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CONNECTICUT SCHOOL DOCUMENT

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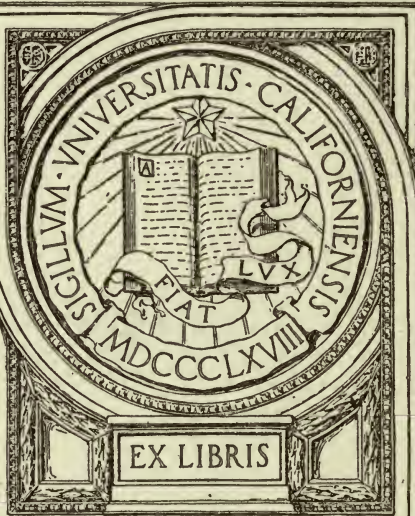
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Laws relating to schools



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NOTE.

This compilation includes all sections of the General Statutes of 1918 and of later public acts pertaining to schools and the duties of school officers.

Special Acts, under which the schools of several towns and districts are organized and administered, are also given, pages 157-228.

At the margin of each section will be found the number of the section of the General Statutes.

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CONSTITUTION OF CONNECTICUT

[ARTICLE EIGHT]

Of Education

§ 1 The charter of Yale College, as modified by agreement with the corporation thereof, in pursuance of an act of the General Assembly, passed in May, 1792, is hereby confirmed.

§ 2 The fund, called the SCHOOL FUND, shall remain a perpetual fund, the interest of which shall be inviolably appropriated to the support and encouragement of the public or common schools throughout the state, and for the equal benefit of all the people thereof. The value and amount of said fund shall, as soon as practicable, be ascertained in such manner as the General Assembly may prescribe, published and recorded in the Comptroller's office; and no law shall ever be made authorizing said fund to be diverted to any other use than the encouragement and support of public or common schools, among the several school societies, as justice and equity shall require.

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LAWS RELATING TO SCHOOLS

CHAPTER I

State Board of Education

General Statutes chapter 43 page 305

Section 1 The state board of education shall consist of the governor and lieutenant-governor, each of whom shall be ex officio members of said board, and nine other members. On or before June 1, 1919, the governor shall appoint three members of said board to serve from the date of their respective appointments until July 1, 1921, three to serve until July 1, 1923, and three to serve until July 1, 1925, and thereafter in the month of May in each year when there is a regular session of the general assembly the governor shall appoint three members of said board who shall serve for a period of six years from the first day of July following their respective appointments.¹ Any vacancy which may occur in said board shall be filled by appointment of the governor for the unexpired portion of the term. At least one member shall be appointed from, and reside in, each county. Five members of said board, including ex officio members, shall constitute a quorum. The terms of the members of said board in office at the time of the passage of this act shall terminate when the governor shall have appointed their successors by authority of the provisions of this act.

Rev 1902
§2111
1909 ch 217
1917 ch 351
Rev 1918
§825
1919 ch 344
§1

Number, ap-
pointment,
and terms of
state board
of education

Sec. 2 Said state board shall meet in a room in the state capitol to be designated by the comptroller, on the second Tuesday of July at two o'clock in the afternoon, for the purpose of organizing. At said meeting it shall elect one of its members as chairman to serve for a term of two years and shall appoint such committees as may be convenient or necessary in the transaction of the business of said board.

1919 ch 344
§2

Meetings of
board

¹ The members are paid their necessary expenses Gen Stat § 2212

Rev 1902

§2111

1909 ch 217

1917 ch 351

Rev 1918

§825

1919 ch 344

§3

Appointment
and duties
of secretary
and assistant

1919 ch 344
§4

Board to fix
compensa-
tion of em-
ployees with
approval of
board of con-
trol

G S sec 826

Rev 1902

§2112

1913 ch 166

Sec. 5 The board shall appoint a secretary and an assistant secretary, neither of whom shall be members of said board. Their salaries shall be determined by the board subject to the approval of the board of control. The secretary and the assistant secretary shall record all acts of the board and certify the same to all concerned and shall be the custodian of the records and papers of said board, shall prepare such routine business for presentation to said board as may be necessary or advisable, shall compile and publish, under the direction of said board, all regulations and acts which may be required and shall perform such duties as the board of education may prescribe.

Sec. 4 Said board may appoint and fix the compensation, subject to the approval of the board of control, and prescribe the duties of such subordinates, agents and employees as it may find to be necessary in the conduct of the business of said board, but the secretaries and such subordinates, agents and employees shall hold office only during the pleasure of the said board and shall be subject to its direction and control.

Sec. 5 The board shall have general supervision and control of the educational interests of the state; may direct what books shall be used in all its schools, but shall not direct any book to be changed oftener than once in five years;¹ shall prescribe the form of registers² to be kept in said schools and the form of blanks and inquiries for the returns³ to be made by

¹ § 69 74

² Registers are supplied to public and private schools There is a special form for evening schools

Private schools must keep prescribed register § 21

For duties of teachers in connection with registers see § 204

³ Returns to be made to state board of education see § 91

a reports of school visitors § 91

including names of teachers and committees § 93

forfeiture § 92

b reports by district board of education § 66

reports of evening schools § 58

reports of private schools § 21

reports of eyesight tests § 205

number and names of children attending non-local high schools § 188

number and names of children conveyed to non-local high schools § 192

salaries of district and other superintendents § § 82 85

average attendance in certain schools § § 249 253

Blanks are supplied for all above returns and for reports of district committees to school visitors § 181

the various school boards and committees; shall keep informed as to the condition and progress of the public schools in the state; and shall seek to improve the methods and promote the efficiency of teaching therein by holding at convenient places in the state meetings of teachers and school officers for the purpose of instructing in the best modes of administering, governing and teaching public schools, and by such other means as they shall deem appropriate; but the expenses incurred in such meetings shall not exceed the sum of four thousand dollars in any year. Said board shall, on or before the Monday after the first Wednesday in January in each year, submit to the governor a report containing a printed abstract of said returns, a detailed statement of the doings of the board, and an account of the condition of the public schools, of the amount and quality of instruction therein and such other information as will apprise the general assembly of the true condition, progress and needs of public education.¹

Duties

Teachers' meetings

Report

Sec. 6 The state board of education may continue to maintain schools already established and may establish in such towns, as may seem best adapted for the purpose, public day and continuation schools, part-time schools and evening schools for instruction in the arts and practices of trades and vocations, and said board may make regulations controlling the admission of students, but no person under fourteen years of age shall be admitted to schools established under the provisions of this

G. S. sec 827
1907 ch 250
1909 ch 85
1913 ch 212
1915 ch 263

¹ Other powers and duties of the board not enumerated in this chapter are to

- a enforce law relating to attendance at evening schools § 54
- b enforce law relating to employment of children § 333
- investigate and grant certificates of age in certain cases §§ 329 330
- c appoint public library committee § 281
- d order sanitary changes in schoolhouses § 50
- e examine teachers for county homes and appoint acting visitor for said schools § 229
- f relieve towns from maintaining evening schools § 60
- g appoint and pay agents to act as superintendents in certain towns § 86
- h approve high schools in certain cases § 186 apply to comptroller for high school grant § 188
- i examine incorporated high schools and academies § 189
- j approve high schools to which children are conveyed § 190
- apply to comptroller for high school conveyance grant § 192
- k approve superintendents in certain cases §§ 83 84
- l apply to comptroller for state average attendance grant § 249
- m disapprove teachers in certain cases § 249
- n make estimates Gen Stat § 59
- o make reports Gen Stat § 179, Chapter 308 Acts 1919

section, except during vacations. The state board of education may expend the funds provided for the support of schools established under the provisions of this section, appoint and remove teachers and make rules for management of such schools and shall file semi-annually with the comptroller, to be audited by him, a statement of expenses of such schools, and shall annually make to the governor a report of the conditions of such schools and the acts of said board in connection therewith. Said board may enter into arrangements with manufacturing and mechanical establishments in which pupils of such trade schools may have opportunity to obtain practice and may make arrangements with trade and vocational schools approved by said board under the provisions of this section, and said board may prescribe the conditions and regulations under which said board shall make application to the comptroller for an order upon the treasurer for grants in aid of trade education in said approved trade schools. When schools are first established under the provisions of this section the state board of education may lease for not more than four years rooms in which such schools may be housed. Any town or district in which a school is established under the provisions of this section may appropriate such sum in a meeting warned and held for such purpose for maintenance or improvement of such school and for leasing buildings as it may determine.

Sec. 7 The total estimated expenses annually chargeable to the state on account of all schools approved by the state board of education under the provisions of section 827 of the General Statutes (Sec. 6 of this Compilation) shall not exceed two hundred thousand dollars for the fiscal year for which such estimates shall have been made.

Sec. 8 The state of Connecticut accepts the benefits of an act of the Congress of the United States, entitled "An Act to provide for the promotion of vocational education;— to provide for coöperation with the states in the promotion of such education in agriculture and the trades and industries; to provide for coöperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, and will observe and comply with all the requirements of said act.

Trade and
vocational
schools

1917 ch 307
Rev 1918
§828
1919 ch 256
Expense of
trade schools

1917 ch 383
Rev 1918
Sec 829
1919 ch 324

United States
aid for voca-
tional educa-
tion

The state board of education is designated as the state board for the purpose of said act, and is given all necessary power to coöperate with the federal board of vocational education in the administration of said act. The state board shall designate the Connecticut Agricultural College as the institution to supervise instruction in agriculture as provided for in section two of the federal act. The state board shall designate the Connecticut Agricultural College as the institution to receive the funds for the preparation of teachers of agriculture and the funds for the training of teachers in home economics as provided for in section four of the federal act, *provided*, such designation be approved by the federal board of vocational education. The sum of forty-five thousand dollars annually is appropriated in order to carry out the provisions of said act of congress.

Sec. 9 One school, in each town having twenty teachers or less, may be organized as a model school for observation and instruction of the training class conducted by the supervisor. The state board of education may make application to the comptroller for an order on the treasurer for a sum not exceeding three dollars a week for each teacher in such model schools. No application shall be made to the comptroller under the provisions of this section unless the town in which said model school is located shall pay to the teacher of the model school a wage of not less than ten dollars a week or not less than the wage which was paid for teaching in said school during the previous year.

Sec. 10. The board may appoint an agent to secure the observance of the laws relating to the instruction of children, and such agent shall make written report of his work to the secretary semi-annually.¹

Sec. 11 The state board of education may appoint one or more persons, subject to the approval of a judge of the superior court, to be prosecuting agents, who shall diligently inquire into and prosecute for violations of the laws relating to the attendance of children at school, or relating to the em-

G S sec 830
1913 ch 227

Model schools

Application
for order on
treasurer
restricted

G S sec 831
Rev 1902
§2113

Appointment
of agent

G S sec 832
1917 ch 206

Prosecuting
agents to
enforce school
laws

¹ Must grant certificates of age to foreign born children § 329

May inspect registers of private schools § 21

If school accommodations are not supplied by towns may request a hearing by town school committee, board of school visitors, or board of education, as the case may be, and an appeal may be taken to the state board of education § 18

ployment of children in mechanical, mercantile or manufacturing establishments, and shall exercise in any town or city the authority of grand jurors or prosecuting officers in prosecutions for such violations and may conduct such prosecutions personally or by attorney. Such prosecuting agents may render such aid in the superior court in prosecutions for such violations, and shall give such information with reference thereto, as the state's attorney may require. They shall render to said state board of education such reports as may be required by said board, which may remove any of such agents at its discretion and appoint another in his stead. Such prosecuting agents shall be paid in the manner provided by law for other agents of said board.

1919 ch 286
§1

Establishment of department, appointment, and salary of director

Sec. 12 The state board of education shall establish a department of Americanization and appoint a director of such department who shall receive an annual salary of three thousand dollars and his necessary expenses. Such director shall have such powers and perform such duties as may be prescribed by the state board of education, but said director shall not be authorized to exercise authority over the conduct of any public school, school board or board of education or any teacher or other employee of any public school.

1919 ch 286
§2

Appointment of town directors

Sec. 13 The school committee of any town designated by the state board of education may appoint, subject to the approval of said board, a town director of Americanization whose compensation shall be fixed and paid by the state board of education.

1919 ch 286
§3

Appropriation

Sec. 14 The sum of fifty thousand dollars is appropriated for the two fiscal years ending June 30, 1921, to carry out the provisions of this act.

G S sec 833
Rev 1902
§2114

Expenses of the board

Sec. 15 The board may expend such sum as may be necessary to perform the duties and execute the powers conferred upon it, and shall semi-annually file with the comptroller a certified account of all state money received and expended during the preceding half year,¹ which account shall be audited by the comptroller. All orders for drawing state money shall be signed by the secretary and countersigned by a duly authorized committee of the board.

¹ The fiscal year ends June 30 Pub Acts 1919 ch 289

Sec. 16 No person shall be ineligible to serve as a member of a board of education, board of school visitors, town school committee or district committee, or be disqualified from holding such office, by reason of sex.

G S sec 834
Rev 1902
§2115

Women may
be school
officers

CHAPTER II

Instruction

General Statutes chapter 44 page 308

G S sec 835
Rev 1902
§2116

Sec. 17 All parents and those who have the care of children¹ shall bring them up in some lawful and honest employment and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic and United States history.² Every parent or other person having control of a child over seven and under sixteen³ years of age shall cause such child to attend a public day school regularly during the hours and terms the public school in the district wherein such child resides is in session, or while the school is in session where provision for the instruction of such child is made according to law, unless the parent or person having control of such child can show that the child is elsewhere receiving regularly thorough instruction during said hours and terms in the studies taught in the public schools.⁴ Children over fourteen years of age shall not be subject to the requirements of this section while lawfully employed at labor at home or elsewhere; but this provision shall not permit such children to be irregular in attendance at school while they are enrolled as scholars, nor exempt any child who is enrolled as a member of a school from any rule concerning irregularity of attendance which has been enacted or may be enacted by the town school committee, board of school visitors or board of education having control of the school.⁵

Duties of
parents and
guardians

¹ Words "Those who have the care of children" equivalent to parents or guardians 59 Conn 489

Statute to receive a liberal construction 59 Conn 492

² §§ 33 34 38 76

³ §§ 89 221 224

⁴ § 21

⁵ § 69 See § 19

Sec. 18 Every town shall furnish, by transportation or otherwise, school accommodations so that every child over seven and under sixteen years of age may attend school as required in section 17. If any town refuses or neglects to furnish such accommodations, the parent or guardian of any child who is deprived of schooling, or any agent or officer whose duty it is to compel the observance of the laws concerning attendance at school, may in writing request a hearing by the town school committee, board of school visitors or board of education, as the case may be, and said officers shall give such person a hearing within ten days after receipt of written request therefor and shall make a finding within ten days after said hearing. Any parent, guardian or officer aggrieved by such finding may take an appeal therefrom to the state board of education, which shall give a public hearing in the town in which the cause of complaint arises. If it appears that any child is illegally or unreasonably deprived of schooling, said board shall request the proper school officer to make arrangements to enable the parent or guardian to comply with the provisions of section 17. If such school officers do not take action upon such request within one month after receipt thereof, and no suitable provision is made for children deprived of schooling, there shall be a forfeiture of the money appropriated by the state for the support of schools amounting to two dollars and twenty-five cents for each child for every week such child is deprived of schooling.¹

Sec. 19 Whenever the school visitors, town school committee or board of education of any town or district shall by vote decide or whenever the state board of education shall ascertain that a child over fourteen and under sixteen years of age has not schooling sufficient to warrant his leaving school to be employed and shall so notify the parent or guardian of said child in writing, the parent or guardian of said child shall cause him to attend school regularly during the days and hours that the public school in the district in which said parent or guardian resides is in session, and until the parent or guardian of said child has obtained from said board of school visitors, town school committee or board of education, or from the

G S sec 836
1903 ch 210
1909 ch 116
1911 ch 173
1913 ch 47

Towns to furnish by transportation or otherwise school accommodations to children

G S sec 837
1903 ch 29
1905 ch 36

Child required to attend school until sixteen years of age when

state board of education, if the notice shall have been given by the said state board of education, a leaving certificate stating that the education of said child is satisfactory to said visitors, town school committee or board of education, or to said state board of education, as the case may be; *provided*, said parent or guardian shall not be required to cause his child to attend school after the child is sixteen years of age. Each week's failure on the part of a person to comply with the provisions of this section shall be a distinct offense, punishable by a fine not exceeding five dollars, and the provisions of section 20 shall be applicable to all proceedings under this section.

Sec. 20 Each week's failure on the part of a person to comply with any provision of section 17 shall be distinct offense, punishable by a fine not exceeding five dollars. Said penalty shall not be incurred when it appears that the child is destitute of clothing suitable for attending school, and the parent or person having control of such child is unable to provide such clothing, or its mental or physical condition is such as to render its instruction inexpedient or impracticable. All offenses concerning the same child shall be charged in separate counts in one complaint. When a complaint contains more than one count the court may give sentence on one or more counts and suspend sentence on the remaining counts. If at the end of twelve weeks from the date of the sentence it shall appear that the child concerned has attended school regularly during that time judgment on such remaining counts shall not be executed.

*G S sec 838
Rev 1902
§2117*

Penalty

Excuses

Complaint

Procedure

Sec. 21 Attendance of children at a school other than a public school shall not be regarded as compliance with the laws of the state requiring parents and other persons having control of children to cause them to attend school, unless the teachers or persons having control of such school shall keep a register of attendance in the form and manner prescribed by the state board of education for the public schools,¹ which register shall at all times during school hours be open to the inspection of the secretary and agents of the state board of education,² and

*G S sec 839
Rev 1902
§2118*

Attendance
at private
schools

¹ § 5

² §§ 10 333

shall make such reports and returns concerning the school under their charge to the secretary of the state board of education as are required from the school visitors concerning the public schools,¹ except that no report concerning expenses shall be required. The secretary of the state board of education shall furnish to the teachers or persons having charge of any school, on their request, such registers and blanks for returns as may be necessary for compliance with the provisions of this section.

Sec. 22 Every person who shall employ a child under fourteen years of age during the hours while the school which such child should attend is in session, and every person who shall authorize or permit on premises under his control any such child to be so employed, shall be fined not more than twenty dollars for every week in which such child is so employed.

Sec. 23 Every parent or other person, having control of a child, who shall make any false statement concerning the age of such child with intent to deceive the town clerk or registrar of births, marriages and deaths of any town, or the teacher of any school, or shall instruct a child to make any such false statement, shall be fined not more than twenty dollars.²

Sec. 24 The school visitors or the town school committee in every town shall, once or more in every year, examine into the situation of the children employed in all manufacturing establishments, and ascertain whether all the provisions of this chapter are duly observed, and report all violations thereof to the proper prosecuting authority.

Sec. 25 Each city and town may make regulations concerning habitual truants from school and children between the ages of seven and sixteen years³ wandering about its streets or public places, having no lawful occupation, not attending school, and growing up in ignorance; and may make such by-laws respecting such children as shall conduce to their welfare and to public order, imposing penalties, not exceeding twenty dollars for any one breach thereof.

¹ § 5

² § 329

³ § § 357 361

G S sec 840
Rev 1902
§2119

Employment
of children
under four-
teen

G S sec 841
Rev 1902
§2120

Penalty

G S sec 842
Rev 1902
§2121

Report of
violations
of law

G S sec 843
Rev 1902
§2122

By-laws con-
cerning
truants

Sec. 26 Every town, and the mayor and aldermen of every city, having such by-laws, shall annually appoint three or more persons, who alone shall be authorized to prosecute for violations thereof. All warrants issued upon such prosecutions shall be returnable before any justice of the peace, or judge of the city or police court of the town or city.

G S sec 844
Rev 1902
§2123

Truant officers

Sec. 27 The police in any city, and bailiffs, constables, sheriffs and deputy sheriffs in their respective precincts, shall arrest all boys between seven and sixteen years of age, who habitually wander or loiter about the streets or public places, or anywhere beyond the proper control of their parents or guardians, during the usual school hours of the school term; and may stop any boy under sixteen years of age, during such hours, and ascertain whether he is a truant from school; and if he be, shall send him to such school.

G S sec 845
Rev 1902
§2124

Arrest of
truants

See
G S sec 303
or § 347 of
this compi-
lation

Sec. 28 Every boy arrested three times or more under the provisions of section 27 shall be taken before the judge of the criminal or police court, or a justice of the peace, in the town, city or borough where such arrest is made; and if it shall appear that such boy has no lawful occupation, or is not attending school, or is growing up in habits of idleness or immorality, or is an habitual truant, he may be committed to any institution of instruction or correction, or house of reformation in said town, city or borough for not more than three years, or, if such boy be not less than ten years of age, with the approval of the selectmen, to the Connecticut School for Boys.

G S sec 846
Rev 1902
§2125

Truants may
be committed
to school for
boys

Sec. 29 Officers other than policemen of cities shall receive for making the arrests required by sections 27 and 28 such fees, not exceeding the fees allowed by law for making other arrests, as may be allowed by the selectmen of the town in which such arrests are made; but unless a warrant was issued by a judge of the criminal or police court, or by a justice of the peace, the officer shall, before receiving his fees, present to the selectmen of the town a written statement showing the name of each boy arrested, the day on which the arrest was made, and if the boy was returned to school the name or number of the school to which he was so returned.

G S sec 847
Rev 1902
§2126

Fees for ar-
resting
truants

G S sec 848
Rev 1902
§2127

Warrant and
hearing

Sec. 30 In all cases arising under the provisions of sections 27, 28 or 29 a proper warrant shall be issued by a judge of the criminal court of the city, or by a justice of the peace in the borough or town, where such arrest is made; and the father, if living, or if not, the mother or guardian of such boy, shall be notified, if such parent or guardian can be found, of the day and time of hearing. The fees of the judge or justice shall be two dollars for such hearing; and all expenses shall be paid by the town, city or borough in and for which he exercised such jurisdiction.

G S sec 849
Rev 1902
§2128

Judgment
may be sus-
pended

Sec. 31 After the hearing in any such case such judge or justice of the peace may, at his discretion, indefinitely suspend judgment.

G S sec 850
Rev 1902
§2129

Vagrant girls
may be com-
mitted to in-
dustrial school

Sec. 32 Upon the request of the parent or guardian of any girl between seven and sixteen years of age, a warrant may be issued for her arrest in the manner and on the conditions provided in the preceding sections with respect to boys; and thereupon the same proceedings may be had as are provided in said sections, except that said girl may be committed to the Connecticut Industrial School for Girls.¹

CHAPTER III

Duties of Towns

General Statutes, Chapter 45, page 312

G S sec 851
Rev 1902
§2130

Number of
weeks of
school

Studies

Sec. 33 Public schools shall be maintained for at least thirty-six weeks in each year in every town and school district. No town shall receive any money from the state treasury for any district unless the school therein has been kept during the time herein required; but no school need be maintained in any district in which the average attendance² at the school in said district during the preceding year, ending the fourteenth day of July,³ was less than eight.⁴ In said schools shall be taught, by teachers found duly qualified,⁵ reading, spelling, writing, English grammar, geography, arithmetic and United States history, and such other studies, including elementary science

¹ § 364

² Method of obtaining average attendance is prescribed in register

³ § 235

⁴ §§ 18 242

⁵ §§ 64 153 174 185 199

and training in manual arts, as may be prescribed by the board of school visitors or town school committee. The public schools of every town and district shall be open to children over five years of age without discrimination on account of race or color;¹ but school visitors, town school committees and boards of education, may, by vote at a meeting duly called, admit to any school, children over four years of age.

Age of admission

Sec. 34 The duties of citizenship, including the knowledge of the form of national, state and local government, shall be taught in the public schools as a regular branch of study to pupils above the fourth grade. The provisions of this section shall apply to classes in ungraded schools corresponding to the grades designated herein. Normal schools and teachers' training schools shall give instruction in said subjects and concerning methods of teaching the same. The state board of education shall prepare and distribute to every school an outline of questions and suggestions relating to said subjects, and said outline may be used in said schools.

G S sec 852
1903 ch 96
1915 ch 272

Citizenship to be taught

Board shall prepare outline and questions

Sec. 35 Any town or school district may maintain a kindergarten or kindergartens for the attendance of children over four years of age.

G S sec 853
Rev 1902
Sec 2131
1915, ch 169

Sec. 36 There shall be in every town, unless otherwise provided, a board of school visitors,² composed of three, six or nine members, as such town may determine, divided into three equal classes; the first class shall hold office until the next annual town meeting, the second class until the second annual town meeting, and the third class until the third annual town meeting following, and until others are elected in their places, *provided*, when said board is composed of only three members, they shall not be divided into classes and shall be elected for three years. Should a vacancy occur, the remaining members of the board may fill it till the next annual town meeting, when vacancies shall be filled in the manner prescribed in section 37, and the ballots shall distinctly specify the vacancy to be filled.

Kindergartens

G S sec 854
Rev 1902
Sec 2132

Classification of school visitors

¹A child is entitled to school privileges in a district if he is residing there 59 Conn 491 See §§ 221 224

Sec. 33 What constitutes residence of a child for school purposes 59 C. 491, 492

²When a school district is organized under chapter V, the school visitors are elected for the remaining portion of the town

G S sec 855
 Rev 1902
 Sec 2133

Election of
 school visitors

Sec. 37 School visitors shall be chosen by ballot. If the number to be chosen be two, four, six or eight, no person shall vote for more than half of such number. If the number to be chosen be three, no person shall vote for more than two; if five, not more than three; if seven, not more than four; if nine, not more than five. That number of persons sufficient to fill the board, who have the highest number of votes, shall be elected. In case of a tie that person whose name stands first or highest on the greatest number of ballots shall be elected.

G S sec 856
 Rev 1902
 Sec 2134

Instruction in
 music

Sec. 38 Any town, at its annual meeting, may direct its school visitors or town school committee to employ one or more teachers to give instruction in the rudiments and principles of vocal and instrumental music in its several schools, and the salary of such teachers shall be paid by such town.

G S sec 857
 Rev 1902
 Sec 2135
 1905 ch 174
 1907 ch 40

Text-books
 and supplies

Sec. 39 Any town at its annual meeting may direct the school visitors, town school committee or board of education to purchase, at the expense of said town, the text-books and other school supplies used in the public schools of said town, and said text-books and supplies shall be loaned to the pupils of said public schools free of charge, subject to such rules and regulations as the school visitors, town school committee or board of education may prescribe.¹ Whenever twenty legal voters shall so petition, the vote to determine whether the said school officers shall purchase text-books and supplies as hereinbefore provided shall be by ballot. Those electors who are in favor of directing said school officers to so purchase text-books and supplies shall deposit a ballot with the words "Free text-books Yes" written or printed thereon and those who are opposed shall deposit a ballot with the words "Free text-books No" written or printed thereon. The ballots cast shall be examined, sorted and recorded, and the result declared in the manner provided by law, and if the majority of the ballots so given in bear the words "Free text-books Yes," said school officers shall purchase such text-books and supplies as hereinbefore provided.

G S sec 858
 Rev 1902
 Sec 2136

Text-books to
 be provided
 by town

Sec. 40 Whenever an acting school visitor shall find that any pupils in the public schools are not supplied with the prescribed text-books, and in the opinion of said acting school visitor the parents of the pupils are unable to buy the required

books,¹ the said acting visitor shall purchase the said books and shall certify the cost of the same to the selectmen, or the town school committee, as the case may be, who shall draw an order on the town treasurer for the payment of the bill.

Sec. 41 Any town which does not supply the children attending the public schools therein with free text-books and school supplies shall sell such books and supplies at cost to such children through its school visitors, town school committee, or board of education, as the case may be.

Sec. 42 A copy of this act shall be printed in the next annual school report of all towns which do not supply free textbooks and supplies. All public school pupils in such towns shall be informed at the beginning of each school year of the provisions hereof.

Sec. 43 Except as provided in section 153 the selectmen shall have the management of any property pertaining to schools and belonging to the town; shall lodge with the treasurer all bonds, leases, notes and other securities, which have not been, or shall not be, intrusted to others by the grantor, the general assembly or the town; shall pay to the treasurer all money which they may collect and receive for the use of schools. They shall cause the boundary lines of school districts to be entered on the records of the town, designate the time, place and object of holding the first meeting in a new district, and shall perform all other lawful acts required of them by the town, or necessary to carry into full effect the powers of towns with regard to schools.²

Sec. 44 The selectmen shall provide every schoolhouse in which a school is maintained within their respective towns with a United States flag of silk or bunting, not less than four feet in length, and a suitable flagstaff, or other arrangement whereby such flag may be displayed on the schoolhouse grounds every school day when the weather will permit, and on the inside of the schoolhouse on other school days, and renew such flag and apparatus when necessary.

Sec. 45 If any board of selectmen shall wilfully refuse or neglect to provide the flag or apparatus required by section 44, or to renew such flag or apparatus, when necessary, for a

1919 ch 221
Sec 1

Towns which do not furnish free text-books to sell at cost

1919 ch 221
Sec 2

Copy of act to be printed in certain school reports

G S sec 859
Rev 1902
Sec 2138

Duties of selectmen

G S sec 860
Rev 1902
Sec 2139

Flags for schoolhouses

G S sec 861
Rev 1902
Sec 2141

¹ §§ 69 180

² § 113

Penalty if
selectmen neg-
lect to pro-
vide flag

period of thirty days after the reception by them of written notice signed by a school visitor, a member of the town school committee or board of education, or a resident of the school district in which the said school is located, that said schoolhouse is not provided with such flag or apparatus, or that such flag or apparatus should be renewed, each of such board of selectmen who has so received notice shall be fined not more than ten dollars.

G S sec 862
Rev 1902
Sec 2140
1905 ch 146

Flag Day
exercises

Sec. 46 The governor shall, annually, in the spring, designate by official proclamation the fourteenth day of June as Flag Day, and suitable exercises, having reference to the adoption of the national flag, shall be held in the public schools on that day, or, in case that day shall not be a school day, on the school day preceding, or on such other days as the school visitors, board of education or town school committee may prescribe.

G S sec 863
Rev 1902
Sec 4438

Arbor and
Bird Day

Sec. 47 The governor shall, annually, in the spring, designate by official proclamation a day to be known as Arbor and Bird Day, to be observed in the schools, and in such other way as shall be indicated in such proclamation.

G S sec 864
1915 ch 106

Fire Preven-
tion Day

Sec. 48 The governor shall, by proclamation, annually designate a day, on or about October ninth, to be known as Fire Prevention Day, which day shall be observed in the schools and in such manner as shall be indicated in such proclamation.

G S sec 865
Rev 1902
Sec 2142

Sanitary con-
dition of
schoolhouse

Sec. 49 Every schoolhouse shall be kept in a cleanly state and free from effluvia arising from any drain, privy or other nuisance, and shall be provided with a sufficient number of proper water closets, earth closets or privies, for the use of the pupils attending such schoolhouse, and shall be properly ventilated.

G S sec 866
Rev 1902
Sec 2143

Unsanitary
conditions;
proceedings to
remedy

Sec. 50 Whenever it shall be found by the state board of education, or by the board of school visitors, or by a member of the town school committee of the town in which any schoolhouse is located, that further or different sanitary provisions or means of lighting or ventilating are required in any schoolhouse, and that the same can be provided without unreasonable expense, either of said boards, or such member of the town school committee may recommend to the person

or authority in charge of or controlling such schoolhouse such changes in the ventilation, lighting or sanitary arrangements of such schoolhouse as they may deem necessary. In case such changes be not made substantially as recommended within two weeks from the date of notice thereof such board or member of the committee may make complaint to the proper health authority of the community in which such schoolhouse is situated, which said authority shall, after notice to and hearing of the parties interested, order such changes made in the lighting, ventilation or sanitary arrangements of such schoolhouse as it may deem necessary and proper.

Sec. 51 The word schoolhouse as used in sections 49 and 50 shall include any building or premises in which instruction is afforded to not less than ten pupils at one time. Every violation of any provision of said sections shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than six months or both.¹

G S sec 867
Rev 1902
Sec 2144

Schoolhouse
defined

CHAPTER IV

Evening Schools

General Statutes, Chapter 46, page 315

Sec. 52 Every town and school district having ten thousand or more inhabitants shall establish and maintain evening schools for the instruction of persons over fourteen years of age, in such branches as the proper school authorities of the town or district shall prescribe;² and, on petition of at least twenty persons over fourteen years of age for instruction in any study usually taught in a high school, which persons, in the opinion of the board of school visitors, town school committee or board of education, are competent to pursue high school studies, said town or district shall provide for such instruction; but this section shall not apply to a district located in a town which maintains such schools.

G S sec 868
Rev 1902
Sec 2145
1903 ch 135
1909 ch 5

Evening
schools and
high schools
in towns of
ten thousand
or more in-
habitants

Sec. 53 Boards of school visitors, town school committees or boards of education, as the case may be, shall provide rooms, examine, employ and pay the teachers and shall have all the powers and duties in relation to evening schools that are by law conferred on them in connection with day schools.

G S sec 869
Rev 1902
Sec 2146

Management
of evening
schools

¹ The words "public buildings" include schoolhouses Gen Stat 6721

² § 33

G S sec 870
Rev 1902
Sec 2147

Employment
of child not
attending
evening
school;,
penalty

Sec. 54 No person over fourteen and under sixteen years of age, who cannot read and write, shall be employed in any town where public evening schools are established unless he can produce every school month of twenty days a certificate from the teacher of an evening school showing that he has attended such school eighteen consecutive evenings in the current school month, and is a regular attendant. Every person who shall employ a child contrary to the provisions of this section shall be fined not more than fifty dollars, and the state board of education shall enforce the provisions of this section as provided in section 333.

1919 ch 198
Sec 1

Attendance by
certain
children in
public evening
schools com-
pulsory

Sec. 55 Every child between fourteen and sixteen years of age, residing in a city, town or district in which public evening schools are maintained, in possession of an employment certificate issued under the provisions of the general statutes and who has not completed such course of study as is required for graduation from the elementary public schools of such city, town or district, shall attend the public evening schools of such city, town or district, or other evening schools offering an equivalent course of instruction, for not less than eight hours each week, for a period of not less than sixteen weeks in each calendar year, unless released from such requirement by the board of school visitors, town school committee or board of education. The employer of any such child shall keep on file in the place where such child is employed, an evening school certificate, issued as hereinafter provided, certifying that such child is attending an evening school as required under the provisions of this section, which certificate may, at any time, be inspected by the school authorities.

1919 ch 198
Sec 2

Certificates
showing
attendance to
be issued
by school
boards

Sec. 56 The board of school visitors, town school committee or board of education, or an authorized representative of such school authority, shall issue to each child attending an evening school in compliance with the provisions of section 55, a certificate at least once each month such evening school is in session and at the close of the term of such school, provided the number of hours and weeks of such attendance shall constitute at least as large a part of the period during which such school has been in session as eight hours per week for sixteen weeks is of the number of hours and weeks during which such school shall be in session for such calendar year. Such certifi-

cate shall state the number of hours per week and the number of weeks such child has attended such school.

Sec. 57 If any child shall violate any provision of section 55, his parent or guardian shall be fined, for each week such violation shall continue, not more than five dollars. Any person, firm or corporation, or any officer, manager, superintendent or employee acting in its behalf, who shall fail to comply with the provisions of section 55 concerning the certificate therein required, shall be fined, for a first offense, not less than twenty dollars nor more than fifty dollars and, for each subsequent offense, not less than fifty dollars nor more than two hundred dollars.

1919 ch 198
Sec 3

Penalty

Sec. 58 The board of school visitors or town school committee, as the case may be, of any town or the board of education in any district, wherein such evening schools are established and maintained, shall annually, on the first Monday in July, certify to the comptroller the average number of scholars attending such schools for the first seventy-five nights of the session within the current school year, and the comptroller shall draw his order on the treasurer in favor of such board of education, board of school visitors or town school committee, for the use of such schools, in the sum of four dollars for each scholar included in the number so certified, and the treasurer shall pay the same upon presentation. No money shall be paid under the provisions of this section unless such evening schools have been maintained for at least seventy-five sessions in each school year, nor until the board of school visitors, board of education or town school committee has reported to the state board of education concerning the condition and progress of such schools.¹

Rev 1902
Sec 2148
1915 ch 83
Rev 1918
Sec 871
1919 ch 238

Payment of
public money
for evening
schools

Sec. 59 Any town of less than ten thousand inhabitants may, at its annual town meeting or at a meeting warned for that purpose, vote to establish evening schools under the provisions of sections 52, 53 and 58.

G S sec 872
Rev 1902
Sec 2149
Establish-
ment of eve-
ning schools
in smaller
towns

Sec. 60 If any board of school visitors, board of education or town school committee shall deem it inexpedient or impracticable to establish a school under the provisions of this chapter and shall, on or before the fifteenth of October in any year,

G S sec 873
Rev 1902
Sec 2150

¹ Blanks' are furnished; see note § 5

When towns
may be re-
lieved from
establishing

apply in writing to the state board of education to be relieved from the provisions of this chapter, and if said board shall, upon investigation, find the application to be reasonable, and shall so state in writing, the town or district so applying by its board of visitors, board of education or town school committee shall not be subject to the provisions of section 52 until the beginning of the school year following the date of the application.

CHAPTER V

Transfer of the Property and Obligations of School Societies to Towns

General Statutes, Chapter 47, page 317

G S sec 874
Rev 1902
Sec 2151

Debts of
school socie-
ties; liability
of towns

Sec. 61 All debts, obligations or pecuniary trusts of any school society, heretofore existing, which pertain to schools, shall remain in force against the town or towns in which such society was situated.

G S sec 875
Rev 1902
Sec 2152

Records of
school
societies

Sec. 62 The records of school societies shall be deposited and forever kept with the records of the towns in which such societies were situated; and where any school society lay within the limits of two or more towns, with the records of the town in which the greater part of its territory lay; and said records, whether they appear to have been made at a meeting held in pursuance of a warning or otherwise, or whether informal or otherwise, if the same can be clearly understood, are validated and confirmed.

G S sec 876
Rev 1902
Sec 2153

Property of
school
societies

Sec. 63 All property heretofore held for school purposes by school societies shall vest in the towns in which such societies were situated, to be held by such towns for the same purposes. Where there were two or more school societies in a town, any of which had a permanent fund for the support of schools, such fund shall be held in trust by said town, for the support of schools for the inhabitants of the territory formerly embraced within such society; and where any school society lay within the limits of two or more towns, and had any permanent fund, it shall be divided between such towns, and each shall hold its portion in trust for the support of

Sec 62 Effect of statute illustrated 55 C. 144

Sec 63 Property held in trust by bequest not affected by the statue 39 C 63

schools for the inhabitants of that portion of such society lying within its limits; and the indebtedness of any such society shall be apportioned in the same manner between said towns. Such distribution or apportionment shall be made by the selectmen of said towns and if they cannot agree, then upon application of the selectmen of either town, and notice to the other, by a committee of three disinterested persons appointed by the superior court in the county in which either town is situated, who shall report to said court, which report, when accepted, shall be final; and such agreement or report shall be recorded upon the records of each town.

Sec. 64 School societies heretofore organized under the act of 1855, entitled "An act in addition to and in alteration of an act concerning education," which are not coextensive with the towns in which they are situated, shall be and remain school districts of said towns, with all the powers and duties of school districts, as specified in this title;¹ except that each shall annually choose on the third Monday of September, instead of a district committee, a board of education consisting of six or nine persons, who shall be chosen by ballot, one-third to be chosen each year, to serve for three years and until others are elected in their places. That number of persons sufficient to fill the board who have the highest number of votes shall be elected. Said board shall have all the powers and be subject to all the duties of district committees,² and shall also have the general superintendence of the public schools in the district and the management of its property; shall lodge all bonds, leases, notes and other securities, with the treasurer of said district, unless the same have been intrusted to others by the grantors, or the general assembly; pay into the treasury of the district all moneys which they may receive for the support of schools; determine the number and qualifications of the scholars to be admitted into each school; supply the requisite number of qualified teachers;³ ascertain annually, during the first two weeks of September, the expense of maintaining the schools under their superintendence during the year ending the fourteenth day of the previous July,⁴ and report the same,

G S sec 877
Rev 1902
Sec 2154

Boards of
education;
powers and
duties

¹ Chapter VIII, page 39

² Chapter XI, page 71

³ §§ 33 202

⁴ § 235

with the amount of moneys received towards the payment thereof, to the district, at a meeting to be held on the third Monday of September in each year; shall, at the same time, make a full report of their doings, and the condition of such schools, and all important matters concerning the same; and shall perform all lawful acts required of them by the district, or necessary to carry into effect the powers and duties herein defined. All existing school societies, in which school districts have been or may be abolished, may avail themselves of the privileges specified in this section.¹ Special laws relating to particular societies or districts shall not be affected by this section.

G S sec 878
Rev 1902
Sec 2155

Certain prop-
erty not
affected by
this title

G S sec 879
Rev 1902
Sec 2156

Powers of
board of edu-
cation ap-
pointed by
school district

Sec. 65 The property of the school societies specified in section 64 shall not be affected by the provisions of this title.

Sec. 66 The board of education, appointed by any school district organized under the provisions of section 64, shall, within said district, possess all the powers and be subject to all the duties of school visitors in the several towns;² shall make its annual report to the secretary of the state board of education, and send its returns and certificates directly to the comptroller; may appoint an acting school-visitor in said district, who shall possess, within said district, all the powers and be subject to all the duties of similar officers appointed by school visitors.³ The authority of the board of school visitors of the town in which said district is situated shall extend only to the remaining portion of said town; and its returns and certificates shall include only the children of such remaining portion.

G S sec 880
Rev 1902
Sec 2157

Apportion-
ment of
public money

Sec. 67 The comptroller, on application of the board of education of such district, shall draw an order on the treasurer in favor of such district for the proportionate amount to which such district may be entitled of all moneys appro-

¹ Districts which availed themselves of the provisions of this chapter were city district of New Haven (see page 192), Westville district of New Haven, Middletown city district, Norwich central district, Norwich town street district, Norwich Falls district, Waterbury city district (see page 217). For Orange union district (see page 211). New Haven and Waterbury are now managed under special charters. The town of Norwich has consolidated its districts under Chapter 51 of the general statutes.

² See chapter VI, page 27

³ § 79

priated by law for the benefit, support and encouragement of public schools, as is provided in respect to towns;¹ and the town in which said district is situated shall be entitled to receive only its proportionate amount of such public money for the children in the remaining portion of said town.

