be necessary for this purpose is dollars.

Dated this day of, 18...

....., *District Clerk.*

NOTE.—In the above notice must be particularly specified each item of business to be acted upon. For details, see Section 169 of the School Law.

Form No. 99.—Notice for a Special District Meeting for Determining what District School Tax shall be Assessed.

Notice is hereby given to the legal voters of School District No., in the county of, that a special school meeting will be held at, on the day of, 18....., at o'clock in thenoon, at which meeting will be submitted the question of ordering a District School Tax to [*here particularly specify each item of business to be acted upon*].

The amount thought to be necessary for this purpose is dollars.

..... } *Trustees of*
 } *School District*
 } *No,*

NOTE.—The authority for calling a special school meeting is given in Clause XI of Section 66 of the School Law. For detailed directions, see Section 169.

Form No. 100.—Various Specifications of Business to be Transacted that may be Inserted in any Notice for District Meeting, as they may be needed.

To authorize the Trustees to purchase land and to erect a school-house thereon;

To see if the District will take measures for the repair, alteration, enlarging or furnishing of the present school-house;

To appoint a committee to prepare and report a plan for such erection or repair, with the probable expense of the same;

To raise money by district tax to defray the expenses of such erection, alteration or repair;

To authorize the Trustees to borrow money to defray the expenses of such erection, alteration or repair, and to provide for the payment of the same by ordering a district tax [or by bonding the District, as the case may be];

To see if the District will vote a sufficient district tax to defray the expenses of maintaining a free School during the ensuing year, or during months of the ensuing year; or the issuing of bonds;

To order a district tax for the payment of a debt of dollars, now resting upon the school-house property;

To order the sale of the present school-house property, and to decide what disposition shall be made of the proceeds;

To authorize the Trustees to condemn land for school purposes;

To authorize the Trustees to renew outstanding bonds;

To do any other business within the scope of the foregoing propositions.

Form No. 101.—Order of Business at a District School Meeting.

1. Choose a Chairman and Secretary.
2. Read the notice calling the meeting.
3. Report of District Clerk.
4. Transaction of the business for which the meeting was called, as set forth in the notices.
5. Miscellaneous business.
6. Adjournment.

Form No. 64.—Affidavit to Bills Presented to a Board of Trustees.

STATE OF NEW JERSEY, }
 COUNTY. } ss.

....., of full age, being duly sworn, on his oath saith that the goods or services itemized in the annexed bill have been

delivered or rendered; that no bonus has been given or received by any person or persons in connection with the same; that the same is correct and true, and the amount therein stated is justly due and owing as set forth.

Sworn and subscribed before me }
 this day of, 18..... }
, D. C. }

Form No. 102.—Annual Report of Trustees of the District.

To the Inhabitants of School District No. :

In obedience to the requirements of the School Law, we beg leave to present our annual report for the past School Year.

[*Here give the same report as Form No. 3a; state what has been done by the Trustees during the year; discuss school matters; make suggestions, etc., etc.*]

All of which is respectfully submitted.

....., D. C., } Trustees of
 } School District
 } No.

Dated, 18.....

NOTE.—The above report should be made at the annual school meeting for the election of Trustees.

Form No. 103.—Notice to County Superintendent of a Vacancy in Board of Trustees.

To, County Superintendent :

SIR:—You are hereby notified that a vacancy now exists in the board of Trustees of School District No., in the County of, through [*here state the cause of the vacancy*], which you are requested to fill by appointment.

Dated this day of, 18.....

....., District Clerk.

NOTE.—The above notice should be sent to the County Superintendent as soon as the vacancy exists. If the office of District Clerk is vacant, the notice should be sent by one of the other Trustees.

Form No. 104.—Notice for a Special District Meeting for Considering the Question of Establishing a Graded School.

Notice is hereby given to the legal voters of School District No., in the County of, that a special school meeting will be held at, on the day of, 18....., at o'clock in the noon, for the purpose of considering the question of uniting with Districts Nos. and, etc., in establishing and maintaining a Graded School, in accordance with the provisions of Section 110 of the School Law.

Dated this day of 18.....

....., *District Clerk.*

By order of , *County Superintendent.*

NOTE.—The above notice must be made conspicuous in several places, and posted ten days previous to the time of the meeting. The districts separately, in accordance with the provisions of Section 169, can vote for and cause to be assessed, a district tax for erecting the School building, or maintaining the School.

Form No. 105.—Notice to County Superintendent, giving the result of the action of a School Meeting called for the purpose of Establishing a Graded School.

To County Superintendent of County:

SIR:—At a meeting of the legal voters of School District No., in the County of, held on the day of, 18....., which was called pursuant to your order, the question of uniting with Districts Nos. and, for the purpose of establishing a Graded School, was decided in the; voting in the affirmative, and in the negative.

Dated this day of, 18.....

....., *District Clerk.*

Form No. 106.—Notice to be given by the Secretary of a District School Meeting, to the Officers-elect.