Sec. 68 In every school district in which a board of education is required by law to be elected by ballot, the ballot boxes shall be open for the reception of votes, in districts having less than four hundred voters, three hours and not longer; in districts having over four hundred and less than one thousand voters, five hours and not longer; and no box for the reception of ballots shall remain open later than half past eight in the afternoon of the day of such election.

G. S. sec 88r
Rev 1902
Sec 2153

Procedure in
electing
boards of
education

CHAPTER VI

School Visitors and Committees

General Statutes chapter 48 page 319

Sec. 69 The board of school visitors or town school committee shall annually choose from their number a chairman. They shall prescribe rules² for the management, studies,³ classification and discipline of the public schools, and, subject to the control of the state board of education, the text-books to be used;⁴ shall make proper rules for the arrangement, use and safe-keeping, within their respective jurisdictions, of the school libraries, provided in part by the state and approve the books selected therefor;⁵ they shall approve plans for schoolhouses⁶ and superintend any high⁷ or graded school in the manner specified in this title.

G. S. sec 88z
Rev 1902
Sec 2159
1911 ch 32

Chairman
Duties of
board or
committee

Sec 67 Applies only to districts described in § 64 85 C 34

Sec 69 A general certificate given a teacher qualifies him to teach in any district of the town 36 C 283

² Rules as to attendance see § 17

trict of the town 36 C 283

In the absence of rules prescribed by the school board or other proper authority the teacher may make all necessary and proper rules for the regulation of the school 53 Conn 481

³ § 33 ⁴ § 5 74

⁵ Chap xiii page 76 ⁶ § 143 ⁷ Chap xii page 72 § 185

¹ Powers and duties not given above are stated in connection with the following

1 *Vacancies in district offices* § 137

2 *Enforcement of laws relating to*

^a employment of children §§ 24 333

^b attendance

grant leaving certificates § 19

nominate to selectmen persons to be appointed special constables

§ 347

Sec. 70 Any board of education, town school committee, board of school visitors or board of education in any incorporated school district may elect one member thereof to be secretary and one member to be treasurer of such board or

G S sec 883
Rev 1902
Sec 2159
1911 ch 32
1915 ch 290
Secretary
Treasurer
Compensation

-
- 3 *Normal school*
shall assist in selection of students § 256
 - 4 *Returns to school visitors by*
a district committee of beginning and close of term, enumeration, enumeration in parts of joint districts, receipts, expenditures, statistics, etc §§ 181 221 District clerk of names of district officers § 136
 - 5 *School buildings*
a inspection §79 Buildings must be in satisfactory condition § 142
b may fix sites on application of district of adjoining town § 144
 - 6 *Enumeration and distribution of state grants*
a shall make enumeration if committee fails §§ 221 222
b shall examine returns of enumeration § 223
c shall lodge returns with town treasurer § 223
d shall make returns to comptroller § 223
e shall certify to comptroller that schools have been kept according to law § 226
f shall withhold certificate if schools have not been kept according to law § 230
 - 7 *Estimates*
a shall as a joint board with selectmen make preliminary estimates and notify committees § 234
b shall as joint board with selectmen present estimates to town meeting § 236
 - 8 *Appropriations*
a shall as joint board with selectmen fix amounts and notify each district § 236
b may as joint board with selectmen appropriate moneys for school libraries § 197
 - 9 *Expenses*
a shall as joint board with selectmen report cost of schools for preceding year to town meeting § 236
b shall as joint board with selectmen pass upon expenses in addition to amounts appropriated § 238
c apportion expenses of joint districts and report to selectmen of each town §§ 90 245
 - 10 *Payment of teachers*
shall give certificate to selectmen that schools have been kept according to law § 238
 - 11 *Consolidated districts*
on abandonment of town system town school committee remains board of visitors § 167
 - 12 May in connection with committee admit non-resident scholars to district schools § 145
 - 13 May discontinue small schools and provide transportation § 242
 - 14 May make complaint to board of health when sanitary condition of school house is unsatisfactory § 50

committee and may prescribe their duties. The compensation of any such secretary or treasurer shall be fixed by the town at its annual meeting, except in any incorporated school district where the compensation shall be fixed by the school committee.

Sec. 71 The committee having charge of the schools in towns or school districts shall maintain water-closets or privies for the accommodation of the pupils attending the schools therein. When such water-closets or privies are constructed in the same building, or under the same roof, and in close proximity to each other, they shall be constructed with a solid partition made of brick, stone, cement, concrete or metal construction, or by a double wooden partition with at least four inches air-space between the two walls of said partition, so as to effectively separate the water-closets or privies designated for the use of boys from those designated for the use of girls.

G. S. sec 884
1909 ch 106

Water-closets
and privies in
school
buildings

Sec. 72 The board of school visitors, board of education or town school committee of any town, city or borough may establish vocational guidance as a part of the educational system of such municipality, and may, in its discretion, employ a vocational counselor whose duties and compensation shall be prescribed by such board.

G. S. sec 885
1913 ch 153

Establish-
ment of vo-
cational
guidance

Sec. 73 Any board of education, town school committee, district committee of an incorporated district, joint board of selectmen and school visitors or board of school visitors may appoint one or more attendance officers and fix their compensation. Each such officer shall be sworn to the faithful performance of his duties and shall be under the direction of the principal or superintendent of schools of the town or district wherein he resides. He shall investigate the absence of pupils from or irregular attendance of pupils at school, cause such pupils as are absent or irregular in attendance to attend school regularly and present cases requiring prosecution for violation of the school laws to prosecuting officers.

G. S. sec 886
1915 ch 210

Appointment
of attendance
officers for
schools

Sec. 74 No board of school visitors, town school committee or board of education of any district shall change any text-books used in the public schools except by a two-thirds vote of all the members of the board or committee, notice of such intended change having been previously given at a meet-

G. S. sec 887
Rev 1902
Sec 2160

Change of
text-books

ing of said board or committee held at least one week previous to the vote upon such change;¹ but the board of education, the board of school visitors or the town school committee, may, in addition to the text-books prescribed according to the provisions of section 69, prescribe the use of other books as text-books in reading; *provided*, such additional series are purchased by the district or town and the use thereof furnished free to the scholars.

Sec. 75 The board of school visitors, town school committee or board of education may require every child to be vaccinated before being permitted to attend a public school under its jurisdiction. If the parents or guardians of any children are unable to pay for such vaccination, the expense thereof shall, on the recommendation of said board or committee, be paid by the town. Said board or committee may exclude from any school under its supervision all children under five years of age whenever in its judgment the interest of such school will be thereby promoted.

Sec. 76 Hygiene, including the effects of alcohol and narcotics on health and character, shall be taught as a regular branch of study to pupils above the third grade in public schools; and, in grades above the fifth, text-books treating of the effects of alcohol and narcotics on the human system shall be used. This section shall apply to classes in ungraded schools corresponding to the grades designated herein, but shall not include high schools. Normal and teachers' training schools shall give instruction on the subjects prescribed in this section and concerning the best methods of teaching the same.²

Sec. 77 Whenever the comptroller shall be satisfied that any town or district has failed to comply with the requirements of section 76, he may withhold from such town or district the whole or any part of the school dividend.³

Sec. 78 The chairman of the board of school visitors or of the town school committee or, in case of his absence or inability to act, the secretary, shall call a meeting of the board

¹ Supplementary reading books not reference cannot be bought with school library grant § 196

Sec 75 Statute held to be constitutional and in the exercise of reasonable police power 65 C 183

² § 199

³ § 247

G S sec 888
Rev 1902
Sec 2161

Vaccination
of school
children

G S sec 889
Rev 1902
Sec 2162

Effects of
alcohol and
narcotics to
be taught

G S sec 890
Rev 1902
Sec 2163

Comptroller
may withhold
school money

G S sec 891
Rev 1902
Sec 2164

at least once every six months and whenever he deems it necessary or is requested in writing so to do by three of its members. If no meeting is called within fourteen days after such a request has been made, one may be called by any three members by giving the usual written notice to the others.

Sec. 79 The board of school visitors, the town school committee or the board of education shall annually assign the duty of visiting the schools of the town to one or more of their number or they may appoint a person not of their number who shall be called the acting school visitor, or visitors, and who shall visit such schools at least twice during each term, once within four weeks after the opening, and again during the four weeks preceding the close; at which visit the schoolhouse and outbuildings, school register¹ and library² shall be examined, and the studies, discipline, mode of teaching and general condition of the school investigated. Half a day shall be spent in each school so visited unless otherwise directed. They shall, one week at least before the annual town meeting, submit to the board or to the committee, as the case may be, a full written report of their proceedings and of the condition of the several schools during the year preceding with plans and suggestions for their improvement. Any town at its annual town meeting, or at a special meeting duly called for that purpose, may fix the compensation of the acting school visitor or visitors.

Sec. 80³ The town school committee or board of education or board of school visitors of any town may choose

Sec 79 Town may employ counsel to defend action brought against school visitors for causing discharge of teacher 79 C 237

¹ § 204

² Chapter xiii page 76

³ Statements made by a district superintendent of schools in his official report to the board of school visitors, concerning the efficiency and qualifications of the teachers employed in the district, are privileged communications. 81 Conn 293

It is not essential in order to invoke the protection of a privileged communication, that the defendant should have had what might seem to the jury to be "good reasons" or "reasonable grounds" for believing the statements made by him were true; it is enough if he honestly believed them to be true and made them in good faith in a conscientious desire to discharge the duties of his office. Nor is it necessary to such privilege that the defendant should prove that statements made by him which were inevitably detrimental to the plaintiff as a school teacher, were published with no intention or purpose on his part to "injure" her *Ib*

The word "injury," as generally used, includes any act or omission which harms or damages another, whether justified by law or not *Ib*

Meetings of board or committee

See G S sec 303 Rev 1902 Secs 2165 2166

Duties of acting school visitors

G S sec 893 Rev 1902 Sec 2166 1903 ch 195

Superintendent of schools
Appointment

by ballot a superintendent of schools¹ and may fix the salary² and prescribe the duties of said superintendent, which shall always include the duties of acting visitor as prescribed by law. A majority vote of all the members of the committee or board shall be necessary to an election.

G S sec 804
1903 ch 195
1909 ch 225

Towns may
unite Super-
vision district

Sec. 81 Two or more towns together employing more than thirty and not more than fifty teachers may unite, by vote of the town school committee, board of school visitors or board of education, as the case may be, for the purpose of employing a superintendent of schools, and towns so united shall form a supervision district. The town school committee, board of school visitors or board of education of towns so united are authorized to make all arrangements, agreements and regulations necessary to the organization and maintenance of a supervision district. Such school officers of each of the towns constituting a separate district shall appoint one of their number as a member of a supervision committee, and the committee so appointed shall be a joint committee on behalf of the several towns constituting the supervision district. Each town shall be entitled to one vote in such joint committee, and such joint committee may employ a superintendent, fix and apportion the salary of such superintendent and manage the affairs of such district. Every district organized under the provisions of this section shall continue three

There is no presumption that statements, made in an official report which is in the nature of a privileged communication, are either false or malicious *Ib*

Declarations indicative of an existing feeling or state of mind respecting an act about to be done by the declarant, if made naturally and under circumstances devoid of suspicion, are admissible, not as part of the *res gestae*, but as relevant evidence of the existence of the fact as to which they speak *Ib*

The fact that one expressed regret or sorrow for an official report which he was about to make, is not only evidence of that feeling at that time, but also tends to show that the same feeling attended the filing of his report a few days later *Ib*

The question of whether evidence is or is not too remote in point of time, to be entitled to admission, is one which addresses itself to the sound discretion of the trial judge *Ib*

That evidence is legally admissible does not in all cases necessarily require its admission *Ib*

One of the alleged libelous statements in the present case was that the plaintiff had not "even externals of refinement." Held that an instruction which was calculated to focus the attention of the jury upon the plaintiff's appearance on the witness-stand as affording them the best evidence to determining whether, several months before, she possessed "the externals of refinement," was erroneous and misleading *Ib*

¹ § 79 ² § 397

years, and at the end of three years any town may dissolve a district by withdrawal. Notice of the intent to withdraw shall be given in writing to the other towns of the district at least three months before the termination of the three year period.

Sec. 82 The secretary of each town school committee, board of school visitors, or board of education acting under section 81 shall, annually, on or before the fourteenth day of July, certify to the state board of education the amount actually paid as salary to the superintendent for the current school year, and, whenever a superintendent has been employed according to the provisions of section 81, the comptroller shall, upon application of the state board of education, draw an order on the treasurer on behalf of said town for one-half the sum certified; *provided*, not more than eight hundred dollars be paid by the state to any supervision district for one year; and *provided*, no supervision district shall receive more from the state than the district itself has paid to the superintendent.

Sec. 83 No person shall be eligible for appointment under section 81 who has not had at least five years' successful experience as a teacher or superintendent, or who does not hold a certificate of approval by the state board of education.

Sec. 84 The town school committee, board of school visitors or board of education of any town employing more than twenty and not more than thirty teachers may choose by ballot a superintendent of schools, and may fix his salary and prescribe the duties of such superintendent, which shall include the duties of acting school visitor as prescribed by law. A majority vote of the members of the committee or board shall be necessary to an election. No person shall be eligible for appointment under the provisions of this act who does not hold a certificate of approval by the state board of education. On or before the first Monday in October in each year, the state board of education shall notify, in writing, the town school committee, board of school visitors, or board of education of any town employing a superintendent of schools, as to whether the superintendent so employed has been approved by and holds a certificate of approval of the state board of education.

G S sec 895
1903 ch 195

Payment of
part of super-
intendent's
salary by
state

G S sec 896
1903 ch 195

Qualifica-
tions required
for appoint-
ment as su-
perintendent

1903 ch 195
1909 ch 225
Rev 1918
Sec 897
1919 ch 163

Choice of
superintend-
ent
Eligibility

G S sec 898
1909 ch 225

Superintendent
paid in
part by state

Sec. 85 Any committee or board appointing a superintendent under the provisions of section 84 shall annually, on or before the fourteenth day of July, certify to the state board of education the amount actually paid as salary to the superintendent for the current school year, and the comptroller shall, upon application of the state board of education, draw an order on the treasurer on behalf of such town for one-half the sum certified; *provided*, not more than eight hundred dollars shall be paid by the state to any town for one year; and *provided*, no town shall receive more from the state than one-half the total amount actually paid as salary to the superintendent.

G S sec 899
1903 ch 195
1907 ch 259
1909 ch 225

Appointment
and payment
of agent by
state

Sec. 86 The town school committee or board of school visitors or board of education of any town employing not more than twenty teachers may petition the state board of education, or such town may by vote request the state board of education, and the state board of education when so petitioned or requested is authorized to appoint and fix the salary of an agent who shall discharge the duties of superintendent, which shall include the duties of acting visitor as prescribed by law.¹ Supervising agents appointed under the provisions of this section may be assigned by the state board of education to two or more towns. The comptroller shall, upon application of the state board of education, draw an order on the treasurer for the amounts of the salaries of the agents appointed under the provisions of this section.

G S sec 900
1911 ch 26

Vote on su-
pervision of
schools

Sec. 87 Any town employing more than twenty teachers and in which there is no superintendent of schools or supervising agent, approved or appointed by the state board of education in accordance with the provisions of sections 81, 84 and 86, may, at any annual or biennial town meeting, upon giving due notice thereof in the warning for said meeting, vote by ballot to determine whether said town will instruct its school visitors, town school committee or board of education to choose a superintendent of schools or request the appointment of a supervising agent under the provisions of sections 81, 84 and 86.

G S sec 901
1917 ch 316

Supervising
agent to em-
ploy or nomi-
nate teachers

Sec. 88 Any school committee may authorize the supervising agent to employ teachers. Any school supervising agent not authorized to employ teachers shall nominate to

¹ Sec 79

the school committee teachers for each of the schools in their respective towns from which nominations teachers may be employed and such committee shall accept or reject such nominations within one month from the time made.

Sec. 89 The board of school visitors, town school committee or board of education, as the case may be, shall make returns signed by the chairman and secretary, of the number of persons over four and under sixteen years of age in their respective towns, to the comptroller, and shall in said returns specify how many of those thus returned were attending some school, public or private, in September following said enumeration, and how many were not so attending; how many of those who were not attending school were under five years of age, how many were over fourteen and under sixteen years of age, and the chairman and secretary shall draw orders on him for the public money due the town as prescribed in chapter 16.¹ No town shall receive any money for schools from the state treasury unless the returns herein required are made.²

Sec. 90 After the close of each term of school in any district the school visitors shall give to the selectmen a certificate stating whether each school has been kept in all respects according to law or not; and shall, in connection with the selectmen, perform the duties required by the provisions of chapter 16, and make the apportionment required in the case of districts formed from parts of two or more towns, as prescribed in section 245.

Sec. 91 The secretary of the board of school visitors or of the town school committee, as the case may be, shall keep a record of all its proceedings and of those of the acting school visitors in a book which he shall provide for that purpose at the expense of the town; shall submit to the town at its annual meeting a written report of the doings of the board or committee with the report of the acting school visitors; and on or before the fifteenth of October send two copies of said reports to the secretary of the state board of education; and shall furnish such additional returns and statistics respecting the schools of the town as said board may call for. And if the returns and statistics called for by the secretary of the state board of education shall not be sent to him on or before

G S sec 902
Rev 1902
Sec 2167
1907 ch 31
1913 ch 182

Report to
comptroller

G S sec 903
Rev 1902
Sec 2168

Certificate to
selectmen

G S sec 904
Rev 1902
Sec 2169

Duties of
secretary

said fifteenth of October, then every town and every school district required by law to make separate returns, whose returns and statistics shall be negligently delayed till after that day, shall forfeit of the sum per child which is paid from the state treasury one per centum for the first week of such delay, two per centum for a delay of two weeks, three per centum for a delay of three weeks, five per centum for a delay of four weeks, and ten per centum for a delay exceeding four weeks.¹

G S sec 905
Rev 1902
Sec 2170

Forfeitures to
be reported

Sec. 92 The secretary of the state board of education shall annually, in January, give to the comptroller, in writing, a list of the towns and districts which have incurred the forfeiture described in section 91, with the percentage of forfeiture in each case; and the comptroller, in making payment of school moneys aforesaid, shall deduct the amount of money which each town or district shall have forfeited under the provisions of said section.

G S sec 906
Rev 1902
Sec 2171

Names of district
committees and
teachers to be
reported

Sec. 93 The board of school visitors of each town shall annually, in the month of October, return to the secretary of the state board of education, the names and post office addresses of the district committee; and within four weeks from the beginning of each school term the board of school visitors or the town school committee, as the case may be, shall return the name and post office address of each teacher employed in the public schools within their respective towns.

G S sec 907
Rev 1902
Sec 2172

Preservation
of books and
records

Sec. 94 All school officers shall preserve all books and documents of permanent value pertaining to schools which come into their hands by virtue of their offices and transmit them to their successors.

G S sec 908
Rev 1902
Sec 2173

Reports and
returns, how
sworn to

Sec. 95 All reports or returns required to be made by a school officer on oath or affirmation may be affirmed or sworn to before any school visitor, member of a town school committee or member of a board of education.

1919 ch 292

Form of
books to be
used by town
officers

Sec. 96 The treasurer and board of selectmen, the board of school visitors, board of education or town school committee, as the case may be, of each town, during the fiscal year beginning subsequent to the passage of this act, and annually thereafter, shall use the form of cash book, selectmen's orders and school orders prescribed by the state auditors, except

where the accounting system in use in such town can be satisfactorily shown to the state auditors, to be sufficiently complete and include the necessary detail.

Sec. 97 The state auditor shall furnish sample book forms of cash book, selectmen's orders and school orders, to be used for the accounting system of towns, as hereinbefore provided, without expense to the town.

1919 ch 292

State auditors
to furnish
sample book
forms

Sec. 98 Every such officer who shall fail to comply with the provisions of this act shall forfeit to the state not less than ten nor more than twenty-five dollars.

1919 ch 292

Penalty

CHAPTER VII

School Physicians

General Statutes chapter 49 page 325

Sec. 99 The board of education, board of school visitors or district school committee of each town, city or district, of more than ten thousand inhabitants, shall, and those of less than ten thousand may, appoint one or more school physicians and shall assign such physician or physicians to the public school or schools within the limits of such town, city or district, and shall provide such physicians with proper facilities for the performance of their duties as prescribed in this chapter, *provided*, in towns or cities in which the board of health is maintaining medical inspection substantially as provided for in this chapter, the board of health shall appoint and assign such physicians, and any town, city or district may transfer to the board of health or the local health officer the duties prescribed in this chapter; *provided*, no physical examination shall be made of any female child in attendance at any public school, unless such examination shall be made by a woman physician; or unless, after notice to the parent or guardian of such child and a reasonable opportunity to be present at such examination having been given, such examination shall be made in the presence of such parent or guardian or of a female nurse employed in such school.

G S sec 99
1907 ch 207
1915 ch 275Appointment
and duties of
school
physicians

Sec. 100 Every school physician so appointed shall make a prompt examination of all children referred to him as provided in this chapter, and such further examination of

G S sec 100
1907 ch 207Duties of
school
physician

teachers, janitors and school buildings as in his opinion the protection of the health of the pupils may require.

G S sec 911
1907 ch 207

Examination
and exclusion
of children

Sec. 101 The superintendent, principal or teacher of any school to which a school physician has been assigned as provided in this chapter shall refer to such physician every child returning to school without a permit from the health officer or board of health, after absence on account of illness or from unknown cause, and every child attending such school who appears to be in ill health, or is suspected to be sick with any contagious or infectious disease, unless such child be immediately excluded from such school under the provisions of the general statutes or the sanitary regulations in force in said town or district; *provided*, in the case of schools in remote and isolated locations the school committee may make such other arrangements as may be advisable to carry out the purposes of this chapter.

G S sec 912
1907 ch 207

Annual exami-
nation of
children

Sec. 102 The school authorities of any town or school district which has appointed a school physician in accordance with the provisions of this chapter shall cause every child attending the public schools therein to be separately and carefully tested and examined at least once in every school year to ascertain whether such child is suffering from defective sight or hearing, or from any other physical disability tending to prevent such child from receiving the full benefit of school work, or requiring a modification of such school work in order to prevent injury to the child or to secure the best educational results.

G S sec 913
1907 ch 207
1911 ch 120

Notice of
disease to be
given parent
or guardian

Sec. 103 Notice of the disease or defects, if any, from which any child is found by such school physician to be suffering shall be given to the parent or guardian of such child with such advice or order relating thereto as said physician may deem advisable, and such parent or guardian shall cause such child to be treated by a reputable physician for such disease or defects; and whenever any child shows symptoms of any contagious or infectious disease notice shall also be given to the health officer or board of health and such child shall be excluded from attendance at such school and not permitted to return without a permit from the town, city or borough health officer.

Sec. 104 Whenever the board of school visitors, board of education or town school committee of any town, or the board of education or district committee of any school district, shall have appointed a school physician as provided in this chapter, said board or committee may also appoint a matron or nurse who shall take such action, under the direction of the school physician, as may be necessary for safeguarding the health of the pupils and teachers of the schools. Such matron or nurse shall also act, under the direction of the school physician, as a visiting nurse in the town or school district, shall visit the homes of pupils in the public schools and shall assist in executing the orders of the school physician.

G S sec 914
1907 ch 207

Appointment
of matron or
nurse

Sec. 105 The expenses incurred under the provisions of this chapter shall be paid in the same manner as are the ordinary expenses for the support of schools in the several towns and school districts.

G S sec 915
1907 ch 207

Expenses
How paid

Sec. 106 Any town school committee, board of school visitors or board of education may employ a dental hygienist to cleanse and keep clean the teeth of school children in attendance at the public schools in such town or district and the authority therein authorized to appropriate money for the support of such schools in the town or district wherein such hygienist shall have been employed, may make such appropriation as may be necessary for such purpose.

1919 ch 293

Employment
of dental hy-
gienists in
schools
authorized

CHAPTER VIII¹

School Districts

General Statutes chapter 50 page 327

Sec. 107 In the absence of a special appointment the committee of a school district shall be the agent *ex officio* of said district.

G S sec 916
Rev 1902
Sec 2174

District com-
mittee to be *ex*
officio agent

Sec. 108 Whenever any school district which has or shall hereafter become indebted by judgment for indebtedness incurred by such district shall be located in two or more towns,

G S sec 917
1905 ch 137
1907 ch 80

Payment of
debts of joint
school districts

¹ Towns to which this chapter is applicable:— Bristol — Colchester — Farmington — Griswold — Groton — Hartford — Manchester — Middletown — (see page 26) — Orange — (see page 211) — Waterbury

§ 107 District committee not within provisions of law regulating contracts with public institutions by their officers 85 C 32 All members have equal authority 71 C 737

the committee of such school district, or, if there be no district committee for said district, the selectmen of the town in which the schoolhouse in such district is located, shall cause a tax sufficient to pay such indebtedness as shall be presented or exhibited to said committee or selectmen, as the case may be, by the judgment creditor or creditors, including the cost of levying and collecting such tax, to be laid, upon and according to the levies or assessment lists of said towns last before completed, on the district in the manner provided by law for school district taxes, except that, when there is no district committee for said district, the selectmen of said town wherein the schoolhouse is located shall perform the duties required by law of the district committee therein, and the tax collector of said town shall perform the duties of tax collector of said district. Said tax shall be collected and paid to said judgment creditor or creditors, and to the persons entitled to fees and compensation for levying and collecting said tax. Whenever either of the towns in which such school district is located shall vote to consolidate its school districts and bring the same under town management, and shall subsequently vote to return to the district system, then such school district shall be, in law, the same school district as existed prior to said vote of consolidation of districts and liable for the indebtedness of said district as then existing.

Sec. 109 Each town, unless otherwise provided, shall have power to form, unite, alter and dissolve school districts and parts of school districts within its limits; and two or more towns may form school districts of adjoining portions of their respective towns.

§ 109 Name of school district fixed by the inhabitants 13 C 234 School districts, for educational purposes, are component parts of towns or societies 15 C 335 Power of town how affected by appeal to and decree by the superior court 54 C 52; 55 C 245 246 Limits of school district formed by annexation may be shown otherwise than by record evidence 54 C 76 77 Scope of section 73 C 169; 78 C 73

¹In reviewing the action taken by a town in respect to uniting or dissolving its school districts, the superior court is invested by statute with the same powers that the town itself had (Gen Stat §§ 918 924), and therefore the question whether such action shall be modified or reversed is essentially one of fact addressed to the sound discretion of that court 78 Conn 71

In the present case the trial court, although apparently of the opinion that the educational interests of the two school districts involved would be best subserved by consolidation, provided a primary school was permanently maintained in one of them, nevertheless declined to reverse or modify the action of the town, which was in favor of separate districts *Held* that the record failed to disclose any abuse of the court's discretion, or any error in matters of law *Ib*

G S sec 918
Rev 1902
Sec 2175

Formation
and altera-
tion of school
districts

Sec. 110 Whenever a school district is formed from parts of two or more towns, either of said towns, unless otherwise provided, may divide such district by uniting the portions lying in said town with any adjoining district therein.

G S sec 919
 Rev 1902
 Sec 2176
 Division of
 districts
 formed of
 parts of towns

Sec. 111 Every school district shall be a body corporate, and shall have power to sue and be sued, to purchase, receive, hold and convey real and personal property for school purposes; to build, purchase, hire and repair schoolhouses, and supply them with fuel, furniture and other appendages and accommodations; to establish schools of different grades; to purchase globes, maps, blackboards and other school apparatus; to establish and maintain a school library;¹ to employ teachers, except for such time as the town may direct the school visitors to employ the teachers,² and, when a board of school visitors shall appoint a superintendent under the provisions of section 84 such superintendent with the approval of said board of school visitors shall employ the teachers who shall be paid by the selectmen; to pay the wages of such teachers as are employed by the district committee in conformity to law;³ to lay taxes and borrow money for the foregoing purposes; and to make agreements and regulations for establishing and conducting schools, not inconsistent with the regulations of the town having jurisdiction of the schools in such district.

G S sec 920
 Rev 1902
 Sec 2177
 1915 ch 172

Powers of
 school districts

¹ Chapter xiii page 76

² §§ 38 202

³ §§ 182 201 202 203

Sec 111 A schoolhouse is not an outhouse within the meaning of the statute relating to burglarious entrance of outhouse 10 C 144, 145 Every inhabitant of a school district is a party to a suit brought against it and his property may be taken on an execution issued against it 10 C 395 See 26 C 527 A vote laying a tax is sufficiently definite if it is reasonably clear that the tax was imposed for legitimate purposes 12 C 437-439 Districts may sue by the name by which they are generally known 13 C 227 What is sufficient warning of meeting of school district 13 C 234 The records of a school district are evidence of its votes in a suit to which it is a party 13 C 235 The votes and proceedings of school districts, if within their jurisdiction, will be liberally construed 15 C 332, 454 The character and cost of school buildings, within broad limits, is left to the school district; courts will not interfere with this discretion except in clear cases of abuse 25 C 227; 63 C 131 Extent of discretionary power of school district illustrated 25 C 227; 228 Schoolhouse may not be used for religious purposes against objection of taxpayer, and injunction will lie against such use 27 C 503-505; see Sec 954 A school district has all necessary power to establish and maintain a school within its limits 33 C 304 District committee must obey the vote of the district as to rooms and teachers; the committee's authority is contingent on the district failing to act 33 C 304 A debt owed by a school district may be taken by foreign attachment 53 C 509 Status of teacher as to district defined *Ib* School districts are limited in power to raise and expend money for the sole purposes set forth in the statute 60 C 234, 235 Nature of school district 73 C 170; 85 C 33 Right to build sewer and liability for neglect 72 C 564

G S sec 921
Rev 1902
Sec 2178

Record of
names and
bounds

Sec. 112 The name, number and limits of every school district shall be entered on its records and on the records of the town or towns to which it belongs.

G S sec 922
Rev 1902
Sec 2179

Settlement of
boundary lines

Sec. 113 When the boundary lines of any district are not clearly settled and defined, the selectmen of the town in which it is situated shall settle and define the same; they shall also settle and define the boundary lines of any new district; when said selectmen cannot agree in settling and defining said lines, the town to which said district belongs may appoint three indifferent persons for that purpose, who shall have the same authority therein as is herein conferred upon said selectmen; and when parts of such districts lie in two or more towns, the selectmen of the towns in which any part is situated, or, in case of disagreement, three indifferent persons appointed by a judge of the superior court on application by either town and notice to the other, shall settle and define the boundary lines of such part.

G S sec 923
Rev 1902
Sec 2180

Notice of
proposal to
alter school
district

Sec. 114 When it is proposed to form, alter, unite or dissolve any school district or districts, notice that such change is proposed shall be posted on the schoolhouse in each school district to be affected, or, if there be no schoolhouse in any of such school districts, at the usual place for posting warnings for meetings of such districts, and printed in a newspaper or newspapers published in the town to which such districts or any one of them may belong, if any there be; and a copy of such notice shall be left with the clerk of each of said districts at least fifteen days before the town is called to act upon the proposition.

G S sec 924
Rev 1902
Sec 2181

Appeals by
district
aggrieved

Sec. 115 When application shall be made to a town to form, alter or dissolve a school district or to unite two or more school districts, any district aggrieved by the action or neglect of action of the town may appeal from such action or neglect of action to the superior court in the county in which such town is situated, within one year next after such action

Sec 112 Statute is directory and may be enforced by mandamus 52 C 48

Sec 114 Object of statute is to give more extended notice than by the ordinary warning 52 C 46 Form of notice not essential; not necessary to state the business in detail 52 C 46; 55 C 246 The provisions *de* notice do not apply to proposed vote of a town to assume control of schools 73 C 170

Sec 115 Legal existence and limits of district may be shown by prescription 54 C 79 Power of court 55 C 246; 78 C 74

or neglect, by an application containing a brief statement that such an appeal is taken, by whom and from what, signed by the agent of the appellant; to which shall be annexed a citation signed by the proper authority, notifying the appellees to appear at the court to which such appeal is taken. Service thereof shall be made by some proper officer by leaving a true and attested copy of such appeal and citation with the town clerk and with the clerk or one of the district committee of any other district interested at least twelve days before the session of the court.

Sec. 116 Said court shall have the same powers to act upon said application that said town had and may appoint a committee to report the facts and its opinion thereon and the final decree of the court shall be recorded in the records of said town; and said court may allow and tax costs at its discretion, including fees for surveys, copies and recording decree. Unless the town shall thereafter abolish all the school districts and parts of districts within its limits no alteration of the lines fixed by such decree shall be made, except by the superior court of such county; which shall have original jurisdiction of an application for the purpose made by any district interested.

Sec. 117 When any district shall be consolidated, the new district shall own all the property of the several districts; and when a district shall be divided its property, or the income and proceeds thereof, shall be distributed among the several parts in proportion to the number of persons between four and sixteen years of age in each.

Sec. 118 When any school district has been or shall be divided into two or more districts, and the said districts cannot agree upon the distribution of the property and assets of said districts between the districts, or cannot agree upon the proportion that each district shall pay of the debts of the district owing at the time of the division, either of said districts may bring its complaint to the superior court in the county in

G S sec 925
Rev 1902
Sec 2182

Proceedings
on appeal

G S Sec 926
Rev 1902
Sec 2183

Disposition
of property
on alteration
of district

G S Sec 927
Rev 1902
Sec 2184

Divided district;
property and debts

Sec 116 Decree of court annulling action of the town is not such a fixing of lines as would preclude further action by the town 54 C 52 The statute should be liberally construed 54 C 53 Court is not limited to affirming or reversing action of the town; the application may be allowed in part 55 C 246 Authority of court to act is limited only by the preliminary notice and the warning of the town meeting *Ib*

which either of said districts is located, praying for such relief as it claims it is entitled to.

G S Sec 928
Rev 1902
Sec 2185

Powers of
superior court

Sec. 119 Such complaint shall state the facts upon which the plaintiff claims relief, and shall be served upon the respondent district as in civil actions, and said court may distribute the property and assets between the districts or set the entire property and assets to one district as it shall find for the best interests of the district; and in case the property and assets are set to one of said districts, shall find and decree the sum of money that such district so receiving said property shall pay to the other district. Said court shall find and decree the proportion that each district shall pay of the debts and liabilities outstanding at the time of the division.

G S Sec 929
Rev 1902
Sec 2186

Associations
formed under
act of 1841

Sec. 120 All associations under the act of 1841, allowing any two or more adjoining school districts to associate together and form a union district, entered into before the repeal of said act, shall, except as otherwise provided by law, continue to be managed according to the provisions of said act, unless the town shall abolish or consolidate all the school districts within its limits.¹

G S Sec 930
Rev 1902
Sec 2187

Control of
districts
formed from
parts of
towns

Sec. 121 The schools in every school district formed from parts of two or more towns shall, except as otherwise provided by law, be under the charge and direction of the town in which the schoolhouse is situated, unless the towns shall otherwise agree.²

G S Sec 931
Rev 1902
Sec 2188

Annual and
special meet-
ings

Sec. 122 Every school district shall hold an annual meeting in the month of June, for the choice of officers, and for the transaction of any other business relating to schools, and shall hold a special meeting when the same shall be duly called.

G S Sec 932
Rev 1902
Sec 2189

District
meetings
Where held

Sec. 123 District meetings shall be held at the district schoolhouse; but if there be no suitable schoolhouse the committee, if there be one, otherwise the clerk, and if there be no committee or clerk, the selectmen of the town to which said district belongs, shall determine the place of meeting, which shall in all cases be within the district.

¹ Chapter ix page 51

² §§ 90 245

Sec 123 Meeting should be opened within a reasonable time after the hour specified; what is such reasonable time 13 C 234 Meeting presumed to have been legally held pursuant to the warning *1b* Record of meeting is admissible to show vote of district 13 C 235; but see 44 C 160

Sec. 124 Notice of the time, place and object of every meeting of the district shall be given at least five days previous to holding it, including the day the notice is given, but not including the day of holding said meeting. The committee, or, if there be no such committee, the clerk, or, if there be no committee or clerk, the selectmen of the town, shall give notice of a district meeting by publishing the same in a newspaper published in the district or having a circulation therein and by posting a notice on the schoolhouse, if any there be, or on the signposts, if any there be, in the district, unless some other mode shall have been previously designated by the district, in which case notice in such mode may be substituted for such posting; *provided*, the committee of any district having an enumeration of less than one hundred may, on giving notice by posting as hereinbefore provided, or, on giving notice in some other mode previously designated by the district, in its discretion, omit the notice by publication in a newspaper. The person or persons giving such notice shall, on the day of giving it, leave a duplicate of such notice with the clerk of the district, or, if there be no clerk, with the selectmen, to be delivered to the clerk when appointed, who shall preserve the same on file.

Sec. 125 In any school district, wherein the terms of office of less than a majority of the committee expire in any one year, the committee of such district may call the annual meeting of the district at such date, between June first and July fourteenth, as to the committee may seem desirable.

Sec. 126 The legal voters of a school district shall consist only of the legal voters of the town or towns in which said district is situated who have resided in said school district for the period of four months next preceding.

Sec 124 A warning which fairly sets forth the purposes of the meeting, held sufficient 13 C 234; 15 C 332; 52 C 46; 55 C 246 Posting warning on one signpost in the district held sufficient 15 C 332 What notice would be sufficient 44 C 159; 53 C 578; 60 C 168 Where original vote was illegal, a vote not to rescind at a later meeting does not validate original vote 53 C 579; but see 52 C 49 Provision that copy be left with clerk is directory, not mandatory 83 C 229 See note to Sec 264

G S Sec 933
Rev 1902
Sec 2190
1907; ch 138

Notice of
district meet-
ings

1919
ch 177

Annual
meeting where
terms of
majority of
school com-
mittee expire
in any one
year

G S Sec 934
Rev 1902
Sec 2191

Legal voters
of school
district

See Secs
256 and 575
of G S
or Secs 388
and 392 of
this compila-
tion

Sec. 127 No inmate of the almshouse of any town, other than the officers and employees of the town residing therein, shall vote at any school meeting of the district wherein such almshouse is situated, unless a resident of such district at the time of his becoming such inmate.

Sec. 128 In every school district whose limits are the same as the limits of the town in which it is situated, the town registry list shall be the registry list for school purposes, and in every other school district enumerating four hundred or more children, as returned to the comptroller, the registrars of voters of the town in which the schoolhouse of said district is situated shall have the same powers in reference to voting lists, appointing moderators and box tenders of school district meetings, as they now have in the election of town, city or ward officers; and said registrars of voters shall, upon the written request of twenty or more legal voters of said school district deposited with either of said registrars of voters at least twenty days before the annual meeting of said district, prepare and complete a correct list of all the legal voters of said school district, and lodge the same with the clerk of said district at least five days before said annual meeting; and in every other school district the clerk of said district shall, upon the written request of twenty or more legal voters of such district, lodged with said clerk at least twenty days before the annual meeting of said district, prepare the check list of the legal voters of said district, to be used at any meeting for the election of officers in said district or for the taking of any vote by ballot which may be requested by one-third of the legal voters present at any meeting of the school district; said clerk shall add to said list the name of any legal voter omitted, and erase therefrom the name of any person improperly entered thereon, and for this purpose he shall have all the powers within said district which the registrars of voters have in their respective towns.

Sec. 129 Whenever one-third of the legal voters present at any meeting of a school district having such registration shall request that any vote or votes upon any question pending before such meeting shall be taken by ballot and check list of the legal voters of said district the chairman of such meeting shall cause said vote or votes to be so taken, and if said

G S Sec 935
Rev 1902
Sec 2192,

What paupers
may vote in
school meet-
ings

G S Sec 936
Rev 1902
Sec 2193

Conduct of
meetings;
registry list

G S Sec 937
Rev 1902
Sec 2194

Vote by
ballot, how
ordered and
taken

vote or votes cannot be then and there conveniently and properly taken, he shall upon the like request of said one-third of the legal voters present adjourn said meeting to the usual polling place or places in said district, if there be any, and, if there be none, then to the most suitable and convenient place or places in said district, at such time within one week thereafter as he may designate, when and where said vote or votes shall be taken between the hours of nine o'clock in the morning and five o'clock in the afternoon, and the result shall be ascertained and declared by said chairman, and recorded by the clerk upon the records of said district.

Sec. 130 Upon the written request of twenty or more legal voters of any school district having such registration to the committee to call a special meeting to vote by ballot and check list upon any resolutions appended to such request, said committee shall call such meeting within three weeks thereafter, at some suitable time and place in such district, to be particularly stated in the call, when and where said vote or votes shall be taken, and the result ascertained, declared and recorded in the manner provided in section 129. Upon like request, the committee of any school district having such registration shall cause all elections of officers of such district to be had by ballot and check list.

G S Sec 938
Rev 1902

Sec 2195
Special meetings

Sec. 131 The compensation of each of said registrars of voters, or of said district clerks for preparing said lists shall be the same *per diem* as that paid by the town in which said district is situated to said registrars of voters, for preparing the voting lists used at state, town, city or ward elections, and shall be paid by the treasurer of the school district for which such list is prepared.

G S Sec 939
Rev 1902
Sec 2196

Compensation for preparing lists

Sec. 132 Every meeting may choose its own moderator and may adjourn from time to time to meet at the same or some other place in the district. Every person who shall vote illegally in any school district meeting shall be fined not more than thirty dollars.¹

G S Sec 940
Rev 1902
Sec 2197

Illegal voting in district meeting

¹ Sec 126

Sec. 133 Each school district, unless otherwise provided by law, shall choose by ballot, at the annual meeting,¹ a committee² of not more than three persons, a clerk, who shall be sworn,³ a treasurer and a collector,⁴ who shall hold their respective offices for the period of one year from the fifteenth day of July next succeeding, and until others are chosen and qualified; and any resident of the district so chosen who shall refuse or neglect to perform the duties of the office, shall pay five dollars to said district; but any new district may at its first or at any subsequent meeting, called by the selectmen of the town, choose its officers who shall hold office until the annual meeting of such district. The members of the district committee shall be residents of the district; but the other offices may be filled by any inhabitants of the town to which said district belongs.

Sec. 134 Any school district having by its last enumeration not less than two hundred children between four and sixteen years of age, may, at any annual meeting, due notice being inserted in the call therefor, order that its committee shall consist of three persons chosen by ballot, divided into three classes holding office for one, two and three years, and that annually thereafter one member shall be chosen by ballot, to hold office for three years. Should a vacancy occur the remaining members of the committee may fill it until the next annual district meeting, when all vacancies shall be filled. Whenever a district has appointed its committee as herein provided such district may, at any special meeting called for the purpose, vote that it will no longer so appoint its committee; thereupon the terms of office of all the members of its committee shall end at its next annual meeting and thereafter its committee shall be appointed according to the provisions of section 133.