To :

You are hereby notified that at a meeting of School District No., in the County of, held on the day of, 18....., you were elected Trustee of said District.

Dated this day of, 18.....

....., *Secretary of said Meeting.*

Form No. 107.—Form of Contract Between District and Teacher.

It is hereby agreed between “The Trustees of School District No., in the County of,” and, a qualified teacher, possessing a license in full force and effect, that the said is to teach the public school of said District for a term [*here insert the time*], for the sum of dollars per month, commencing on the day of, 18....., and for such services, properly rendered, the said Trustees are to pay the said, monthly, the amount that may be due, according to this contract.

Dated this day of, 18.....

..... } *Trustees of School District*
 } *No., in the County*
 } *of.....*

....., *Teacher.*

NOTE.—In case the Teacher is employed in a Graded School, the particular department for which he is engaged should be specified in the contract.

Form No. 108.—Form of a Lease.

Know all men by these presents, that A. B., of the Township of, in the County of, in the State of New Jersey, of the first part, for the consideration herein mentioned, does

hereby lease unto "The Trustees of School District No., in the County of,," in the State aforesaid, party of the second part, and their assigns, the following described parcel of land :

[*Here insert description of land.*]

Together with all the privileges and appurtenances thereunto belonging: To have and to hold the same for and during the term of years from the day of, A. D. 18.....; and the said party of the second part, for themselves and assigns, do covenant and agree to pay the said party of the first part, for said premises, the annual rent of dollars.

In testimony whereof, the said parties have hereunto set their hands and seals, this day of, 18.....

A. B., *Lessor.*

C. D., } *Trustees of School District*
E. F., } *No....., in the County of*
G. H., } *....., State of New Jersey.*

Form No. 109.—Form of a Deed of a School-house Site.

Know all men by these presents, that A. B. [*and C. B., his wife, if married*], in the Township of, in the County of, in the State of New Jersey, party of the first part, for and in consideration of the sum of dollars, to them in hand paid by "The Trustees of School District No., in the County of,," and State aforesaid, party of the second part, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey to the said party of the second part, and their assigns, the following described piece of land, namely :

[*Here insert description of land.*]

Together with all the privileges and appurtenances thereunto belonging: To have and to hold the same to the said party of the second part and their assigns forever; and the said party of the first part, for themselves, their heirs, executors and administrators, do covenant, bargain and agree, to and with the said party of the second part, and their assigns, that at the time of the ensembling and delivery of these presents, they are well seized

of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law in fee-simple, and that the said lands and premises are free from all incumbrances whatsoever; and that the above bargained premises, in the quiet and peaceable possession of the said party of the second part, and their assigns, against all and every person or persons lawfully claiming or to claim, the whole or any part thereof, the said party of the first part will forever warrant and defend.

In witness whereof, the said A. B. and C. B., his wife, party of the first part, have hereunto set their hands and seals, this day of, A. D. 18.....

SIGNED, SEALED AND DELIVERED IN PRESENCE OF E. F.	}	A. B. [SEAL.] C. B. [SEAL.]
---	---	--------------------------------

NOTE.—Such deeds should be duly acknowledged before a judge, commissioner of deeds, master in chancery, or other officer authorized by law to take such acknowledgment, and recorded in the office of the County Clerk. The bond and mortgage given by the Trustees to secure payment of part of purchase-money may be in the usual forms, and for the execution of deeds, mortgages and bonds each District should have a corporate seal. Notes given for borrowed money should be in the name of the District and signed by all the Trustees as such.

Form No. 110.—Contract for Building a School-house.

Contract made and entered into between A. B., of the County of, State of New Jersey, and “The Trustees of School District No., in the County of,” State of New Jersey.

In consideration of the sum of one dollar in hand paid, the receipt whereof is hereby acknowledged, and of the further sum of dollars, to be paid as hereinafter specified, the said A. B. agrees to build a frame school-house and to furnish the materials therefor, according to the plan and specifications for the erection of said house hereto appended, at such point in said District as the said Trustees may designate. The said house is

to be built of the best material, in a substantial, workmanlike manner; and is to be completed and delivered to said Trustees, or their successors in office, free from any lien for work done or materials furnished, by the day of, 18.....; and in case the said house is not finished in the time herein specified, the said A. B. shall forfeit and pay to the said Trustees, or their successors in office, for the use of said District, the sum of dollars, and shall also be liable for all damages that may result to said District in consequence of such failure, and said Trustees may finish the building and charge the cost of the same to the said A. B.

The said Trustees, or their successors in office, in behalf of said District, hereby agree to pay the said A. B. the sum of dollars when the foundation of said house is finished; and the further sum of dollars when the building is ready for the roof; and the remaining sum of dollars when the said house is finished and delivered, as herein stipulated.

It is further agreed that this contract shall not be sub-let, transferred or assigned without the consent of both parties.

Witness our hands this day of, 18.....

A. B., *Contractor.*

C. D., E. F. and G. H., *Trustees.*

NOTE.—In building a school-house, it is all-important to secure a plan of the building, with full specifications as to its dimensions, style of architecture, number and size of the windows and doors, quality of the materials to be used; what kind of roof; number of coats of paint; of what material the foundation shall be constructed; its depth below, and its height above the surface of the ground; the number and style of chimneys and flues; the provisions for ventilation; the number of coats of plastering, and style of finish, and all other items in detail that may be deemed necessary. The plan and specifications should be attached to the contract, and the whole filed with the District Clerk. Before the building is commenced, the contract should be filed in the office of the County Clerk to prevent liens.

Form No. 111.—Form of Note for Money Borrowed.

....., N. J., 18.....

..... days after date, "The Trustees of School District No., in the County of, " in the State of New Jersey,

promise to pay to , or order, dollars, with interest from the date hereof, at the rate of six per cent. per annum.

This note is given for money borrowed by the said Trustees for the purpose of, pursuant to the statute entitled "An Act to Establish a System of Public Instruction," approved March 27th, 1874, and by the consent of the inhabitants of the said District lawfully given, at a meeting lawfully held on, 18.....

..... ,
 ,
 ,

Attest , *District Clerk.*

Trustees.

Form No. 112.—Duties of District Clerk.

1. To prepare and post
 Notices for annual district meeting, [Form 98.]
 Notices for special district meeting, [Form 99.]
 and Notices for Trustee election. [Form 96.]
2. To prepare and deliver notices for meetings of the Board of Trustees. [Form 97.]
3. To act as Secretary of the Board of Trustees. [Form 61.]
4. To record, in a book provided for that purpose, all the proceedings of trustee meetings and district meetings. [Form No. 61.]
5. To keep an account of the finances of the District in a manner similar to that shown in Form 113.
6. To pay out all moneys by issuing orders on the Township Collector. [Forms 25 and 26.]
7. To make a financial report
 To County Superintendent, [Form 3a.]
 To Township Committee. [Form 6.]
8. To make a report of the doings of the Trustees for the year to the annual district meeting for the election of Trustees. [Form 102.]
9. To take the District census. [Form 3.]

10. To prepare and forward the annual report to the County Superintendent.

11. To notify County Superintendent and Township Assessor of the amount of district school tax ordered. [*Forms 6a and 6ab.*]

12. To notify County Superintendent of the election of Trustees. [*Form 29.*]

13. To attend the meetings of the "Township Board of Trustees" when convened by the County Superintendent.

14. To superintend repairs of buildings; to buy fuel, crayons, and such other articles as the Trustees may direct.

15. To deliver to his successor all records and papers belonging to the District.

TEACHERS.

Form No. 2.—Graded Schools—County Report.

REPORT OF ATTENDANCE IN DISTRICT No., FOR THE YEAR
COMMENCING SEPTEMBER 1ST, 1890, AND ENDING AUGUST
31ST, 1891.

1. Number of months the schools have been kept open during the year,
2. Number of different children between five and eighteen years of age enrolled in the schools during the year,
3. Number who have attended ten months or more during the year,
4. Number who have attended eight months, but less than ten,
5. Number who have attended six months, but less than eight,
6. Number who have attended four months, but less than six,
7. Number who have attended less than four months,

- 8. Average number who have attended school during the time it has been kept open,
- 9. Number of children in the district attending private schools,
- 10. Number of children in the district who have attended no school during the year,
- 11. Number of children the school-house will seat comfortably (where there are different buildings, report for each building separately),

AGES.

Number between	5	and	6	years of age,	.	.	.	.....
"	"	6	"	7	"	"	.	.....
"	"	7	"	8	"	"	.	.....
"	"	8	"	9	"	"	.	.....
"	"	9	"	10	"	"	.	.....
"	"	10	"	11	"	"	.	.....
"	"	11	"	12	"	"	.	.....
"	"	12	"	13	"	"	.	.....
"	"	13	"	14	"	"	.	.....
"	"	14	"	15	"	"	.	.....
"	"	15	"	16	"	"	.	.....
"	"	16	"	17	"	"	.	.....
"	"	17	"	18	"	"	.	.....

Total,
 , *Principal Teacher.*

NOTE.—It will be observed that it is for the entire district, and that question No. 2 calls for the number of *different* pupils enrolled. Care must be taken that pupils promoted from one room or from one building to another are not counted twice. The aggregate of the numbers reported in answer to questions 3 to 7, inclusive, must equal the number reported in answer to question No. 2.

This report is to be sent to the County Superintendent at the close of the School for the summer vacation.

Form No. 2a.—Graded Schools—City Report.

This report is the same as Form No. 2, except that items 1, 9 and 10 are omitted. It should be sent to the City Superintendent at the close of the school for the summer vacation.

Form No. 18.—Directions given to Candidates for Certificates before being Examined.

1. Write your name and the subject of the examination, distinctly, at the top of each page.

2. You need not copy the questions upon the paper, but be careful to number each answer to correspond with the question.

3. If unable to answer any question, write its proper number, and opposite the same write, "I cannot answer."

4. In answering questions in Arithmetic, Algebra, etc., give the work as well as the answer.

5. After beginning a set of questions, do not leave the room without the permission of the examiner in charge, until that exercise is completed.