Sec 133 Majority of ballots cast is requisite for election of any of the officers
42 C 34 An adjourned meeting may hold an election of officers *Ib* Former officer holds over until a legal election of his successor 42 C 35

¹ Sec 122 ² Chapter xi page 71

³ *Form of oath* You solemnly swear that you will faithfully discharge according to law your duties as clerk of the district to the best of your ability; so help you God Gen Stat § 2201

The clerk need not take the oath of office immediately after his election, or before taking the minutes of the proceedings of a district meeting; provided he takes it before he performs any regular official act, such as making or sanctioning a formal record 15 Conn 333 What are the official acts of the clerk *Ib*

⁴ Gen Stat Sec 1278

G S Sec 941
Rev 1902
Sec 2198

Committee
and other
officers of
district

G S Sec 942
Rev 1902
Sec 2199

Committee in
districts
having two
hundred
children

Sec. 135. In the election of officers of a school district a majority of the votes cast shall be required to elect, unless otherwise expressly provided.

G S Sec 943
Rev 1902
Sec 2200
Majority to elect

Sec. 136 The clerk of every school district shall, within thirty days after the election of officers in such district, forward to the secretary of the board of school visitors of the town wherein said school district is located, a certified list of the officers elected at such meeting together with the postoffice address of each. If a district is situated partly in two or more towns such list shall be sent to the secretary of the board of school visitors of each of said towns. Every clerk who shall fail to comply with any provision of this section shall be fined not more than ten dollars.

G S Sec 944
Rev 1902
Sec 2201

Certificate of election of officers

Sec. 137 If a district at the time for the annual meeting shall fail to appoint all, or any, of its officers, or if a vacancy shall occur, the school visitors of the town to which such district belongs shall make such appointment and fill such vacancy; and shall lodge the names of the officers, so appointed, with the district clerk. This section shall not apply to vacancies occurring under the provisions of section 134.

G S Sec 945
Rev 1902
Sec 2202

Vacancies, how filled

Sec. 138 The clerk,¹ treasurer² and collector³ of each school district shall exercise the same powers and perform the same duties, in their respective districts, as the clerks, treasurers and collectors of towns do in their respective towns.

G S Sec 946
Rev 1902
Sec 2203

Duties of officers

Sec. 139 Any district may require the treasurer and collector respectively to give bonds to the district, to the approval of the district committee, for the faithful discharge of the duties of their respective offices, before assuming such duties.

G S Sec 947
Rev 1902
Sec 2204

Bonds may be required

Sec. 140 All records and papers relating to or affecting the interest of any school district shall at all times be open to the inspection and examination of any person liable to pay taxes in said district. Every clerk of a school district wilfully concealing, refusing or neglecting to furnish reasonable access

G S Sec 948
Rev 1902
Sec 2205

Records and papers to be open to inspection

Sec 135 A plurality vote taken by ballot is sufficient to elect the committee of a school district even if they be afterward declared elected by a *viva voce* major vote 42 Conn 34

Sec 138 The records of a school district are legal evidence of its proceedings in a suit to which it is a party 13 C 235; but see 44 C 160 The clerk should take the oath of office before performing any regular official act 15 C 333 What are official acts of the clerk *Ib*

¹ Gen Stat Sec 311 ² Gen Stat Sec 342

³ Gen Stat Sec 1278

to any such records or papers, or giving false or incorrect information as to the same, shall be fined not more than twenty-five dollars.

G S Sec 949
Rev 1902
Sec 2206

Neglect of
district to
maintain
school

Sec. 141 In case of the refusal or neglect by a district to employ a teacher and keep open a school during the usual portion of the year, the school visitors of the town having jurisdiction over such district may employ teachers, and keep open a public school in the schoolhouse of said district for the period for which the town would be obliged during that school year to maintain a school in such district;¹ but the whole expense of a school thus opened shall be paid by the town on the order of the selectmen, upon their receiving a certificate of the amount thereof from the school visitors; and, in any such case, the town shall be entitled to receive the same payments from the state as if such school had been kept open by such district in the usual manner.

G S Sec 950
Rev 1902
Sec 2207

Every dis-
trict must
have a school-
house

Sec. 142 No district shall be entitled to receive any money from the state, or town, unless it has a schoolhouse and out-buildings, satisfactory to the board of school visitors.²

G S Sec 951
Rev 1902
Sec 2208

Erection of
schoolhouse

Sec. 143 No new district schoolhouse shall be built except according to a plan approved by the board of school visitors and by the building committee of such district; nor at an expense exceeding the sum which the district may appropriate therefor.

G S Sec 952
Rev 1902
Sec 2209

Site of
schoolhouse,
how fixed

Sec. 144 Any school district, by a vote of two-thirds of those present and voting at a legally warned meeting of the district, may fix or change the site of a schoolhouse; but if such two-thirds vote cannot be obtained in favor of any site, the school visitors of any town adjoining the town or either of the towns in which such district is, on application of the district, shall, after conferring with the school visitors of the town or towns in which such district is situated, fix the site, and make return to the town clerk of the town in which such site is located; and shall receive a reasonable compensation for their services from said district.

¹ Sec 33

² Sec 79

Sec 144 A district cannot, without a two-thirds vote, order any term of the school to be kept elsewhere than at the regular schoolhouse 28 C 332 As to power of district in this respect prior to enactment of this statute in 1872, see 27 C 506, 507 This section does not apply to town, though districts consolidated 77 C 192

Sec. 145 Persons not residing in a school district may attend the public schools therein, if the consent of the committee of such district and of the school visitors of the town be first obtained, but not otherwise.

G S Sec 953
Rev 1902
Sec 2210

Non-resident
pupils

Sec. 146 Any school district or town may, by a vote of two-thirds of those present at any legal meeting, allow its schoolhouse or schoolhouses, when not in use for school purposes, to be used for any other purpose. The town school committee, board of education or board of school visitors of any town, city, borough or school district may grant the temporary use of rooms, halls or school buildings for public or educational purposes or for the purpose of holding political discussions therein, at such time when the school is not in session and subject to such restrictions as the authority having control of such room or building may consider expedient.

G S Sec 954
Rev 1902
Sec 2211

1915 ch 168

Schoolhouse
may be used
for other
purposes

CHAPTER IX

Consolidation of School Districts

General Statutes, Chapter 51, page 335

Sec. 147 Any town may abolish all the school districts, and parts of school districts,¹ within its limits, and assume and maintain control of the public schools therein, subject to the requirements and restrictions imposed by the general assembly; and for this purpose every such town shall constitute one school district, having all the powers and duties of a school district, with the exceptions hereinafter stated.²

G S Sec 955
Rev 1902
Sec 2212

Consolidation
of districts

Sec 147 The assumption of control by the town carries with it all necessary power to repair school buildings 71 C 740, 741 A town assuming control of the school property holds it in trust for educational purposes 73 C 170, 171 Transfer of control from districts to town is merely a transfer from one public agency to another *Ib* Town not subject to all limitations applicable to district; location of schoolhouse 77 C 194 Town proper party to action after consolidation 72 C 565

¹ School districts are mere governmental instruments for the performance of the governmental duty of providing education 59 Conn 60

² Pursuant to statute, § 2212, a town abolished its school districts and assumed the maintenance of its schools At its request the legislature enacted a law (Special Laws of 1903, p 260), which created a board of finance, and provided that it should make, under proper heads, estimates of the money necessary to be appropriated for the expenses of the town, and of the rate of taxation, and lay such tax as it should deem necessary therefor; and that such estimates should be filed with the town clerk on or before October 1st, and submitted to an adjourned annual town meeting to be held at a time and place fixed by the act It also prescribed that such meeting should consider and act upon the estimates, and that the appropriation and tax rate so reported by the board should be final

G S Sec 956
Rev 1902
Sec 2213
1903 ch 205

Vote upon
consolidation of school
districts

Sec. 148 Whenever a vote¹ shall be taken in any town in reference to abolishing school districts and assuming control of public schools therein, and whenever a vote shall be taken to re-establish school districts under section 166, such vote shall be by ballot² at an annual town meeting, upon notice thereof given in the warning.³ The selectmen shall provide a ballot box for that purpose, marked "Consolidation of School Districts." Those in favor of such consolidation shall deposit in said box a ballot with the words "Consolidation of School Districts Yes" written or printed thereon, and those opposed shall deposit a ballot with the words "Consolidation of School Districts No" written or printed thereon, and in towns divided into wards or voting districts for annual town meetings such a ballot box shall be provided at each of such wards or voting districts, and the ballots shall be examined, assorted, counted and declared in the manner provided by law.⁴ Section 576 of General Statutes, in so far as the same is inconsistent herewith, shall not apply to votes taken under the provisions of this section.

unless changed by a majority vote The school committee was required by the act to furnish to the board an estimate of the expenses of maintaining the schools, and such estimate was to be reported by the board without change *Held:—*

1 That the act did not deprive the town of the power of making appropriations at special meetings, nor confine its action at such meetings to the confirmation or change of such appropriations as might be favorably reported by the board of finance 77 Conn 186

2 That the act did not preclude the town at its adjourned annual town meeting from overriding the action of the board of finance and making an appropriation for building a schoolhouse, upon which the board had reported unfavorably *Ib*

3 That if any warning was necessary to enable the town to act within the limits prescribed by the special act, a notice to the effect that the meeting was called for the purpose, among others, of taking action upon the report of the board of finance was sufficient *Ib*

§ 2209 of the Gen Stat, requiring a two-thirds vote in order to change the site of a schoolhouse, applied to school districts only, and not to a town which has abolished such districts and assumed the control and maintenance of all the schools therein *Ib*

Sec 148 What constitutes sufficient notice; not necessary to give each school district particular notice 73 C 166

¹ Town registry list is registry list for school purposes, Sec 128

² Official ballots will be furnished by the Secretary of State

³ The following clause in the warning will be sufficient

To determine by ballot whether the town will abolish all the school districts, and parts of school districts within its limits and assume and maintain control of the public schools

⁴ Gen Stat Sec 605

Sec. 149 A vote to consolidate the school districts in any town into one district shall take effect on the first Monday of July next succeeding said vote, and any town assuming the control of its public schools, as provided in this chapter, may at any annual meeting, not previous to the fifth annual meeting thereafter, vote to abandon such control and re-establish the several districts as they were before said action, which vote shall be by ballot, in the manner prescribed in section 148.

G S Sec 957
Rev 1902
Sec 2214

When vote to
consolidate
takes effect

Sec. 150 The selectmen of a town voting to consolidate shall determine, not later than the first Monday of May, the number of which the town school committee shall consist.¹ Such committee shall consist of either three, six, nine or twelve residents of said town. Every such town shall at a special meeting of said town called for the purpose by the selectmen, to be held on the first Monday of June following, elect by ballot a town school committee of the number determined upon by said selectmen. In all cases the number of the committee to be elected shall be stated in the warning of said meeting. Such election shall be conducted in the same manner as the annual elections of towns.

G S Sec 958
Rev 1902
Sec 2215
1905 ch 97

Number and
election of
committee;
qualifications

See *G S*
Sec 978

Sec. 151 If the number of the committee to be elected shall be six or twelve no person shall vote for more than half that number; if the number be nine, no person shall vote for more than five, and the six, nine or twelve persons, as the case may be, receiving the highest number of votes, shall be the town school committee of said town for the respective terms as hereinafter provided, commencing on the first Monday of July next following. The members of such committee so elected shall divide themselves into three equal classes, holding office respectively until the second, third and fourth subsequent annual town elections of said town, at which elections and at every annual election, subsequent to the last thereof, two, three or four members, as the case may be, shall be elected by ballot for a term of three years, in the manner prescribed in section 37. If the number of the committee to be elected shall be three, the members thereof shall all be annually² elected at the annual town meeting, and no person

G S Sec 959
Rev 1902
Sec 2216
1905 ch 97
1907 ch 227
1909 ch 68

Minority
representa-
tion on
committee;
terms of
office

Sec 149 Vote to abandon control, taken before the fifth annual meeting, is of no effect 73 C 172 Effect of district's resuming control 78 C 329

¹ Sec 268

² May be elected biennially under Sec 262 page 105

shall vote for more than two. The three persons receiving the highest number of votes shall be such town school committee.

Sec. 152 All business relating to public schools in such towns shall be transacted at town meetings.¹

Sec. 153 The town school committee shall have the powers and duties of high school committees,² district committees³ and boards of school visitors;^{4 5 6} shall see that good

¹ See note § 264 ² § 184 ³ Ch xi page 71

⁴ § 69 Return of names to secretary of state § 272 Term of office § 267 Refusal to accept office § 273 Eligibility § 16

⁵ *Duties and powers*

Town school committee

- 1 To enforce labor law § 333
- 2 Forward names of pupils for normal schools § 256
Recommend students for normal school 259
- 3 Give leaving certificates § 19
- 4 Examine manufacturing establishments § 24
- 5 If directed by town, purchase text-books § 39
- 6 Grant hearing to parents in certain cases § 18
- 7 Superintend high schools § 185
- 8 Consent to attendance of children at non-local high schools § 186
Consent to conveyance of high school children § 190
- 9 Provide evening school instruction § 52
Rooms, etc., for evening schools § 53
Certify attendance to comptroller § 58
Request relief from evening school law § 60
- 10 Organization
Choose chairman, secretary § 69
For enumeration of duties see § 69
When chairman shall call meeting § 78
Secretary shall keep records § 91
- 11 Appoint acting visitors § 79
Superintendents § 80
Compensation § 397
- 12 Examine teachers and grant certificates § 199
Revoke certificates § 199
- 13 Employ and dismiss teachers § 202
- 14 Members cannot be appointed teachers § 203
- 15 Select and approve books and apparatus § § 69 196
- 16 Return to comptroller children of certain ages § 89
- 17 Text-books, cannot change except by two-thirds vote § 74
- 18 May require vaccination § 75
- 19 Preserve books and documents § 94
- 20 May administer oath § 95
- 21 May choose superintendent § § 80 84
Form supervision district § 81
Certify salary to state board of education § 82
Choose superintendent in towns having 20 to 30 teachers § 84
Certify salary to state board of education § 85
Petition state board of education for agent to supervise schools § 86
- 22 Custodian of registers § 204
- 23 May appropriate library money § 197
- 24 Make enumeration § 224
Examine and correct returns § 224
- 25 Make certificate to comptroller § 226
- 26 Certify to average attendance in certain towns § 253
- 27 Penalty for fraudulent returns § 248
- 28 Recommend changes in schoolhouses to secure light, ventilation, or sanitary arrangements § 50
- 29 May appoint school physician § 99
May cause children to be tested § 102
May appoint matron or nurse § 104

⁶ Connecticut Reports, Vol 82, 1909 Page 563

The State of Connecticut ex rel The Town of Huntington vs Huntington Town School Committee

G S Sec 960
Rev 1902
Sec 2217

School
business to
be done at
town meetings

G S Sec 961
Rev 1902
Sec 2218

General
powers of
town school
committee

public schools of the different grades are maintained in the various parts of the town, for not less than the length of time

The law and the facts existing when an action at law is brought must ordinarily govern its disposition

Chapter 146 of the Public Acts of 1909 concerning town management of all public schools, worked no substantial change in the respective rights of towns and town school committees with reference to discontinuing or reopening a public school in towns containing but a single school district

Town school committees form part of the agencies of the State for the due performance of the obligations, which it has always assumed, of providing for the proper education of the young. In exercising its powers, which are largely discretionary, such a committee is not the agent of the town but of the law, and therefore is not subject to the control of the town with regard to reopening a school which the committee has seen fit to close

General Statutes, Sec 2218, which provides that town school committees "shall perform all lawful acts which may be required of them by the town", has reference only to such acts as the town can lawfully require the committee to perform

Application by the State's attorney to the Superior Court in Fairfield County, for a writ of mandamus to compel the reopening of a school. An alternative writ having been issued, and a motion to quash filed, the cause was reserved (Burpee, J) for the advice of this court. Superior Court advised to quash the alternative writ

The alternative writ set forth these facts: The town of Huntington has abolished all school districts therein, and maintains the public schools as one district. They are under the general supervision and control of the town committee elected October 5th 1908, which closed a certain school in what was formerly known as the Lower White Hill District

Subsequently, on October 28th 1908, the town voted that its best interests required that this school should be reopened, and that the town school committee be directed to reopen it; and appointed a special committee to see that it was reopened, and to take all proper legal proceedings for that purpose. The town school committee nevertheless has refused to reopen the school

Baldwin, C J Prior to July 15 1909, every town had power to abolish all separate school districts within its limits and constitute itself one consolidated district. It could elect a town school committee, which should "have the powers and duties of high school committees, district committees, and boards of school visitors; shall see that good public schools of the different grades are maintained in the various parts of the town; . . . manage the property of the town pertaining to schools; . . . designate the schools which shall be attended by the children within their jurisdiction; . . . and shall perform all lawful acts which may be required of them by the town or which may be necessary to carry into effect the provisions of this title" General Statutes, Sections 2212, 2215, 2218. By an act taking effect July 15, 1909, every town was required thereafter to "assume and maintain the control of all the public schools within its limits" as one school district; and from that date until its next annual town meeting, the school visitors and the chairman of the committees of the districts within each town were constituted a joint board having the powers and duties of town school committees

A town school committee was to be elected at all future town meetings (with an exception not material in this cause), with the powers and duties of district committees and school visitors, who should "maintain in their several towns good common schools, of the different grades, at such places and times as in their judgment shall best subserve the interests of education, and as shall give all the scholars of the town as nearly equal advantages as may be practicable" Public Acts of 1909, p 1070, Chap 146, Sections 1, 3, 4. The motion for the

that would be required had no such consolidation been made; manage the property of the town pertaining to schools;¹

writ of alternative mandamus was made and the writ issued in June, 1909 The motion to quash was filed in the following October

An action for relief at law must ordinarily stand or fall, so far as concerns the cause of action, according to the facts and governing law existing at the date of bringing suit *Woodbridge v Pratt and Whitney Company*, 69 Conn 304, 334, 37 Atl 688 The respective rights of towns and town school committees, however, with reference to discontinuing or reopening a public school in towns containing but a single school district, were substantially the same before the Act of 1909 took effect as since The town must meet the cost of maintaining proper schools: the town school committee must see that this is done; and for that purpose is clothed with large discretionary powers In exercising these it is the agent not of the town, but of the law *Newton v Hamden*, 79 Conn 237, 240, Atl 229 Connecticut has for centuries recognized it as her right and duty to provide for the proper education of the young Town school committees exist as part of her agencies for regulating the due performance of this obligation If elected by the towns, it is simply because the State has thought this mode of choice expedient She might have selected them herself Her concession of a right of election to the town does not recognize or imply that it has a right of control over the committee, when elected *State ex rel Walsh v Hine*, 59 Conn 50, 21 Atl 1024

It was the former policy of the state to make the management of schools in large measure a neighborhood affair, to be worked out by the creation of numerous small territorial divisions, which were sometimes formed from parts of several contiguous towns Under this scheme of administration, each local school district had considerable authority over its school committee *Gilman v Bassett*, 33 Conn 298, 304

For many years towns have been permitted to consolidate all the districts within their limits, and such a consolidation has now been made compulsory The statutes under which this change of plan has been effected must be interpreted in view of their general purpose, which, in accordance with the economic trend of the times, is to unify and centralize the functions of local school administration So construed the defendants were not subject to the control of the town, in regard to the maintenance of the school in question

The provision in General Statutes, Section 2218, that town school committees "shall perform all lawful acts which may be required of them by the town," means that they shall perform all acts which may be lawfully required of them by the town That which this action is brought to compel the defendants to perform is not one which the towns could lawfully require from them

The Superior Court is advised to quash the alternative writ

¹The assumption of control by the town carries with it all necessary power to repair school buildings 71 Conn 740 741

A town assuming control of the school property holds it in trust for educational purposes 73 Conn 170 171

Transfer of control from districts to town is merely a transfer from one public agency to another *Ib*

examine,¹ employ and dismiss the teachers for the schools of such towns;² lodge all bonds, leases, notes and other securities with the treasurer of said town, unless the same have been intrusted to others by the grantors, or the general assembly; pay the town treasurer all moneys which they may receive for the support of schools; determine the number and qualifications of the scholars to be admitted into each school; designate the schools which shall be attended by the children within their jurisdiction, and may arrange with the committee of any adjacent town or district for the instruction therein of such children as may attend there more conveniently; shall fill vacancies in their own number until the next annual town meeting when vacancies shall be filled as provided in section 151, and the ballots shall distinctly specify the vacancy to be filled;³ shall annually, during the first two weeks of September, ascertain the expenses of maintaining the schools under their superintendence, during the year ending the fourteenth day of the previous July,⁴ and report the same, with the amount of moneys received toward the payment thereof, to the annual town meeting, and shall, at the same time, make a full report of their doings, and the condition of the schools under their superintendence, and of all important matters concerning the same; and shall perform all lawful acts which may

¹ Sec 199 ² Sec 202 ³ A law special and local in its application is not affected by a statute general in terms, unless the intent that it should have such effect is clearly manifest 82 Conn 122

A report of a statute by implication is not favored, and is never presumed when the old and new statute may well stand together *Ib*

Section 10 of the chapter of the city of New Britain (14 Special Laws, p 921) provides for an election of city officers, including a school committee, by the voters, and Sec 14 declares that "all vacancies in any of the said offices shall be filled by the common council" Section 37 invests the school committee with all the rights, powers and duties possessed by committees of consolidated school districts and by selectmen, under the laws of this State, one of which (Sec 2218) prescribes that town school committees shall fill vacancies in their own number until the next annual meeting Held that these apparently inconsistent provisions could both stand and have effect, the special law as applicable to the particular case of New Britain, and the general law to the towns of the State at large; and therefore the common council of New Britain and not the school committee was empowered to fill vacancies in the latter body *Ib*

In *quo warranto* proceedings the burden is upon the respondent to show a complete title to the office in dispute; otherwise judgment of ouster must be rendered against him

⁴ Sec 235

be required of them by the town or which may be necessary to carry into effect the provisions of this title.^{1 2}

Sec 153 Powers conferred and duties imposed by this section construed 65 C 183 Town may defend action brought against committee for official acts; duties as to moral fitness of teachers 79 C 240 Control of town over committee 82 C 566 This section held not to repeal provision in city charter 82 C 124

¹ Powers conferred and duties imposed by this section construed 65 Conn 183 The law and the facts existing when an action at law is brought must ordinarily govern its disposition 82 Conn 563 Chapter 146 of the public acts of 1909 concerning town management of all public schools, worked no substantial change in the respective rights of towns and town school committees with reference to discontinuing or reopening schools in towns containing but a single school district *Ib*

Town school committees form part of the agencies of the state for the due performance of the obligation, which it has always assumed of providing for the proper education of the young In exercising its powers, which are largely discretionary, such a committee is not the agent of the town but of the law, and therefore is not subject to the control of the town with regard to reopening a school which the committee has seen fit to close *Ib*

General statutes, section 2218, which provides that town school committees "shall perform all lawful acts which may be required of them by the town," has reference only to such acts as the town can lawfully require the committee to perform *Ib*

² In a matter in which it has an interest, a municipal corporation may indemnify its agent or officer who has acted in good faith in the discharge of a duty imposed or authorized by law, or may assume the defense of a suit brought against it for such acts 79 Conn 237

In the present case the acting school visitors and two members of the town school committee, acting in good faith, investigated certain rumors affecting the moral fitness of a teacher in the service of the town, and upon becoming satisfied of their truth so informed her, but upon her denial, suggested a continuance of the investigation or her resignation; whereupon she resigned and sued them for conspiring to force her out of her position *Held:—*

1 That the defendant town, having assumed the maintenance and control of all the public schools within its limits, had a direct interest in the fitness of its teachers and in the subject-matter of the investigation

2 That in making the investigation those who conducted it clearly acted within the lines of their duty

3 That it was immaterial that they themselves had no power to discharge the teacher, but could only report their conclusions to the entire committee; since they did not undertake to dismiss her, or to pass any judgment in the matter

4 That it was competent for the town either to employ counsel to defend the suit brought against said investigators, or to ratify the action of its town school committee in retaining an attorney for that purpose

The complaint alleged that the school committee of the defendant town had employed the plaintiff as an attorney to defend its members when sued for their acts as such; that they had reported their action to the town in their annual report, printed and circulated among the voters, and that thereupon, at a town-meeting specially warned to determine what part, if any, of the plaintiff's fees the town would pay, after a full discussion a motion forbidding the selectmen to pay any attorney fees in such action was defeated, which action was taken with the full understanding that if said motion was defeated the action of the school committee would be carried into effect: and that afterward the town paid the plaintiff for the services rendered to that time, and that he had subsequently rendered further proper services under the same employment *Held* that these allegations established at least a prima facie obligation upon the part of the town, either by way of ratification or of estoppel, to compensate the plaintiff for his services thereafter rendered and his expenses thereafter incurred pursuant to such employment

Sec. 154 Such towns shall assume the property and be responsible for the debts of the districts within their respective limits.¹ Such property shall be appraised and the amount of the debts estimated under the direction of the town, and the appraised value of such property may be raised by a tax to be laid by the town on its grand list next completed; and if such tax is raised, the taxpayers in each of the districts previously existing shall be paid or credited on the rate bill with their respective proportions of any excess of the property of such district over and above its liabilities, as ascertained by the town; or the difference in the value of the property of the several districts may be adjusted in any other manner agreed upon by the parties in interest. Permanent funds vested in any town for school purposes shall remain in charge of the treasurer of the town.²

Sec. 155 Whenever any town has consolidated or shall consolidate the school districts within such town under the provisions of section 147 and has voted or shall vote to appraise the property of said districts, the first selectman, one member of the town school committee elected as provided by section 150, to be appointed by said committee, and one member of

Sec 154 Effect of failure to follow steps prescribed 78 C 319; see 86 C 590

G S Sec 96a
Rev 1902
Sec 2219

Property of
consolidated
districts

G S Sec 96b
1907 chs 14
93

Appraisal of
school
property of
consolidated
districts

¹ Sec 117

² An order for the payment of money which specifies no time of payment is in legal effect, and as between the parties, due and payable immediately. It is, however, competent for the parties to agree—as they did in the present case—that the loan evidenced by such an obligation shall remain a continuing one until such contractual relation is terminated either by payment by the debtor, or by demand or suit by the creditor. 78 Conn 319

Interest upon a loan reserving less than six per cent should be computed up to the date of the defendant's default at the rate fixed by the parties, and thereafter, in the absence of any agreement, at the legal rate. *Ib*

In 1897 the defendant town consolidated its school districts and for five years thereafter assumed and maintained at its own expense the exclusive control of its public schools. In 1902, by a vote of the town, the old system was restored and the pre-existing districts re-assumed their functions and took possession and control of the property owned by them respectively before the consolidation. *Held* that under the provision of § 2198 of the Gen Stat of 1888 (Rev 1902, § 2219), to the effect that towns consolidating their school districts "shall assume the property and be responsible for the debts of the districts," the action taken by the town in respect to consolidation was in itself an assumption of the property of the districts and of liability for their debts, notwithstanding the steps prescribed in § 2198 looking to an equitable adjustment of property rights and liabilities as between the taxpayers of the several districts were not pursued by the town officials to whose discretion the matter was entrusted by vote of the town; and therefore the town was liable for the interest which had accrued

the board of assessors, to be appointed by said board of assessors, shall constitute a committee to make the appraisal provided for by section 154.

Sec. 156 Whenever any town shall have assumed control of and appraised the school property as provided in section 154, the town may, by vote in town meeting, extend the time in which the taxpayers of any district or districts shall be required to pay the excess of assessment over the appraised value of the property in such district for a period not exceeding five years, and all the property belonging to the school districts over which any town has assumed or shall assume control shall be vested in such town to be held for school purposes so long as so required, and may be sold and deeded by said town when not required for school purposes.

Sec. 157 Whenever any town has voted, or shall vote, to assume control of all the schools, as provided in this chapter, in case there is a joint district the selectmen of the towns out of which such joint district is formed shall meet within ten days after receiving a written request for such meeting signed by the first selectman of either of said towns, and appraise the schoolhouse and other school property owned and used by said joint district and determine what proportion is owned by the inhabitants of the towns residing in said district. If the several boards of selectmen shall not agree, the same shall be determined by a judge of the superior court upon application of either of the boards of selectmen, and his decision shall be final. The proportion belonging to the taxpayers of the town in which the property is not located, after deducting the indebtedness of the district, shall be paid to the treasurer of such town by the treasurer of the town in which such property is located.

during the period of consolidation on a debt of one of the school districts *1b*

The town contended that a judgment against it for such interest would be inequitable to the taxpayers of the several districts. *Held* that the facts disclosed by the record gave no sufficient support to such claim, and the town was in no position to take advantage of that possibility, inasmuch as the predicament was due to the failure of its own officials in 1897 to take the statutory steps which would have equalized any burdens upon the taxpayers which might have been created by the new conditions

G S Sec 964
Rev 1902
Sec 2220

Time for pay-
ing tax ex-
tended

G S Sec 965
Rev 1902
Sec 2221
1905 ch 17

Proceedings in
case of joint
districts

Sec. 158 In case any school district, formerly existing in a town in which the school districts have been or shall be abolished or consolidated, has received a permanent fund for the support of a school or schools in said district, the treasurer of the town shall have charge of it, and keep a separate account thereof; and the income of said fund shall be held subject to the order of the town school committee, which shall apply it for the benefit of the school or schools within or nearest to the limits of the district formerly existing, in such manner as to carry out, as nearly as possible, the intent of the grantor of said fund.

*G S Sec 966
Rev 1902
Sec 2222*

Management
of permanent
funds

Sec. 159 Every such town shall 'be entitled to receive from the state, annually, and upon the conditions prescribed for school districts, for the purposes of school libraries, a sum not exceeding the aggregate amount which the former districts of said town might have received in like circumstances.¹

*G S Sec 967
Rev 1902
Sec 2223*

School libraries

Sec. 160 The expenses of maintaining public schools in such towns, which shall be incurred with the approval of the town school committee, shall be paid by the town treasurer on orders drawn by the town school committee, except so far as they may be met by the income from local school funds. Such orders may be signed by such persons on behalf of the school committee as the committee by by-law or special vote, certified by the secretary to the town treasurer, may provide; and, in the absence of such by-law or special direction, by the secretary.

*G S Sec 968
Rev 1902
Sec 2224
1903 ch 59*

Payment of
school
expenses

Sec. 161 When any part of a school district lying in two or more towns shall be abolished or consolidated by either, its selectmen shall give immediate notice thereof to the selectmen of the other town or towns, which shall thereafter provide for the schooling of the children belonging thereto, who formerly belonged to said school district.²

*G S Sec 969
Rev 1902
Sec 2225*

Notice when
part of dis-
trict is
abolished

Sec. 162 Any school district which has been, or shall be, abolished by any town, may settle and close up its affairs; and its district committee last elected, or the selectmen of said town, may call special meetings of the district.

*G S Sec 970
Rev 1902
Sec 2226*

Settlement of
affairs of
abolished dis-
trict

¹ Chapter xiii page 76

² Sec 108

Sec. 163 If any such district has, or shall, become liable, by judgment or otherwise, to pay any claims or demands upon it, or if expenses and liabilities have been or shall be incurred by it in settling up its affairs, after consolidation, the selectmen of said town, upon the request of said district, shall pay the same and charge the amount to the district, and said amount shall be raised by the selectmen adding the same to the tax to be laid by the said town on its grand list next completed of the taxable property of such district.

Sec. 164 Said selectmen shall collect all taxes, claims and demands in favor of such district, in the name of the district, and credit the same to the district, less expenses of collection.

Sec. 165 When any town has voted to re-establish its school districts as provided in section 149, each of the districts shall pay the town for all improvements which the town has made on the schoolhouse, its furniture and appurtenances within the district. The amounts to be thus paid shall be determined by the selectmen and the town school committee. When such payments are made the town shall restore or make good to each of the districts the school property and local funds formerly belonging to the district. If any district shall refuse or neglect to make the payment required by this section until the expiration of six months after the passage of the vote of the town to re-establish the districts, the selectmen may cause a tax sufficient to make said payment, including the cost of laying and collecting such tax, to be laid on the district in the manner provided by law for school district taxes except that the selectmen shall perform the duties required of district committees therein, and to be collected and paid to the town.

Sec. 166 A vote to re-establish the school district shall not take effect further than to authorize the district to hold meetings, lay and collect taxes, and appoint officers for these purposes, until all the settlements and payments required by section 165 have been made; and unless such payments and settlements are made within one year after the passage of said vote said vote shall be null and void.

S Sec 971
ev 1902
ec 2227

Payment of
debts of such
district

S Sec 972
ev 1902
ec 2228

Collection of
taxes of such
district

S Sec 973
ev 1902
ec 2229

Towns to be
reimbursed
for improve-
ments

S Sec 974
ev 1902
ec 2230

Vote to re-
establish

Sec. 167 When any town in which the school districts have been consolidated has abandoned or shall abandon such system, the persons elected school committee of such consolidated districts at the election next preceding such abandonment shall be and remain the members of the board of school visitors of such town, with all the powers and duties of school visitors, during the term for which they were or may be respectively elected, in the same manner as if elected school visitors of such town.

*G S Sec 975
Rev 1902
Sec 2231*

Town school committee to become school visitors

Sec. 168 Towns shall have the same powers and be subject to the same regulations, as school districts, in taking land for schoolhouses, outbuildings and convenient accommodations for schools.

*G S Sec 976
Rev 1902
Sec 2232*

Taking land for school purposes

Sec. 169 Whenever any town shall have voted, in the manner provided by law, to change the number of members of its town school committee or board of school visitors from six to three, no members of such committee or such board shall be elected at the first annual town meeting after the adjournment of the meeting at which the number was so fixed at three. At the second annual town meeting one member of such committee or such board shall be elected to serve one year, and at the third annual town meeting three members thereof shall be elected. Whenever any town shall have voted to change the number of said school officers from nine to three, or from twelve to three, no members of such committee or such board shall be elected at the first and second annual town meetings after the number has been so determined, and at the third annual town meeting three members thereof shall be elected. Whenever a town shall have so voted to reduce the number of members of its town school committee or board of school visitors to three, and by resignation the number shall, before the next annual town meeting after the adjournment of the meeting at which the number was fixed at three, be reduced to three, the terms of office of the remaining members shall terminate at said annual town meetings, and the town shall thereupon elect, at said meeting, three members of such committee or such board. The provisions of section 151 which relate to the election and term of office of a town school committee of three members shall

*G S Sec 977
1907 ch 39*

Election of members of town school committee

apply in like manner to the election and term of office of the officers provided for by this section.

Sec. 170 Whenever, in towns holding biennial elections as provided in section 249 of the General Statutes,¹ town school committees or boards of school visitors are divided into classes under the provisions of sections 36 and 151, at each biennial town meeting, there shall be elected a number sufficient to fill two classes. On the ballots shall be printed or written, above the names constituting each class, the words, "town school committee" or "board of school visitors," as the case may be, and directly underneath said words shall be written or printed the words "terms begin in (the figures designating the year)." Whenever the number of the town school committee shall be three, who are to hold office for one year as provided in section 151, on the ballots above such three names shall be printed or written the words "town school committee" and, directly underneath, the words "terms begin in (the figures designating the year)," and above the second three names shall be written or printed the words "terms begin in (figures designating the year)." Whenever any vacancy occurs, a majority of the remaining members may fill the vacancy until the next town meeting. Whenever a vacancy is to be filled by election, on the ballots used at such election shall be printed or written the words, "town school committee" or "board of school visitors," as the case may be, and, directly underneath, the words "vacancy (one or two years, as the case may be)."²

CHAPTER X

Town Management

General Statutes, Chapter 52, page 341

Sec. 171 Every town in this state shall maintain the control of all the public schools within its limits, and for this purpose every town shall be a school district, and shall have all the powers and duties of school districts, except in so far as such powers and duties are inconsistent with the provisions of this chapter, but this chapter shall not apply to any town

¹ See note 1 Sec 151

² See Sec 388

G S Sec 978
1909 ch 68

Biennial elec-
tion of school
officers

G S sec 979
1909, ch 146
1911, ch 200

Towns to
control and
manage
schools

which has a city or borough, or district organized under special acts of the legislature, within its limits, unless such town shall vote to abolish school districts and assume control of the public schools therein. The provisions of this chapter shall apply to the town of South Windsor in all respects as if the districts within its limits, organized under special act of the legislature, had been abolished prior to July 14, 1909.

Sec. 172. All business concerning the public schools shall be transacted in town meetings. The annual town meeting shall be the annual school district meeting.

*G S sec 980
1909, ch 146*
School
business trans-
acted in
town meeting

Sec. 173 The town school committee of every town managing schools under the provisions of this chapter shall consist of either three, six, nine or twelve residents of said town. If the number of the town school committee be three, all the members thereof shall be elected at the annual town meeting, and no person shall vote for more than two; the three persons receiving the highest number of votes shall be such town school committee. If the number of the town school committee be six, nine or twelve, one-third of the members thereof shall be elected annually by ballot for the term of three years, to begin on the day of election. If the number to be chosen at any town meeting be two or four, no person shall vote for more than half that number. If the number to be chosen be three, no person shall vote for more than two. Said school committee shall have the power to fill vacancies in its membership until the next annual election, when such vacancies shall be filled for the remainder of the term by the town, by ballot. No boards of school visitors shall be elected, and no district committees, except in districts organized under special acts and in districts which retain their organization in the manner provided in this chapter. Any town may at any time vote to make the number of its school committee either three, six, nine or twelve, and at each subsequent election the new board shall be elected in the manner above provided, but those theretofore elected shall remain in office until the expiration of their terms.

*G S sec 981
1909, ch 146
1917, ch 80*

Committee how
constituted
Election

Sec 171 Purpose and effect of consolidation 82 C 566; 86 C 594 See note to Sec 955

Sec 173 Requirement that member of committee be "resident" considered 83 C 560

G S sec 982
1909, ch 146
1913, ch 178

Powers and
duties of
town school
committees

Sec. 174 Said school committee shall, in general, have all the powers and perform the duties both of district committees¹ and boards of school visitors,² except so far as such powers and duties are inconsistent with the provisions of this chapter. They shall maintain in their several towns good common schools, of the different grades, at such places and times as in their judgment shall best subserve the interests of education, and as shall give all the scholars of the town as nearly equal advantages as may be practicable; they shall have charge of the schools of their respective towns; they shall appoint a chairman and secretary, which secretary shall be chosen, either from their number, or from the citizens of the town in which they are elected, who shall respectively perform the duties and exercise the powers pertaining to the chairman and secretary of the boards of school visitors;³ they shall appoint one or more acting visitors or a superintendent to exercise, under their direction, a supervision over schools;⁴ they shall have the care and management of buildings, lands, apparatus and other property used for school purposes; they shall determine the number and qualifications of the scholars to be admitted into each school; they shall employ a requisite number of qualified teachers,⁵ but shall make no contract for a longer period than one year; they shall designate the schools which shall be attended by the various children within their several towns, and shall make such provisions as will enable every child of school age, residing in the town, who is of proper mental and physical condition, to attend some public day school for the period required by law, and they may provide for the transportation of children wherever transportation may seem reasonable and desirable,⁶ and they may arrange, if they see fit, with the committee of an adjoining town for the instruction therein of such children as can attend school in such adjoining town more conveniently; they shall report in detail to the annual town meeting concerning the expenditures on the schools of the towns during the year ending on the fifteenth day of the

¹ Chapter xi, page 71

² Sec 69

³ Sec 78

⁴ Chapter vi, page 27

⁵ Secs 199, 202

⁶ Sec 18

previous July;¹ and also concerning their doings and the condition of the schools under their superintendence, and they shall perform all lawful acts necessary to carry into effect the powers and duties granted by this chapter.^{2 3}

Sec. 175 The town clerk and treasurer of each town shall have all the powers and duties, respectively, of the clerk and treasurer of a school district, except in so far as such duties are rendered unnecessary by the provisions of this chapter.

G S sec 983
1909, ch 146
Treasurer
and clerk

Sec. 176 All school records shall be handed over to the town clerk of each town, and shall be preserved by the town.

G S sec 984
1909, ch 146
Records

Sec. 177 All property at any time held by school districts which has vested in the towns in which such districts are situated shall be held by such towns for school purposes. Every school district may preserve its organization and necessary powers for the sole purpose of closing and settling up its affairs and managing and paying any indebtedness not devolved upon the town. The provisions of sections 7 and 8 of chapter 146 of the Public Acts of 1909 are continued in force and effect for all objects and purposes in said sections provided.⁴

G S sec 985
1909, ch 146
Property
Districts
Debts

Sec 174 Control of town over committee 82 C 566 See note to Sec 153

¹ Sec 235

² See 65 Conn 183, also notes on page 58

³ For other duties see duties of school visitors, note 1, page 78, and duties of town school committees, note 5, page 54

Sec 177 Effect of failure of town to lay equalization tax 86 C 594

⁴ Connecticut Reports, Vol 86 Page 590

The Second School District of the Town of Glastonbury vs The Town of Glastonbury

Chapter 146 of the Public Acts of 1909, which took effect on July 15th of that year, required towns to assume the management and control of their district schools and also to take over their property and indebtedness Section 7 of the Act. provided that the assessors of each town should appraise the property of each school district therein on or before Sept. 30th, 1909, and that the town, at its next annual meeting after the Act took effect, should levy an "equalization tax" upon its grand list sufficient to raise, in the combined districts, an amount equal to the value of their property less their indebtedness; and that thereupon a sum equal to the appraised value of the school property in each district, less its indebtedness, should be abated to the taxpayers of such district in proportion to the amount of their respective lists It further provided that any school district might elect to retain and be alone responsible for its own indebtedness or any stated portion thereof, in which case such indebtedness should not be deducted from the appraised value of its property in determining the amount of the aforesaid abatement

The plaintiff district, which owned property appraised in September, 1909,

at \$15,500.00, and was indebted to the amount of \$15,152.00, voted that its entire debt devolve upon the town; while the defendant town voted in November, 1909, not to assume any debt contracted by any school district before July 15th 1909. The defendant refused to lay an equalization tax and the plaintiff by this suit sought to compel it to do so, or to return, or pay for the school district property. *Held*:—1 That the object of the tax was not to raise money to pay the indebtedness assumed, but, as its name implied, to equalize, between the different districts and in proportion to their respective grand lists, the amount in property and taxes taken from each by the town. 2 That the town, in its corporate capacity, had no interest in the appraisal of the school district property but only in the amount of its indebtedness; and therefore was in no position to assail the statute upon the ground that it did not provide for a hearing of interested persons by the assessors before appraising the property. 3 That as none of the defendant's property was being taken there was no ground for its claim that it was being deprived of its property without due process of law. 4 That the defendant should have laid the equalization tax as the statute prescribed; and its failure to do so at the time specified in the statute was no excuse for its refusal to lay it now. 5 That the tax should be laid upon the last completed grand list of the town.