6. During the examination avoid all communications with other candidates, with visitors, or with any one else, except the examiners, whether by talking, signs, notes or otherwise. Any violation of this rule will cause your exercise to be rejected.

7. Referring to text books, or to written or printed abstracts, or memoranda of any kind connected with the subject of examination, or having such book, abstract or memoranda in your desk or about your person, will cause your exercise to be rejected.

8. As soon as one exercise is finished, hand it to the examiner in attendance before beginning another.

9. Do not fold the paper containing your answers, and do not tear off any portion of the sheet that may remain after you have finished a set of questions, but leave the sheet whole, as the paper will be preserved.

10. A special average will be given for correctness in Orthography and Composition, and for legibility, order, neatness and general appearance of the examination papers.

11. Be careful to preserve this card of directions and questions. They will both be called for at the close of the examination.

Form No. 32.—Library Report.

To, County Superintendent.

I herewith report the condition of School Library in District No.,County.

Amount raised during the year for Library,
 Amount previously raised,
 Amount received from the State during the year,
 Amount previously received from the State,
 Number of Books purchased during the year,
 Number of Books previously purchased,
 Amount expended for Apparatus during the year,
 Amount previously expended for Apparatus,
 Number of Books now constituting the Library,
 Number of Books taken out during the year,

....., *Teacher.*

NOTE.—This Report must be sent to the County Superintendent on or before the first of September.

Form No. 71.—Certificate that Child has Attended School.

I hereby certify that I am principal of School No., District No. [*No. and name of District*], county of, and that [*Name of child*] is the [*Son, daughter or ward*] of [*Name of parent or guardian*] residing at [*Street and city*]; that to the best of my knowledge and belief, said [*Name of child*] is years of age; and said [*Name of child*] has attended school under my charge, five days a week, for weeks, during the year preceding the date of this certificate.

Dated....., 18....

....., *Principal.*

Form No. 113.—Teacher's Report to the County Superintendent
when Leaving a School before the end of the School Year.

Report of the Teacher of Public School, in District No.
....., in the County of, for the portion of the School
Year commencing September 1st, 18....., and ending
....., 18.....

[*The body of the Report same as No. 114.*]

To, County Superintendent for County :

Being about to leave my present School, I respectfully present
the above record and statements as my report for the expired
portion of the present School Year, as required by the laws of
this State; which report I hereby certify has been carefully made
out from the records contained in the School Register.

....., *Teacher.*

NOTE.—The law requires that a duplicate of the above report shall be made
to the District Clerk.

..

Form No. 114.—Teacher's Report of the Suspension of a Pupil to
the Trustees.

To, District Clerk of School District No.,
of the County of

SIR:—You are hereby notified that I have this day suspended
from my school for [*here state the cause for suspension.*]

Dated this day of, 18.....

....., *Teacher.*

NOTE.—The School Law requires every suspension to be reported to the
Trustees.

No. 115.—Teacher's Annual Report to District Clerk and County Superintendent.

ANNUAL REPORT of the Teacher of Public School, in District No., of the county of, for the Year commencing September 1, 18....., and ending August 31, 18.....

1	Number of months the school has been kept open during the year.
2	Number of children between five and eighteen years of age enrolled in the School register during the year.
3	Number who have attended ten months or more during the year.
4	Number who have attended eight months, but less than ten.
5	Number who have attended six months, but less than eight.
6	Number who have attended four months, but less than six.
7	Number who have attended less than four months.
8	Average number who have attended School during the time it has been kept open.
9	Number of children in the District attending private school.
10	Number of children in the District who have attended no school during the year.
11	Number of children the school-house will seat comfortably.
12	Number of pupils who have not been absent or tardy during the year.
13	Are the children required to study at home?
14	Is there uniformity of text-books?
15	How many studies are pursued in the room? (Different grades in same subject to be considered diff't studies.)
16	Average number of recitations heard daily.
17	Average enrollment.
18	Average daily attendance. (Answer same as for number 8.)
19	Average number of cases of tardiness per day.
20	Percentage of daily attendance upon average term enrollment. (Divide No. 18 by No. 17)
21	Percentage of promptness upon average daily attendance. (Divide No. 19 by No. 18, and subtract from 100.)
22	Number of children suspended or expelled during the year.
23	Number of visits by Trustees.
24	Grade of certificate held by Teacher.

To the District Clerk of School District No., [or to the County Superintendent, as the case may be].

I respectfully present the above record and statements as my final report for the past School Year, as required by the laws of this State; which report, I hereby certify, has been carefully made out from the records contained in the School Register.

NOTE.—This Report should be sent to the District Clerk and the County Superintendent at the time the School closes for the Summer vacation.

Form No. 8.--Financial Report of Township Collector to County Superintendent.

To..... County Superintendent for County.

..... N. J., 1891.

SIR.—I herewith submit the Financial Report for the School Districts of the Township of for the School Year ending August 31st, 1891.

Districts.	Balance from State funds, surplus-revenue and township tax, September 1st, 1890.	Balance from district tax for teachers' salaries and fuel, September 1st, 1890.	Balance from district tax for other purposes, September 1st, 1890.	Total balance, September 1st, 1890.	Apportionment from State appropriation of \$100,000.	Apportionment from State school tax.	Apportionment from township tax.	Apportionment from surplus revenue.	District tax voted for teachers' salary for school year ending August 31st, 1891.	District tax voted for other purposes for school year ending August 31st, 1891.	Total receipts, including balance.	Paid for teachers' salaries.	Paid for fuel.	Paid for incidentals.	Paid for building and repairs.	Total amount paid.	Balance of State funds, surplus revenue and township funds due the district August 31st, 1891.	Balance of district funds for teachers' salaries, August 31st, 1891.	Balance of district funds for other purposes, August 31st, 1891.
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STATE OF NEW JERSEY, }
 COUNTY. } ss.

Before me personally came Township Collector of Township, who being duly sworn saith that the above Financial Report is true, to the best of his knowledge and belief.

NOTE.—The above report should be made to the County Superintendent on or before the first day of September, and a duplicate copy sent to the Township Committee.

Form No. 116.—Report of Township Collector to County Superintendent of the Amount of Township School Tax Ordered to be Raised.

To the County Superintendent of County :

SIR:—I hereby report to you that the amount of School Tax voted to be raised in Township at the last annual town meeting, held on the day of, 18....., is [*write the amount in words*] Dollars per child [*or Dollars as the case may be*].

The interest on Surplus Revenue to be apportioned to the Public School of this township is Dollars.

Dated this day of, 18.....

....., Township Collector.

NOTE.—This report should be sent to the County Superintendent within five days after the town meeting. If the amount of interest on surplus revenue is not known at that time, a separate report should be made of that item as soon as the amount is ascertained. In some counties the surplus revenue remains as a county fund, and the amount of interest must be reported by the County Collector to the County Superintendent.

Form No. 117.—Duties of Township Collector.

1. To notify the County Superintendent of the amount of township school tax ordered, and the amount of interest on surplus revenue. [*Form 116.*]

2. To collect all township and district school taxes.

3. To receive and hold in trust all school moneys, and to pay out the same only upon orders drawn in accordance with Forms 25 and 26.

4. To keep, in a book prepared for the purpose, an account with each School District. [*Form 7.*]

5. To make settlement with the Township Committee. [*Form 8.*]

6. To transmit copies of the settlement made with the Township Committee to the County Superintendent and to the Clerk of the Township. [*Form 8.*]

MISCELLANEOUS.

Form No. 118.—Report of County Clerk to County Superintendent of the Names and Post Office Addresses of the Township Collectors and City Treasurers.

To the County Superintendent of County :

SIR :—I hereby report to you the names and addresses of the newly elected Township Collectors [and City Treasurers, if there be any,] of this County, as follows :

Names of Township or City.	Names of Collectors and City Treasurers.	Address.

....., County Clerk.

Form No. 119.—Appeal to the State Superintendent.

....., N. J., 18.....

To State Superintendent of Public Instruction :

SIR :—We herewith transmit a full and correct statement of the facts in the case of vs., together with the decision of the County Superintendent thereon, from which decision we respectfully appeal for the following reasons: [Here state the reasons for making the appeal.]

We certify that the accompanying statements, together with the decision of the County Superintendent, are true to the best of our knowledge and belief.

.....
.....

Calendar for School Elections and Duties.

1. *State Board of Education.*—Meets on the first Tuesday of February, April, October and December, and on the last Thursday in June, annually.

2. *Trustees of the School Fund.*—Meet on the first Monday in April, annually, and at other times when called together by the Governor.

3. *County Boards of Examiners.*—Meet on the first Saturday of February and November, and the first Friday and Saturday of May and August, annually.

4. *State Association of School Superintendents.*—Meets at the call of the State Superintendent.

5. *School Trustees.*—Elected on Tuesday of the week following town meeting, annually, and should meet on the first Tuesday after the first Monday in March, June, September and December, and oftener if necessary.

6. *District Clerks.*—Elected within ten days after the annual meeting for the election of Trustees, annually.

7. *Township Boards of Trustees.*—Meet semi-annually, at such times and places as the County Superintendent may appoint.

8. *District Meetings for Voting District Tax.*—Held on Tuesday of the week following town meeting, annually, or at the call of the Trustees.

9. *Report of the State Board of Education to the Governor.*—On the first Tuesday in December, annually.

10. *Report of the State Superintendent to the State Board of Education.*—On the first Tuesday in December, annually.

11. *Report of County Superintendent to the State Superintendent.*—On or before the first of September, annually.

12. *Report of District Clerks to County Superintendent.*—On or before the first of August, annually.

13. *Report of Teachers to Trustees.*—At the close of each quarter's teaching.