Suit to compel the defendant to lay an equalization tax in the manner prescribed by chapter 146 of the Public Acts of 1909, relating to the town management of public schools, or to pay the plaintiff the just and true value of its school property, possession of which the town was alleged to have taken, or for other relief, brought to and reserved by the Superior Court in Hartford County, Ralph Wheeler, J, upon a finding of facts for the advice of this court. Judgment advised for plaintiff.

By the Act in question (Public Acts of 1909, chapter 146, p 1070) certain school property, consisting of a schoolhouse and the lot on which it stands, and all the furniture, equipment and apparatus of the school therein contained, all of the value of \$15,500.00, became vested in the defendant town, and it has taken possession of and occupies the same, and is using it for school purposes.

Section 7 of the Act, so far as it concerns this action, reads as follows:

"All property heretofore held by school districts shall vest in the towns in which such districts are situated, to be held by such towns for school purposes. All debts, obligations, or pecuniary trusts of any school district, existing at the time of the passage of this act, shall remain in force against the town in which such district was situated, and shall be paid and performed by such town, except as hereinafter provided. The assessors of each town shall, on or before the thirtieth day of September, 1909, appraise the property of each school district within its limits. At the next annual town meeting after the passage of this act, an equalization tax shall be levied upon the grand list of the town, equivalent to such a tax as would, in all districts of the town combined, raise an amount of money equal to the value of the property owned by such districts, less their indebtedness, and there shall then be abated to the taxpayers of each district so many mills of such equalization tax rate as upon that part of the grand list of the town taxable within such district would yield an amount of money equal to the appraised value of its property less the amount of indebtedness of the district. Any district shall have power to determine that any stated amount of its indebtedness shall not be devolved upon the town, but shall be owned by such district exclusively, as heretofore, and any town shall have this same power regarding the indebtedness of any district situated within its limits; provided, that, if action is taken both by the town and by the district having such indebtedness, the vote stating the larger amount of indebtedness to be separately retained by the district and not devolved upon the town shall determine such amount; and provided, further, that this amount of indebtedness thus separately retained by the district shall not be deducted from the appraised value of its property in fixing the amount of the equalization tax to be abated for its taxpayers.

Every school district shall remain separately and solely liable for any

indebtedness or liability by it incurred previously to September 1, 1909, unless the amount of such liability or indebtedness shall be deducted, as aforesaid, from the appraised value of its property in fixing the amount of the equalization tax to be abated for its taxpayers”

Pursuant to the provisions of the Act, the assessors of the town in September, 1909, appraised said school property at \$15,500.00. At the time when this property was taken by the defendant the plaintiff was indebted, by its notes, to the amount of \$15,152.50, for money borrowed with which to erect the school building. The district voted that its entire debt devolved upon the town. The town voted, on November 27th, 1909, “that any debt contracted by any school district in the town of Glastonbury previous to July 15, 1909, be not assumed by the town.” No equalization tax was laid by the town at its next annual meeting after the passage of the Act in question, and the town will refuse to lay such tax unless ordered so to do by the court. The remaining school districts in the town have continued responsible for their debts, and have made no request that the town pay the same, and none of them has taken any action to enforce an equalization tax, or to collect from the town any of the indebtedness of such district.

Opinion. The purpose of the statute under which the plaintiff's school property was vested in the defendant, was to abolish school districts in certain towns and place the management of all the schools in the hands of the town, which, for that purpose, is made a school district.

Its effect is to enlarge the boundaries of the different districts so as to make them correspond with those of the town. It is a general law, applying to all towns in the state except those which have a city or borough, or a district organized under a special act of the legislature, within their limits, and except those towns which have voted to abolish school districts and assume the control of the schools.

By thus consolidating all of the districts into a single district, the enlarged district became possessed of the school property of all the old districts, and became bound to manage, and assume the expense of managing, all the schools.

Section 7, out of which the present controversy arises, provides for the payment of the debts and obligations of the districts. After providing, in the earlier part of the section, that the town shall pay these debts except as thereafter provided, it proceeds to provide for what is called an “equalization tax.” This tax does not purport to be laid for the purpose of paying the indebtedness which the town assumes to pay for the different districts. The sum to be raised is not the amount of such indebtedness, but the value of the property received less the amount of such indebtedness. It may be much more than the total indebtedness, and it may be less, depending upon the value of the property and the amount of the indebtedness of the different districts. Presumably the total property taken will exceed the indebtedness; but fires or other disasters in a particular town might create a situation not contemplated by the statute. Nor does the statute contemplate that the town will, upon this levy, collect the full tax laid, for the taxpayers in the several districts are allowed an abatement which in effect is the amount by which the appraised value of the property taken from the district exceeds its indebtedness.

The purpose of the tax is, as its name implies, equalization, to equalize as between the different districts, in proportion to their grand lists, the amount in property and taxes from each by the town. If the amount thus received is not sufficient to pay all the indebtedness assumed by the town, the difference must be raised later by a new levy upon all the taxpayers in the town in the usual manner of raising money by taxation.

The defendant, therefore, as a corporate body, has no interest in the valuation of the school property. For that reason, doubtless, the appraisal was left to its own officers chosen to appraise and assess all of the taxable property in town, and already chosen at the time the Act was passed and the property taken over.

It is the amount of the indebtedness in which the town is interested, and it has adequate means of raising the necessary amount if the equalization tax fails to produce sufficient. Whether the appraisal of the school properties was too great or too small does not affect the defendant. In the case before us the court has

G S sec 986
1909, ch 146

Expenses
how paid

Sec. 178 The expenses of maintaining public schools which shall be incurred with the approval of the town school committee shall be paid by the town treasurer on orders drawn by the town school committee, except so far as they may be met by the income from local school funds. Such orders may be signed by such persons on behalf of the school committee as the committee by by-law or special vote, certified by the secretary to the town treasurer, may provide, and in the absence of such by-law or special direction, by the secretary.

G S sec 987
1909, ch 251

Payments by
towns, not
assuming
control

Sec. 179 Any town not assuming control of the public schools within its limits under the provisions of this chapter, which receives money, under the provisions of section 177, by reason of the appraisal of the property of any school district, parts of which before July 14, 1909, belonged to different towns, shall pay the same to such agent, treasurer or committee as shall be chosen by those qualified to vote in school meeting belonging to that part of such district in said town not assuming control of its public schools; and such voters, in meeting called by any five of their number or by the selectmen, by notice posted conspicuously in such part of said dis-

found that the plaintiff's property was properly appraised, its value being the amount of the appraisal, \$15,500.00 It is unnecessary, therefore, to inquire whether it was, as claimed by the defendant, improper to leave the appraisal of the school property to the assessors of the town without providing for a hearing by the parties interested, because the defendant is not an interested party And as none of the defendant's property is being taken, there is no ground for its claim that it is being deprived of its property without due process of law

It was the defendant's duty to have levied this equalization tax as the statute required It is claimed in behalf of the defendant that, having neglected its duty to levy the tax at its next town meeting after the statute was passed, it cannot now levy such a tax because property has changed hands, new buildings have been erected, and no provision is made in the Act for laying the tax at any other time than at the annual town-meeting for 1909 upon the grand list for that year The statute does not prescribe that the levy shall be upon the grand list of 1909 For aught that appears it might have been laid upon the last completed grand list as well as upon that of 1909 The law made it mandatory upon the town to pay the indebtedness of the districts, and provided a way The defendant cannot be heard to say that because it neglected its duty at the time prescribed for its performance it is now excused from performance A levy upon the last grand list, or upon the next one, will answer the purposes of the statute

The plaintiff district having never determined that any stated amount of its indebtedness shall be owed by it exclusively and shall not be devolved upon the town, this in not a case where both the district and town have acted in fixing such stated amounts The plaintiff, therefore, is not precluded by the votes of the town from bringing this action

The Superior Court is advised to grant the plaintiff's first prayer for relief, directing that the equalization tax be levied upon the last completed grand list of the town

strict five days before such meeting, may do all acts proper for the reception and care of such money, and shall expend the same for public school purposes for the benefit of the inhabitants in said part of such school district as lies in the town not assuming control of its public schools.

CHAPTER XI

District Committees¹

General Statutes, Chapter 53, page 344

Sec. 180 The committee of every district shall give due notice of all meetings of the district;² may call a special meeting thereof at any time, and shall call one on the written request of one-fifth or of ten of the legal voters in the district stating the object for which a meeting is desired, to be held within fifteen days after such request is presented; and for any failure so to comply with such request they shall be fined not more than thirty dollars. They shall provide suitable schoolrooms, and furnish the same with fuel properly prepared; visit the schools, by one or more of their number, twice at least during each term; shall, when the scholars are not properly supplied with books, and their parents are too poor to furnish them, provide the same, the cost thereof to be included in the incidental expenses of the term;³ shall suspend, or expel from school for the term, or for any part thereof, all pupils found guilty, on full hearing, of incorrigibly bad conduct; and shall give such information and assistance to the school visitors of the town as they may require.

G S sec 988
Rev 1902
Sec 2233

Powers and
duties

Sec 180 The committeeman of a school district is a public agent 22 C 383
When the district has a proper schoolhouse the committee cannot provide another schoolroom elsewhere 28 C 333
Committee must conform to vote of district and its authority *de* schoolhouse and teacher is contingent on failure of district to act 33 C 304, 305
Has power to remove teacher unless district votes otherwise 33 C 304
Mandamus will lie to compel committee to conform to order of district
Ib Previous to enactment of Sec 182, committee might contract with teacher for a period beyond term of office 36 C 282
Committeeman may forcibly remove scholar 41 C 446
Committee may act as a board by a majority if all are present or have notice 46 C 408
All members of committee have equal powers 71 C 737
Not within law forbidding officer to furnish supplies unless in open competition 85 C 33

¹ Must be residents of district, Sec 133

² Sec 122, 130, 162

³ Sec 40

Sec. 181 The committee shall give to the secretary of the board of school visitors notice of the date of the commencement and close of each school term, within one week of said commencement, and at least four weeks before the close, respectively, and each committee shall, at the expiration of its term of office, on the fifteenth of July in each year, or within five days thereafter, report to the school visitors in the manner and form prescribed by the state board of education. They shall return an enumeration of the children residing in the district on the first Tuesday of September in each year, in accordance with the provisions of this title;¹ and the committee of every district formed from parts of two or more towns, shall make such return to the school visitors of each of said towns, specifying the towns to which each person so enumerated belongs;² and shall make returns to the secretary of the board of school visitors of the town having jurisdiction over the district of the receipts, expenditures and statistics, in accordance with blank forms furnished by the secretary of the state board of education.³

Sec. 182 No committee of any school district elected under the provisions of section 133, shall enter into any contract in behalf of said district extending beyond the expiration of the term for which he may have been elected, without first obtaining at a meeting of said district legally called for that purpose a majority vote in favor of such proposed action.⁴

CHAPTER XII

High Schools

General Statutes, Chapter 54, page 345

Sec. 183 Any town may establish and maintain a high school within its limits, and for such purpose purchase, receive, hold and convey any property, build and repair school-houses, lay taxes and make contracts and adopt regulations for the management of such school.⁵

¹ Sec 221

² Sec 245

³ To be notified of estimates and appropriations Secs 234 and 236

⁴ Sec 133

⁵ For organization of Norwalk high school, see page 210

G S sec 089
Rev 1902
Sec 2234
1913, ch 182

Reports

G S sec 990
Rev 1902
Sec 2235

Limitation of
power to
make con-
tracts

G S sec 991
Rev 1902
Sec 2236
High schools
may be
established
by towns

Sec. 184 Any town which is not a consolidated district may choose by ballot at its annual town meeting a committee¹ of three, four or five residents of the town, who shall have all such powers and be subject to such duties in relation to such schools as are by law imposed upon district committees in relation to district schools.² If the number to be chosen is three or four, no person shall vote for more than two; if five, for not more than three. The number of persons sufficient to fill the committee who have the highest number of votes shall be elected. In case of a tie that person whose name stands first or highest on the greatest number of ballots shall be elected.

G S sec 992
Rev 1902
Sec 2237

High school
committee,
how chosen

Sec. 185 When any town shall maintain any such high school, the board of school visitors or town school committee, as the case may be, shall prescribe rules for the admission of scholars, and for their studies, books and classification; examine all candidates for teachers in such school and give to those of satisfactory moral character, literary attainments and ability to teach, a certificate stating what branches they are found capable of teaching; visit such school at least twice during each term; may revoke the certificate of any teacher, at any time, for the causes provided in section 199. In towns having no school committee the school visitors may appoint a high school committee whenever the town fails to elect one; and such committee, so appointed, shall have the same powers and duties as if appointed by the town.³

G S sec 993
Rev 1902
Sec 2238

Duties of
town school
committee
and school
visitors

Sec. 186 Any town in which a high school is not maintained shall pay the whole or any part of the tuition fee of any child who resides with his parents or guardian in said town, and who, with the written consent of the school visitors, or town school committee, attends a high school in another town, *provided*, the high school shall be approved by the state board of education. Such tuition fees shall be paid annually by the town treasurer upon the order of the chairman of the board of school visitors or town school committee.

G S sec 994
Rev 1902
Sec 2239

Tuition in
high schools,
when paid
by town

¹ Sec 268

² Chapter xi, page 71

May employ and dismiss teachers, sec 202

³ Secs 69, 268

G S sec 995
 Rev 1902
 Sec 2240
 Reimburse-
 ment in
 part by state

Sec. 187 Every town shall annually in July receive from the treasurer of the state an amount equal to two-thirds of the aggregate of the sums which have been actually paid by the town for tuition fees under the provisions of section 186; *provided*, not more than thirty dollars shall be paid by the state for each scholar attending from any town.

G S sec 996
 Rev 1902
 Sec 2241
 1911, ch 143
 Number and
 names of
 children to
 be reported

Sec. 188 The number and names of the children so attending high schools in towns other than those in which they reside, and the high schools which they have attended, shall, on or before the first day of July in each year, be certified under oath, by an acting school visitor or the secretary of the town school committee of the town in which the pupils reside, to the state board of education.¹ The comptroller shall, on application of said board, draw an order on the treasurer in favor of the town for the amount provided in section 187.

G S sec 997
 1903, ch 187
 1907, ch 90

Tuition of
 children in
 high schools
 in towns
 other than
 those in
 which they
 reside

Sec. 189 The state board of education may examine any incorporated or endowed high school or academy in this state, and if it appears that said school or academy has a satisfactory high school course of study and sufficient equipment for high school instruction, said board shall approve said school or academy under the provisions of this chapter, and any town in which a high school is not maintained shall pay the whole or a part of the tuition fee of scholars attending such school or academy, and such town shall be reimbursed therefor by the state under the terms and conditions of this chapter.

G S sec 998
 1903, ch 182

Transporta-
 tion paid by
 town

Sec. 190 Any town in which a high school is not maintained shall pay the reasonable and necessary cost of railway or other transportation of any child who resides with his parents or guardian in said town and who, with the written consent of the school visitors or town school committee, attends a high school in another town; *provided*, such high school be approved by the state board of education. Such necessary and reasonable cost of railway or other transportation shall be paid annually by the town treasurer upon the order of the chairman of the board of school visitors or town school committee.

¹ Blanks are furnished by state board of education; see note Sec 5

Sec. 191 Every town shall, annually, in July, receive from the treasurer of the state an amount equal to one-half of the aggregate of the sums which have actually been paid by the town for transportation under the provisions of section 190; *provided*, not more than twenty dollars shall be paid by the state for each scholar conveyed.

G S sec 999
1903, ch 182
Town re-
imbursed in
part

Sec. 192 The number and names of the children so conveyed to high schools in towns other than those in which they reside, the names of the high schools which they have attended, and the amount paid by the town for the conveyance of each child shall, on or before the first day of July in each year, be certified to the state board of education by an acting school visitor, under oath, of the town in which the children reside. On application of said board the comptroller shall draw an order on the treasurer of the state in favor of the town for the amount provided in section 191.

G S sec 1000
1903, ch 182
Report to
state board
Order

Sec. 193 The town of Middletown shall pay the whole or any part of the tuition fee of any child who resides with his parents or guardian in that part of said town of Middletown which is not included in the city district of said town and who, with the written consent of the school visitors, attends a high school, *provided*, the high school shall be approved by the state board of education. Such tuition fee shall be paid annually by the town treasurer of Middletown upon the order of the chairman of the board of school visitors of said town. The town of Middletown shall, annually, in July, receive from the treasurer of the state an amount equal to two-thirds of the aggregate of the sums which have been paid by the town for tuition fees under the provisions of this section, *provided*, not more than thirty dollars shall be paid by the state for each scholar so attending from said part of the town of Middletown. The number and names of the children so attending high schools and the high schools which they shall attend shall, on or before the first of July in each year, be certified under oath by the secretary of the board of school visitors of the town of Middletown to the state board of education. The comptroller shall, on application of said board, draw an order on the treasurer in favor of the town for the amount provided for in this section.

G S sec 1001
1915, ch 327
Reimburse-
ment by state
of high
school tuition
to town of
Middletown

G S sec 1002
1907, ch 36

Transporta-
tion of high
school pupils

Sec. 194 Any town in which a high school is maintained may, at any annual or special meeting, authorize and instruct the high school committee, board of school visitors or town school committee, as the case may be, to provide for the transportation, to and from such school, of any pupil attending such school and residing within the limits of such town, or pay the whole or a part of the reasonable and necessary cost thereof.

G S sec 1003
1917, ch 292

High school
pupils for
farm work

Sec. 195 Any high school pupil over fourteen years of age, who shall volunteer and be accepted for agricultural work on a farm, shall be permitted to re-enter school without loss of standing by reason of absence, *provided*, such pupil maintains the standard prescribed by the committee of food supply and receives a certificate signed by the governor. This section shall not be operative after the rising of the general assembly at its January session, 1919.

CHAPTER XIII

School Libraries and Apparatus

General Statutes, Chapter 55, page 348

G S sec 1004
Rev 1902
Sec 2242,
1913, ch 167

State aid

Sec. 196 The treasurer of the state, upon the order of the secretary of the state board of education, shall pay ten dollars to every school district, and to every town maintaining a high school, which shall raise by tax or otherwise a like sum for the same purpose, to establish within such district, or for the use of such high school, a school library composed of books of reference, and other books to be used in connection with school work,¹ and to procure maps, globes or any proper geographical, philosophical and chemical apparatus; and the further sum of five dollars annually,² upon a like order, to every such district or town which has raised a like sum for the current year for maintaining or replenishing such library or apparatus. If the number of scholars in actual attendance³ in any such district or high school exceeds one hundred the treasurer shall pay ten dollars in the first instance, and five dollars annually thereafter, for every one hundred or fractional

¹ Does not include supplementary reading; see Sec 74

² The library year coincides with the calendar year

³ Actual attendance means number of different scholars in school year

part of a hundred scholars in excess of the first hundred. The expense incurred by any district in accordance with the provisions of this section may be included with its incidental expenses, to be defrayed in the manner provided in this title for such incidental expenses. The selection of all books and apparatus shall be made or approved by the board of school visitors, or the town school committee, which shall also prescribe the rules for their management, use and safe-keeping.¹

Sec. 197 The town school committee or the joint board of selectmen and school visitors in each town may appropriate money for the purchase of books and apparatus to be used in the public schools of the town. The money thus appropriated shall be expended by a committee on libraries and apparatus, annually appointed by the town school committee or school visitors, to whom the treasurer of the town shall pay such money upon the written order of such committee. The treasurer of the state upon the order of the secretary of the state board of education shall annually pay said committee five dollars for every public school within said town, and if the number of scholars in any public school within the town exceeds one hundred, the treasurer shall annually pay to said committee five dollars for every one hundred scholars and fractional part of one hundred scholars in actual attendance at such school; but no greater amount shall be paid to such committee by the state than is paid during the same year by the town for the same purpose; *provided*, any amount paid by the state under section 196 to any district or for any high school within said town shall be deducted from the amount payable under this section. The books and apparatus so purchased shall remain the property of the town and under the care and control of said committee.

Sec. 198 The state board of education shall keep an account of the money drawn and paid out for school libraries and philosophical apparatus pursuant to this chapter, and the comptroller shall annually audit such account.

G S sec 1005
Rev 1902
Sec 2243

Purchase of
books and
apparatus

G S sec 1006
Rev 1902
Sec 2244

Account of
expendi-
tures to be
kept

¹ Teachers may ask advice and assistance of the Connecticut public library committee, Sec 283

CHAPTER XIV

Teachers¹

General Statutes, Chapter 56, page 349

Sec. 199 School visitors, town school committees or boards of education shall, as a board, or by a committee by them appointed, examine all persons desiring to teach in the public schools; and give to those with whose moral character and ability they are satisfied, if found qualified to teach reading, writing, arithmetic and grammar, the rudiments of geography and history, and the rudiments of drawing if required² a certificate authorizing the holder to teach in any public school in the town or district so long as desired, without further ex-

Sec 199 Teacher may be discharged by the district; and in absence of action by the district, may be discharged by the committee 33 C 304 If improperly discharged by the committee the district may compel reinstatement 33 C 305, 306 General certificate of teacher is sufficient in any district of the town where issued 36 C 282 Previous to enactment of Sec 182, a teacher might be employed by the committee for a period extending beyond committee's term of office 36 C 282 Is not a public officer in ordinary sense of word; his wages are subject to attachment 53 C 509 Status of teacher, as to district *Ib* Interest of town in moral fitness of teacher; may defend action brought against school officers for statements as to 79 C 237 Statement as to qualifications of teacher made in report of superintendent held privileged 81 C 293

¹ *a* May be employed by—

- i school visitors §§ 38 202
- ii board of education § 64
- iii district § 111
- iv town committees §§ 38, 153, 174
- v high school committees § 184

² *b* May be examined by—

- i state board of education § 200
- ii school visitors § 199
- iii boards of education § 64
- iv town committee § 153

c Make eyesight tests § 205

d Shall be paid once a month unless district vote otherwise § 238

e The reasonableness of the punishment administered by a school teacher to a pupil is purely a question of fact 53 Conn 481

f A school teacher has a right to require obedience to reasonable rules and a proper submission to his authority, and to inflict punishment for disobedience *Ib*

In the absence of rules established by the school board or other proper authority, the teacher has a right to make all necessary and proper rules for the regulation of the school *Ib*

In inflicting corporal punishment the teacher must be governed, as to the mode and severity of it, by the nature of the offense, and by the age, size, and physical condition of the pupil Where a boy has been habitually refractory and disobedient, the teacher, in punishing him for a particular offense, may take into consideration his habitual disobedience *Ib*

And it is not necessary that he should inform the pupil at the time that he is punishing him for his past as well as present misconduct *Ib*

² Sec 17, 33

amination unless specially ordered; such certificate may limit the authority to teach to a specified time or in a specified school. No certificate to teach in grades above the third in graded schools nor in classes corresponding to such grades in ungraded schools shall be granted to any person who has not passed a satisfactory examination in hygiene, including the effects of alcohol and narcotics on health and character.¹ If a person is examined and found qualified to teach branches other than those required in all cases, such branches shall be named in his certificate. Said certificate shall be signed by a majority of the board or committee or by all the members of the committee appointed to examine. They may revoke the certificates of such teachers as shall at any time be found incompetent to teach or to manage a school, or fail to conform to their requirements.

Sec. 200 The state board of education may, upon public examination in such branches and upon such terms as it may prescribe, grant a certificate of qualification to teach in any public school in the state, and may revoke the same. The certificate of qualification issued under this section shall be accepted by boards of school visitors, boards of education and town school committees in lieu of any other examination.²

*G S sec 1008
Rev 1902
Sec 2246*

*State board
of education
may grant
certificate*

Sec. 201 No teacher shall be employed in any school receiving any portion of its support from the public money until he has received a certificate of approbation in accordance with the provisions of this chapter; nor shall any teacher be entitled to any wages, so far as the same are paid out of any public money appropriated to schools,³ unless he can produce such certificate, dated previous to the opening of his school.

*G S sec 1009
Rev 1902
Sec 2247*

*Teacher must
have certificate*

Sec. 202 Town school committees, boards of education and high school and district committees, unless otherwise directed by the district or ordered by the town, shall employ and dismiss the teachers for the schools of their respective towns or districts; but no district committee shall employ a teacher for a longer period of time than that for which he may have been elected without first obtaining, at a meeting

*G S sec 1010
Rev 1902
Sec 2248*

*Who may
employ
teachers*

¹ Sec 76

² Secs 153, 174, 185, 199

³ Chapter xvi

of said district legally called for that purpose, a majority vote in favor of such proposed action. Any town, unless otherwise provided, may direct the school visitors to employ the teachers for all public schools of the town for such terms of the schools as it may specify.¹

G S *sec 1011*
Rev 1902
Sec 2249

Teacher not
to be a
school visitor

Sec. 203 No person elected to the office of school visitor or town school committee shall be employed as teacher in the town where he is school visitor or member of the town school committee. If any school visitor or member of the town school committee shall be employed contrary to the provisions of this section, the office of school visitor or town school committee to which he was elected shall become vacant.

G S *sec 1012*
Rev 1902
Sec 2250

Teacher to
keep register

Sec. 204 The teacher of every public school shall correctly keep the school register provided by the state, in the manner and form required by the state board of education,² and at the end of each school term, and before said teacher shall leave such school, shall certify in writing to the correctness of the same,³ and immediately deliver it to the secretary of the board of school visitors, town school committee or board of education having jurisdiction over such school; and no teacher shall receive any pay except for such time as the register has been legally kept and certified.

G S *sec 1013*
Rev 1902
Sec 2251

Eyesight of
pupils to be
tested

Sec. 205 The state board of education shall prepare or cause to be prepared suitable test cards and blanks to be used in testing the eyesight of the pupils in public schools, and shall furnish the same, together with all necessary instructions for their use, free of expense, to every school in the state. The superintendent, principal or teacher, in every school, during the fall term in the year 1919 and triennially thereafter, shall test the eyesight of all pupils under his charge according to the instructions furnished, and shall notify in writing the parent or guardian of every pupil who shall be found to have any defect of vision or disease of the eyes, with a brief statement of such defect or disease, and shall make a written report of all such cases to the state board of education.

¹ Sec 111

² Sec 5

³ Sec 79

Sec. 206 Any town or school district may appropriate such sum as may be necessary to construct, lease and maintain a home for teachers while employed by such town or school district, and may provide transportation for such teachers to and from the schools in which such teachers are employed.

*G S sec 1014
1917, ch 177*

Homes for
teachers

CHAPTER XV

Retirement System for Teachers

General Statutes, Chapter 57, page 351

Sec. 207 Words and phrases as used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings: "Retirement system" shall mean the arrangement provided in this chapter for payment of annuities and pensions to teachers; "annuities" shall mean payments for life derived from contributions from teachers; "pensions" shall mean payments for life derived from contributions from the state; "teacher" shall mean any teacher, principal, supervisor or superintendent engaged in the service of the public schools; "public school" shall mean any day school conducted within this state under the orders and superintendence of a duly elected school committee or board of education, including the state board of education; "regular interest" shall mean interest, at the rate determined by the retirement board, and shall be substantially that which is earned by the funds of the retirement association compounded annually on the last day of December; "retirement board" shall mean the teachers' retirement board, as provided for in section 209; "retirement association" shall mean the teachers' retirement association, as provided for in section 208; "expense fund" shall mean the fund provided for in paragraph (1) in section 210; "annuity fund" shall mean the fund provided for in paragraph (2) in section 210; "pension fund" shall mean the fund provided for in paragraph (3) in section 210; "school year" shall mean the twelve months from and including the first day of July of any year to and including the thirtieth day of June next succeeding; "assessments" shall mean the annual payments to the annuity fund by members of the association.

*G S sec 1015
1917, ch 411*

Definitions

G S sec 1016
1917, ch 411
Rev 1918
Sec 1016
1919 Chap
270 Sec 1

Retirement
system Re-
tirement as-
sociation
Members
Dues

Organization
of teachers'
retirement
association

Sec. 208 A teachers' retirement association shall be organized among the teachers in the public schools as follows: All teachers, except as hereinafter provided, who enter the service of the public schools for the first time on or after July 1, 1917, shall become thereby members of the association. Any teacher, who shall have entered the service of the public schools before June 30, 1917, may at any time on or before September 30, 1917, upon application in writing to the secretary of the retirement association, become a member of the association. Any such teacher failing to do so may thereafter become a member of the retirement association by paying an amount equal to the total assessments, with regular interest thereon, that he would have paid if he had joined the retirement association on September 30, 1917. Any teacher who shall have attained the age of sixty-five years and shall have taught at least forty years in the public schools, twenty-five of which shall have been in this state, and who, prior to June 30, 1917, shall have retired from active teaching because of physical incapacity for further service, may, at the discretion of the retirement board, become a member of the retirement association. Such retired teachers shall thereupon be entitled to receive an annual pension so long as he shall live, at the rate to which he would be entitled had he become a member of said association as an active teacher on September 30, 1917, provided no pension paid such retired teacher shall amount to less than three hundred nor more than five hundred dollars per year.

G S sec 1017
1917, ch 411

Management of re-
tirement
system Re-
tirement
board
Powers

Sec. 209 The management of the retirement system is vested in the teachers' retirement board which shall consist of five members. The insurance commissioner, the bank commissioner and the secretary of the state board of education shall be members of this board. The other members of the retirement board are the two persons from the teaching force of the state, appointed by the governor, one to serve until July 1, 1919, and one to serve until July 1, 1921. On or before June 15, 1919, and biennially thereafter, the members of the retirement association shall elect from their number, in a manner to be prescribed by the retirement board, one person to serve upon the retirement board for a term of four years beginning July first following his election. If a vacancy occur in the

positions filled by members of the retirement association, the retirement board shall elect a member of the retirement association to fill the unexpired term. The members of the retirement board shall serve without compensation, but they shall be reimbursed from the expense fund of the retirement association for any expenditures or loss of salary or wages which they may incur through service on the board. All claims for reimbursement on this account shall be subject to the approval of the board of control. The retirement board shall have power to make by-laws and regulations not inconsistent with the provisions of this chapter, and to employ a secretary, who shall give a surety bond in such amount as the board shall approve, and clerical and other assistance as may be necessary. The salaries shall be paid by the board with the approval of the board of control. The retirement board shall provide for the payment of retirement allowances and such other expenditures as are required by the provisions of this chapter. The retirement board shall adopt for the retirement system one or more mortality tables, and may, from time to time, modify such tables or prescribe other tables to represent more accurately the expense of the retirement system. The retirement board shall perform such other duties as are required for the execution of the provisions of this chapter.

Sec. 210 The funds of the retirement system shall consist of an expense fund, an annuity fund and a pension fund. (1) The expense fund shall consist of such amounts as shall be appropriated by the general assembly from year to year on estimates submitted by the retirement board to defray the expenses of the administration of this chapter, exclusive of the payment of retirement allowances. (2) The annuity fund shall consist of assessments paid by members of the retirement association, and interest derived from investments of the annuity fund. Each member of the retirement association shall pay into the annuity fund in the manner provided in section 214, five per centum of his annual salary, *provided*, when the total sum of assessments on the salary of any member at the rate of five per centum would amount to more than one hundred dollars or less than twenty-five dollars for any school year such member shall, in lieu of assessments at the regular rate, be assessed one hundred dol-

*G S sec 1018
1917, ch 411*

Funds consist of expense, annuity and pension funds

lars a year or twenty-five dollars a year, as the case may be, payable in equal instalments to be assessed for the number of months during which the schools of the community in which such member is employed are commonly in session. Any member of the retirement association who shall for thirty years have paid regular assessments to the annuity fund, as herein provided, shall be exempt from further assessments; but such member may thereafter, if he so elects, continue to pay his assessments to the fund. No member so electing shall pay further assessments after the total sum of assessments paid by him shall at any time have amounted, with regular interest, to a sum sufficient to purchase an annuity of five hundred dollars at age sixty; and interest thereafter accumulating shall be paid to the member at the time of his retirement. (3) The pension fund shall consist of such amounts as shall be appropriated by the general assembly from time to time on estimates submitted by the retirement board, for the purpose of paying the pensions provided for in this chapter.

Sec. 211 Any member of the retirement association may retire from service in the public schools on attaining the age of sixty years or on the completion of thirty-five years of service, not less than twenty of which shall have been in the public schools of this state and not less than five of which shall immediately precede retirement. Any member of the retirement association, if incapable of rendering satisfactory service as a teacher, may, with the approval of the retirement board, be retired by the employing school board on attaining the age of fifty-five years, or at any time thereafter. Any member of the retirement association on attaining the age of seventy years, shall be retired from service in the public schools; provided, if the employing committee shall so request in writing, the retirement board may permit the employment of such member beyond the age of seventy years, and on the retirement of such member he shall receive from the state the pension to which he would have been entitled at the age of seventy. A member of the retirement association after his retirement under the provisions of this section shall be entitled to receive from the annuity fund, as he shall elect at the time of his retirement, on the basis of tables adopted by the retirement board; an annuity, payable in monthly pay-

Rev 1918
Sec 1019
1919 ch 270
Sec 2
1917, ch 411

Teacher;
retirement
Pension

Retirement
Allowances

ments, to which the sum of his assessments under the provisions of section 210, with regular interest thereon, shall entitle him, or an annuity of less amount as determined by the retirement board for the annuitants electing such option payable in monthly payments, with the provision that on the death of the annuitant, the annuity shall be continued to and throughout the life of such person as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement. The retirement board may offer benefits of equal value with the benefits herein provided and the contributor retiring may accept the benefits herein provided or one of said alternate benefits in lieu thereof. Any person receiving payments of an annuity as provided in this section shall receive with each monthly payment of his annuity an equal amount to be paid from the pension fund as directed by the retirement board. Any teacher who shall have become a member of the retirement association under the provisions of section 208, and who shall have served fifteen years or more in the public schools of the state, not less than five of which shall immediately precede retirement, shall, on retiring or being retired as provided in this section, be entitled to receive a retirement allowance as follows: Such annuity and pension as may be due under the provisions of this section; an additional pension to such an amount that the sum of this additional pension and the pension hereinbefore provided in this section shall equal the pension to which he would have been entitled under the provisions of this act if he had paid thirty assessments on his average yearly wage for the five years preceding his retirement, with interest thereon at three per centum compounded annually; provided if his term of service in the state shall have been over thirty years, the thirty assessments shall be reckoned as having begun at the time of his entering service and as drawing interest at three per centum compounded annually until the time of his retirement; and further provided, if the sum of such additional pension, with the annuity and pension provided for by this section, is less than three hundred dollars in any one year, an additional sum sufficient to make an annual retirement allowance of three hundred dollars shall be paid from the pension fund. If at any time it is impossible or impracticable to con-

sult the original records as to wages received by a member during any period, the retirement board shall determine the pension to be paid under the provisions of this section in accordance with such evidence as it may be able to obtain.

G S sec 1020
1917, ch 411,

Amount due
teacher on
withdrawal
from service

Sec. 212 Any member of the retirement association withdrawing from service in the public schools before becoming eligible to retirement shall be entitled to receive from the annuity fund all amounts contributed as assessments, with regular interest thereon, in one sum or in four quarterly payments as the retirement board may elect. If such withdrawal shall take place after ten annual assessments have been paid, the member so withdrawing may, if he shall so elect, receive the amount due him in the form of such annuity for life, based on the contributions of such member, with regular interest thereon, as may be determined by the retirement board in accordance with its annuity tables. If a member of the association withdrawing and receiving payments in accordance with the provisions of this section shall die before the amount of such payments equals the amount of his contributions to the annuity fund, with regular interest, the difference between the amount of such payments and the amount of his contributions, with regular interest, shall be paid to the executor or administrator of his estate; if no demand shall be made on the retirement board within six months next following the death of such member for the payment of the sums due under this section, such sums may be paid to such person or persons as are entitled to the estate, and such payments shall be a bar to recovery by any other person. Any member of the retirement association who shall have withdrawn from service in the public schools, shall, on being re-employed in the public schools, be reinstated in the retirement association in accordance with such plans for reinstatement as the retirement board shall adopt. If a member of the retirement association shall die before retirement, the full amount of his contributions to the annuity fund, with regular interest to the day of his death, shall be paid to the executor or administrator of his estate; if no demand shall be made on the retirement board within six months next following the death of such member for the payment of the sums due under this section, such sums may then be paid to such person or persons as are entitled to

the estate, and such payments shall be a bar to recovery by any other person.

Sec. 213 That portion of the salary or wages of a member deducted or to be deducted under this chapter, the right of a member to an annuity or pension and all his rights in the funds of the retirement system shall be exempt from taxation and from the operation of any laws relating to bankruptcy or insolvency and shall not be attached or taken upon execution or other process of any court. No assignment of any right in or to said funds shall be valid. The funds of the retirement system, so far as the same are invested in personal property, shall be exempt from taxation.

*G. S. sec 1021
1917, ch 411*

Funds not assignable, but exempt from attachment, execution and taxation

Sec. 214 The school committee or board of education of each town, city or district in the state shall, before employing in any teaching position any person to whom this chapter may apply, notify such person of his duties and obligations under this chapter as a condition of his employment. On or before October first of each year the school committee or board of education of each town, city or district shall certify to the retirement board the names and salaries of all teachers in its employ to whom this chapter shall apply. The school committee or board of education of each town, city and district in the state shall, on the first day of each calendar month, notify the retirement board of the employment of new teachers, removals, withdrawals and changes in salary of teachers that shall have occurred during the month preceding. Under the direction of the retirement board the school committee or board of education of each town, city and district in the state shall furnish such other information as the board may require relevant to the discharge of the duties of the board. The school committee or board of education of each town, city and district in the state shall, as directed by the retirement board, deduct from the amount of the salary due each teacher employed in the public schools of such town, city or district, such amounts as are due as contributions to the annuity fund as prescribed in this chapter, shall send to the treasurer of said town, city or district an order for the amount of such deductions drawn in favor of the retirement board and shall send a statement of the amounts deducted to the secretary of the retirement board. The school committee or board of education of each town, city

*G. S. sec 1022
1917, ch 411,*

Duties of educational officials

and district in the state shall keep such records as the retirement board may require. The secretary of the state board of education shall keep such records and make such reports concerning teachers in its employ as may be required by the retirement board and shall deduct monthly from salaries of such teachers the amounts due as contributions to the annuity fund under the provisions of this chapter.

Sec. 215 The teachers' retirement board may, upon application by the board of trustees of any institution supported by the state at which teachers are employed, class such institution as a public school under the provisions of section 207 of the general statutes. The secretary and treasurer of such board of trustees shall perform the duties required of educational officials under the provisions of sections 214 and 217.

Sec. 216 Any incorporated secondary school not under the orders and superintendence of a duly elected school committee or board of education, but located in a town not maintaining a high school and providing free tuition to pupils of the town in which it is located, and which shall have been approved by the state board of education under the provisions of chapter 54* of the general statutes, may, upon application of its board of trustees be considered a "public school" and included in the retirement system for teachers at the discretion of the retirement board and the duties required of town officials under sections 214 and 217 shall be performed by the corresponding officers of said school.

Sec. 217 The treasurer of each town, city or district in the state shall transmit monthly to the secretary of the retirement board the amount deducted from teachers' salaries in such town, city or district as specified in the order of the school committee or board of education of such town, city or district in accordance with the provisions of section 214. The secretary of the state board of education shall transmit monthly to the secretary of the retirement board the amount deducted from teachers' salaries under the provisions of this chapter. The secretary of the retirement board shall monthly pay to the treasurer of the state all sums collected by him under the provisions of this section. All funds of the retirement system shall be in custody and charge of the treasurer

* Chapter xii of this compilation

1919 Chap
83

1919 Chap
170

Public schools may include certain incorporated schools

G S sec 1023
1917, ch 411,

Custody, care and accounting of the fund

of the state and the treasurer shall invest such funds as are not required for current disbursements in accordance with the laws of the state governing the investment of savings bank funds. He may, whenever he sells securities, deliver the securities so sold upon receiving the proceeds thereof, and may execute any document necessary to transfer the title thereto. The treasurer of the state shall make such payments to members of the retirement association from the annuity fund and pension fund as the retirement board shall order to be paid in accordance with sections 211 and 212. On or before the third Wednesday in January, the treasurer of the state shall file with the insurance commissioner, and with the secretary of the retirement board, a sworn statement exhibiting the financial condition of the retirement system on the thirty-first day of the preceding December and its financial transactions for the year ending at such date. Such statements shall be in the form prescribed by the retirement board and approved by the insurance commissioner.

Sec. 218 If the school committee or board of education of any town or city, or any town or city having in effect at the time of the passage of this act, a pension system for teachers or a teachers' retirement system, constituted by act of the general assembly, shall, on or before September 30, 1919, by written application filed with the retirement board, request the exemption of such town or city from the provisions of this act, such town or city shall be exempted. Any town or city which has been exempted from the provisions of this act which shall retire a teacher with a pension annuity or allowance and the school committee or board of education of which shall certify under oath to the retirement board the amount of such annuity or allowance, shall be reimbursed annually by the state within one month following the close of the current school year, to such amount as the retirement board may determine.

Sec. 219 The teachers' retirement board is directed to return to any teacher who shall have retired from active teaching prior to June 30, 1917, who has made any payment or payments into the annuity fund under the provisions of section 208, an amount equal to the amount so paid to said fund.