14. *Financial Statement of Township Collector to Township Committee and County Superintendent.*—On or before the first of September, annually.

15. *Financial Statement of District Clerks to Township Committee.*—On or before the first of September, annually.

16. *Financial Statement of District Clerks to the County Superintendent.*—On or before the first of September, annually.

17. *Assessor makes returns to Collector.*—Within fifteen days after the first Monday in September, annually.

18. *Township and District School Tax.*—Collected and due the Trustees by the first of December, annually.

19. *District Census.*—Taken during the month of May, annually.

20. *Apportionment of the State Appropriation to the Counties.*—Made by the State Superintendent, on or before the first Monday in April, annually.

21. *Apportionment of State Appropriation and Township School Taxes to the District.*—Made by the County Superintendent on or before the first of May, annually.

22. *Copy of Apportionment.*—Made by the County Superintendent, and furnished to each Township Collector and District Clerk within twenty days after the apportionment is made.

23. *State Appropriation.*—One hundred thousand dollars paid in November, and the State school tax in the month of January following.

24. *Agricultural College.*—Candidates examined by the County and City Superintendents on the first Saturday in June.

25. *School Holidays.*—First day of January, twenty-second of February, thirtieth of May, fourth day of July, first Monday in September (Labor day), Thanksgiving day, Christmas day, any day upon which a general election shall be held for members of assembly, and also any day set apart by proclamation of the Governor of this State or the President of the United States for the purpose of public observance.

26. *School year.*—Commences on the first of September, and ends on thirty-first day of August.

27. *Fiscal year.*—The school fiscal year of the State coincides with the school year.

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AMENDMENTS
TO
SCHOOL LAW.
1892.

An Act to amend an act entitled "An act to amend an act entitled 'An act to establish a system of public instruction'" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four, which was approved May sixth, one thousand eight hundred and eighty-nine.

1. BE IT ENACTED *by the Senate and General Assembly of* ^{Salary of county superintendents P. L. 1892, Chap. ccxxviii} *the State of New Jersey,* That in order to enable county superintendents of schools to devote more time to the discharge of the duties of their office, and to properly examine and direct the schools under their charge, by frequent visits to said schools and counsel and direction to teachers in the proper method of instruction, their yearly salary shall be at the rate of twelve and a half cents for each child in the county between the ages of five and eighteen, as ascertained from the last annual ^{Proviso} report of the state superintendent; *provided,* that the salary shall in no case be less than eight hundred dollars, nor more than thirteen hundred dollars; *and provided,* that ^{Proviso.} the salary of a superintendent having fifty or more district schools to visit shall not be less than one thousand dollars; *and provided,* that in case any city or town shall have a city or town superintendent of schools,

the children belonging to such city or town shall not be counted in determining the salary of the county superintendent, and the supervision of the schools of said city or town, which would otherwise belong to the county superintendent, shall devolve upon the city or town superintendent.

This repeals section 25, page 8.

A Further Supplement to an act entitled "An act to establish a system of public instruction," approved March twenty-seventh, eighteen hundred and seventy-four.

State board
education to
have census
taken.
P. L. 1892,
Chap. xiv.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That hereafter the state board of education shall cause to be taken during the month of May in each year an exact census of all children residing in the several school districts in this state, between the ages of five and eighteen, not including the children who may be inmates of poor houses, asylums or almshouses, and shall specify the names, ages and residences of such children and the names and residences of their parents or guardians (all children who may be absent from home attending colleges, boarding schools and private seminaries of learning shall be included in the census list of the city, town or district in which their parents or guardians reside, and not be taken in the city, town or district where they may be attending such institutions of learning); the said census may also contain such further information as the said state board may deem necessary or proper; and for the purpose of carrying out the object of this act the said state board is hereby authorized and empowered to designate a suitable person, to be known as the superintendent of the school census, who shall hold his office for the term of five years, and shall receive such annual compensation and such clerical assistance as the said board shall designate, and whose duty it shall be to take charge of all the de-

Superintendent
of census.

tails connected with the taking of the annual school census; the said superintendent shall make a full report thereof to the state board of education, verified by him under oath that the same is correct and true to the best of his knowledge and belief, on or before the first day of September in each and every year. Superintendent to report.

2. *And be it enacted*, That the said superintendent shall have power, with the approval of the president of the state board of education, to designate as many suitable persons as may be necessary, to act as enumerators for the several school districts of the state in taking the school census aforesaid; and he shall have the power, with the approval of the said state board of education, to establish such rules and regulations as may be necessary and proper, governing the taking of the said census and the said enumerators; and he shall provide and furnish the enumerators blank books, forms and such other stationery as may be necessary; the said enumerators shall perform their work within the time and in accordance with the rules and regulations of the said superintendent, and shall be entitled to receive for their services the sum of five cents for each and every child's name taken in accordance with this act, which said compensation shall be paid to the said enumerators in the same manner as is now provided by law, upon the certificate of the superintendent of the census. Appoint enumerators. Rules and regulations. Blanks. Compensation.