1917, ch 411,
Rev 1918
Sec 1024
1919
Chap 61

Municipalities maintaining pension systems to be paid by state

1919 ch 261

Teachers' retirement board to refund certain payments to fund

1919 ch 318

Reserve fund
for retired
teachers
established

Sec. 220 The comptroller is directed to draw orders on the treasurer for the payment of such moneys as may be certified by the teachers' retirement board as necessary according to the mortality tables adopted by the board for the payment of pensions allowed to retired teachers. Such moneys shall be held in a reserve fund, invested and controlled in the same manner as the annuity fund of the retirement system and used for the payment of pensions.

CHAPTER XVI

Support of Public Schools.¹

General Statutes, Chapter 58, page 357

Sec. 221 The committee of each school district or, if they fail or are unable to do so, the clerk, shall annually in September ascertain the name and age of every person over four and under sixteen years of age who shall belong to such district, on the first Tuesday of said month, with the names of the parents or guardians of such persons. If any such persons are not attending school during said month of September, then the person making the enumeration shall ascertain the reason for such non-attendance and, if such persons are

¹ Gen Stat

Sec 57 The general assembly, in behalf of the state; the representatives of the towns and the senators resident in the several counties, in behalf of their respective counties; every city, by its common council when so authorized by its charter, or by its freemen in legal meeting assembled; and every town, borough or school district, by legal meeting of its qualified voters; shall make appropriations of specific sums of money for any purpose authorized by law and provided for in the warnings of the meetings at which the appropriations are made

Sec 58 Whenever any specific appropriation of money may have been made by the general assembly, by the representatives and senators of any county or by any community or corporation named in the preceding section, every agent, commissioner or executive officer of the state, or of any county, town, city, borough or school district, who shall wilfully authorize or contract for the expenditure of any money, or the creation of any debt for any purpose in excess of the amount specifically appropriated for such purpose by the general assembly, the county representatives and senators, or the community or corporation of which he is agent, commissioner or executive officer, unless such expenditure shall be made or debt contracted for the necessary repair of roads or bridges, or the necessary support of schools or paupers, in cases arising after the proper appropriation has been exhausted, shall be fined not exceeding one thousand dollars or imprisoned in the county jail not exceeding one year or both. As to what constitutes an appropriation see 58 Conn 486

Sec 57 Scope of section 89 C 562

Sec 58 The penalty attaches only when a specific appropriation has been made and exceeded 58 C 462 Does not apply to governmental duty of municipality, or holding election 89 C 563

G S sec 1025
Rev 1902
Sec 2252
1907, ch 31
1913, ch 182

Enumera-
tion of chil-
dren in dis-
tricts

employed at labor, the names of their employers or of the establishments where they are employed. Returns shall be made to the school visitors of the town to which such district belongs, on or before the twenty-fifth of September; children temporarily residing in one district but having parents or guardians residing in another shall be enumerated only as belonging to the latter district. For making such enumeration the committee or clerk of the district shall receive one dollar, and in addition thereto three cents for each child enumerated in excess of fifty, and the cost of said enumeration shall be paid from the amount appropriated by the town for the support of schools in said district. If the return of enumeration is not made to the board of school visitors on or before said twenty-fifth of September, one of the school visitors or a person duly appointed by the board of school visitors shall make a complete enumeration before the fifteenth of October next following and return it to said school visitors, and shall receive therefor a sum not to exceed five cents for each child so enumerated.

Sec. 222 Such return shall be signed and sworn to by the person making it, substantially in the following form:

G S sec 1026
Rev 1902
Sec 2253

I hereby certify that I have carefully enumerated, according to law, all persons between the ages of four and sixteen years, within the school district, and find that on the first Tuesday of September, A.D. 19....., there were of such persons, residing in and belonging to said district, the number of

Return of enumeration

Sec G S
Sec 1025

A. B.

On this.....day of....., A. D. 19....., personally appeared the above-named A. B. and made oath to the truth of the above return by him subscribed before me.

.....
Justice of the Peace.

Sec. 223 The school visitors of the town shall examine and correct the returns made by them, so that no person shall be enumerated twice in different districts or be improperly

G S sec 1027
Rev 1902
Sec 2254

Correction of returns; certificate

Sec 221 Phrase "who shall belong to such district" construed 59 C 491, 492 No distinction between "domicil" and "actual residence" as to subject of enumeration *Ib*

returned, and lodge them as corrected with the town treasurer. They shall also transmit to the comptroller,¹ on or before the fifth day of December, annually, a certificate in which the number of persons shall be inserted in words at full length, which shall be sworn to, substantially, according to the following form:

We, the school visitors of the town of, certify that from the returns made to us under oath, by law provided, we find that on the first Tuesday of September, A. D. 19....., there were residing within the school districts belonging to said town the number of persons between four and sixteen years of age; and from the best information we can obtain, we believe that said number is correct.

.....
.....
.....

School Visitors.

On this.....day of....., A. D. 19....., personally appeared the above-named school visitors, and made oath to the truth of above certificate by them subscribed before me.

C. D.

Justice of the Peace.

Sec. 224 Town school committees shall annually appoint one or more persons who shall, in September of each year, ascertain the name and age of every person over four and under sixteen years of age who shall belong to such town on the first Tuesday of said month. If any such persons are not attending school during said month of September, then the person making the enumeration shall ascertain the reason for such non-attendance and if such persons are employed at labor, the names of their employers or of the establishments where they are employed. Returns shall be made to the town school committee on or before the twenty-fifth of September. Said person so appointed shall receive a sum not exceeding five cents for each child so enumerated. Such return shall be signed by the person making it and sworn to substantially according to the form prescribed in section 222. The town school committee shall examine and correct the returns made to it so that

G S sec 1028
Rev 1902
Sec 2255
1903, ch 64
1907, ch 31
1913, ch 182
Enumeration in consolidated districts

¹ Sec 89

no person shall be enumerated twice or be improper and lodge them, as corrected, with the town treasurer shall transmit to the comptroller, on or before December annually, a certificate in which the number of persons shall be inserted in words at full length, which shall be sworn to substantially according to the form prescribed in section 223.

Sec. 225 Every person having control of a child between four and sixteen years of age, who shall wilfully refuse to give the person making the enumeration required by this chapter the name and age of such child, and such information concerning the school attendance of such child as said chapter requires, shall be fined three dollars.

G S sec 1029
Rev 1902
Sec 2256

Penalty for refusing to give age of child

Sec. 226 The comptroller shall annually, as soon after the twenty-eighth of February as may be, draw orders for the support of the common schools at the rate of two dollars and twenty-five cents for each child between the ages of four and sixteen years on the enumeration last made and perfected, which orders shall be payable from the civil list funds of the state, and be divided and distributed among the several towns in proportion to the number of persons in each between the ages of four and sixteen years, as ascertained from said returns; and he shall transmit the amount distributed to each town to its treasurer, on the application of its school visitors, or its town school committee; but no such money shall be transmitted to any town until the comptroller shall have received from its school visitors or committee a certificate, signed by them or their chairman and secretary, and substantially in the following form:

G S sec 1030
Rev 1902
Sec 2257

Payments by the state

We, the school visitors (or town school committee) of the town of, certify that the schools in said town have been kept for the period required by law during the year ending the fourteenth day of July last, by teachers duly examined and approved, and have been visited according to law; and that all moneys drawn from the public treasury by said town for said year, appropriated to schooling, have been faithfully applied and expended in paying for teachers' wages, and for no other purpose whatever.

Dated at....., this.....day of.....,
A. D. 19.....

.....
.....
.....

School Visitors (or Town
School Committee.)

To the comptroller.

G S sec 1031
Rev 1902
Sec 2258
1903, ch 200

Enumera-
tion of chil-
dren in
county homes

Sec. 227 Children committed to county homes shall be enumerated in the towns or districts in which said county homes are located, but children placed by the officers of said homes in families shall be enumerated only in the towns or districts in which said families reside. The enumerator of the town or district in which the county home is located shall make a separate list of the children in the county home and certify said list to the school visitors or town school committee as the case may be.

G S sec 1032
Rev 1902
Sec 2259

Establish-
ment of
schools at
county homes

Sec. 228 The county commissioners may establish schools at the county homes if in their opinion it is for the interest of the children. In case the county commissioners establish and maintain such a school in any county the treasurer of the town in which the school is located shall pay to the county commissioners from the amount paid to the town by the comptroller that proportionate part which was derived from the enumeration of the children in the county home. Said commissioners shall apply the sum so determined to the payment of teachers, and to no other purpose. Said schools shall be open during the same days, hours and terms as the schools in the district or town in which the school is located, and the branches taught shall be those prescribed by the proper school officers for the schools of the town.

G S sec 1033
Rev 1902
Sec 2260

Employ-
ment of
teachers in
county homes

Sec. 229 The county commissioners may employ and pay as teachers of the schools at the county homes persons found qualified as provided in this section and shall provide books for the children and apparatus for teaching. The state board of education shall examine the persons employed by the county commissioners, and if the candidates are found qualified in respect of character, education and teaching ability, may give them certificates authorizing them to teach in said schools, and said board may revoke such certificates, and the county com-

missioners shall not employ any person who does not hold such certificate. The said board shall appoint an acting visitor or visitors,¹ who shall inspect and examine said schools at least twice in each term, and the county commissioners shall not pay any teacher nor maintain said school unless said acting visitor shall certify in writing that said school has been for each month kept in conformity to law.

Sec. 230 When the school in any district shall not be kept according to law,² the school visitors of the town, to which said district belongs, shall, in their certificate or certificates to the comptroller for the year following, state such fact, and also the number of children enumerated in such district; and when application is made for the school moneys payable to such town for said year, he shall deduct from the whole number of children enumerated in such town the number contained in such district; and shall draw an order for such part only of the moneys that would otherwise go to said town, as is proportioned to the number of children in the remaining districts therein.

G S sec 1034
Rev 1902
Sec 2261

Comptroller
may make
deduction
from school
moneys

Sec. 231 If any money appropriated to the use of schools shall be applied by a town or school district to any other purpose, such town or school district shall forfeit the amount thereof to the state; and the comptroller shall sue for the same in behalf of the state, to be applied, when recovered, to the use of schools.

G S sec 1035
Rev 1902
Sec 2262

Misapplication
of
school money

Sec. 232 The income of the town deposit fund,³ belonging to any town, and of any other town fund which is or shall be established or appropriated for the support of public schools in any town, shall be paid annually into the town treasury, for the support of public schools therein.

G S sec 1036
Rev 1902
Sec 2263

Income of
town deposit
fund

Sec. 233 The income of any fund that is or shall be established or appropriated for the support of public schools in any school district or school society existing in any town, shall be paid annually into the treasury of such district or society, for the support of public schools therein; but if such district or society shall at any time cease to exist, then the prin-

G S sec 1037
Rev 1902
Sec 2264

School society
and district
fund

¹ Sec 79

² A district is not entitled to any state or town money unless the school-house and outbuildings are satisfactory to the school visitors, Sec 142

³ Chapter xxiii

cipal of said fund shall be paid over to the treasurer of the town;¹ the income thereof to be applied for the support of public schools therein, in the manner prescribed in section 158.

Sec. 234 The school visitors and selectmen in each town in which the school districts are not consolidated shall meet as a joint board on the third Tuesday of June in each year, and prepare a statement showing the estimated cost of each and all the public schools in their town, for the next succeeding school year, and shall immediately thereafter notify the committees of the respective school districts of the several amounts so fixed.

Sec. 235 The school year shall commence on the fifteenth day of July, and end on the fourteenth day of July following.

Sec. 236 The school visitors and selectmen in each town in which the school districts are not consolidated shall, as a joint board, present at the annual town meeting a written or printed statement of the total cost of each and all of the public schools in such town for the school year next preceding, and an estimate of the cost of such schools for the current school year. Said board shall also on or before the fifteenth of October in each year fix the several amounts which in their judgment will be sufficient to pay the wages of teachers, including board, and the incidental expenses² of maintaining the schools in the various districts within the jurisdiction of such town for the period during the current year that schools are required by law or by vote of the town to be maintained; shall notify the respective districts of the several amounts so fixed; and if any district, by contributing the teachers' board or any of the incidental expenses of the school, be enabled to continue its school year beyond the time required by law, said district shall, subject to the approval of the board of school visitors, be entitled to the whole amount so fixed.

Sec. 237 The secretary of the board of school visitors shall keep in a book provided by the town a record of all the decisions of the joint board of school visitors and selectmen.

¹ Sec 158, 268

² Sec 180, 196

G S sec 1038
Rev 1902
Sec 2265

Meeting of
joint board
of school
visitors and
selectmen

G S sec 1039
Rev 1902
Sec 2266

School year
defined

G S sec 1040
Rev 1902
Sec 2267

Estimates; ex-
penses ex-
ceeding
estimates

G S sec 1041
Rev 1902
Sec 2268

Record of
decisions of
joint board

Sec. 238 Whenever a school district shall, at its annual school meeting, neglect to fix the time or period for the payment of its teachers, they shall be paid at the end of each school month, and at the close of every such month or period for the payment of teachers and on the certificate of the school visitors or acting visitor or visitors that the schools of the district for such month or period have been kept in all respects according to law the selectmen shall draw an order on the town treasurer in favor of such district for a sum of money sufficient, and no more than sufficient, to pay the expenses incurred by such district for said month or period for the wages of teachers, including board, and for fuel and incidental expenses,¹ if the expenses incurred by the district for the above-named purposes, during the school year, do not exceed the amount fixed upon for such district as provided in this chapter. If such expenses exceed said amount, the joint board of school visitors and selectmen shall meet, on or before the fourteenth of July in each year, and decide whether or not the expenditure in excess of the amount fixed upon was necessary to maintain the school or schools of the district for the time required by law. If said board shall decide that such additional expense was necessary, the selectmen shall draw an order on the town treasurer for an amount sufficient to pay the same; but if said joint board shall decide that such additional expense was not necessary the district shall pay it, unless the town otherwise order.

Sec. 239 Whenever a district shall vote to pay its teacher or teachers oftener than once each term, and for fixed periods of not less than four weeks each, or when, as provided in section 238, the salary of teachers shall be payable monthly, it shall be the duty of the school visitors, or acting school visitor or visitors, at the close of each of the aforesaid periods of school or school months, to give to the selectmen a certificate stating whether or not the schools of the district have been kept in all respects according to law during such period.

Sec. 240 No town which includes a city within its limits shall be required to expend for school purposes in any year a greater sum than would be raised by a tax of one mill on its grand list, if said city is organized into one or more school districts by which a sum has been appropriated for the support

G S sec 1042
Rev 1902
Sec 2269

Time of pay-
ment to dis-
tricts

G S sec 1043
Rev 1902
Sec 2270

Payment of
teacher of
district school

G S sec 1044
Rev 1902
Sec 2271

Tax in city
school dis-
tricts

¹ Sec 180, 196

of public schools during the year in which such tax would be payable, sufficient, with the income derived from other sources, to pay the wages of teachers, the cost of fuel, and the incidental expenses of the public schools of said district or districts for at least thirty-six weeks of said year; *provided*, said sum shall be paid, without abatement, on or before the first of March next following the time at which the town tax shall have become due, to the several school districts in the town, in proportion to the number of children in each, at the last preceding enumeration, between the ages of four and sixteen years.

G S sec 1045
Rev 1902
Sec 2272

Neglect to lay
school tax

Sec. 241 Every town which shall neglect or refuse to provide for the support of its schools shall forfeit to the state a sum equal to the amount which it is required to raise and appropriate.

G S sec 1046
Rev 1902
Sec 2273

Discontinu-
ance of small
schools;
transporta-
tion of chil-
dren

Sec. 242 When the number of scholars in any district for any term of school shall be so small that in the judgment of the school visitors the maintenance of a separate school in said district for such term is inexpedient, said board of school visitors may unite the school of such district with the school of an adjoining district or districts, and when the school of any district shall be thus united with the school of another district or districts it shall be as full a compliance with the law as if said district had maintained a separate school for the time required by law. Whenever any school shall be discontinued under the provisions of this section the school visitors may provide transportation for children to and from school, and the expenses of such transportation, when approved by the board of school visitors, shall be paid by the town treasurer, upon the order of the selectmen.

G S sec 1047
Rev 1902
Sec 2274

Extra ex-
penses in-
curred by dis-
tricts

Sec. 243 If a district maintains a school of a higher order than is required by law, and thereby incurs increased expense for its school; or if any district shall continue its school for a longer time than is provided for at the expense of the town, according to section 33, or if any district shall expend for teachers' wages or other purposes, a sum which the school visitors and selectmen deem unnecessary and extravagant; the cost of such school, above the sum received by such district from the town, shall be paid by a tax laid by said district. Nothing in this title shall be construed as forbidding the payment of

the additional expenses of continuing a school longer than the time required by law, by voluntary contribution or by tuition charges.

Sec. 244 No district shall be entitled to receive any money from the state or town in any year, unless the district committee shall have made, on or before the fifteenth of July preceding, or within five days thereafter, the report required by section 181.

Sec. 245 The amount of the annual state appropriation, apportioned to any school district formed from parts of two or more towns, shall be paid into the treasury of the town having jurisdiction over such districts under the provisions of section 121, and the expenses of the school in such district shall be paid by said town, in the same manner and on the same conditions as if said district lay wholly within it; but during September, in each year, the school visitors of said town shall ascertain the cost of maintaining said school for the year ending on the fourteenth of the preceding July; not including in such ascertainment, the amount received by said district from any fund that is or shall be established or granted for the support of public schools in said district; and, having deducted from this amount the sums received by the town for such district during said year from the state appropriation, shall apportion the remainder of the cost of such school among the towns in which such district lies, in proportion to the number of persons between the ages of four and sixteen years, as ascertained by the enumeration made in September of the preceding year, and shall, before the first Monday in October, present a copy of said apportionment to the selectmen of each of said towns; and the selectmen of the town or towns not having jurisdiction over said district shall cause the sums, thus apportioned to their respective towns, to be paid to the town having jurisdiction over said district.¹

Sec. 246 The selectmen of any town schooling children residing in another town and in a district in which no school is maintained may ascertain the expense of schooling said children and present a bill of said expense to the selectmen of the town in which said children reside. If the town schooling children shall be indebted to the town in which the children reside,

G S sec 1048
Rev 1902
Sec 2275

District to
receive no
money unless
report is
made

G S sec 1049
Rev 1902
Sec 2276

Apportion-
ment to dis-
tricts formed
from parts
of towns

G S sec 1050
Rev 1902
Sec 2277

Expenses of
joint dis-
tricts

¹ Secs 90, 121

under the provision of section 245, the expense ascertained as provided in this section shall be deducted from the amount of said indebtedness, and only the remainder shall be due to the town in which said children reside.

Sec. 247 In all cases when a school in any district has been or shall be kept during a portion of the school year, but not according to law, or when for any other cause there has been or shall be a forfeiture of moneys accruing from the school fund or annual state appropriation that would otherwise have been paid to any town or school district, the secretary of the state board of education shall, on application from such town or school district, examine into the facts of the case, and decide according to equity, on the right of the applicants to receive the money so forfeited; and if he decides in favor of such right, and so certifies to the comptroller, the same shall be paid as if no forfeiture had occurred.

Sec. 248 Every school visitor or member of a town school committee who shall fraudulently make or join in making any false certificate, by reason of which money shall be drawn from the treasury of the state, shall be fined not more than sixty dollars.

Sec. 249 Any town complying with the following conditions may secure a state grant for the schools therein for the school years ending July 14, 1920, and July 14, 1921, of three dollars per pupil in average attendance during the school year ended July 14, 1918. No town shall receive such grant unless it shall have raised by local taxes for the support of schools during the last school year a sum not less than that raised in the school year ending July 14, 1918. The secretary of the board of school visitors, town school committee or board of education of each town entitled to a grant under the provisions of this act shall, annually on or before the fourteenth day of July, certify under oath to the state board of education, upon blanks to be furnished by said board, the average attendance in each school in such town, and shall certify also that the schools of the town have been kept for the period required by law during the year ended on the fourteenth day of July by teachers legally examined and found qualified, and not disapproved by the state board of education, that the amount

G S sec 1051
Rev 1902
Sec 2278

Forfeitures
may be
remitted

G S sec 1052
Rev 1902
Sec 2279

Fraudulent
certificate by
school visi-
tors

1919 ch 343
Conditions
for securing
average at-
tendance
grant from
state

raised by tax as required in this act has been expended for the support of public schools and that the amount of this grant has been expended for compensation of teachers and for no other purpose. The comptroller, on application of said board, shall draw his order on the treasurer in favor of each such town for the amount authorized to be paid by the provisions hereof.

Sec. 250 Towns having a grand list of two million five hundred thousand dollars or less shall be divided into five classes as follows: First class, towns having a grand list of not more than five hundred thousand dollars; second class, towns having a grand list of more than five hundred thousand dollars but not in excess of one million dollars; third class, towns having a grand list of more than one million dollars but not in excess of one million five hundred thousand dollars; fourth class, towns having a grand list of more than one million five hundred thousand dollars but not in excess of two million dollars; fifth class, towns having a grand list of more than two million dollars but not in excess of two million five hundred thousand dollars.

Sec. 251 Each such town may make application to the state board of education for the proportional amount of the salaries paid to teachers in such town, and said board shall certify such amount to the comptroller, who shall draw his order on the treasurer for such proportion of the salaries as such town shall be entitled to, upon the following basis: For towns in the first class, seventy-five per centum of the amount paid for teachers' salaries; towns in the second class, sixty per centum, towns in the third class, forty-five per centum; towns in the fourth class, thirty per centum; and towns in fifth class, twenty per centum. Such towns which shall have paid a tax in any year, exclusive of any tax for the cost of any land or buildings, of not less than six mills for the maintenance of schools and the money thereby raised shall be found to be insufficient to maintain the schools therein at the standard required by the state board of education, may, by the school board of said town, apply to the state board of education for special aid and upon ascertaining that necessity for such aid exists and upon receipt of a certificate from the tax commissioner showing that said

1917 ch 377
Rev 1918
Sec 1056
1919 ch 339
Classifica-
tion of towns
by grand list

1917 ch 371
Rev 1918
Sec 1057
1919 ch 339
State aid
how appor-
tioned

tax of six mills was computed on a valuation of the property on the basis required by the general statutes, the state board of education may make such provision for the maintenance of schools in such town as the educational interests therein require. Special grants provided for in this section shall be subject to the approval of the board of control. The amount of any grant of special aid authorized by the provisions of this act shall be certified by the secretary of said state board to the comptroller who shall pay the same to the school board of such town for its use in maintaining the schools therein, but when any grand list shall include choses in action of the inhabitants of any town, the aggregate amount of choses in action may be deducted from the grand list and the classification for such town shall be made after the choses in action shall have been so deducted.

Sec. 252 Each such town shall, annually, in July, present to the state board of education a statement of the expenses of the maintenance of its schools during the year last preceding, which statement shall show that such town has expended in its support of schools, a sum equal to thirty dollars for each child in average attendance, as determined by the attested registers of the schools for the year ending July fourteenth. Payments of principal and interest on indebtedness, expenses for new buildings, sites and permanent improvements shall not be included in computing the cost per child in average attendance.

Sec. 253 The secretary of the board of school visitors or the town school committee of each town entitled to payments under the provisions of sections 251 and 252 shall annually, on or before the fourteenth day of July, certify, under oath, to the state board of education, upon blanks to be furnished by said state board, the average attendance in each school in such town; and shall also certify that the schools in such town have been kept open for the period required by law during each year ending on the fourteenth day of July by teachers not disapproved by the state board of education and that the school buildings are in good repair and that the amount of payments provided for under the provisions of said sections have been expended for teachers' salaries only.

1917 ch 371
Rev 1918
Sec 1058
1919 ch 339
Thirty dollars
must be ex-
pended for
each child
in average
attendance

1917, ch 371
Rev 1918
Sec 1059
1919 ch 339
Annual state-
ments

CHAPTER XVII

Normal Schools

General Statutes, Chapter 59, page 366

Sec. 254 The state board of education shall maintain normal schools as seminaries for training teachers in the art of instructing and governing in the public schools of this state, at the places where such schools are legally established, and such sum as the state board of education may in each year deem necessary for their support, not exceeding two hundred thousand dollars, for the normal schools at New Britain, New Haven, Willimantic and Danbury, shall be annually paid therefor from the treasury of the state, on the order of said board; but the board shall not expend any money for any other normal school, until the town, city or city school district, in which such school is situated, shall have agreed in writing with said board to furnish, and shall have furnished schools in suitable and sufficient school buildings in connection with the training department in said school, the terms of such agreement to be satisfactory to said board; and every such town, city or city school district is authorized to make and execute such agreements.

Sec. 255 The number of pupils in each school shall be determined by the state board of education. Said board may make regulations governing the admission of candidates. To all pupils admitted to a normal school all its privileges, including tuition, shall be gratuitous; but no persons shall be entitled to these privileges until they have filed with said board a written declaration that their object in securing admission to such school is to become qualified to teach in public schools. and that they intend to teach in the public schools of this state.

Sec. 256 The school officers in each town shall annually, upon request, forward to said board the names of such persons as they can recommend as suitable persons in age, character, talents and attainments, to be received as pupils in said schools.

Sec. 257 The state board of education shall expend the funds provided for the support of normal schools, appoint and remove their teachers and make rules for their management;¹ shall file semi-annually with the comptroller, to be audited by

G S sec 1061
 Rev 1902
 Sec 2280
 1913, ch 106
 1917, ch 303
 Rev 1918
 Sec 1061
 1919 ch 278
 Maintenance
 of normal
 schools

G S sec 1062
 Rev 1902
 Sec 2281
 Number and
 admission of
 students

G S sec 1063
 Rev 1902
 Sec 2282
 Selection of
 students

G S sec 1064
 Rev 1902
 Sec 2283
 Expendi-
 tures; ac-
 counts; re-
 ports

¹ See Sec 76

him, a statement of the receipts and expenses on account of the normal schools, and shall annually make to the governor a report of the condition of those schools and the doings of said board in connection therewith.

Sec. 258 Said board may establish and maintain model schools under permanent teachers approved by it, in which the pupils of the normal schools shall have an opportunity to practice modes of instruction and discipline.

Sec. 259 The state board of education may at all times maintain, in any of the normal schools, one student, selected on the basis of scholarship and general fitness, from each town in the state having a valuation by the board of equalization of less than one and one-half million dollars, upon the recommendation of the town school committee or board of school visitors of such town; and for students admitted to said schools under the provisions of this section living expenses, not to exceed one hundred and fifty dollars for each pupil in any one year, shall be provided by said state board of education free of charge. Every person entering a normal school under the provisions of this section shall enter into an agreement with the state board of education to remain at the normal school for two years, unless in case of ill health or dismissal by the school authorities, and to teach in one of the towns from which such students are nominated or appointed for a period of three years after graduation unless excused by the state board of education.

Sec. 260 The state board of education is directed to maintain in connection with any normal school a summer school. Such school shall be organized for the benefit of persons who have not taught or have not attended normal school or desire by special effort in vacation to complete a normal school course. The sum of five thousand dollars annually is appropriated for the maintenance of such schools, and the comptroller is authorized, on the application of the state board of education, to draw orders on the treasurer for the maintenance of such schools.

G S sec 1065
Rev 1902
Sec 2284
Establishment of
model schools

G S sec 1066
1909, ch 198
Trained
teachers for
small towns

G S sec 1067
1917, ch 277
Summer normal
schools

CHAPTER XVIII

Town and City Meetings and Elections

General Statutes, Chapter 15, page 141

Sec. 261 Except as otherwise provided by law, there shall be held in every town, annually, a town meeting for the election of town officers, which meeting shall be designated and known as the annual town meeting; and special town meetings may be convened when the selectmen shall deem it necessary, and they shall convene a special town meeting on application of twenty inhabitants qualified to vote in town meetings, within ten days after receiving said application; and town meetings may be adjourned from time to time as the interest of the town may require.

G S sec 248
Rev 1902
Sec 1793
Annual and
special town
meetings

Sec. 262 Any town, if the electors thereof shall so determine by ballot at an annual meeting of such town or at a special meeting thereof duly warned and held for that purpose, may, at the annual town meeting next thereafter held, and biennially thereafter, elect any or all town officers required by law to be elected annually, to hold office for the term of two years from the date of their election and until their successors shall be elected and qualified.

G S sec 249
1917, ch 227
Biennial elec-
tion of town
officers

Sec. 263 Except as otherwise specially provided by law, annual town meetings shall be held on the first Monday of October.

G S sec 250
Rev 1902
Sec 1794
1905, ch 203
Annual town
meetings when
held

Sec. 264 The warning of every town meeting, and of every meeting of a city, borough, school society, school district or other public community, or of an ecclesiastical society, or of proprietors of common fields, shall specify the objects for which such meeting is to be held. Notice of a town meeting shall be given by setting up the signposts in the town and at such other place or places as may be designated as hereinafter provided, a printed or written warning signed by the selectmen, or a majority of them, and by publishing a like warning in a

G S sec 251
Rev 1902
Sec 1795
1907, ch 138
Warnings of
town, city,
borough and
other meet-
ings

See G S
Sec 3552

Sec 261 Whether election of one officer is legal, when law requires election of a board of officers, *quaere* 32 C 108 An annual officer usually continues until superseded by another 1 R 83; 6 C 437 Calling of special meeting for legal purpose is obligatory Immaterial that application names a day 41 C 245 Vote may be rescinded at subsequent meeting 34 C 108 There is no office of "town agent" 60 C 169 Mandamus to compel calling of special meeting; reasonable certainty enough in application 89 C 561

newspaper published in said town or having a circulation therein, such posting and such publication to be at least five days previous to holding the meeting, including the day that notice is given, but not including the day of holding said meeting; but any town may, at an annual meeting, designate any other place or places, in addition to the signposts, at which such warnings shall be set up, and the selectmen shall, on or before the day of such meeting, cause a copy of every such warning to be left with the town clerk, who shall record the same. Notice of a meeting of a city, borough or school society shall be given by setting upon the signposts within the limits of such city, borough or society, or at such place or places as may be designated by special charter provision, a written or printed warning signed by the mayor or clerk in the case of a city, the warden or clerk in the case of a borough, and the committee, or a majority thereof, in the case of a school society, and by publishing a like warning in a newspaper published within the limits of such city, borough or school society, or having a circulation therein, at least five days previous to holding the meeting, including the day that notice is given but not including the day of holding said meeting; *provided*, the committee of a school society having an enumeration of less than one hundred may, on giving notice by posting, in its discretion, omit the publication of the warning in a newspaper as above prescribed.

Sec 264 Both warning and notice are requisite for legal meeting 4 D 62; 5 C 391; 37 C 392; 44 C 157; 52 C 483; 58 C 488; 60 C 165; 121 U. S. 121 Warning is to be affirmatively proved 8 C 247 Town clerk's record that meeting was legally warned is *prima facie* evidence thereof 25 C 555; see 121 U. S. 121 The hour of meeting presumed to be a proper hour 13 C 227 The notice should fairly state the purpose of meeting 13 C 227; 15 C 327; 36 C 83; 53 C 577; 58 C 488 The town may act within the limits of the warning 55 C 245 The statute prescribed method of notice, while by its vote the society prescribed more general notice *Held* that the society vote was merely directory 15 C 327 A validating act of the general assembly cures all defects incident to the act validated 52 C 45 "Soldier's bounty" validating acts, so held 32 C 47; 37 C 225 Town has no inherent legal powers 32 C 47 The warning needs no address, but addressed "to the inhabitants" is valid 32 C 47 Clerk's certificate imports verity only as to matters of lawful consideration 44 C 158; 51 C 22 Five days before the meeting, means five days before the day of meeting 51 C 22 A meeting illegally warned voted a guarantee; a subsequent legal meeting voted "to let conditions of former vote remain as they now stand" *Held* not to be a ratification 51 C 22; see 121 U S 121 The town is not estopped by erroneous record of town clerk, as against one acting under it 51 C 22 Meeting voted to adjourn "to Wednesday evening;" *held* to mean the next Wednesday 52 C 45 Unless restrictive in terms, a subsequent board of selectmen may carry out the purpose of a vote 52 C 498 As to what constitutes an appropriation 58 C 486 Town may by acquiescence ratify unauthorized act of selectmen 59 C 447 General notice sufficient as to action required by law 77 C 197 Notice published in newspaper four days before meeting insufficient 83 C 331

Sec. 265 The person who posts, causes to be published, or in any other manner gives notice of the warning for any meeting of a town, city, borough, school society, school district or other public community, or of an ecclesiastical society, or of proprietors of common fields, shall make return, in writing, to the person whose duty it is to keep a record of such meeting, showing the notice given of such warning, and such return shall be kept on file, and recorded at length with the warning or doings of such meeting.

G S sec 252
1911, ch 195
Warnings
of meetings
to be re-
corded

See Sec 3552
G S

Sec. 266 There shall be elected by every town, at its annual town meeting, such number of school visitors as such town is required by law to elect, and they shall be elected in the manner and for the term or terms by law prescribed.¹

G S sec 264
Rev 1902
Sec 1804
School visi-
tors

Sec. 267 The terms of office of elective town officers, when not otherwise prescribed, shall be for one year from the date of their election, and the terms of those appointed by the board of selectmen shall expire on the day of the annual town meeting next succeeding their appointment.²

G S sec 266
Rev 1902
Sec 1806
Official terms
of town of-
ficers

See Sec 249

Sec. 268 Assessors, members of boards of relief, selectmen, town clerks, town treasurers, agents of the town deposit fund,⁴ auditors, grand jurors, collectors of taxes, constables, registrars of voters, high school committees,⁵ school visitors,⁶

G S sec 267
Rev 1902
Sec 1808
1903, ch 162
1907, ch 227
Ballot for
and appoint-
ment of town
officers

¹ See Sec 268

² Secs 36, 151, 173, 266, 268

³ Town school officers must be elected at annual town meeting See §§ 151, 266, also town library directors § 280

⁴ § 323 ⁶ § 184 In towns having no town school committee the high school committee may in certain cases be appointed by school visitors § 185

⁵ §§ 16, 36, 169, 170, 266, 270

¹ Powers and duties of selectmen in connection with

1 *Enforcement of laws relating to attendance*

a approve commitment of truants to Connecticut School for Boys § 28

b allow fees of truant officers § 29

c appoint special constables on nomination of school visitors § 347

2 *Boundary lines of districts* § 113

3 *District meetings*

a determine in certain cases place of meeting when there is no school-house § 123

b give notice of meeting if no district officers § 124

c call meeting of new district § 133

4 *Consolidated districts*

a shall appraise property in case of joint districts §§ 157 177

b shall give notice of consolidation to adjoining towns § 161

c may call special meetings to close up affairs of abolished districts § 162

d shall lay tax and pay debts after consolidation § 163

e shall collect all dues and demands in favor of abolished districts § 164

f determine amounts to be paid by districts to town on abandonment of union system and lay tax if necessary § 165

g shall provide ballot boxes for election in certain cases § 148

town school committees¹ and library directors² shall be voted for by ballot; but all other town officers provided for by law shall be appointed by the board of selectmen of the several towns respectively. Any town, at a town meeting duly warned for the purpose, may pass votes determining, within the limits by law provided, the number of its officers and prescribing the mode in which they shall be voted for at subsequent meetings, but no alteration of such number shall take effect until after the adjournment of the meeting by which it was adopted. If in any town the powers of grand jurors therein are vested in other prosecuting officers, the nomination and election of grand jurors may be omitted in such town.

Sec. 269 In all elections of town officers a plurality of the votes cast shall be sufficient to elect, unless it is otherwise expressly provided by law.³

Sec. 270 If any town office in any town shall be vacant by the neglect of the town to elect or appoint, or the refusal of any person appointed to act, or by the death or removal⁴ of any person appointed, or from any other cause, such town, if such office is an elective office, may in legal town meeting fill the vacancy except as otherwise provided by law; but until the town shall fill it, such vacancy may be filled by the selectmen, and the selectmen shall fill all vacancies that may arise in offices to which they have power of appointment.⁵

5 *Estimates*

shall in joint board meeting make preliminary estimates § 234

6 *Appropriations*

a shall in joint board meeting fix amounts for respective districts § 236

b may as joint board with school visitors appropriate money for libraries § 197

c shall as joint board report cost for preceding year to town meeting § 236

d shall in joint board meeting pass upon cost of school in excess of appropriation § 238

e shall cause sums due joint districts to be paid § 245

f shall give order for money in case of district neglecting to open school § 141

7 *Taxation*

act with assessors as board of relief § 293

8 *Manage property of town in certain cases* § 43

9 *Provide flags* §§ 44, 45

10 *Take bond of treasurer of town deposit fund* § 322

11 *Fill vacancies in certain cases* §§ 267, 270

12 *Post signs to warn persons operating motor vehicles to reduce speed when within five hundred feet of schoolhouse,* § 396

¹ §§ 149, 150, 173

² §§ 279, 280

³ Secs 37, 151, 173, 184, 280

⁴ Removal means removal from the town 19 Conn 334

⁵ This section does not apply to town high school committees, Sec 36, 184, 268

See Sec 286
G S

G S sec 268
Rev. 1902
Sec 1809

Plurality of
votes to elect

G S sec 272
Sec 1814
Vacancies
how filled

See Sec 257
G S

Sec. 271 The moderator of any town meeting, and of any meeting of any society or other community lawfully assembled, may, when any disorder arises in the meeting, and the offender shall refuse to submit to his lawful authority, order any proper officer to take him into custody, and, if necessary, to remove him from such meeting until he shall conform to order, or, if need be, until such meeting shall be closed, and thereupon such officer shall have power to command all necessary assistance, and any person refusing to assist when commanded shall be liable to the same penalties as for refusing to assist sheriffs and constables in the execution of their offices; but no person commanded to assist shall be deprived of his right to act in the meeting, nor shall the offender be so deprived any longer than he refuses to conform to order.¹

G S sec 276
 Rev 1902
 Sec 1817
 Power of
 moderator to
 suppress dis-
 order

See Sec 602
 G S

Sec. 272 The town clerks of the several towns shall, within ten days after the election of such officers, return to the secretary of the state the names of the persons elected to the offices of selectmen, town treasurer, assessors, grand jurors, constables, school visitors or school committee with date of expiration of term, and registrars of voters, also the number of votes for and against license, and if no vote was taken thereon, said return shall state whether the last preceding vote was for license or no license. Every town clerk neglecting to make such return shall be fined not more than twenty-five dollars.

G S sec 278
 Rev 1902
 Sec 1819
 Returns by
 town clerk of
 election and
 license vote

Sec. 273 Any person elected to the office of assessor and having accepted the same, who shall afterwards refuse to be sworn or to perform the duties of the office, shall be fined thirty dollars; and any person elected to any other town office than that of assessor or town clerk, and, accepting the same, or not declaring his refusal to accept, who shall neglect to perform the duties of the office, shall be fined not more than ten dollars; and any person elected to any town office to which he is eligible, who shall refuse to accept the same and take the oath prescribed by law, shall, unless he has reasonable excuse for such refusal, be fined five dollars; and any town clerk who shall neglect to perform the duties of his office, shall be fined not more than fifty dollars. Every moderator of a town meeting

G S sec 281
 Rev 1902
 Sec 1822
 Penalties for
 refusing to
 accept or
 perform
 certain duties

¹The enforcement of this provision requires no issue of process 65 Conn 30
 Sec 272 The enforcement of this provision requires no issue of process 65
 Conn 30

who shall neglect to make any return required by law shall be fined twenty dollars.

Sec. 274 Any person claiming to have been elected selectman, clerk, treasurer, collector of taxes, or justice of the peace, assessor, grand juror, constable, registrar of voters, or registrar of births, marriages and deaths of any town, or mayor, clerk, treasurer, auditor, collector of taxes, alderman or councilman of any city, or to any other town, city or borough office, but not so declared, may, within sixty days after the time of holding the election, bring his petition to any judge of the superior court, alleging the facts on which such claim is founded, which shall be served upon the party against whom the claim is made at least six days before the return day, and returnable not more than sixty-six days after the day of such election, and such judge shall thereupon hear and determine said petition, and his decision thereon shall be conclusive, and if in favor of the petitioner, his certificate to that effect, under the seal of the court, shall entitle the petitioner to hold and exercise the duties and powers of such office; but this section shall not affect the right of appeal to the supreme court of errors for the revision of questions of law arising thereon, and it shall not prevent such judge from reserving such questions of law, by consent of all parties, for the advice of said supreme court of errors. And said judge may, if necessary, issue his writ of *mandamus*, requiring the adverse party and those under him to deliver to the petitioner the appurtenances of such office, and shall cause his finding and decree to be entered on the records of said superior court in the proper county.

CHAPTER XIX

Public Libraries

General Statutes, Chapter 64, page 375

Sec. 275 Any town, city, borough or fire district may establish a public library, the use of which, under proper regu-

Sec. 274 This provision is constitutional. Information should show relator's election. Alleged errors must appear to be injurious. Certificate of judge is conclusive. 51 C 113. Appeal to supreme court carries stay of execution. 62 C 488. *Quo warranto* is a means to oust an illegal incumbent, but not to induct the rightful person. 66 C 294. Facts held to justify order of judge that ballot boxes be opened; mere irregularities in arrangement of polling places not enough to invalidate election. 75 C 50. Pleading; after ballots recounted, errors in interlocutory rulings immaterial. 85 C 396. See notes to Secs 275, 576, 590, 595.

G S sec 282
Rev 1902
Sec 1823
1905, ch 135
1907, ch 6
City and
town elec-
tions, how
contested

G S sec 1100
Rev 1902
Sec 4624
1905, ch 41
1915, ch 156
Establish-
ment by
municipali-
ties

lations, shall be free to its inhabitants, and may expend such sum of money as may be necessary to provide and furnish suitable rooms, or a suitable building for the library so established, or for a previously existing public library, the use of which is free to its inhabitants.

See G S
Sec 1114

Sec. 276 Any town, city, borough or fire district may expend such sums of money as may be necessary to purchase land for a suitable site for a public library, situated in such town, city, borough or fire district, and may appropriate such sums of money as may be necessary to maintain such library for a term not exceeding ten years, which library may be the property of any corporation without capital stock, or may be the property of such town, city, borough or fire district and shall be free to the inhabitants of such town, city, borough or fire district.

G S sec 1101
1905, ch 41
1915, ch 156
Provision for
library site
and library
maintenance

Sec. 277 Any town, city, borough or fire district may annually expend such sum of money as shall be necessary for the proper maintenance and increase of a free public library within its limits. Any such municipality shall have the power at any meeting, duly called for the purpose, to fix by a proper by-law or ordinance the amount which shall be annually expended for the public library therein. The treasurer of such municipality shall thereafter annually pay, upon the order of the officer designated by the directors or trustees managing its public library, the bills incurred for the maintenance and increase of said library, not exceeding in the aggregate the sum specified in said by-law. The town clerk may deposit in a public library within his town any books, other than records, placed by law or otherwise in his custody.

G S sec 1102
Rev 1902
Sec 4625
1905, ch 41
1915, ch 156
Appropriations

Sec. 278 Any town, city, borough or fire district may receive, hold and manage any devise, bequest or gift for the establishment, increase or maintenance of a public library within its limits.¹

G S sec 1103
Rev 1902
Sec 4626
1905, ch 41
1915, ch 156
Gifts

Sec. 279 In the absence of any other lawful provision for the management of a public library in any town, city, borough or fire district the said town, city, borough or fire district shall elect a board of directors² who shall manage said library. Said board may, from time to time, make by-laws for its own gov-

G S sec 1104
Rev 1902
Sec 4629
1905, ch 41
1915, ch 156
Directors

¹ Devise to city, with discretionary power as to its application, sustained, although at the time of testator's death there was no public library 60 Conn 32
² Sec 268

ernment and may adopt rules controlling the use of the library and the administration of its affairs. Said board shall have the exclusive right to expend according to its best judgment all money appropriated by the town, city, borough or fire district for the library, and shall have control of the library grounds, buildings and rooms.

Sec. 280 The first election of directors may take place at any meeting of the town, city, borough or fire district called for that purpose. It shall first be determined by a by-law or ordinance of the municipality, to be adopted at this meeting, what the number of directors constituting said board shall be, such number to be in all cases one divisible by three.¹ One-third of this number shall then be elected² by ballot to hold office until the next annual meeting, one-third until the second annual meeting, and one-third until the third annual meeting thereafter. At each subsequent annual meeting of such municipality, one-third of the directors shall be elected by ballot to hold office for three years. No director of a public library so elected shall receive compensation for any services rendered as director.

Sec. 281 The state board of education, annually, shall appoint five persons who shall constitute the Connecticut public library committee. The committee may expend a sum not to exceed six thousand dollars for carrying out the purposes stated in section 282 for clerical assistance and for incidental and necessary expenses incurred in the discharge of its duties. Said committee shall semi-annually render to the comptroller an account of all moneys expended by it under the provisions of this section. No member of said committee shall receive any compensation for his services, but the necessary expenses of the members shall be paid by the state. All moneys expended by authority of the provisions of this section and of section 282 shall be paid by the treasurer on approval and order of the comptroller.

Sec. 282 The Connecticut Public Library Committee shall give to communities advice and assistance in the organization, establishment and administration of free public libraries, and

¹ Sec 268

² Plurality elects, Sec 269

G. S. sec 1105
Rev 1902
Sec 4630
1905, ch 41
1915, ch 156
Directors'
election

G. S. sec 1106
Rev 1902
Sec 4631
1903, ch 142
1905, ch 98
1909, ch 100
1915, ch 209
Rev 1918
Sec 1106
1919 ch 197
Connecticut
Public
Library
Committee;
expense

G. S. sec 1107
1905, ch 98
Connecticut
Public
Library
Committee;
duties

shall extend to all free public libraries aid in selecting and cataloguing books and in library management, and may for the purposes of this section visit and inspect libraries organized under the provisions of section 285, and may suggest improvements in said libraries. Said committee is authorized to purchase and arrange books and pictures to be loaned to such public libraries, schools, associations and individuals as the committee may select.

Sec. 283 The librarian or director of any public library and the teachers of any public school may ask said committee for advice and assistance in regard to the selection, purchase and cataloguing of books, and any other matters pertaining to the maintenance or administration of the library, and the committee shall give advice and assistance in regard to said matters so far as it shall find it practicable to do so. The committee shall annually report its doings to the governor.

Sec. 284 The Connecticut Public Library Committee may provide and shall have the care and supervision of suitable libraries in the penal and charitable institutions of the state subject to such rules and regulations as the directors of such institutions may make.

Sec. 285 If any town having no free public library shall establish a free public library and shall provide for the care, custody and distribution of books and for the future maintenance and increase of such library in a manner satisfactory to said library committee, said committee may expend for books to be selected by the said committee a sum not to exceed the amount expended by the said town for the establishment of such library and not to exceed two hundred dollars.

Sec. 286 The treasurer of the state shall pay the bills incurred under the provisions of law for free libraries, upon the order of the secretary of the state board of education. Said board shall keep an account of all moneys expended under sections 281, 282 and 285, and the comptroller shall annually audit said account. The provisions of sections 24 and 26 of the General Statutes shall not apply to the payment of money expended under sections 281, 282, and 285.

G S sec 1108
Rev 1902
Sec 4632
Connecticut
Public
Library
Committee;
advice;
report

1919 Chap
190
Connecticut
Public
Library
Committee
may provide
for libraries
in penal and
charitable in-
stitutions

G S sec 1109
Rev 1902
Sec 4633
Appropriation
for
town libraries

G S sec 1110
Rev 1902
Sec 4634
1905, ch 98
State
treasurer to
pay bills

G S *sec 1111*
 Rev 1902
 Sec 4635
 Board of
 directors;
 women
 eligible

Sec. 287 No person shall be ineligible by reason of sex to serve on the board of directors of any public library, or on the Connecticut Public Library Committee.

G S *sec 1112*
 Rev 1902
 Sec 4636
 Reports by
 libraries

Sec. 288 The libraries established under the provisions of this chapter, and any free public library receiving a state appropriation, shall annually make a report to the Connecticut Public Library Committee.

G S *sec 1113*
 Rev 1902
 Sec 4637
 1911, ch 3
 1917, ch 212
 Expenditures by
 public library
 committee

Sec. 289 In towns whose grand list exceeds one million two hundred and fifty thousand dollars, the Connecticut Public Library Committee may expend annually, for books selected by it for any free public library, a sum not to exceed the amount annually appropriated and expended by the town for the increase of such library.

CHAPTER XX

School District Taxes

General Statutes, Chapter 68, Page 436¹

G S *sec 1323*
 Rev 1902
 Sec 2415
 1913, ch 13
 School district taxes,
 levied on
 what

Sec. 290 All taxes levied by any school district shall be levied on the real estate situated therein, and the ratable personal property of those persons who belonged to said district at the time of laying such tax, and upon any manufacturing or mechanical business, subject to taxation, which is located or carried on in said district, not including therein the value of any real estate situated out of the district, and also upon any mercantile business carried on in said district by any person or persons who do not reside in the town in which said school district is situated; and neither the business so taxed nor any real estate in said district shall be taxed in any other district.

Sec. 291 When any school district having within its boundaries any town almshouse and farm, shall impose any tax for the purpose of building or repairing its schoolhouse,

Sec 290 Real estate in any district taxable there, whatever owner's residence 4 D 376; 11 C 479 Votes imposing school taxes inartificially drawn held valid 15 C 331 Rate bill not invalid because it did not show on what list laid 15 C 447 Personal property of deceased person's estate in settlement taxable in district of his domicil at death 38 C 443 District may tax to pay old debt 76 C 695

¹ For exemptions see Chapter 159 public acts of 1919

G S *sec 1324*
 Rev 1902
 Sec 2416
 Town poor-house property taxable for schoolhouse

said real estate owned by said town shall not be exempt from such taxation.

Sec. 292 When real estate in any district is so entered in the list of the town in common with other real estate situated out of said district that there is no distinct and separate value put by the assessors upon the part lying in said district, one or more of the assessors of the town in which said property is situated shall, on application of said district, value said part lying in said district and return a list of the same to the clerk of said district; and notice of such valuation, and of the meeting of the assessors and selectmen mentioned in section 293, shall be given by the district committee in the same way as a notice for district meetings.

G S *sec 1325*
Rev 1902
Sec 2417
Land partly
in district
Assessment
of part in dis-
trict

Sec. 293 At the end of ten days after such return of said list, the assessors and selectmen of the town shall meet in such place as said committee shall designate in such notice, and shall have the same power, in relation to such list, that the board of relief has in relation to town lists; and no deduction or abatement shall be made on account of the indebtedness of the owner of any real estate so taxed, unless both the debtor and the creditor belong to said district; and such list, when perfected by said assessors and selectmen, shall be lodged with the town clerk; and said valuation shall be the rule of taxation for said real estate by said district for the year ensuing; and said assessors shall be paid by said district a reasonable compensation for their services.

G S *sec 1326*
Rev 1902
Sec 2418
Board of re-
lief Deduc-
tions for in-
debtedness

Sec. 294 When any real estate in any district liable to taxation has not been put into the town list, one or more of the assessors of the town in which such omission has occurred, on application of said district, shall value such real estate, and add such property to the list of the district.

G S *sec 1327*
Rev 1902
Sec 2419
1913, ch 20
Listing of
real estate
omitted from
town list

Sec. 295 When a district lays a tax on the town list last completed, and the title to any real estate appearing on said list has been in any way changed before the time of laying said tax, one or more of the assessors of the town in which such change of property has occurred, on application of such district, shall value said real estate in the name of the person owning it at

G S *sec 1328*
Rev 1902
Sec 2420
Assessment
of land with
title changed
since town
list

Sec 291 This section implies that poorhouses are not otherwise taxable 91 C
590

Sec 292 Doings of assessors under this section upheld and construed 15 C
447; 76 C 696

the time of laying said tax, and deduct the same from the list of the person in whose name it stood on the town list.

Sec. 296 The assessors in performing the duties mentioned in sections 294 and 295 shall proceed in the manner prescribed for assessing real estate in section 292.¹

¹ The following sections of the General Statutes apply to district taxes

Sec 1253 Society, school district and highway taxes shall be laid either on the assessment list of the town last before or on the next thereafter completed, and be payable within one year after they are laid

Sec 1279 Every collector of taxes shall, before he receives any tax warrant, give to the community of which he is collector, a bond with surety to the acceptance of the selectmen, committee or authority signing the rate bill, for the faithful discharge of his duties; but every town tax collector shall procure such bond from a surety company of good standing, approved by the selectmen, and the premium on such bond shall be paid by the town treasurer upon order of the selectmen

Sec 1284 The tax book of any collector of town, city, borough or school district taxes, shall be at all reasonable times open to the inspection of any taxpayer, and to any auditor of public accounts of such town, city, borough or school district. Any collector who shall, after request, refuse to exhibit his tax book as aforesaid, shall forfeit the sum of one hundred dollars to such town, city, borough or school district, and such penalty may be recovered by an action on such collector's official bond

Sec 1292 Every collector of town taxes shall, except as otherwise specially provided by law, publish a notice of the time and place at which he will receive them, by advertising in a newspaper published in said town, or if no newspaper is published in said town, then the same may be published in any newspaper of the state having a general circulation in such town, at least once a week for three successive weeks next preceding the time in such notice appointed, and by posting on a signpost in his town at least three weeks before said time; and collectors of other taxes shall appoint a time and place for receiving the same, and give reasonable notice thereof; and if any tax laid by any town, city, borough or school district, except as otherwise specially provided by law, shall remain unpaid for one month, after the same shall become due and payable, interest at the rate of nine per centum shall be charged from the time when such tax becomes due until the same shall be paid, which shall be collectible as a part of said tax; and said collectors shall keep an accurate and separate account of all such additions, and the time when the same may be received, and shall pay over the same as a part of said tax

Sec 1294 Taxes shall become due on the first day on which the collector thereof, according to the terms of the notice given by him, is ready to receive them

Sec 1313 All taxes, properly assessed, shall become a debt due from the person, persons, or corporation, against whom they are respectively assessed, to the town, city, district or community in whose favor they are assessed, and may be, in addition to the other remedies provided by law, recovered by any proper action, in the name of the community in whose favor they are assessed; but the bringing of an action under this section shall in no way whatsoever affect the life of the lien given under section 1308, or the right to bring action of foreclosure under the same; *provided*, a substantial recovery by either of such remedies shall bar a recovery by any other remedy

Sec 1317 Warrants for the collection of taxes may be in the following form:

To A B, collector of taxes of the (here insert the name of the community laying the tax), in the county of, greeting:
By authority of the state of Connecticut, you are hereby commanded forthwith to collect of each person named in the annexed list his proportion of the same, as therein stated, being a tax laid by (name of community), on the day of, A D 19.... And you are to pay the amount of said tax, less abatements, and less taxes the lien for which has been continued by certificate, to the treasurer of said (name of the community), on or before the day of, A D 19.... And if any person fails to pay his proportion of said tax, upon demand, you are to levy upon his goods and chattels, and dispose of the same as the law directs; and after satisfying said tax and the lawful charges, return the surplus, if any, to him; and if such goods and chattels do not come to your knowledge, you are to levy upon his real estate, and sell enough thereof to pay his tax and the costs of levy, and give to the purchaser a deed thereof, or take the body of said person, and him commit unto the keeper of the jail of said county within the prison, who is hereby commanded to receive and safely keep him until he shall pay said sum, together with your fees, or be discharged in due course of law Dated atthis day of.....
A D 19....

A B, Justice of the Peace

G S sec 1329
Rev 1902
Sec 2421

Mode of such
assessment

CHAPTER XXI.

Health Officers

General Statutes, Chapter 127, page 737

Sec. 297 The county health officer shall cause the execution of the laws relating to public health and the prevention and abatement of nuisances dangerous to public health, and of the laws relating to the registration of vital statistics, and cooperate with and supervise the doings of town, city and borough health officers and boards of health, within his county. He shall have all the powers of a grand juror in each of the several towns within his county, and all the powers of the prosecuting officer of each city, borough, town or police court within his county in prosecutions for violations of the law concerning contagious diseases and public health, nuisances injurious to health or life, for violation of by-laws or ordinances relating to public health and contagious diseases adopted by a city or borough, for the violation of the orders of town, city or borough health officers, for the prevention or removal of nuisances dangerous to public health, for violations of the laws relating to the registration of vital statistics, to the practice of medicine, surgery or midwifery, and of the laws relating to the sale of poisons and antitoxin. County health officers may sign complaints in any town, city or borough in the county, to run into the same or any other town, city or borough in the county.

G S sec 2391
Rev 1902
Sec 2518

Powers and
duties

See G S
Secs 2369
2399

Sec. 298 In the event of a vacancy in the office of health officer for any county, or in the event of his absence, inability or disqualification, the health officer of an adjoining county, to be designated by the governor, may act until a county health officer is appointed, and shall possess all the powers of such county health officer, and shall file a record of his doings with the succeeding health officer of such county.

G S sec 2392
Rev 1902
Sec 2519
Temporary
vacancy

Sec. 299 The county health officer shall keep a full record of his doings and shall annually, in the month of October, make a report to the state department of health.

G S sec 2393
Rev 1902
Sec 2521
Reports

Sec. 300 The county health officer shall in writing appoint for each town some discreet person learned in medical and sanitary science, to be health officer for said town, except in towns containing a city or borough whose limits are coter-

G S sec 2394
Rev 1902
Sec 2520
Appoint-
ment and
jurisdiction
of town
health officers

minous with the limits of said town. In each town, except in towns having a city or borough within their limits, said town health officer shall have and exercise all the powers necessary and proper for preserving the public health and preventing the spread of diseases; and in towns within which there exists a city or borough, the limits of which are not coterminous with the limits of such town, such town health officer shall exercise the powers and duties of his office only in such part of said town as is outside the limits of said city or borough. Each town health officer, except when appointed to fill a vacancy, shall hold his office for four years from and after the first Monday of October and until his successor is appointed and sworn, unless sooner removed.

CHAPTER XXII.

Public and Other Buildings.

General Statutes, Chapter 135, page 791

Sec. 301 No owner, proprietor, manager or agent of any theater, concert or music hall, assembly hall, or any building, auditorium or rooms used for public gatherings shall permit any person to occupy any aisle in any such theater, concert or music hall, assembly hall or other building used for such purpose, nor permit any person to occupy the back or sides of any such building or room used as aforesaid, to such an extent as to prevent the free and unobstructed passage to and from the entrance to any aisle or any of the exits in such place; *provided*, this section shall not apply to town halls which are on the ground floor. Every person who violates any of the provisions of this section shall be punished by a fine of not more than fifty dollars.

Sec. 302 Every theater, nিকেlette, schoolhouse or hall, excepting town halls, in which people commonly assemble in larger numbers than one hundred, shall be provided with one or more exits, each exit consisting of a door so hung as to open outward, and in case any passageway from such theater, nিকেlette, schoolhouse or hall to such exit contains one or more doors, each door shall be so hung as to open outward.

Sec 300 *De* powers of town health authorities to take private property for use as a pest-house 42 C 162 Provisions of statute *de* powers of health officers held constitutional 51 C 99-101 Town liable for expenses incurred by health officer in quarantine 76 C 160 Power to make quarantine regulations 86 C 681

Sec G. S.
2398

G S sec 2600
1909, ch 29

Public safety
in halls,
theaters and
other build-
ings

G S sec 2601
1909, ch 126

Exits in
public build-
ings required

Sec. 303 The owner or lessee of any such theater, nickel-ette, schoolhouse or hall who uses or permits the same to be used as a place for the assembly of people when it does not conform to the provisions of section 302, shall be fined not more than two hundred dollars or confined in jail not more than six months or both. If the owner or lessee is a corporation the directors shall be deemed the owners or lessees within the meaning of this and the preceding section. If the owner or lessee is an ecclesiastical society or a school district, the trustees of such society or the board having control of the property or of such schoolhouse shall be deemed the owner or lessee within the meaning of this and the preceding section.

G S sec 2602
1909, ch 126
Penalties

Sec. 304 In all cities the common council, in all boroughs the warden and burgesses, and in all towns and parts of a town not within the limits of a city or borough the selectmen, shall require that all churches, schoolhouses, and public halls that are used for lectures, amusements, exhibitions or assemblages of people, shall be provided with ample facilities for safe and speedy entrance and exit in case of necessity, be arranged so as to promote the comfort and safety of persons visiting them, and be closed till such requirements are complied with; and any town, city or borough may make suitable by-laws regarding the same. Every person who shall let or use any such building for such purpose after it shall have been so ordered closed, shall be fined one hundred dollars.

G S sec 2603
Rev 1902
Secs 2607,
2608 G S

Safe exit to
be provided
for public
buildings

Sec. 305 No person under sixteen years of age shall be employed or permitted to have the care, custody, operation or management of an elevator; any person, partnership or corporation violating this provision, shall forfeit not more than twenty-five dollars for each offense. No person under eighteen years of age shall be employed or permitted to have the care, custody, management or operation of an elevator, either for freight or passengers, running at a speed of over two hundred feet per minute; any person, whether acting for himself or as agent for another, who shall authorize or permit to be employed, any person in violation of this provision shall be fined not more than one hundred dollars.

G S sec 2610
Rev 1902
1911, ch 123
Sec 2614 G S

Operation of
elevators by
minors

Sec. 306 All public schoolhouses the erection of which was begun since June 9, 1909 shall be constructed in accordance with the provisions of this section and sections 307, 308 and 309.¹ No such schoolhouse shall be constructed so as to contain more than two stories above the basement unless such schoolhouse is of fireproof construction throughout, and in that event it shall not exceed three stories above the basement.

Sec. 307 All such schoolhouses of eight or more class rooms not of fireproof construction, throughout shall be built as follows: (a) The outer walls shall be of brick, natural or artificial stone, terra cotta blocks, reinforced concrete or other fireproof material. (b) The walls separating the schoolrooms from the halls or corridors shall be of masonry or other fireproof material. (c) There shall be a stairway constructed in at least two opposite sides of the building leading to the ground floor from the floor or floors above, and no such schoolhouse shall contain circular stairs. (d) There shall be one exit constructed in at least each of two opposite sides of the building upon the first floor leading to the ground, which may be the same as the exits from the floor or floors above the first. (e) The stairs and stairway shall be of fireproof construction. (f) All doors leading from rooms into halls or corridors shall be hung so as to swing into the hall or corridor, and all doors leading from the corridors out of the building shall be so hung as to swing outward. (g) There shall be a door of fireproof material at the head of each stairway leading from the first floor to the basement. (h) All wooden partitions, ceilings, floors and woodwork about the heating apparatus or plant shall be covered with asbestos, tin, sheet iron or other fireproof material so as to effectually overcome danger from fire.

Sec. 308 No door leading from a schoolroom into a hall or corridor, or from a hall or corridor out of the building shall, during school hours, be locked or bolted or secured in any other manner than by a spring which will readily yield to pressure from the inside.

Sec. 309 There shall be placed in a hall or corridor of every such school an alarm consisting of a bell or gong arranged or equipped so as to be sounded from at least one convenient station or place upon each floor and of sufficient

¹ The words "public buildings" include schoolhouse Gen Stat, Sec 6721

G S sec 2612
1909, ch 81
1917, ch 182

Construc-
tion and fire-
proofing of
public school-
houses

G S sec 2613
1909, ch 81

Method of
construc-
tion

G S sec 2614
1909, ch 81

Fastening of
doors

G S sec 2615
1909, ch 81

Fire alarms

size and volume of tone to be distinctly heard in every room when sounded. In the absence of such alarm there shall be placed in each room an alarm consisting of a bell or gong of sufficient volume to be heard throughout the room where placed, all of which alarms shall be arranged or equipped so as to be sounded simultaneously from the same station or place, at least one of which stations or places shall be conveniently located in a hall or corridor upon each floor.

Sec. 310 Any janitor, teacher or other person who violates the provisions of section 308 and every member of a board of education, school board, board of school visitors, or building committee, or official who is charged with the duty of planning, contracting for or building a public schoolhouse, who plans or contracts, or participates in contracting for, or votes to build, or builds such schoolhouse in violation of any of the provisions of sections 306, 307 and 308 shall be fined not more than three hundred dollars or imprisoned not more than three months or both.¹

Sec. 311 Every building used as a schoolhouse, which is two or more stories in height, and in which the greatest elevation of the floor of any story used or occupied by pupils is ten feet or more above the adjoining ground at any accessible door, window or other suitable place of exit, shall be provided with at least one adequate fire escape, of iron or other incombustible material, securely erected on the outside of such building, for each two hundred and fifty pupils or fractional part of such number; and each such fire escape shall be free from obstruction and shall be constructed so as to secure a safe exit

G. S. sec 2616
1909, ch 81

Penalties

G. S. sec 2617
1913, ch 40
1915, ch 258

Fire escapes
on public
school build-
ings

See *G. S.*
Sec 2621

¹ Gen Stat Sec 64 Employment of architects on public buildings Whenever any building is to be erected by the state in the designing or construction of which the services of an architect shall be required, the comptroller shall give public notice, for not less than one month, through the public press, that such public building is to be erected, together with a statement of the amount appropriated therefor and other details of the proposed construction, and that any and all architects who may see fit may submit plans, specifications and estimates of cost for the construction of such building Upon application to the comptroller by any architect, the comptroller shall give such additional information regarding such contemplated building and its character, construction and details as he may possess All plans, specifications and estimates for such building, submitted to the comptroller, shall be received by him and by him delivered into the custody of the board of control or, in case a committee is raised, or persons appointed by the general assembly to have charge of the supervision or construction of such building, then to such committee or persons, which board, committee or persons shall receive and inspect all of such plans and specifications Said board, committee or persons having charge of the supervision or construction of such building and the selection of plans and specifications therefor, shall give a public hearing to all parties interested, who shall have ample opportunity to present the merits of any of said plans and specifications Said board, committee or persons shall have the right to accept and adopt any one of the said plans and specifications and may reject any or all of them, and such selection shall be conclusive

for children, conveniently accessible from each floor ten or more feet above the ground adjoining such building, of sufficient width and strength so that each step and landing may accommodate two adult persons at the same time. The exits from each floor shall consist of doorways, the base of which shall be level with the floor of such building and the landing of such fire escape to which it leads, *provided*, the state board of education may approve of construction having such difference in level between such floor and landing as will secure a convenient and safe passage for children. Each such doorway shall not be less than three feet wide nor seven feet high, constructed so that the door may be quickly opened from the inside, and each such door shall have clear glass panels or sashes extending from not more than eight inches from the top to not more than two feet from the bottom. If there are two or more rooms or hallways adjoining and convenient to the landing of a fire escape, each such room or hallway shall have a doorway leading to such landing. The provisions of this section shall not apply to any building having not more than two stories, constructed with fire-proof halls and two or more exits on the ground floor opening out.

G S sec 2618
1913, ch 40

Condem-
nation of
buildings

Sec. 312 Any school building which is not equipped with fire escapes in accordance with the provisions of section 311 within sixty days after notice given as provided in section 313 shall be condemned by the official giving such notice, and shall not thereafter be used for school purposes until the said provisions have been complied with. In case any such building is used for school purposes after being so condemned the officials in charge of such building shall be subject to the penalty provided in section 2627 of the General Statutes, and the town in which such building is so used shall forfeit the state enumeration grant during the time such building is so used. The officials making such order may cause fire escapes to be erected on such school buildings in accordance with the provisions of section 311 and the cost thereof shall be paid by the town.

G S sec 2619
1913, ch 40

Enforce-
ment

Sec. 313 The chief of the fire department of any city or borough and the state board of education shall have power to enforce the provisions of section 311 and 312, and it shall be the duty of said official and said board, acting either conjointly

or singly, to order the proper school authorities to place on all schoolhouses or buildings used as schoolhouses to which the provisions of said sections are applicable, such number of fire escapes as will equip said buildings in accordance with the provisions thereof.

Sec. 314 The chief of the fire department of any town, city or borough or fire district, or, if there be no such chief the principal or superintendent of any school, with the approval of any agent of the state board of education, may exempt from the provisions of sections 311 and 312 any school building which has two or more exits by inside stairways at opposite ends of each hallway.

Sec. 315 Every story above the first story of a building used as a schoolhouse, orphan asylum, insane asylum, reformatory, opera house, hall for public assemblies, hotel, boarding or lodging house accommodating more than twelve persons, or a tenement house occupied by more than two families or as a workshop, manufactory or store in which more than ten persons are employed above the first story, or of a building used in any way not named above but which has a similar need of such protection, shall be provided with more than one way of egress, by stairways on the inside or fire escapes on the outside of such buildings. Such stairways and fire escapes shall be so constructed, in such number, of such size and in such location as to give, in the opinion of the officer charged with the enforcement of this section, safe, adequate and convenient means of exit, in view of the number of persons who may need to use such stairway or fire escape, shall at all times be kept free from obstruction and shall be accessible from each room in every story above the first story. A ladder affixed to any of the premises herein described shall not be considered a fire escape within the meaning of this section and of sections 2622 and 2623 of the General Statutes.

Sec. 316 If any building specified in section 315, or any workshop, manufactory, boarding house, tenement house or other building used in whole or in part for any of the purposes therein specified, or in which more than six persons shall be employed above the third story, shall be more than three stories in height, it shall be provided with at least one fire

G S sec 2620
1913, ch 40
1915, ch 258

Certain build-
ings exempt

G S sec 2621
Rev 1902
Sec 2628
1911, ch 239
1917, ch 247

Fire escapes
on certain
buildings

See G S
Sec 2617

G S sec 2623
Rev 1902
Sec 2629
1911, ch 231
1913, ch 81

Fire escapes
in hotels and
other build-
ings

escape of iron or other incombustible material on the outside of said building; and if such building shall be more than one hundred and fifty feet in length it shall be provided with one such fire escape for every one hundred and fifty feet, or fractional part thereof exceeding fifty feet, and such fire escape shall be conveniently accessible from each story of said building; and if such building be a tenement house the fire escapes shall be directly accessible from each apartment, without passing through any public hall. Any hotel or other building connected therewith, which is more than two stories in height and contains sleeping accommodations for more than ten persons, shall be provided with one such fire escape for each one hundred and fifty running feet, or fractional part thereof exceeding fifty feet, in the perimeter of such hotel or other building.

Sec. 317 The building inspector of each city, the warden of each borough, or the first selectman of each town not having a building inspector, either by himself or by some proper person appointed by him, shall inspect all the buildings specified in sections 315 and 316, at least once each year between April first and October first, and shall see that the provisions of sections 315, 316 and of section 2624 of the General Statutes are complied with; and for such purpose he shall have the right to enter any of said buildings in the daytime between the hours of nine and five o'clock. Said town, city or borough shall fix and pay the compensation for all such services.

CHAPTER XXIII.

Town Deposit Fund

General Statutes, Chapter 29, page 187

Sec. 318 The money received from the United States in pursuance of the act of congress approved June 3, 1836, shall remain on deposit with the several towns on the terms hereinafter specified.

Sec. 319 When any new town shall be constituted, such money shall be divided between it and the towns of which it was formed, agreeably to the last census of the United States; and when the proportion of each of said towns cannot be determined by reference to said census, it shall be determined by a census to be taken, as soon as may be, by some suitable

See Sec 2626
G S

G S sec 2625
Rev 1902
Sec 2631

Duties of
building in-
spectors

G S sec 430
Rev 1902
Sec 1921

Town deposit
fund

G S sec 431
Rev 1902
Sec 1922

Town deposit
fund how
apportioned
on division of
a town

person appointed for that purpose by the treasurer of the state, on application of either of such towns, unless they shall agree upon the mode of division.

Sec. 320 Every town shall keep its share of the said money as a deposit in trust for the state, and account for the same when called for; and until called for, shall appropriate the entire income thereof, annually, for the support of public schools therein.

G S sec 432
Rev 1908
Sec 1923

Conditions of deposit

Sec. 321 The treasurer¹ of each town shall have the custody of said fund and be the treasurer thereof and shall keep separate accounts relating to the fund and exhibit at each annual town meeting an account showing the amount of the fund, how invested, the amount of its income, to whom paid, for what, and the balance remaining in the treasury; which account shall be recorded and kept on file by the town clerk; and no payments shall be made from the fund except on orders drawn by the agent appointed by the town specifying whether they are to be paid from the principal or income of the fund.

G S sec 433
Rev 1902
Sec 1924
1907, ch 227

Custodian of fund; duties

Sec. 322 Such treasurer shall immediately after his appointment, execute a bond to the town, with surety to the acceptance of the selectmen, for the faithful execution of his office as treasurer of the fund; and any loss or deficiency in the fund belonging to such town, and any illegal or improper management or application of its income, which shall come to his knowledge, he shall immediately report to the comptroller, and shall forfeit to the state twenty dollars for every week that he shall neglect to make such report.

G S sec 434
Rev 1902
Sec 1925

Treasurer to give bond and report losses

Sec. 323 The town deposit fund in each town shall be managed by such agents as the town shall appoint, who shall lend it on notes payable to the town, secured by mortgage of real estate, in value double the amount loaned, and no expense shall be deducted from the principal of the fund; and when any loan shall be paid in full, the treasurer of the town where the loan was made may release the mortgaged premises and may deposit the proceeds at interest in any bank or trust company incorporated under the laws of this state; and any town may authorize its managers to invest said fund or any part thereof, in the stock of any bank in this state, in the bonds

G S sec 435
Rev 1902
Sec 1926
1917, ch 353

Management of town deposit funds

¹Sec 321 Slight irregularity in printing name of office on ticket immaterial
75 C 15
¹Sec 268

or securities of any town, city or borough in this state, or in the bonds, loans or securities of this state or of the United States.

Sec. 324 Each town shall make good any deficiency which may occur in said fund, and on failure to make such deficiency good within one year after it shall occur, shall forfeit to the state a sum equal to the amount thereof.

Sec. 325 If any town shall not agree to receive its proportion of said money on the terms specified in this chapter, the treasurer of the state may, at the expense of said town, loan the same on note payable to the state, secured by mortgage of real estate, in value at least double the amount of the loan, or he may deposit the same in any bank in this state, at interest; and any interest which he may receive for the said loans or deposits shall be paid by said treasurer to the treasurer of such town, to be by it appropriated for the support of schools annually, and it shall be liable for its due application in the same manner as if it had agreed to receive its proportion of the principal.

Sec. 326 In case of the division of any town, and the apportionment of its town deposit fund, the treasurer of the state may exchange the receipt of such town for new receipts for the same from the treasurers of the towns so constituted by such division.

Sec. 327 The treasurers of the several towns, upon the receipt of the amount of any loan made from the town deposit fund, may, with the assent of the managers of the fund for such town, execute an assignment or release of any security held for such loan, and convey to the assignee or releasee the legal title of the premises mortgaged to secure the payment of such loan.

CHAPTER XXIV

Employment of Children

General Statutes, Chapter 283, page 1490

Sec. 328 No child under fourteen years of age shall be employed in any mechanical, mercantile or manufacturing establishment. Every person, whether acting for himself or as agent for another, who shall employ or authorize or permit to be employed any child in violation of the provisions of this

G S sec 436
Rev 1902
Sec 1927

Deficiency
in fund to
be made
good

G S sec 437
Rev 1902
Sec 1928

Proceedings
when a town
declines to
receive fund

G S sec 438
Rev 1902
Sec 1929
1907, ch 227

On division
of a town
new receipts
may be taken

G S sec 439
Rev 1902
Sec 1930

Release or as-
signment of
security

G S sec 5322
Rev 1902
Sec 4704
1911, ch 119
1913, ch 221

Employment
of children
under fourteen

section shall be fined not more than one hundred dollars. A bowling alley shall be regarded as a mercantile establishment within the meaning of this section.

Sec. 329 No child under sixteen years of age shall be employed in any mechanical, mercantile or manufacturing establishment unless the employer of such child shall have first obtained a certificate, signed by the secretary or an agent of the state board of education or by a school supervisor, school superintendent, supervising principal or acting school visitor designated by said board, stating the date of the birth of such child, showing that such child is over fourteen years of age, and stating that such child is able to read with facility, to legibly write simple sentences and to perform the operations of the fundamental rules of arithmetic with relation both to whole numbers and to fractions, and does not appear to be physically unfit for employment. Such certificate shall have printed on the back a list of the occupations in which the child named in such certificate shall not be employed. Such certificate shall be in the form prescribed and upon a blank furnished by the state board of education, and shall be issued in triplicate; and one copy thereof shall be delivered to the parent or guardian of such child, one copy shall be delivered to the employer, and one copy shall be deposited in the office of the state board of education. Copies of such certificates shall be obtainable from the state board of education, upon application, at any time. The copy of such certificate delivered to the parent or guardian of the child may be accepted by the employer as a temporary certificate, good for one week, after which time it shall be returned to the parent or guardian of such child. Every person, whether acting for himself or as agent for another, who shall employ or shall authorize or permit to be employed any child in violation of the provisions of this section, shall be fined not more than one hundred dollars. The secretary or the agent of the state board of education or the school supervisor, school superintendent, supervising principal or acting school visitor to whom application shall be made for a certificate as provided in this section, shall have power to require all statements of fact offered in support of such application to be made under oath, and such oath may be admin-

G S sec 5323
Rev 1902
Sec 4705
1903; ch 75
1905, ch 115
1909, ch 123
1911, ch 119
1913, ch 221
1917, ch 127

Employment
of child under
sixteen;
certificate

istered by said secretary or such agent, school supervisor, school superintendent, supervising principal or acting school visitor, and said secretary or any such agent, school supervisor, school superintendent, supervising principal or acting school visitor may cause any child to be examined by a reputable physician for the purpose of aiding him in determining whether such child is physically fit for employment, and may charge the expense of such physical examination against the state as a part of his expenses. A bowling alley shall be regarded as a mercantile establishment within the meaning of this section.

G. S. sec 5324
1911, ch 119

Employer's
duty upon
receiving cer-
tificate

Sec. 330 Every employer receiving a certificate issued under the provisions of section 329 shall promptly notify the state board of education, in writing, in the form prescribed and upon a blank furnished by said board, of the time of commencement of the employment of any child thereunder and, whenever such employment terminates before such child attains the age of sixteen years, of the time of the termination of such employment. Every person violating any provision of this section shall be fined not more than ten dollars.

Rev 1902
Sec 4706
1911, ch 119

Rev 1918
Sec 5325
Penalty

Sec. 331 Every employer or other person having control of any establishment or premises where children under sixteen years of age are employed who shall neglect to have and keep on file the certificate described in sections 329 and 330 or to show the same, with a list of the names of such children so employed, to the secretary or an agent of the state board of education, when demanded during the usual business hours, shall be fined not more than one hundred dollars.

1919 ch 264

Applications
for employ-
ment certi-
ficate may be
required to
be under oath

Sec. 332 The secretary, or the agent, of the state board of education, the school supervisor, school superintendent, supervising principal or acting school visitor to whom application shall be made for an employment certificate as provided for in the provisions of section 329 shall have power to require all statements of facts offered in support of such application to be made under oath, which oath may be administered by the official to whom application shall be made, and said secretary, his agent, school supervisor, school superintendent, supervising principal or acting school visitor shall cause each child for whom such certificate has been applied for, to be physically examined by a physician designated by the state board of

education. Such examining physician shall, before any employment certificate is issued to such child, file with the agent of said board, his certificate, on a form provided by the state board of education, setting forth the height and weight of such child, the condition of his eyes and teeth and such other information regarding the physical condition of such child as shall be needful, shall certify as to whether such child is of sufficiently sound health and physically fit for the employment specified in the statement of the prospective employer and shall indicate the kind of employment proper for such child in view of his physical condition. When the examining physician considers it advisable, he may issue a certificate of physical fitness for a limited time, at the expiration of which time the child shall again appear and submit to an examination before being permitted to continue at such work. In carrying out the provisions of this act the town in which the child resides shall pay the expense of the examination*and such town shall certify to the state board of education, upon forms prescribed by said board, the amount paid for such examination and the state board of education shall make application to the comptroller for one-half of the amount certified by the town.

Sec. 333 It shall be the duty of the state board of education, the school visitors, boards of education and town school committees to enforce the provisions of sections 328, 329, 330 and 331; and for that purpose the state board of education may appoint agents, under its supervision and control, for terms of not more than one year, at a salary not to exceed eighteen hundred dollars per annum, and their necessary expenses which shall be approved by said board and audited by the comptroller. The agents so appointed may be directed by said board to enforce the provisions of the law requiring the attendance of children at school¹ and to perform such other duties as may be required by said board.²

Sec. 334 Any child in good physical condition, between fourteen and sixteen years of age, on application in person to the secretary or an agent of the state board of education for a

G S sec 5326
Rev 1902
Sec 4707
 1911, ch 119
 1917, ch 320
 1919 ch 296
 Sec 17

Appointment
 of agents

G S sec 5327
 1913, ch 211
 Employment
 of children
 in vacation

¹ Secs 17, 19-23

² Must grant certificates of age to foreign born children Sec 329 May inspect registers of private schools Sec 21 If school accommodations are not supplied by towns may request a hearing by town school committee, board of school visitors, or board of education, as the case may be, and an appeal may be taken to the state board of education Sec 18

certificate of employment, shall be granted a temporary or vacation certificate, permitting the employment of said child during the summer vacation.

G S sec 5328
1911, ch 123

Employment
of children
in certain
occupations
forbidden

Sec. 335 No child under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines: Circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood-polishing machinery; picker machines or machines used in picking wool, cotton, fur, hair or any upholstery material; paper-lace machines; burnishing machines in any tannery or leather manufactory; job or cylinder printing presses having motor power other than foot; wood turning or boring machinery; stamping machines used in sheet metal and tinware manufacturing or in washer or nut factories; machines used in making corrugating rolls; dough brakes or cracker machinery of any description; wire or iron straightening machinery; rolling mill machinery; power punches or shears; washing, grinding or mixing machinery; calender rolls in rubber manufacturing; or laundering machinery.

G S sec 5329
1911, ch 123
1915, ch 195

Hazardous
employment
of children
forbidden

Sec. 336 No child under sixteen years of age shall be employed or permitted to work in adjusting or assisting in adjusting any belt upon any machine, or in oiling or assisting in oiling, wiping or cleaning machinery, while power is attached, or in preparing any composition in which dangerous acids are used, or in soldering, or in the manufacture or packing of paints, dry colors, red or white lead, or in the manufacture, packing or storing of gun or blasting powder, dynamite, nitro-glycerine compounds, safety fuses in the raw or unvarnished state, electric fuses for blasting purposes or any other explosive, or in or about any distillery, brewery or other place where alcoholic liquors are manufactured, packed, wrapped or bottled, or in the manufacture or use of any dangerous or poisonous gas or dye, or composition of lye in which the quantity thereof is injurious to health, or upon any scaffolding, or in any heavy work in any building trade or in any tunnel, mine or quarry, or in operating or assisting to operate any emery, stone or buffing wheel; and no female under sixteen years of age shall be employed or permitted to work in any capacity requiring such female to stand continuously.

Sec. 337 It shall be the duty of the commissioner of labor and factory inspection to enforce the provisions of sections 305, 335 and 336, to investigate all complaints of violations thereof, and to report all cases of such violation to the prosecuting officer having jurisdiction. The commissioner of labor and factory inspection shall, on or before the first day of December in each year, make a report to the governor of the number of such violations found and the number of prosecutions instituted thereon.

G S sec 5330
1911, ch 123

Commissioner
of labor
and factory
inspection to
enforce

Sec. 338 Every person, whether acting for himself or as agent for another, who shall employ or authorize or permit to be employed any child in violation of any of the provisions of sections 335 and 336 shall be fined not more than one hundred dollars.

G S sec 5337
1911, ch 123

Penalty

CHAPTER XXV

Education of the Deaf

General Statutes, Chapter 61, page 371

Sec. 339 The governor may appoint, for a period of not more than twelve years, any deaf minor person, domiciled within this state, as a pupil at any institution in this state for the education of the deaf, and he may, upon the recommendation of the principal or superintendent of such institution, extend such period not exceeding six years. The governor may revoke any such appointment.

G S sec 1081
1911, ch 47
1915, ch 326

Governor
may appoint
pupils at in-
stitution for
deaf

Sec. 340 The governor may contract on behalf of the state for the support, care and education of persons appointed under section 339, and no such appointees shall be withdrawn from any such institution, except with the consent of the proper authorities thereof or of the governor.

G S sec 1082
1911, ch 47
1915, ch 326

Governor may
contract for
support, care
and educa-
tion of such
pupils

Sec. 341 The expense incurred for the support, care and education of all deaf minor persons who are, by appointment of the governor, pupils of any institution in this state, for the education of the deaf, shall, while they continue as such pupils, except so far as such expense may be voluntarily paid by any of such pupils, their parents or guardian, be borne by the state, at not exceeding three hundred dollars per capita per annum, except that an additional sum not exceeding twenty dollars per annum may be expended for necessary wearing apparel for any such pupil.