3. *And be it enacted*, That all other modes of taking or paying for the school census are hereby abolished, and all general, public, special or other acts of any kind whatsoever, or any part thereof, inconsistent with the provisions of this act, are hereby abrogated and repealed, and this act shall take effect immediately. Repealer.

This repeals section 59, page 18, and sections 248 and 249, page 92.

Who may be
admitted.
P. L. 1892.
Chap. cciii. §1.

106. That any indigent deaf-mute of suitable capacity, who shall be a legal resident of this state, and who shall be not less than eight years nor more than twenty-one years of age, may be admitted to and be entitled to the benefits of the institution, subject to such rules and regulations as have been or may be established by the state board of education; the term of instruction shall be three years, but in any case in which it may be proper, in the judgment of the said board, the term may be thereupon extended by said board for a period not exceeding eight years, which said term may be further extended by said board in meritorious cases for a period not exceeding three additional years; *and provided further*, that when it shall be found, in the judgment of said board, that any pupil now in the institution, or hereafter admitted, shall be, from want of capacity or other cause, not capable of receiving the benefits designed to be conferred, or that the retention of any pupil is or may be detrimental to the interests of the school, the said board shall have power to shorten the term of, or to dismiss from the school such pupil upon reasonable notice given to his or her parents or guardians.

Term of instruction.

Proviso.

This amends section 106, page 36.

A Supplement to an act entitled "An act for the formation and government of boroughs," approved April second, one thousand eight hundred and ninety-one.

Borough
collector to be
custodian of
school moneys.
P. L. 1892.
Chap. cclii. §4.

4. *And be it enacted*, That the school taxes to be levied, assessed and collected, within said borough, shall be levied, assessed and collected by the borough assessor and collector, respectively, and said collector shall receive and hold the school moneys so collected, within said borough, in trust, to be paid out on the order of the district clerk or treasurer of the school district, or school borough, in the manner provided by the act entitled "An act to establish a system of public instruction,"

approved March twenty-seventh, one thousand eight hundred and seventy-four.

This amends section 162, page 55.

An Act to amend an act entitled "An act providing for the formation and government of towns," approved April twenty-fourth, one thousand eight hundred and eighty-eight.

16. *And be it enacted*, That except as herein otherwise provided, at the first town election held under this act one member of the council from each ward shall be elected for one year, and one member for two years, and one member of the board of education shall be elected for one year, and one member for two years, and one member for three years; and the electors voting at such election shall designate on their ballots the terms for which the several candidates for said offices shall be elected; and thereafter annually a member of the council shall be chosen from each ward for two years, and a member of the board of education for three years.

Election of members of board of education. P. L. 1892, Chap. 11x. 26.

82. *And be it enacted*, That all the property, real and personal, of the several school districts existing within the limits of any town, borough or township, before its incorporation under the provisions of this act, shall, upon such incorporation, become and be the property of such incorporated town, and shall be held in its corporate name, and the several obligations, contracts and debts of said previously existing school district shall be assumed by and shall become and be the obligations, contracts and debts of said incorporated town; and that the board of education shall possess and exercise all the powers and perform all the duties by law vested in or imposed upon the trustees of school districts; they shall organize annually by choosing a chairman and a clerk, and may establish schools and provide for their government, and shall keep all school property in good repair; they shall define and fix the duties and compensation

School districts in towns incorporated under this act to be consolidated. *Ibid.* 28.

Powers of board of education.

of their clerk, who shall also perform all duties enjoined by law on district clerks; *provided*, that no property shall be bought or building erected by the said board unless a majority of the voters of the town voting at an annual town meeting shall have voted an appropriation for that purpose; in case any appropriation for the purchase of land and the erection of a school building shall be voted by the electors of the town at any town election, the council shall issue bonds in the corporate name of the town for the amount of such appropriation in such denominations as they shall deem proper; such bonds shall be designated "school bonds," shall bear interest at not exceeding the rate of six per centum per annum, and shall not be sold for less than their par value; they shall be made payable in such manner that at the expiration of three years three-fifteenths thereof shall become due and payable, and thereafter one-fifteenth thereof shall become due and payable annually; the council shall provide for raising by taxation annually, the interest thereon and one-fifteenth of the principal thereof; the proceeds of the sale of said bonds shall be held by the town treasurer, and shall be paid out by him on the warrants of the board of education; at any time after an appropriation is voted as aforesaid, the board of education may purchase the necessary land and enter into contract for the erection of a school building thereon, the title to which property shall be vested in the town by its corporate name.

These sections amend sections 289 and 294, pages 103 and 104.

A Supplement to an act entitled "An act to establish a system of public instruction" [Revision], approved March twenty-seventh, one thousand eight hundred and seventy-four.

1. BE IT ENACTED, *by the Senate and General Assembly of the State of New Jersey*, That in case any public school in this State shall (after the date of the establishment of a school library therein) have neglected in any year or years to raise, by subscription or entertainment, the sum of ten dollars annually, for the establishment and maintenance in such school of a school library and to procure philosophical and chemical apparatus; and such school shall in consequence have failed to receive from the treasurer of the school fund, upon the order of the state superintendent of education, the sum of ten dollars, in any such year or years, for the purposes aforesaid; the treasurer of the school fund, upon the order of the state superintendent of education, is hereby authorized and directed to pay over to said school, out of the income of the school fund, the sum of ten dollars for each year during which such school shall have so neglected to raise, by subscription or entertainment, a like sum for the purposes aforesaid, provided that within one year from the passage of this act there shall have been raised for such public school, by subscription or entertainment, a like sum for each of such years for the purpose aforesaid; *and further provided*, that the amount to be paid any one school district under this act shall not exceed forty dollars; *and provided further*, that the total amount expended under the provisions of this act shall not exceed the sum of one thousand dollars.

Library appropriation to schools that have not received such appropriation.
P. L. 1892,
Chap. xxxiv.

Proviso.

Proviso.

An Act to provide for the establishment of a commission of public instruction in cities of the second class in this State, whose population now exceeds or may hereafter exceed fifty thousand.

Commission of public instruction in cities of the second class having population exceeding 50,000.
P. L. 1892,
Chap. xlix. §1.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That there shall be established in every city of the second class in this State, whose population now exceeds or may hereafter exceed fifty thousand, a board of education, which shall be composed of and managed and controlled by eight commissioners, to be known as commissioners of public instruction, and not more than one-half of the said commissioners shall be of the same political party; the said commissioners shall be appointed by the mayor of such cities for the term of two years; not more than one commissioner shall be appointed from the same ward, except in such cities where there are less than eight wards; the first appointment of commissioners shall be four for one year, and the remainder of the board for two years, so that they shall be divided into classes, one class going out each year; and thereafter there shall be appointed every year an equal number to fill the places of those whose terms expire in that year, and in case of a vacancy in any such office the appointment to fill the same shall be for the unexpired term only and shall be made by the mayor; and the mayor of such cities shall be a member ex-officio of said board and shall be entitled to vote therein in case of a tie; the said commissioners appointed under this act shall perform their duties without pay.

Term.

Mayor is, ex-officio, a member.

Powers and duties.

2. *And be it enacted*, That the commissioners of public instruction appointed under this act shall be and they are hereby invested with and shall possess and exercise all the same powers which by law are now vested in and exercised by the department of public instruction, boards of education, school trustees, commissioners of public instruction, or other such body, by whatever name called, having the management and control of the

public schools in any such cities of the second class in this state, and the said commissioners shall perform the same duties now required of or imposed by law upon any such department, boards, trustees or commissioners in any such cities; they shall also adopt such rules and regulations as to the appointment, control, duties, dismissals and salaries of their officers, teachers or other employees as to them shall seem expedient, and may alter the same at pleasure, except where the term of office or salaries of such officers or employees is now fixed by law; no such officer or employee shall be a member of such commission; and the salaries of the officers, teachers and other employees of such board, and all other moneys necessary for the use of said board, shall be obtained and paid in the same manner as is now provided by law in any such cities; *provided*, Proviso. that none of the powers and privileges conferred in this act shall be so exercised as to nullify or conflict with the rules and regulations of the state board of education.

3. *And be it enacted*, That the said commissioners of public instruction, appointed under this act, shall take or subscribe an oath or affirmation before the police justice of such cities or any other officer qualified to administer oaths, faithfully and impartially to perform the duties of such office, and on the third Monday in April next after this act takes effect, at ten o'clock in the forenoon, and annually thereafter, shall proceed to organize said board by the election of one of the said commissioners as president for the term of one year. Oath of commissioners.

4. *And be it enacted*, That the said commissioners of public instruction hereby established in such cities of the second class, shall be instead, and shall take the place of, and be in lieu of, any and all other boards of education, departments of public instruction, commissioners of public instruction, school trustees, or by whatever name such offices, officers, departments or boards may be called in such cities, and the offices and terms of office of any and all other commissioners of public Time of organization of commission. Former boards abolished.

instruction, school trustees, or boards of education, or departments of public instruction, except those appointed and recognized by this act, shall be and they are hereby abolished, terminated and ended at ten o'clock in the forenoon on the third Monday in April next after this act takes effect.

Governing body
of city to pro-
vide rooms, etc.

5. *And be it enacted*, That the board of aldermen, common council or other governing body, by whatever name called in such cities, where the said commissioners of public instruction are appointed under this act, shall provide suitable rooms for the transaction of the business of the said board of education and shall procure suitable furniture therefor.

Corporate name

6. *And be it enacted*, That the corporate name of such commission shall be known as "The Commissioners of Public Instruction of the City of (here insert the name of the city)."

Repealer.

7. *And be it enacted*, That all acts or parts of acts, general, special or local, and all charters or parts of charters of any city inconsistent with this act be and the same are hereby repealed, and this act shall be deemed a public act and shall take effect immediately.



N.J.

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