G S sec 1083
1911, ch 47
1915, ch 326

Expense
borne by state

CHAPTER XXVI

Playgrounds and Neighborhood Recreation Centres,
General Regulations

General Statutes, Chapter 29, page 190

1919 ch 245,
Sec 1Cities, towns
and boroughs
authorized to
establish
public recrea-
tion grounds

Sec. 342 Any city, town or borough may establish, maintain and conduct public parks, playgrounds, baths, swimming pools, gymnasiums, recreation places and public gardens, may acquire by gift, purchase or lease, or otherwise, land and property necessary thereto, may raise money by taxation or by a special bond issue therefor, may appoint and authorize a commission or committee to purchase or lease such land and property on behalf of such city, town or borough, and may provide by ordinance or by-law for the proper equipment, management and conduct thereof.

1919 ch 245,
Sec 2Municipality
may authorize
person or
corporation to
establish

Sec. 343 The common council of any city, the selectmen of any town, or the warden and burgesses of any borough, may authorize any person or corporation to provide, establish, equip or maintain public parks, playgrounds, baths, swimming pools, gymnasiums, recreation places or public gardens within such city, town or borough, subject to such conditions, restrictions and supervision by or on behalf of such city, town or borough as the common council, selectmen or burgesses may, by ordinance or otherwise, provide for, and such parks, playgrounds, baths, swimming pools, gymnasiums, recreation places or gardens so provided and maintained shall, so long as the same are maintained and conducted in accordance with such conditions and restrictions and subject to such supervision as may be imposed as hereinbefore provided, be deemed in all respects to be provided and conducted by such city, town or borough.

1919, ch 245,
Sec 3Authority to
establish may
be vested in
boards

Sec. 344 The authority to establish and maintain the aforesaid activities may be vested in a school board, park board or other existing public body or in a recreation commission. Such recreation commission, if established, shall consist of five or seven members appointed by the mayor of such city, the warden and burgesses of such borough, or the selectmen of such town, to serve for terms of five or seven years or until their respective successors are appointed, except that the members of such commission first appointed shall be appointed for such terms that the term of one commissioner shall expire annually thereafter. Members of such commission shall serve

without pay. Vacancies in such commission occurring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments.

Sec. 345 The members of a recreation commission established pursuant to this article or other body designated under the provisions of section 344 shall elect necessary officers from their number and may employ such persons as may be needed, and as they may be authorized to do. Such recreation commission shall have power to adopt rules of procedure for the conduct of its business.

1919 ch 245,
Sec 4

Election of
members of
recreation
commission

Sec. 346 All expenses of maintenance and operation incurred under the authority of this act shall be payable from private gifts or from such appropriations as may be made from the current funds of such city, borough or town.

1919, ch 245,
Sec 5

Payment of
expenses of
maintenance
how made

CHAPTER XXVII

Powers of Selectmen

General Statutes, Chapter 16, page 152

Sec. 347 The selectmen of any town may appoint committees of school districts and janitors of school buildings, and other persons on nomination by the school visitors of the town or board of education of an incorporated school district, special constables. Said constables shall have power in the town in which they reside, and in adjoining towns when offenders have escaped thither, to arrest for truancy and other causes named in section 27 and for disturbance of schools and school meetings, and damage to school property, and to serve criminal process in all such cases.

G S sec 303
Rev 1902
Sec 1840

School com-
mittees and
janitors as
special
constables

See G S
Sec 357

Sec. 348 The selectmen of any town may appoint the janitor of any public building in such town to be a special constable to preserve the peace in and about such building and the grounds connected therewith. Such special constable shall be duly sworn and shall have the power which constables by law have to serve criminal process and to make arrests for crimes committed in and about such building and upon the grounds connected therewith. Such appointment, when so made, shall continue until revoked by said selectmen, and such appointment, and the revocation thereof, shall be by a written instrument signed by said selectmen and filed with the town clerk of the town where such appointment is made.

G S sec 304
1907, ch 25
Janitors of
public build-
ings as special
constables

See Sec 357
G S

CHAPTER XXVIII

Mansfield State Training School and Hospital

General Statutes, Chapter 89, page 567

G S sec 1762
1917, ch 417

Commitments

See Sec 1668
G S

Sec. 349 Any court of probate shall have power to commit to said institution any person residing in its district whom it shall find to be a feeble-minded or an epileptic person. In the case of a pauper, application shall be made by the selectmen of the town in which he resides. In all other cases application may be made by any relative, or by the selectmen of the town in which the alleged feeble-minded or epileptic person resides. Upon application so being made said court of probate shall set a time and place for hearing the same and shall appoint some reputable physician to examine the person alleged to be feeble-minded or epileptic who, on or before said hearing, shall make written return under oath stating whether or not in his opinion such person is feeble-minded or epileptic, and also whether or not such person is violently insane or afflicted with any contagious disease. In case the application is not made by the selectmen, said court shall also appoint a selectman of the town of alleged residence who shall investigate and report at the time of said hearing as to the residence and estate of the person alleged to be feeble-minded or epileptic and as to the pecuniary responsibility of those responsible for his support. If said court after due hearing had, finds the allegations in the application to be true and that the person alleged to be feeble-minded or epileptic resides within the jurisdiction of said court, and is not violently insane or afflicted with any contagious disease, it may order the person so complained of to be committed to the Mansfield State Training School and Hospital, and in such order of commitment said court shall find and state the name, residence, date of birth of the person committed, the names, nationality and address of his parents, so far as the same can be ascertained, the amount of his estate, and the amount per week which any person liable for his support can afford to pay for his maintenance in said institution. No such commitment shall be valid until approved by the governor, and two copies of such order of commitment shall be made, one of which shall be lodged in the office of the governor, and the other, bearing the indorsement of his approval, shall be left

in the hands of the superintendent of the institution by the person appointed by the court of probate to serve the same and to deliver the person committed to said institution.

CHAPTER XXIX

Homes for Dependent and Neglected Children

General Statutes, Chapter 90, page 569

Sec. 350 For the better protection of children between the ages of four and eighteen years, of the classes hereinafter described, to wit: Waifs, strays, children in charge of overseers of the poor, children of prisoners, drunkards or paupers, and others committed to hospitals, almshouses or workhouses, and all children within said ages, deserted, neglected, cruelly treated or dependent, or living in any disorderly house, or house reputed to be a house of ill-fame or assignation, there shall be provided in each county one or more places of refuge to be known as temporary homes. No such home shall be located within one-half mile of any penal or pauper institution, and no pauper or convict shall be permitted to live or labor therein. No such home shall be used as a permanent residence for any child, but for its temporary protection for so long a time only as shall be absolutely necessary for the placing of the child in a well selected family home.

G S sec 1766
Rev 1902
Sec 2788

Temporary
county home;
for what chil-
dren intended

Sec. 351 Whenever any child from a county temporary home shall be placed by the board of management of such county home in a private family, the responsible person receiving such child shall execute in duplicate a written agreement with the board of management of the county home concerned, substantially in the following form: In consideration of receiving a child, (name), aged years, into my family home from the county temporary home, I, of the city town of, do hereby agree with the board of management of said..... county temporary home, that so long as said child shall be within the care of my family,

G S sec 1780
1907, ch 108

Temporary
homes; bind-
ing out; con-
tract

1. Said child shall be given sufficient and suitable food, clothing and bed, and medical attendance when necessary, and shall not be required to perform an amount of labor unsuitable for his age or strength.

2. Said child shall be given full opportunity to attend school during the terms and hours prescribed by the laws of the state and the rules of the state board of education.

3. Said child shall be given full opportunity to attend religious services and receive instruction in the faith of his parents, when that is known.

4. Notice shall be given to said county temporary home of any change of residence of my family or of said child within three days after such change.

5. The name of said child shall not be changed except by the approval of the board of managers of the county home and by application to the superior court, as provided by section 5572 of the general statutes, and notice shall be given to said county temporary home whenever such change of name is made.

.....A. B.

(Town or city.)

(District or street.)

(Date.)

One copy of such agreement shall be retained by the person receiving such child, and the other copy placed and kept on file at the county temporary home; printed forms for the agreement provided for in this section shall be furnished by the comptroller, at the expense of the state, to the boards of management of the temporary homes in the several counties.

Sec. 352 Any court of probate of any city, police, borough or town court may, upon proceedings instituted in the manner provided for the commitment of children to the industrial or reform schools of the state, or upon the petition of the Connecticut Humane Society or the State Board of Charities, commit any child belonging to the classes enumerated in section 350 to any temporary home that may have been established, until such child shall be eighteen years of age, unless sooner discharged by the board of management of the temporary home in the county in which such child is committed. Said board may place any such child in any private family or in any chartered orphan asylum or children's home in this state wherein such child will be accepted for the period for which such child was committed to such temporary home or for any

Rev 1902
 Sec 2795
 1911 ch 167
 Rev 1918,
 Sec 1782
 1919 ch 238

Probate, city,
 borough or
 town courts
 may commit
 children to
 temporary
 homes on
 petition of
 Connecticut
 humane
 society or
 state board of
 charities

portion thereof. The authority committing any such child shall, within thirty days after such commitment, transmit a certified copy of the items of the costs of such proceedings to the clerk of the superior court for the county in which the trial or hearing was had, and such costs shall be paid as costs are paid in criminal cases coming to the superior court from an inferior court. Said board shall present to the comptroller, monthly, a bill at the rate of three dollars and fifty cents per week for each child so committed, the amount of which bill shall be paid from the state treasury.¹

Sec. 353 The necessary extra expense incurred by any town or school district in providing school accommodations and instruction for the inmates of any temporary homes located therein shall be paid by the county as provided in section 1787 of the general statutes.

Sec. 354 In case children are placed by county commissioners in homes in towns other than the town in which the county home is located, the school visitors, town school committee or board of education of the town in which said children are placed shall ascertain the cost of maintaining the school or schools in which said children attend for the year ending the fourteenth of the preceding July, and, having deducted from this amount the sums received by the town for said children during said year from the state appropriation, shall apportion the remainder of the cost of said school or schools between the town and the county in proportion to the number of persons between the ages of four and sixteen years as ascertained by the enumeration made in the September preceding and shall present a copy of said apportionment to the county commissioners, and the county commissioners shall cause the proportionate expense of said children located in families to be paid to the town in which said children are placed; and whenever the town wholly maintains the school at the county home in any county, the board of school visitors, town school committee or board of education of said town shall ascertain the expense of said school at the county home as above provided and shall certify the expense to the county commissioners, who shall pay the whole amount so certified.

G S sec 1788
Rev 1902
Sec 2800

Extra school
expense of
town or dis-
trict to be
paid by
county

G S sec 1789
1903, ch 211
1913, ch 182

School ex-
pense; appor-
tionment;
payment

¹ Board not bound to permit withdrawal of child under any circumstances 61 Conn., 268

G S sec 1790
 Rev 1902
 Sec 2801

Managers of
 home to fix
 necessary
 school ex-
 penses

Sec. 355 The board of managers of temporary homes in any county shall be the judge of what are necessary extra expenses, under section 353, for school accommodations and instruction for inmates of temporary homes located therein, and no such expense shall be allowed or collected of such county unless it shall have been incurred with the approval of such board, nor until the account of the same shall have been audited and approved by such board.

G S sec 1791
 1905, ch 50

Temporary
 homes
 School books
 and apparatus

Sec. 356 The state board of education, or a committee appointed by said board, may provide books and apparatus to be used at or in any of the public schools in charge of said board at county temporary homes, at an expense not exceeding in any year the amount hereinafter authorized; and the treasurer of the state, upon the order of the secretary of the state board of education, shall annually pay said state board of education ten dollars for each public school within such temporary homes in charge of said board, for which such books or apparatus are provided, and if the number of scholars in any such school exceeds one hundred the treasurer shall pay to said board ten dollars for each one hundred or fractional part of one hundred scholars in actual attendance at said school.

CHAPTER XXX

Connecticut School for Boys

General Statutes, Chapter 91, page 580

Sec. 357 No court or justice of the peace shall commit any child under sixteen years of age as vicious, truant or incorrigible to any jail, almshouse or workhouse. When any boy under the age of sixteen years shall be convicted of any crime or misdemeanor punishable by fine or imprisonment, other than imprisonment for life, the court or justice of the peace, as the case may be, may commit him to the Connecticut School for Boys, to remain until he shall arrive at the age of twenty-one years unless sooner discharged by the board of trustees. The judges of the criminal, probate and police courts of the state, and justices of the peace, may commit to the Connecticut School for Boys: First, any boy under sixteen years

G S sec 1806
 Rev 1902
 Sec 2823
 1915, ch 73

Commit-
 ments

See Secs
 1870, 1878
 G S

of age who may be liable to punishment by imprisonment under any provision of the general statutes; second, with the consent of his parent or guardian, any boy under sixteen years of age, against whom any charge of committing any crime or misdemeanor shall have been made the punishment for which, on conviction, would be confinement in jail or prison; third, any boy under sixteen years of age who is destitute of a suitable home and adequate means of obtaining an honest living, and who is in danger of being brought up, or is brought up, to lead an idle or vicious life; fourth, any boy under sixteen years of age who is incorrigible, or habitually disregards the commands of his father or mother or guardian, or leads a vagrant life, or resorts to immoral places or practices, or neglects or refuses to perform labor suitable to his years and condition or to attend school.

Sec. 358 No boy under ten years of age shall be committed to the Connecticut School for Boys except upon conviction of an offense for which the punishment is imprisonment in the state prison or in a county jail.

G S sec 1807
Rev 1902
Sec 2824
1903, ch 25

When boy
under ten to
be committed
to the school

Sec. 359 The Connecticut School for Boys may be used under the authority of the United States for the confinement of any boy over the age of ten years and under the age of sixteen years, convicted in the United States court for the district of Connecticut of any crime or misdemeanor punishable by fine or imprisonment, other than imprisonment for life, who shall be committed to said school until he shall arrive at the age of twenty-one years, unless sooner discharged by the board of trustees of said school; but the expense of supporting and confining any boy so committed shall be paid by the United States.

Rev 1902
G S sec 1803
Sec 2825

United States
courts may
commit boys

Sec. 360 Every boy sent to the Connecticut School for Boys shall remain until he is twenty-one years of age, unless sooner discharged or bound as an apprentice; but no boy shall be retained after the superintendent shall have reported him fully reformed.

G S sec 1809
Rev 1902
Sec 2826

Boys to re-
main at
school, how
long

See Secs 1785
1838 G S

CHAPTER XXXI

Connecticut Industrial School for Girls

General Statutes, Chapter 92, page 583

Sec. 361 The Connecticut Industrial School for Girls shall, so long as it remains an incorporated institution of this state and maintains a school for the benefit of children connected therewith, be a separate school district, with a territorial limit including the grounds and buildings occupied by the inmates of said institution as homes. All other territory belonging to said institution shall be a part of the district to which the same territory belonged before the industrial school for girls was established.

Sec. 362 The directors of the Connecticut Industrial School for Girls shall be the school committee of said district, and shall possess all the powers and be subject to all the duties within said district that are possessed by the school visitors in the several towns. They may appoint an acting school visitor in said district, who shall possess within said district all the powers and be subject to all the duties of similar officers appointed by school visitors. The authority of the board of school visitors of the town in which said district is situated shall extend only to the remaining portion of said town, and their returns and certificates shall include only the children of such remaining portion.

Sec. 363 The treasurer of the Connecticut Industrial School for Girls shall draw an order each year in favor of said district on the treasurer of said town, for the proportionate amount to which said district may be entitled of all moneys appropriated by law for the benefit, support and encouragement of public schools, as is provided in respect to towns.

Sec. 364 The parent or guardian of any girl between the ages of eight and sixteen years, or a selectman or grand juror or other informing officer of the town where she may be found, may present a written complaint to the judge of the court of probate for the district in which such town is, or to any justice of the peace of such town, or to the judge of the police court of any city where she may be found, alleging that she has committed any offense within the final jurisdiction of

G S sec 1819
Rev 1902
Sec 2836

To be a school district

G S sec 1820
Rev 1902
Sec 2837

Directors to be school committee

G S sec 1821
Sec 2838
Rev 1902

Public money for said school

G S sec 1822
Rev 1902
Sec 2839

Who may be sent to said school

See Secs 1870, 1817, 6330 of Gen Stat

a justice of the peace, or is rude, stubborn and unruly, or is an habitual truant from school, or is the child of a person who has had town relief, and is by such parent suffered to misspend her time, and to be without any honest calling, or is so ill provided for by her parents as to be exposed to want, or is exposed to want with none to care for her, or is leading an idle, vagrant or vicious life, or is in manifest danger of falling into habits of vice, and praying that she may be sent to the Connecticut Industrial School for Girls; and such judge or justice of the peace shall thereupon, after notice to her and such other notice as he may deem proper, inquire into said complaint, and, on being satisfied of the truth of the allegations therein, may order her to be committed to the guardianship and control of such school until she shall arrive at the age of twenty-one years, unless sooner lawfully discharged, and, if he finds that she has committed an offense punishable by imprisonment, other than imprisonment for life, she may be sentenced to the Connecticut Industrial School for Girls, or judgment may be suspended, on such terms and for such time as he may prescribe; and said authority may issue a warrant for the execution of such sentence; but this chapter shall not be construed to deprive any girl of fourteen years of age and upward of the privilege of choosing her own guardian with the approval of the court of probate as provided by law.

CHAPTER XXXII

Connecticut Reformatory

General Statutes, Chapter 93, page 587

Sec. 365 Male persons between the ages of sixteen and twenty-five years who are convicted of offenses for which they may be punished by imprisonment for a shorter period than life, either in the state prison or in a jail, may be committed to the reformatory if they seem to the trial court to be amenable to reformatory methods. The judges imposing a reformatory sentence shall not fix the term unless it exceeds five years, but shall impose a sentence of imprisonment in the reformatory.

1909, ch 162
 1911, ch 199
 1915, ch 186
 1917, ch 132
 Rev 1918
 Sec 1838
 1919, ch 262
 Sec 1

Commit-
 ments to
 reformatory

1919 ch 262
Sec 2

Detention
where offense
punishable by
imprison-
ment in the
state prison

Sec. 366 Any offender who is sentenced to the reformatory by a superior court for any offense punishable by imprisonment in the state prison may be detained in the reformatory not more than five years, unless he is sentenced for a longer term, in which case he may be held for such longer term.

1919 ch 262
Sec 3

Detention
where penalty
is jail
sentence

Sec. 367 Any offender sentenced to the reformatory for an offense for which the maximum punishment is a sentence to a jail, with or without a fine, may be detained in the reformatory not more than two years.

1919 ch 262
Sec 4

Certain courts
may sentence
to reformatory

Sec. 368 Any town, city, borough, police, district or common pleas court may sentence offenders to the reformatory. Any offenders so sentenced may be detained in the reformatory not more than two years. The limit of jurisdiction of the courts named in this section shall be for offenses, the punishment for which shall be a fine of not more than one thousand dollars, or imprisonment in the state prison for not more than five years, or both. An appeal may be taken by the accused within forty-eight hours from the time of sentence, from a judgment so imposed by a town, city, borough or police court, as is provided by law in other criminal cases.

1919 ch 262
Sec 5

Transfer from
Connecticut
School for
Boys

Sec. 369 Inmates of the Connecticut School for Boys, between the ages of fourteen and twenty-one years, whom the trustees of said institution desire to have transferred to the reformatory and whom the directors of the reformatory are willing to receive, may be so transferred. Offenders of this class may be detained at the reformatory for the same period for which, except for their transference to said reformatory, they could have been held at said school for boys.

1919 ch 262.
Sec 6

Supplemen-
tary penalty
not to be im-
posed where
sentence to
reformatory

Sec. 370 When a person is sentenced to the reformatory for an offense for which a fine is provided by law as a supplementary penalty, the trial court shall impose no such supplementary penalty.

1919 ch 262
Sec 7

Justices of
peace not to
commit to re-
formatory

Sec. 371 No justices of the peace shall commit any offender to the state reformatory.

CHAPTER XXXIII

General Provisions

General Statutes, Chapter 95, page 595

Sec. 372 An appeal shall lie from any judgment, order or decree, committing any minor to the Connecticut School for Boys, to the Connecticut Industrial School for Girls, to any county home for dependent or neglected children, or to any institution in this state chartered by the general assembly for similar purposes, to the next term of the criminal court of common pleas to be held within and for the county where such judgment is rendered; but in towns within the appellate jurisdiction in criminal cases of the district court of Waterbury such appeal shall be taken to the next criminal term of said district court; and in cases not in the jurisdiction of such criminal court of common pleas or district court to the next criminal term of the superior court. Such appeal may be taken by any parent or guardian of the child so committed, or by the selectmen of the town in which such judgment is rendered, within twenty days thereafter; and the appellant shall enter into a recognizance, with surety, to the state, conditioned to answer to the complaint and abide the order and judgment of the court thereon. Complaints in such cases charging a minor with crime shall on appeal be tried by a jury, but all other complaints shall be tried in chambers by the judge of the court to which the appeal is taken, and such minor shall be produced in court or chambers, during trial and to receive final judgment, by the appellant or by the person or persons having such minor in their possession or control.

Sec. 373 There shall be allowed in each case of commitment to the Connecticut School for Boys, a temporary home or the Connecticut Industrial School for Girls, the same fees for complaint and warrant, or order, that are allowed by law for complaints and warrants in criminal cases; and there shall be allowed to the grand jurors or prosecuting officers attending such cases the same fees for travel and attendance as are allowed by law to grand jurors in criminal cases.

Sec. 374 The authority committing any boy to the Connecticut School for Boys, or committing any child to the home for dependent and neglected children in any county, or committing any girl to the Connecticut Industrial School for Girls,

G S sec 1870
Rev 1902
Sec 2454
1909, ch 212

Appeals from commitments to schools or county homes

G S sec 1871
Rev 1902
Sec 2855

Fees for commitments to schools and county homes

G S sec 1872
Rev 1902
Sec 2856

Costs on Commitment to schools or county homes

shall transmit a certified copy of the items of the costs on the complaint to the clerk of the superior court for the county in which the trial or hearing was had, within thirty days after the trial or hearing, and said costs shall be taxed and paid as costs are taxed and paid in criminal cases coming to the superior court from an inferior court.

CHAPTER XXXIV

Employment of Children in Certain Occupations

General Statutes, Chapter 283, page 1486

G S sec 530I
Rev 1902
Sec 4691
1907, ch 251
1909, ch 220
1913, ch 179

Employment
of minors
and women
in manufac-
turing or me-
chanical
establis-
ment

Sec. 375 No minor under sixteen years of age and no woman shall be employed in any manufacturing or mechanical establishment more than ten hours in any day, or fifty-five hours in any calendar week. Every employer in such establishment shall post in a conspicuous place in every room where such persons are employed a notice, the form of which shall be furnished by the commissioner of labor and factory inspection, specifically stating the hours of work required of them on each day of the week, and the employment of any such person for a longer time on any day than so stated shall be a violation of this section.

G S sec 5302
Rev 1902
Sec 4691
1907, ch 251
1909, ch 220
1911, ch 278
1913, ch 179
1917, ch 100

Employment
of minors
and women
in mercantile
establishment

Sec. 376 No minor under sixteen years of age and no woman shall be employed in any bowling alley or mercantile establishment, other than manufacturing or mechanical, more than fifty-eight hours in any calendar week, *provided*, any employer who shall, during each year, give not less than seven holidays with pay, shall be exempt from the provisions of this section during the period from the seventeenth to the twenty-fifth day of December of each year. Every employer in such an establishment shall post in a conspicuous place in every room where such persons are employed a notice, the form of which shall be furnished by the commissioner of labor and factory inspection, stating specifically the hours of work required of such persons on each day of the week, and the employment of any such person for a longer time on any day than so stated shall be a violation of this section.

CHAPTER XXXV

Crimes

Offenses against the Person

General Statutes, Chapter 327, page 1715

Sec. 377 Every person who shall exhibit, use, employ, apprentice, give away, let out or otherwise dispose of any child under the age of sixteen years, in or for the vocation, occupation, service or purpose of rope or wire walking, dancing, skating, bicycling or peddling, or as a gymnast, contortionist, rider or acrobat, in any place; or for or in any obscene, indecent or immoral purpose, exhibition or practice; or for or in any business, exhibition or vocation, injurious to the health, or dangerous to the life or limb of such child; or who shall cause, procure or encourage any such child to engage therein, shall be fined not more than two hundred and fifty dollars or imprisoned not more than one year or both.

G S sec 6208
Rev 1902
Sec 1163
1915, ch 175

Unlawful exhibition or employment of child

Offenses Against Humanity and Morality

General Statutes, Chapter 333, page 1752

Sec. 378 Any parent, guardian or other person who shall, by any act or neglect, cause, encourage, contribute to or be responsible for such conduct or condition of any child under sixteen years of age as by statute is made cause for the commitment of such child to the Connecticut School for Boys, the Connecticut Industrial School for Girls, or a county temporary home, shall be fined not more than five hundred dollars or imprisoned not more than six months or both. The court may impose conditions upon any person convicted under the provisions of this section, and so long as such person shall comply therewith to the satisfaction of the court the sentence imposed may be suspended.

G S sec 6407
1907, ch 69

Causing delinquency of child

Offenses Against Public Property

General Statutes, Chapter 328, page 1717

Sec. 379 Every person who shall wilfully injure any public building,¹ or who shall wilfully injure or carry away any stove, stove-pipe or furniture, in and belonging to any such building, or who shall wilfully deface or injure a voting booth

G S sec 6216
Rev 1902
Sec 1169

Injury to public buildings, furniture and voting booths

¹ The words "public buildings" include schoolhouses Gen Stat Sec 6721

or compartment, shall be fined not more than one hundred dollars or imprisoned not more than six months or both.¹

G S sec 6221
Rev 1902
Sec 1174

Wilful injury
to property of
public library

Sec. 380 Every person who shall wilfully write upon, injure or destroy any book, plate, picture, engraving or statue belonging to any library not exclusively owned by himself, shall be fined not more than five hundred dollars; and every person who shall wilfully detain any book, paper, magazine, pamphlet, manuscript or other property, belonging to any town, city, law, university, college, school or other public or incorporated library, for thirty days after notice in writing from the librarian of such library, sent by mail or otherwise to the last known or registered place of residence of such person, after the expiration of the time during which, by the by-laws, rules or regulations of such library, such book, paper, magazine, pamphlet, manuscript or other property may be kept, shall be fined not more than one hundred dollars. The notice herein required shall bear upon its face a copy of this section.

Offenses Against Public Peace and Safety

General Statutes, Chapter 331, page 1740

G S sec 6340
Rev 1902
Sec 1281

Interrupting
or disturbing
schools or
meetings

Sec. 381 Every person who shall wilfully interrupt or disturb any school,² or any assembly of people met for a lawful purpose, shall be fined not more than seven dollars or imprisoned not more than thirty days or both.

G S sec 6362
Rev 1902
Sec 1300

Disturbance
of meetings

Sec. 382 Every person who shall prevent a lawful meeting of any community from proceeding, in an orderly and peaceable manner, to the appointment of a moderator, or shall abuse him or a presiding officer of an electors' meeting, or interrupt either in the discharge of his duty, or, after he has commanded silence, shall speak in the meeting without his permission, except to ask reasonable liberty to speak, shall be fined not more than fifty dollars.

¹ Complaint must set out with particularity the "injury" 62 Conn 131 "Wilfully" means in a spirit of wantonness or with an evil intent or guilty purpose 71 Conn 742

² Singing school within terms of statute *de* interrupting "any public, private, or select school" 26 Conn 607; see also 28 Conn 232

Offenses Against Public Policy

General Statutes, Chapter 334, page. 1757

Sec. 383 Any person owning, keeping or managing, wholly or in part, any dance house, concert saloon, roller skating rink, theater, moving picture show or phonograph hall, or any museum having entertainments or variety shows connected therewith, who shall allow, at any time, any child under the age of fourteen years, or, after six o'clock in the afternoon of any day, any boy under the age of fourteen or any girl under the age of sixteen years, to be admitted to or remain in such place, unless such child is accompanied by its parent or guardian or some adult person authorized by such parent or guardian to attend such child, shall be fined not more than fifty dollars.

G S sec 6435
Rev 1902
Sec 1360
1911, ch 154

Children protected from improper amusements

Sec. 384 Every person who shall sell, give or deliver to any minor under sixteen years of age, tobacco in any form, shall be fined not more than twenty-five dollars for the first offense, and not less than twenty-five dollars nor more than one hundred dollars for each subsequent offense.

G S sec 6436
Rev 1902
Sec 1361
1911, ch 90

Sale of tobacco to minors under sixteen

Sec. 385 Every person under sixteen years of age, who shall smoke, or in any way use, in any public street, place or resort, tobacco in any form whatsoever, shall be fined not more than seven dollars for each offense.

G S sec 6437
Rev 1902
Sec 1362

Use of tobacco by minors under sixteen

Sec. 386 Every person who shall display the flag or emblem of any foreign country upon the outside of any state, county, city or town building, or public schoolhouse, shall be fined not more than one hundred dollars; *provided*, when any foreigner shall become a guest of the United States or of this state, upon the proclamation of the governor, the flag of the country of such guest may be displayed upon all public buildings except schoolhouses.

G S sec 6466
Rev 1902
Sec 1385

Display of foreign flags

Sec. 387 Any proprietor or keeper of a public billiard or pool room who shall, at any time, permit any person under eighteen years of age unaccompanied by parent or guardian to loiter in or about such room, or who shall employ any person under eighteen years of age, in or about such room, shall be fined not more than fifty dollars or imprisoned not more than thirty days or both.

G S sec 6479

CHAPTER XXXVI

Elections and Electors

General Statutes, Chapter 15, page 144

G S sec 256
Rev 1902
Sec 1799

What women
may vote for
school officers

Sec. 388 Those women whose names appear upon the registry list of women voters shall be entitled to vote in any meeting held for choosing school officers, or upon any matter relating to education or to schools.

General Statutes, Chapter 34, page 224

G S sec 560
Rev 1902
Sec 1616

Separate list
of women "to
be made"

Sec. 389 The registrars of every town shall also enter upon a separate list under the title "women's list, to be made," the names of those women by whom or in whose behalf the claim is made to either registrar that they will be entitled to vote for school officers and on questions relating to education or to schools, and all applications "to be made" in favor of women, shall be at the same times and in the same form and set forth the same information as applications for men to be made electors, and such claims and applications shall be received by said registrars and heard and determined by the town clerk and selectmen at the same time that claims and applications by men to be made electors are received, heard and determined.

G S sec 573
Rev 1902
Sec 1629
1909, ch 96

Women voters

Sec. 390 Every woman who shall have attained the age of twenty-one years, who shall be a citizen of this state or of the United States, and who will have resided in the state one year and in the town six months, and can read the English language, shall, after having been duly admitted, have the right to vote for any officer of schools and directors of public libraries and upon any question relating to education, or to schools, or to public libraries.

G S sec 574
Rev 1902
Sec 1630
1909, ch 96

Women to
qualify; lists;
penalty

Sec. 391 The board of selectmen and town clerk shall at any meeting held by them for the admission of electors, examine the qualifications of those women by whom or in whose behalf application has been made to be admitted as voters for school officers and for directors of public libraries and upon any question relating to education, or to schools, or to public libraries, and whose names appear on the "women's list—to be made," and shall cause the person in whose favor such application is made to testify under oath to her qualifications to be made such voter, and shall deliver to the town clerk a

certified list in writing of all women who are found to possess the requisite qualifications to be made such voters, which said list shall be kept by said town clerk as an official list; and the registrars may restore to said list the name of any woman, subject to the same restrictions and conditions as apply to restoration of names to the list of electors. Every woman who shall testify falsely as to her qualifications to be made a voter, or knowingly vote illegally at any town, school or district meeting, shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Sec. 392 Whenever registry lists shall be used by those voting in school district meetings, the registrars of voters of the town in which such districts are situated, shall prepare separate lists of the names of those women residing in such school districts, or the voting districts of any such school districts, that have been admitted as voters.

G S sec 575
Rev 1902
Sec 1631

Separate vot-
ing lists

General Statutes, Chapter 35, page 236

Sec. 393 The names of candidates for all offices to be voted for at one and the same election shall be upon one ballot as hereinbefore prescribed, excepting that at all elections at which women are by law entitled to vote the names of all candidates for whom women may legally vote shall be upon a separate ballot, which shall be prepared after the same form and description, and delivered in the same manner, as hereinbefore provided, and at such elections separate boxes, distinctly marked as hereinbefore prescribed, shall be provided, in which shall be deposited all ballots cast by women.

G S sec 597
Rev 1902
Secs 1648
1661
1907, ch 187
1909, ch 250

Officers on
one ballot;
separate boxes
for women's
ballots

General Statutes, Chapter 35, page 238

Sec. 394 Whenever at any election any vote for the approval or disapproval of any constitutional amendment submitted for ratification or any vote for or against any educational purpose under the special laws of this state or any other vote upon any question shall be taken by ballot in any town, city or borough pursuant to any special law, the ballot hereinbefore prescribed, provided for towns, cities or boroughs affected by any such question, shall, in addition to the columns hereinbefore provided for, contain two additional columns, each of which shall contain spaces of the same general descrip-

G S sec 599
1909, ch 250

Vote on con-
stitutional
amendment or
educational
purpose

tion as the spaces in the party columns, except that such spaces provided for each such question may be of sufficient depth to contain the designation of such constitutional amendment or other question submitted, and the word "yes" or the word "no" printed thereunder. At the left of each such space shall be the voting space, which shall be of the same width as hereinbefore provided and of the same depth as the space containing the question to be voted upon. At the head of each such column shall be printed a circle as hereinbefore described. In the first of the two columns provided for in this section shall be printed in the spaces provided the designation of each such constitutional amendment or other special question to be voted upon and the word "yes" thereunder, and in the other column provided for in this section shall be printed in the spaces provided the designation of each such constitutional amendment or other special question to be voted upon and the word "no" thereunder. Any elector desiring to vote "yes" upon all such questions may indicate his choice by placing a cross-mark "X" within the circle at the head of the column containing the word "yes," and any elector desiring to vote "no" upon all of such questions may indicate his choice by placing a cross-mark "X" within the circle at the head of the column containing the word "no," and any elector desiring to vote "yes" upon any of such questions and "no" upon any of the others may indicate his choice by placing a cross-mark "X" in the voting space at the left of the space containing such question. Any ballot marked in any manner other than as provided in this chapter, and any ballot bearing any mark other than the cross-mark "X" used for the purpose of voting will render such ballot void; but this provision shall not be so construed as to prevent any elector from writing the name of any candidate upon any ballot as hereinbefore provided. Whenever any question provided for in this section shall be printed upon any such ballot, in addition to the instructions provided for in section 598 of the general statutes there shall be printed, in the same style of type, and in the same manner, such additional instructions concerning voting upon such question as the secretary may deem necessary.

CHAPTER XXXVII

General Provisions

Comptroller

General Statutes, Chapter 7, page 114

Sec. 395 The comptroller shall, annually, in the month of February, lodge with the treasurer a certified list, by towns, of the enumeration of children by him last perfected.

G S sec 143
Rev 1902
Sec 121

1909, ch 22
To lodge list
of children
with treasurer

Motor Vehicles

General Statutes, Chapter 77, page 509

Sec. 396 (a) Upon approaching any person walking or riding in the traveled portion of any highway, or a horse or any other draft animal being led, ridden or driven thereon, or a motor vehicle, and in passing such person, or such horse or other draft animal or motor vehicle, the person operating a motor vehicle shall reduce its speed when reasonable care requires. If such horse or other draft animal, so led, ridden or driven, shall appear to be frightened, and if the person in charge thereof shall signal, the person operating such motor vehicle shall bring the same to a stop, and, if traveling in the opposite direction, shall remain stationary as long as may be reasonable to allow such horse or other draft animal to pass, or, if traveling in the same direction, shall use reasonable caution in passing such horse or other animal. (b) Upon approaching an intersecting highway, a curve or a corner of a highway, or a schoolhouse, *provided*, signs on the highway legible for a distance of one hundred feet, indicate such highway, curve, corner or schoolhouse, any person operating a motor vehicle shall reduce its speed and give a timely signal when reasonable care requires, and shall keep to the right of the intersection of the center of both highways when turning to the right, and pass to the right of the intersection of the centers of such highways before turning to the left. (c) Each driver of a motor vehicle approaching any intersecting street or highway shall grant the right of way at such intersection to any vehicle approaching from his right, *provided*, where traffic officers are stationed they shall have power to regulate traffic. (d) The selectmen in each town shall maintain suitable signs on the highway, legible from a distance of one hundred feet

G S sec 1540
1917 ch 333

Control of
speed Rules
of road
Signs

See
Secs 1475 and
1568 of Gen
Stat

and located at a distance of approximately five hundred feet in each direction from schoolhouses, bridges, dangerous curves and intersecting highways, unless such signs have been established and are maintained by the highway commissioner or some other person.

Salaries and Fees

General Statutes, Chapter 119, page 703

Sec. 397 Acting school visitors shall receive two dollars a day each while actually employed, and a like proportion for parts of days, and such further compensation as their respective towns may fix at an annual meeting.

G S sec 2259
Rev 1902
Sec 4855

Acting school
visitors

Tuberculosis

General Statutes, Chapter 136, page 802

Sec. 398 The commission shall take measures to cause instruction in all schools of the state in rules of living essential to the suppression of tuberculosis and the maintenance of the public health, and to that end may publish tracts and leaflets explaining the movement to control tuberculosis, suitable for distribution in schools, stores, factories and places of public gatherings, which tracts and leaflets may be printed by the commission at the expense of the state. Said commission shall also encourage the giving of public addresses upon prevention and treatment of tuberculosis, and shall encourage the formation of local organizations to further that end.

G S sec 2649
1909, ch 120
1913, ch 183

School instruction
concerning
tuberculosis

Spitting in Public Places

General Statutes, Chapter 137, page 806

Sec. 399 No person shall spit on the paved walk of any public street, park or square, or upon the floor of any hall or office in any hotel, restaurant, apartment house, tenement or lodging house which is used in common by the guests or tenants thereof, or upon the floor, platform, steps or stairs of any public building, church, theater, railway station, store, factory or street car or other public conveyance. The term spitting as used in this section shall be defined as the act of expelling any secretion from the chest, throat, mouth or nose. Any person violating the provisions of this section shall be fined not less than one nor more than five dollars or imprisoned not more than thirty days or both.

G S sec 2672
1909, ch 166

Spitting in
public places;
penalty

Sec 396 Turning out to pass another; driving on left side of road not forbidden 81 C 492 Statute of limitations applicable to action for violation of rules of road 83 C 503 Imputing negligence of driver to guest riding with him 83 C 219; 89 C 707 See notes to Secs 1538, 1568, 1573 of General Statutes

Use of Common Drinking Cups

General Statutes, Chapter 137, page 807

Sec. 400 The State Department of Health, to prevent the spread of communicable diseases, may, by suitable rules and regulations adopted by said department, regulate or prohibit the providing or use of a common drinking cup in such public places, vehicles or buildings as shall be designated by said rules and regulations, and shall cause such rules and regulations to be printed in at least one newspaper published in each county and a copy thereof to be sent to each county, town, city and borough health officer, and thereupon said rules and regulations shall become effective. Any person violating any of the provisions of said rules and regulations shall be fined not more than twenty-five dollars for each offense.

G S sec 2676
1911, ch 96

Use of
common drink-
ing cups

Powers and Duties of County Commissioners

General Statutes, Chapter 142, page 827

Sec. 401 Licenses for the sale of spirituous and intoxicating liquors in cities shall be confined to the efficiently policed parts thereof; and no license, except the renewal or the transfer of a license which does not change the location thereof, at the discretion of the county commissioners as to the suitability of person and place, and subject to appeal, shall be granted in the purely residential or manufacturing parts of a town or within two hundred feet in a direct line from any church edifice or public or parochial schoolhouse, or the premises pertaining thereto, except to a well-established hotel of good reputation;¹ nor shall one be granted in such proximity to

G S sec 2741
Rev 1902
Sec 2647
1907, ch 200
1915, ch 282

Licenses to be
refused in
certain places

¹No place can, with propriety, be deemed "suitable" for the sale of intoxicating liquor, under public acts of 1907, chapter 200, which is so near to a public or parochial schoolhouse as to be detrimental to the interests of the school 81 Conn 276

In the present case the applicant's saloon, for which he sought a renewal license, was about seventy-five feet from a parochial school building, recently erected and attended by eight hundred children, and the county commissioners refused to renew the license on the ground that the place had become an unsuitable one for a saloon. Held that the fair implication in support of this finding was that the continuance of a saloon at that place would be detrimental to the interests of the school 1b

The fact that the schoolhouse site was bought long after the establishment of the applicant's saloon, in close proximity to it, and after he had become the owner of the saloon property, is of no legal consequence; nor does it matter whether such property is worth much or little 1b

All property in this country is held under the implied obligation that the owner's use of it shall not be injurious to the community 1b

Proof in the superior court that the county commissioners had renewed a license to some other applicant to sell liquor at some other place near a church or schoolhouse is immaterial, since each application stands by itself, unfettered by any action of the commissioners taken in other cases 1b

a charitable institution, whether supported by public or private funds, as may be detrimental to the same; nor shall a license be granted in those parts of a license town where it is apparent that the party applying for it is seeking to obtain patronage from an adjoining no-license town; and in such cases persons in the adjoining town shall have the right to remonstrate against the granting of such license, and the county commissioners hearing such complaint shall give the same consideration to such remonstrance as if made by persons residing in the town wherein such license is asked for. This section shall not apply to the licensing of druggists.

Fences

General Statutes, Chapter 274, page 1440

Sec. 402 No barbed wire shall be used in the construction of fences, or retained upon existing fences, connected with or enclosing the grounds of any public school or public building. Every person who shall violate any provision of this section shall be fined not more than one hundred dollars.

Eminent Domain

General Statutes, Chapter 277, page 1450

Sec. 403 Any school district may take land which has been fixed upon as a site, or addition to a site, of a public schoolhouse, and which is necessary for such purpose or for outbuildings or convenient accommodations for its schools, upon paying to the owner just compensation. But no school district, society, city or town shall take for school purposes the land of any ecclesiastical society, upon any part of which a church building has already been erected, without the consent of such ecclesiastical society, or any land devoted to or used for cemetery or burial purposes.

Sec. 404 The procedure for condemning land or other property for any of the purposes specified in sections 5177, 5178, 5179, 5180, 5181 and 5187 of the General Statutes, in case those desiring to take said property cannot agree with the owner upon the amount to be paid him for any property thus taken, shall be as follows:

The armory commission in the name of the state, county commissioners in the name of the county, any town, school district, or trustees or directors of any state institution in the name

G S sec 5132
Rev 1902
Sec 4070
Use of barbed
wire pro-
hibited

G S sec 5180
Rev 1902
Secs 4111,
4114

Taking land
for school
purposes
Exception

G S sec 5186
Rev 1902
Secs 1961,
1962, 4103,
4104, 4106,
4107, 4108,
4110, 4112,
4113
1907, ch 84
1915, ch 311
1917, ch 159

Mode of con-
demning land
for certain
purposes

of the state, may prefer a petition to the superior court in the county in which the property lies, or, to a judge of said court, if said court is not in session, praying that such compensation may be determined, and, if said petition is brought under section 5187, that a site be fixed; which petition shall be accompanied by a summons signed by competent authority, to be served as process in civil actions before said court, notifying the owner of the property to be taken, and all persons interested in such property, to appear before said court or judge; said court or judge shall thereupon appoint a committee of three disinterested persons, who, after being duly sworn and giving reasonable notice to the parties, shall view the property in question, hear the evidence, ascertain the value, assess just damages to the owner or parties interested in the property so proposed to be taken, and report their doings to said court or judge. In the case of a school district said committee may, if they do not approve the site, fix another site on land of the same owner, and proceed as aforesaid. Said court or judge may accept said report or may reject it for irregular or improper conduct by the committee in the performance of its duties. If the report be rejected, the court or judge shall appoint another committee, who shall proceed in the same manner as the first committee were required to proceed. If said report is accepted, such acceptance shall have the effect of a judgment in favor of the owner of the property against the petitioner, for the amount of the assessment made by the committee, and except as otherwise provided by law, execution may issue therefor. Said court or judge shall make any order necessary to protect the rights of all parties interested. Said property shall not be used or inclosed by the petitioner until the amount of said judgment has been paid to the party to whom it is due, or deposited for his use with the treasurer of the county in which the property lies, and upon such payment or deposit, said property shall become the property of the petitioner. The expenses and costs of said hearing, including a reasonable compensation for the members of the committee, shall, in the case of the armory commission be audited, allowed and paid by said commission; in the case of a state institution by said trustees or directors; and in all other cases shall be

taxed by the court or judge, and paid by the town, school district or county, as the case may be.

See 404 Power of legislature to delegate determination of necessity to subordinate bodies 86 C 157 Necessity means a reasonable necessity 86 C 361 When application may be made to judge 85 C 602 Notice of application; should describe property with certainty 86 C 361 Prayer for relief 87 C 199 When motion to dismiss application lies 72 C 692 Appeal from appointment of appraisers 75 C 237; *id* 325; 78 C 1; 85 C 663 Necessity of finding a failure to agree 69 C 438; 72 C 492; 80 C 38; 85 C 604; see 86 C 658 Proceedings before appraisers and on report 74 C 452; 75 C 237; 76 C 565; 79 C 526; *id* 606; 80 C 38; 82 C 460 Just compensation 75 C 239; 76 C 435; 82 C 378; *id* 460 Interest on award 72 C 277; 75 C 239; 82 C 51; *id*, 379; see 84 C 122; 85 C 552 Judgment accepting report not to direct payment of damages when 75 C 239 Injunction to restrain taking of land till compensation is made 70 C 616; see 82 C 157 See notes to Const Conn, Art I, Sec 11; Sec 3682; Chap 197

CHAPTER XXXVIII

State Board of Education

Appointed by the Governor:

FREDERICK S. JONES of New Haven
 WILLIAM A. SHANKLIN of Middletown
 CHARLES L. AMES of Hartford
 to serve until July 1, 1921.

WALTER D. HOOD of Winchester
 JOHN G. TALCOTT of Vernon
 CHARLES L. TORREY of Putnam
 to serve until July 1, 1923.

JULIAN W. CURTIS of Greenwich
 HENRY A. TIRRELL of Norwich
 FREDERICK M. ADLER of New Haven
 to serve until uly 1, 1925.

CHAPTER XXXIX

Special acts relating to towns or districts

ANSONIA

Special act 441, 1901, page 1046, as amended by special act 302, 1905,
page 737

§ 50 The territorial limits of said city as therein described shall hereafter be, as they now are, one school district.

An act amending the charter of the city of Ansonia

Special acts of 1919, page 123

§ 51 Section fifty-one of an act revising the charter of the city of Ansonia, approved June 13, 1901, is amended to read as follows: There shall be in said city a department of education which shall have the care, management and control of all the schools located in said city, except The Charles H. Pine Manual Training School.

§ 2 There shall be a commission in said city which shall have charge and management of The Charles H. Pine Manual Training School, which commission shall be a special branch of the board of education whose powers and duties shall be especially limited to matters pertaining to The Charles H. Pine Manual Training School.

§ 3 Said commission shall be composed of nine members, who shall be residents of Ansonia, and shall be known as The Charles H. Pine Manual Training School commission; one of said members shall be appointed by the trustee of the trust fund of two hundred and fifty thousand dollars created by the will of Charles H. Pine, deceased, which provides for building and maintaining said school; the superintendent of the public schools shall be ex officio a member of said commission and there shall be nominated by the mayor and confirmed by the board of aldermen as provided by the charter three members of the board of education; two officials or managers of industrial concerns; and two employees of industrial concerns, skilled in some classified trade taught in the trade school. Said member appointed by said trustee and said members nominated by the mayor and confirmed by the board of aldermen shall hold office for the term of three years from the first day of January succeeding their appointment and until their successors are duly elected and qualified.

§ 4 Said appointments shall be made in such manner as to divide said commission as nearly as possible equally between the two leading political parties.

§ 5 The members of said commission shall receive no compensation for their services, except the clerk who shall receive such compensation as said commission may determine.

§ 6 Said commission shall hold regular meetings every month, and such special meetings from time to time as it may appoint or the mayor may call. Said meetings shall be open to the public.

§ 7 Said commission shall, at the first meeting after its appointment and annually thereafter, elect from its number a president, who shall preside at all meetings of said commission, except when the mayor shall be present. It shall also appoint from its number a clerk, who shall keep a record in a book for that purpose of all votes and acts and transactions of said commission, and shall perform any and all other duties imposed upon him by said commission.

§ 8 Said commission shall appoint a superintendent of said manual training school, and such number of assistants and teachers as it may decide to be necessary from time to time, and it shall fix their salaries, prescribe the term of their office, and their duties in each case.

§ 9 Said commission shall have charge and management of conducting said manual training school in accordance with the terms and intent of said trust, and shall have full power and authority to act for and in behalf of said city of Ansonia in co-operating and advising with said trustee in all matters pertaining to the procuring of a site for said manual training school; the erection of a building or buildings thereon, and the furnishing of such building or buildings with proper and sufficient equipment for the proper use and conduct of said manual training school; and shall have all the powers and be subject to all the general duties of school committees and school visitors in this state so far as the same are consistent with the provisions of this act and so far as the same may be applicable to manual training schools. It shall make its own by-laws, define the duties of its officers and committees and prescribe such rules and regulations for discipline in said manual training school as are not inconsistent with the laws of this state.

§ 10 At all meetings of said commission five members shall constitute a quorum and the concurrence of five votes shall be necessary for the transaction of business.

§ 11 Said commission shall, annually at the end of each fiscal year, transmit to the mayor a full report of its proceedings during said year, together with a statement showing the total amount of money received and expended for conducting and maintaining said manual training school.

§ 52 Said department shall be under the control of nine members, who shall be known as the board of education, and who shall be nominated by the mayor and confirmed by the board of aldermen as provided for in section three of this act.

§ 53 The members of said board shall receive no compensation for their services, except the clerk thereof, who shall receive such compensation as said board may determine.

§ 54 Said board shall hold regular meetings every month, and such special meetings from time to time as it may appoint or the mayor may call.

§ 55 Said board shall, at its first meeting after its appointment and annually thereafter, elect from its number a president, who shall preside at all meetings of said board, except when the mayor shall be present. It shall also appoint from its number a clerk, who shall keep a

record in a book for that purpose of all votes, acts and transactions of said board, and shall perform any and all other duties imposed upon him by said board or by the provisions of this act. Said board shall elect one or more suitable persons truants officers, to act as such in enforcing the general statutes regarding school attendance.

§ 56 Said board of education shall appoint a superintendent of schools and such number of assistants, principals, and teachers as it may decide to be necessary from time to time, and it shall fix their salaries, prescribe the terms of their office, and their duties, in each case. The superintendent and teachers and other persons employed by the present board of education of said city shall retain their respective positions until their successors shall be chosen and duly qualified, and the rules and regulations now in force shall remain in full force until repealed or otherwise changed.

§ 57 Said board of education shall have the entire charge and direction of all the public schools in said city and of the expenditure of all moneys appropriated for the support of the same, and shall keep all the school buildings and apparatus used therein in good condition and repair, and shall have and possess all the powers and be subject to all the general duties of boards of education, school committees, and school visitors in this state, so far as the same are consistent with the provisions of this act. It shall make its own by-laws, define the duties of its officers and committees, and prescribe such rules and regulations for discipline in said public schools as are not inconsistent with the laws of this state or this act.

§ 58 Said board of education shall, during the month of September in each year, submit to the board of aldermen of said city a detailed estimate of the expenses for the support of said schools during the ensuing year for which appropriation shall be made, specifying so far as possible the items of such expense.

§ 59 Said board of education shall, annually, at the end of each fiscal year, transmit to the mayor a full report of its proceedings during said year, together with a statement showing the total amount of money received and expended for the support of said schools.

§ 60 Said board of education shall monthly send to the city clerk a detailed statement of the expenses incurred during the preceding month, and thereupon said clerk shall draw an order upon the city treasurer to pay the amount of such expenses.

LIBRARY

Special acts of 1911 page 102

Section seventy-eight of an act revising the charter of the city of Ansonia, approved June 13, 1901, as amended by section twenty-three of an act amending the charter of said city, approved June 13, 1905, is hereby amended by striking out all of said section, commencing with the words "The remaining" in line fourteen, and ending with the

words "Caroline Phelps Stokes" in line twenty, and inserting in lieu thereof the following: "The remaining three of said directors may be non-residents, and shall be appointed in the month of December, 1911, and in the month of December triennially thereafter, by Olivia E. P. Stokes of New York city and Anson Phelps Stokes, Jr., of New Haven, and by the survivor of them; and said Olivia E. P. Stokes or Anson Phelps Stokes, Jr., or both, may, in their discretion, act as such directors; and upon the death of said survivor, said appointments shall thereafter be made, in perpetuity, by the president or acting president of Yale University of New Haven. Said three directors so appointed shall hold office for three years from the first day of January next following their appointment, and until their successors are appointed; and in the case of a vacancy, including any vacancy in the group of three directors originally provided to be appointed under the provisions of the deed of gift of Caroline Phelps Stokes, and any vacancy arising by failure to exercise said appointing power in the month of December, as above provided, said appointing power may, at any time, fill the vacancy for the unexpired term. Such appointment shall be in writing, lodged with the city clerk of the city of Ansonia"; by striking out, in lines twenty-four, twenty-five, and twenty-six, of said section the words "and shall approve and appoint one of said group of three directors, which latter shall be selected as provided by said deed of gift", by striking out, in line twenty-seven, the word "board" and inserting in lieu thereof the words "group of six directors", and by striking out the figures "1905" in line twenty-one and inserting in lieu thereof the figures "1911", so that said section as amended shall read as follows: There shall be in said city a department of the public library, which shall be under the management and control of a board of nine library directors, who shall serve without pay. Said board of directors shall have charge of all property of said city used for the purposes of said library, and shall direct the expenditures of all money placed at its disposal by the city, from whatever source derived, and of all money and property which may be donated by private individuals to said library. The members of the board of library directors, holding office by appointment under the provisions of the deed of gift from Caroline Phelps Stokes, when this act takes effect, shall continue to hold their respective offices until their successors are appointed in accordance with the provisions of this act. Six of said nine directors shall be electors of said city and shall be appointed by the mayor as hereinafter provided. The remaining three of said directors may be non-residents, and shall be appointed in the month of December, 1911, and in the month of December triennially thereafter, by Olivia E. P. Stokes of New York city, and Anson Phelps Stokes, Jr., of New Haven, and by the survivor of them, and said Olivia E. P. Stokes or Anson Phelps Stokes, Jr., or both, may, in their discretion, act as such directors; and upon the death of said survivor, said appointments shall thereafter be made, in perpetuity, by the president or acting president of Yale University of New Haven. Said three directors so appointed shall hold office

for three years from the first day of January next following their appointment and until their successors are appointed; and in the case of a vacancy, including any vacancy in the group of three directors originally provided to be appointed under the provisions of the deed of gift of Caroline Phelps Stokes, and any vacancy arising by failure to exercise said appointing power in the month of December, as above provided, said appointing power may, at any time, fill the vacancy for the unexpired term. Such appointment shall be in writing, lodged with the city clerk of the city of Ansonia. In the month of December, 1911, and annually thereafter in the month of December, the mayor shall appoint two directors to hold office for three years from the first day of January next following and until their successors are appointed and confirmed as provided for in section nine of this charter, who shall belong to said group of six directors. The mayor shall fill any vacancy in said group of six directors caused by death, resignation, removal, or otherwise, for the unexpired term, as provided for in section nine of this charter.

BRANFORD

Special acts of 1919, page 307

An act creating a department of finance in the town of Branford.

BETHEL

An act creating a board of finance in the town of Bethel.

Special acts of 1917, page 813

BRIDGEPORT

LIBRARY

Public acts of 1909 chapter 67

§ 1 Section 4639 of the general statutes is hereby amended by adding at the end of said section the following: "In the city of Bridgeport the present directors of the public library and reading room shall hold office for the respective terms for which they were appointed and until their successors shall be appointed and qualified. The directors of said public library and reading room shall have power, by a majority vote, to appoint suitable persons, selected with reference to their fitness for said office, to fill all vacancies which may arise in their number by reason of expiration of term of office, or any other cause. When the vacancy arises or is to arise from expiration of term of office, the appointment shall be made in the month of June and shall be for the term of three years from the first day of July next succeeding their appointment; when the vacancy arises from any cause other than the expiration of the term of office, the appointment shall be for the unexpired term. Every director appointed shall hold his office until his successor is appointed and qualified, but every appointment made by

the directors shall be with the approval of the common council of said city of Bridgeport. It shall be the duty of the secretary of the board of directors to give written notice to the common council of said city of such appointments. The public library and reading room of said Bridgeport shall continue to be known as the Bridgeport Public Library and Reading Room," so that said section as amended shall read as follows: When any city council shall have decided to establish and maintain a public library and reading room under the authority granted by section 4638, the mayor of such city shall, with the approval of said council, appoint a board of nine directors for the same, chosen with reference to their fitness for such office; and not more than one member of the city council shall be a member of said board. In the city of Bridgeport the present directors of the public library and reading room shall hold office for the respective terms for which they were appointed and until their successors shall be appointed and qualified. The directors of said public library and reading room shall have power, by a majority vote, to appoint suitable persons, selected with reference to their fitness for said office, to fill all vacancies which may arise in their number by reason of expiration of term of office, or any other cause. When the vacancy arises or is to arise from expiration of term of office, the appointment shall be made in the month of June and shall be for the term of three years from the first day of July next succeeding their appointment; when the vacancy arises from any other cause than the expiration of the term of office, the appointment shall be for the unexpired term. Every director appointed shall hold his office until his successor is appointed and qualified, but every appointment made by the directors shall be with the approval of the common council of said city of Bridgeport. It shall be the duty of the secretary of the board of directors to give written notice to the common council of said city of such appointments. The public library and reading room of said Bridgeport shall continue to be known as the Bridgeport Public Library and Reading Room.

SCHOOLS

Special acts of 1907 pages 495 500 and 527

§ 4 All burdens and all expenses imposed by law upon the town of Bridgeport for the support of schools and for the construction and maintenance of schoolhouses shall hereafter be borne by said city and shall be defrayed out of the treasury of said city and said city shall hereafter perform all the duties and have and exercise all the rights, powers, and privileges of and relative to said purposes and matters by law conferred upon said town, and all laws of the state imposing such duties, burdens, and expenses, and conferring such rights, powers, and privileges upon said towns, are hereby amended so as to be hereafter applicable to and operative upon said city, except as is herein otherwise provided.

§ 13 At the city meeting in November, 1907, and annually thereafter, there shall be elected by ballot from the city at large four members of the board of education, who shall be officers of the city, and who shall hold their respective offices for the term of three years from the Monday next succeeding their election.

§ 15 At every election for members of the board of education, a plurality of votes shall elect, but no voter shall vote for more than two of such officers to be elected. In case at any such election there shall fail to be a choice of any such officer, then such meeting shall stand adjourned to the next following Monday, at the same hour of the day when first held, and the election of such officers shall be proceeded with in the same manner and determined by the same rule as the election on said first day. Should any vacancy occur before the expiration of the term of office of any member of said board, the remaining members of said board may appoint some person belonging to the same political party to fill such vacancy for the remainder of such term.

§ 83 The city shall continue to be a consolidated school district; and it shall be in place of the town of Bridgeport in all duties, powers, obligations, and other matters required by law of or by the town in all matters concerning education; and it shall act instead of the town. All the powers, obligations, duties, rights, and property of the town, whether as a town or as a consolidated school district, shall continue to be vested in and belong to the city.

§ 84 There shall continue to be a board of education composed of twelve members elected as herein provided. The board of education shall have all the powers now or hereafter vested in and shall perform all the duties now or hereafter imposed by law on the school committee and selectmen of towns relative to school and educational matters; and said board shall have the superintendence, management, and control of all matters concerning education, schools, and school property, and the power of fixing or changing the sites of schoolhouses. Said board shall audit and approve, semi-monthly, all bills for the ordinary current expenses of its department, and report the same to the city auditor, who shall thereupon certify whether or not the appropriation is sufficient for the payment thereof, and if sufficient he shall so certify to the city treasurer, and thereupon the same shall become due and payable. The president and secretary of the board of education may draw upon said treasurer in favor of the persons entitled to payment thereof. The police commissioners shall assign one or more patrolmen to act as truant officers in enforcing the statutes in such case made and provided.

§ 85 The board of apportionment and taxation shall appropriate a sufficient sum annually to enable the board of education to supply the public schools of said Bridgeport below the high school grade with free text-books and supplies, which sum shall not be less than one and one-quarter dollars per pupil in average daily attendance for the school year ending July first next preceding, according to the records

of the board of education of said Bridgeport. Nothing in this resolution shall be construed to prevent any child, parent, or guardian from purchasing, at his own expense, text-books for use of pupils in the public schools, which text-books shall be provided at cost by the board of education of Bridgeport.

Authorizing the city of Bridgeport to issue school bonds

Special acts 1911, page 427

An act authorizing the city of Bridgeport to borrow money on serial notes

Special acts, 1913, page 955

§ 4 The board of education of said city is hereby authorized in legal meeting assembled, by vote of a majority of all the members of said body, to borrow, on the credit of said city, an amount not exceeding two hundred thousand dollars for school buildings, and to issue notes therefor in the name of the city. Such money shall be used for the erection of new school buildings, as said board of education may determine. Said notes shall be so made and issued that the money so borrowed shall be paid by the city within fifteen years from the date of the issue of the first note, in equal annual payments. Said notes shall bear interest at such rate, not exceeding four and one-half per centum per annum, payable semi-annually, as may be determined by said board of education, and shall be signed by the president of the board of education, and the treasurer and auditor of the city. The provisions of this section shall not authorize said city to issue more than one series of notes for school buildings, and the total amount thereof shall not exceed two hundred thousand dollars.

An act amending the charter of the city of Bridgeport

BOARD OF APPORTIONMENT AND TAXATION

Special acts, 1915, page 177

Whenever an appropriation is made by said board, in the manner hereinbefore provided, for the construction of schoolhouses, equipment of schoolhouses, and purchase of land for school purposes or for the construction of bridges, the sums so appropriated and such sums as have been appropriated for either of said purposes and not expended shall be placed to credit of accounts to be called school account and bridge account, respectively, and may, from time to time, be expended for the purposes for which such appropriations were made, except when transferred or rescinded as hereinafter provided. The unexpended appropriations for the construction of schoolhouses, equipment of schoolhouses, purchase of land for school purposes, and construction of bridges shall not be covered back into the treasury at the expiration of the fiscal year, but shall be retained to the credit of said accounts for said purposes.

An act authorizing the Purchase of Certain Property for the
 Bridgeport Trade School
 Special acts, 1915, page 267

Whenever The Bridgeport Trade Association, a corporation organized under the laws of this state, shall, by good and sufficient bill of sale, convey and deliver to the state all the machinery, fixtures, and other personal property owned by said The Bridgeport Trade Association and located and contained in the premises occupied by the state trade school in Bridgeport, the state board of education is hereby authorized to pay to said The Bridgeport Trade Association, out of the funds provided by law for support of trade schools, the sum of five thousand dollars, in payment for said machinery, fixtures, and property.

An act authorizing the City of Bridgeport to Issue Bonds and other
 Evidences of Indebtedness
 Special acts 1917, page 923
 CHATHAM

An act authorizing the town of Chatham to issue bonds
 Special acts, 1913, page 835
 DANBURY

Special acts of 1905, page 1070, as amended by special acts of 1907, page 249 as amended by special acts 1911, pages 302-304.

On the first Tuesday of September in each year the board of finance shall hold a meeting, and at said meeting the town school committee shall submit estimates of the moneys necessary to be appropriated for the maintenance of the schools of said town of Danbury for the year next ensuing, beginning the fifteenth day of September in each year, and shall at the same time submit to said board of finance a statement of the expenditures of said town school committee for the preceding year, and the board of selectmen at said meeting shall submit estimates of the moneys necessary to be appropriated for all other expenses in said town of Danbury for the year next ensuing, beginning the fifteenth day of September in each year; said estimates shall be published once in a newspaper published in said town of Danbury, at least five days before said meeting. Said board of finance may adjourn said meeting from time to time, and at said meeting, or any adjournment thereof, shall make appropriations for the expenses of said town of Danbury as aforesaid, for the year next ensuing, beginning the fifteenth day of September in each year; and said board, at its discretion, may make appropriations for paying off any part of the debt of said town, and also to provide a fund for any public improvement, and shall classify said appropriations under proper heads. At said meeting and

at all adjournments thereof said board of finance shall hear all parties who may desire to be heard relative to any of said estimates. Said appropriations made by said board shall be filed in the town clerk's office in the town of Danbury on or before the last Monday of September next ensuing, and shall be published once in a newspaper published in said town, on or before said last Monday of September, but said appropriations made by said board shall be submitted by the board of selectmen to the annual town meeting next to be held in said town of Danbury, or to a special town meeting to be called by the selectmen during the month of October in any year when there shall be no annual town meeting. Said annual or special town meeting as aforesaid, shall have power to decrease the appropriations or any item thereof, but in no case shall it have power to increase the appropriations or any item thereof. The appropriations so recommended shall be the appropriations of the town of Danbury for the ensuing year beginning September fifteenth as aforesaid, unless said appropriations be decreased by said annual or special town meeting as aforesaid, in which case the action of said town meeting shall be final. On or before the second Saturday of March next ensuing, said board of finance shall determine the tax rate, which shall be laid on the grand list of said town then last completed, which with the other estimated income of the town shall be sufficient to meet the appropriations of the town for the year beginning September fifteenth as aforesaid, and may fix the time when such tax shall become due and payable. Said rate of taxation fixed by said board shall be filed in the town clerk's office in the town of Danbury on or before said second Saturday of March, and shall be published, together with the appropriations made by said board, once in a newspaper published in said town, on or before said second Saturday of March. The rate of taxation so determined, shall be submitted by the board of selectmen, to a special town meeting which shall be called by the selectmen, and shall be held on the third Saturday of March next ensuing. Said special town meeting, called as aforesaid, shall have power to decrease the rate of taxation fixed by said board of finance, but in no case shall it have power to increase the rate of taxation, or to decrease the rate of taxation so as to create a deficiency. The rate of taxation reported by said board shall be final for the ensuing year beginning September fifteenth as aforesaid, unless said rate of taxation be decreased by said special town meeting, in which case the action of said special town meeting shall be final. The total amount of appropriations for any one year shall not exceed the estimated income for that year, nor shall any board of selectmen, or town school committee of said town, nor the town, in any special meeting, vote to incur any liability or expense, by contract or otherwise, for which said town shall be responsible, in excess of the appropriations estimated by said board.

LIBRARY

Special acts 1911, page 434

That section two of the resolution incorporating a public library in the borough of Danbury, approved June 5, 1869, is hereby amended by striking out all of said section and inserting in lieu thereof the following: "Charles H. Merritt, John Tweedy, Alfred N. Wildman, Howard B. Scott, George W. Merritt, Harry C. Meserve, Charles H. Merritt, Jr., and J. Moss Ives, all of Danbury, and Granville M. White and Edmund Tweedy of New York, are hereby appointed and confirmed as trustees of said Danbury library; and in a case of a vacancy hereafter occurring by reason of the death, resignation, or removal of any of said trustees, the surviving or remaining trustees may fill such vacancy, except that the first three vacancies occurring shall not be filled, so that the board of trustees shall thereafter consist of seven members and the four additional members hereinafter provided for. The mayor of the city of Danbury, the first selectman of the town of Danbury, the superintendent of the public schools of Danbury, and the principal of the state normal school in Danbury shall, at all times, be, *ex officio*, members of said board of trustees."

Special acts 1911, page 608

That the town of Danbury and the city of Danbury are hereby authorized to appropriate money for the support and maintenance of the Danbury Public Library.

DARIEN

Special acts, 1911, pages 109-112

BOARD OF FINANCE

An act authorizing the Town of Darien to Issue School Bonds

Special acts 1917, page 796

DERBY

Special acts of 1909, pages 998-1001; sections 28-33

Special acts of 1917, page 911

§ 28 The city of Derby may maintain a public library with a reading room and an audience room connected therewith, with such kindred and incidental conveniences as it may deem proper, the use of which under proper regulations shall be free to its inhabitants. There shall be in said city a department of the public library which shall be under the management and control of a board of nine library directors who shall serve without pay. No person shall be ineligible by reason of sex to serve on said board. Said board of directors

shall have charge of all the property of said city used for the purposes of said library and shall direct the expenditure of all money placed at its disposal by the city from whatever source derived and of all money and property which may be donated by private individuals to said library. The members of the board of library directors, holding office by appointment under the provisions of the general statutes, when this act takes effect, shall continue to hold their respective offices until their successors are appointed in accordance with the provisions of this act. Six of said nine directors shall be residents of said city and shall be appointed by the mayor as hereinafter provided. The remaining three of said directors may be nonresidents of said city and shall be appointed by the mayor in accordance with any agreement therefor which shall have been approved by the mayor and board of aldermen of said city, and said mayor and board of aldermen are authorized to enter into any such agreement with reference to the appointment of said three directors, and for such length of time whether determinable or in perpetuity, as they may deem advisable. In the absence of any such agreement or upon the expiration of same, the mayor shall appoint such three directors, and may in his discretion appoint residents or nonresidents of said city. The present board of directors shall hold their offices for the terms to which they have been appointed and until their successors are appointed. In April, 1911, and biennially thereafter, in the month of April, the mayor shall appoint three directors to hold office for six years from the first Monday of May next following and until their successors are appointed, two of whom shall belong to said group of six directors, and one to said group of three directors. The mayor shall fill any vacancy in said board caused by death, resignation, removal, or otherwise, for the unexpired term.

§ 29 Said board of directors shall make and enforce such by-laws, rules, and regulations as it may deem proper for the management, protection, and preservation of the property of said library and the management and use of the rooms thereof, and shall have all the rights and powers and be liable to the performance of all the duties and obligations belonging by statute to directors of public libraries in cities of this state and not inconsistent with this act. They shall have power, with the consent of the mayor and board of aldermen, to make a contract or contracts on behalf of and in the name of said city with the Derby Neck Library Association for the use and occupation of any property of said Derby Neck Library Association in furtherance of the purpose of a free public library. Said board of directors may also from time to time make such arrangements with reference to the use of books with the free public library of Ansonia and the free public library of Shelton as may be agreed upon and may be deemed advisable in furtherance of the purposes of a free public library; but no such arrangement involving the expenditure of additional money shall be made unless the same is approved by the mayor and board of aldermen of said city of Derby. Said board of library directors shall annually

report in writing to the mayor of said city the condition of said library, the circulation of books, and generally the operation of said library for the preceding year.

§ 30 Said board shall, by ballot, biennially, at such time and place as may be prescribed by the by-laws, elect one of its number, who shall be a resident of said city, to be president, who shall hold office until his successor is elected; and said board shall elect a secretary, treasurer, and such other officers as it may deem necessary, all of whom shall serve without pay, and shall appoint and remove such librarian or librarians and other employees as it may deem necessary for the proper management of said library and reading room and shall fix the duties and compensation of such librarian and employees. The offices of secretary and treasurer may be held by the same person.

§ 31 The board of apportionment and taxation of the city of Derby shall annually appropriate a sum of money not less than three thousand dollars for the care, maintenance, and support of said public library, and may from time to time appropriate in addition thereto sums of money for building purposes, repairs, books, or improvements in real estate and fixtures, not exceeding two thousand dollars in any five years. All moneys which have been or shall be appropriated by said city for library purposes shall by the treasurer of said city be paid over to the treasurer appointed by the board of library directors on the first Monday in May in each year. No payment shall be made by said treasurer appointed by said board of library directors except upon bills or orders approved in such manner as may be provided in the by-laws, and all bills and vouchers for expenses incurred shall be kept on file as may be provided in the by-laws and shall be subject to inspection by the mayor, the city treasurer, the corporation council, and any member of the board of directors of said library. The board of directors of said library shall not, on account of city appropriations or as chargeable thereto, expend any money in excess of the money therefor appropriated by said board of apportionment and taxation for the use of said library, except, however, that any funds not derived from such city appropriation may be expended to such an amount and for such purposes as said board of directors shall deem that the interests of said library may require.

§ 32 Said board of directors may make rules, under such conditions as it may deem best, extending all the privileges of said library to any or all of the following classes of persons, *viz*: First, to nonresidents attending school within the limits of the city of Derby; second, to nonresidents doing business in said city of Derby who pay taxes therein; third, to all nonresidents on the payment of such sums as may be fixed by the board of directors. The audience room and any other available room of said library may be used for all such scientific, literary, and other educational purposes, lectures, and meetings as may be approved by the directors, and for such other purposes and meetings as the directors may deem to be expedient, and for the use of said rooms said directors may charge such reasonable price as they shall

deem proper, except that when said room shall be used for scientific, literary, historical, or other educational lectures, any charges therefor shall be at the discretion of said directors, but shall in no case exceed the reasonable expense attendant upon such use. Any fees received for the use of said rooms as aforesaid shall be applied to the general purposes of said library. The mayor and board of aldermen of said city are authorized and empowered in the name and in behalf of said city to accept any real estate which may be donated to said city for any of the purposes mentioned in this act under such terms, conditions, agreements, and stipulations with reference thereto and the management thereof and the name of said library as they may deem to be to the advantage of said city and not inconsistent with this act. All money, books, and other personal property donated to said city for library purposes, or to said library, may be accepted by said board of directors under such conditions, restrictions, and stipulations as they shall deem advantageous to said library and said city.

§ 33 The board of sinking fund commissioners of said city shall be a board of trustees of any permanent fund or any trust for said public library, and shall receive, hold, manage, invest, and re-invest, in the manner provided by law with reference to the investment of trust funds in this state, any money or other property which by devise, bequest, or donation shall be given for the establishment of any permanent fund, or in trust for the benefit of said public library. Such fund shall be kept as a separate fund, and said commissioners shall annually report in writing the condition of such fund, its disposition, and the manner of its investment, to the mayor of said city. The income of said fund shall semi-annually be turned over to said board of directors for the use of said library, or as specified in the terms of any devise, bequest, or donation. Should any income of said fund not be expended in any one year, such unexpended income shall be subject at any time to the order of said board of directors. Any and all absolute donations of money or other personal property, whether by gift, bequest, or devise, shall be held, managed, and used as said board of directors may deem expedient. The board of apportionment and taxation shall annually appropriate a sum of money not less than five hundred dollars toward defraying the expenses of the Derby Neck Library Association.

Special acts of 1909, pages 1009-1011; sections 51-56

§ 51 Said city shall be a consolidated school district, and shall be substituted for and take the place of the town of Derby in all meetings, matters, duties, powers, obligations, and proceedings required by law of or by the town of Derby in all matters concerning education, and shall act instead of said town; and all the powers, obligations, duties, rights, and property of the several school districts and said town shall, with reference to education, be vested in and belong to said city, which shall be and act to all intents and purposes as such consolidated school district.

§ 52 There shall be in said city a board of education, consisting of seven electors. One member of said board, to be known as the chairman of the board of education, shall be elected upon the general ticket with the mayor, and two members of said board shall be elected from each ward. The chairman of said board shall hold office for two years from the first Monday of January succeeding his election and until his successor is duly elected and qualified. Each political party in each ward shall nominate and place upon its ticket half as many candidates for the office of member of the board of education as there shall be members of said board to be elected in such ward. The secretary of the meeting of each political party nominating candidates for aldermen shall file in the office of the city clerk a list, by him attested and signed, of the members of the board of education from such ward nominated by said party, at least thirty-six hours before the opening of the polls on election day. Any number of voters associated together and nominating candidates for members of the board of education in any ward, either directly or through a convention to which delegates shall be chosen, shall be a political party within the meaning of this act; but nothing contained herein shall be construed so as to prevent any voter from inserting in the place provided by law, the name of any person not nominated for such office.

§ 53 The two members of said board elected from the second and third wards at the city election held on the Tuesday after the first Monday of November, 1912, shall be elected for four years, and quadrennially thereafter two members of said board shall be elected from each of said wards for the term of four years. The two members of said board elected from the first ward at the city election held on the Tuesday after the first Monday of November, 1914, shall be elected for four years, and two members of said board shall be elected from said first ward quadrennially thereafter for the term of four years.

§ 54 Vacancies in said board shall be filled by the remaining members of said board of the political party in which the vacancy occurs until the same shall be filled by the voters of the ward in which such vacancy occurs, and in case it is filled by the voters of said ward it shall only be for the unexpired term. Vacancies shall be filled from the same political party and from the same ward in which the vacancy exists. Said board of education shall have all the powers now or hereafter vested in and shall perform all the duties now or hereafter imposed by law on town school committees, selectmen, and boards of school visitors, relative to schools and educational matters, and such board shall have the superintendence management and control of all matters concerning education, schools, and school property in said city.

§ 55 The police commissioner of said city shall assign one or more policemen to act as truant officers in enforcing the statutes of this state in such cases provided. Said board of education shall audit and approve all bills for the ordinary current expenses of its department, and the said clerk shall thereupon certify whether or not the appro-

priation is sufficient for the payment thereof, and, if sufficient, he shall draw his order for the same upon the city treasurer in favor of the persons entitled to payment thereof. Said board of education shall submit to the mayor, on or before the first Monday of October in each year, an estimate of the amount required for the support and maintenance of the public schools of said city for the ensuing fiscal year.

§ 56 All the property of the town of Derby, the borough of Birmingham, and the several school districts of said town, and all rights of action and all securities of said municipalities and liens therefor, including liens for taxes or assessments due the town of Derby, the borough of Birmingham, and the several school districts in said town are hereby transferred to and vested in said city of Derby, and the city of Derby is hereby made liable for all the debts, dues, bonds, and obligations of every kind and nature of the town of Derby, the borough of Birmingham, and the several school districts of said town that are now due or may hereafter become due, and shall execute, abide by, and perform all the duties and obligations and have and exercise all the rights of said town of Derby, borough of Birmingham, and the several school districts of said town, and any creditor or person whomsoever having any claim or right of action arising out of any contract or obligation, or otherwise, against said town, said borough, or said school districts may enforce the same against said city of Derby in the same manner as if said claim, right, or obligation had originally accrued against said city of Derby.

EAST HARTFORD

An act creating a board of finance in the town of East Hartford

Special acts, 1913, page 855

EAST HAVEN

An act creating a board of finance and increasing the powers of the board of selectmen of the town of East Haven

Special acts, 1915, page 99

GREENWICH

An act amending an act changing the form of government for the town of Greenwich

Special acts, 1911, page 264

Creates a board of estimate and taxation and prescribes the duties of the board of school visitors and high school committee, sections 5, 6, 7, 8, 10, 12, 16.

An act authorizing the town of Greenwich to issue bonds for school improvements

Special acts, 1913, page 782

An act authorizing the town of Greenwich to issue bonds for refunding school debts

Special acts, 1913, page 800

GROTON

Authorizing the fifth school district of the town of Groton to issue bonds

Special acts 1911, page 286

GUILFORD

An act creating a board of estimate and apportionment in the town of Guilford

Special acts, 1913, page 1098

An act amending an act creating a board of estimate and apportionment for the town of Guilford

Special acts, 1915, page 334

HAMDEN

An act amending an act creating a board of finance in the town of Hamden and increasing the powers of the selectmen

Special acts, 1913, page 1010

Special acts, 1917, page 768

HARTFORD

Amending the charter of the city of Hartford by providing for a juvenile commission

Special acts 1909, page 636

§ 1 There shall be in the city of Hartford a commission on juvenile affairs which shall consist of six citizens resident in said city.

§ 2 The necessary expenses of said commission, not exceeding such amount as the court of common council of said city shall appropriate for such purpose, shall be paid by said city, but no member of said commission shall receive any compensation for his services.

§ 3 In April, 1909, the mayor of said city shall appoint the members of said commission, two for the term of three years, two for the term of two years, and two for the term of one year from and after May 1, 1909, and the mayor shall appoint two members in the month of April of each year thereafter for the term of three years from the first day of May next thereafter. All appointments to said commission shall be subject to the approval of the court of common council of

said city. The members of said commission shall hold office until their respective successors are appointed and qualified.

§ 4 Said commission shall have power to investigate and inquire into all questions relating to the welfare of the children of the city, to collect and compile statistics or other information relating to child life within the city, and to recommend legislation in the interests of children. Said commission shall make an annual report to the court of common council containing a summary of its investigations and recommendations.

Concerning an expression by the voters of the town and city of Hartford of their choice between a resolution establishing a board of education for the City of Hartford and a resolution concerning equalization of school district taxes within the City of Hartford.

Special acts 1911, page 609 et seq

§ 1 That the proper authorities of the town and city of Hartford are hereby instructed and directed to insert in the calls for the annual meeting of said town and city to be holden at Hartford in April, 1912, notice that at said meeting two resolutions, substitute for Senate Joint Resolution No. 30, establishing a board of education for the city of Hartford, and substitute for Senate Joint Resolution No. 168, amending the charter of the city of Hartford concerning taxation for school purposes, copies of which resolutions are hereto annexed and made part of this resolution, will be presented to the voters, to determine the choice of the electors of said town and city, including among such electors women who are authorized to vote for the choice of school officers within said town and city, between such resolutions as applicable to the school districts of said city and to said city.

§ 2 The proper authorities of said town and city are hereby directed to cause proper ballot boxes and printed ballots to be provided at said meeting for the use of the electors of said town and city, including women as aforesaid, in voting as to which of said two resolutions they and each of them favor.

§ 3 Said Ballots shall read, respectively, "Consolidation" and "Equalization." Ballots bearing the word "Consolidation," cast in said ballot boxes, shall be taken as cast and shall be counted by the proper officers in favor of said substitute for Senate Joint Resolution No. 30; ballots bearing the word "Equalization," cast in said ballot boxes, shall be taken as cast and shall be counted by the proper officers in favor of said substitute for Senate Joint Resolution No. 168.

§ 4 No elector or woman qualified to vote at said meeting, as aforesaid, shall cast or be permitted to cast more than one ballot, at said meeting, as to the matter hereby submitted to such voters for an expression of their opinion.

§ 5 Unless at least fifty per centum of the registered voters of said town and city cast their ballots, at said meeting of said town and city, in pursuance of the authority and direction of this resolution, the result of such vote shall not be regarded as a final expression of

the opinion of the voters of said town and city on the questions hereby submitted.

Substitute for joint resolution No. 30

§ 1 That on July first of the year following the acceptance of this resolution by vote at a city meeting duly called to consider and act thereon, the property and assets of all the school districts having local limits within the city of Hartford shall pass to and be vested in said city, and on said date said city shall assume the payment of all indebtedness, of every name and nature, of such districts. On and after said July first the board of school visitors of the town of Hartford then in office shall become and be constituted a board of education of said city of Hartford, and shall have all the powers and perform all the duties of district committees of school districts within said town and city, of the high school committee of the town of Hartford, and of the board of school visitors of said town, until the election and qualification of a board of education as hereinafter set forth.

§ 2 No power of school districts or any officer thereof, nor of members of the board of school visitors, nor of members of the high school committee, except such as are reserved or given by this resolution, shall be exercised by them after said July first, but every school district within the city of Hartford then existing may preserve its organization and necessary powers for the purpose of closing and settling up its affairs. Nothing herein shall be construed as barring the collection of school district taxes due on said July first.

§ 3 Immediately after said July first said board of school visitors then in office shall organize as a board of education of the city of Hartford, shall elect a chairman from their own number, and shall appoint a secretary, which chairman and secretary shall, respectively, perform the duties and exercise the powers now pertaining to the offices of chairman and secretary of boards of school visitors. Said board shall appoint one or more acting visitors, or a superintendent, to exercise, under its direction, supervision over the schools. It shall have the care and management of lands, buildings, and other apparatus used for school purposes; it shall determine the number and qualifications of the scholars to be admitted into each school; it shall employ a requisite number of qualified teachers; it shall designate the schools which shall be attended by the various children resident within the city of Hartford, and shall make such provisions as will enable every child of school age residing in the city who is of proper mental and physical condition, to attend some public school for the period required by law; it may provide for transportation of children whenever such transportation may seem fit and desirable; it may arrange, if it sees fit, with the school committee or board of education of any adjoining town for the instruction therein of such children as can attend school in such adjoining town more conveniently; and it shall perform all lawful acts necessary to carry into effect the powers granted and duties imposed by this resolution.

§ 4 The court of common council of the city of Hartford may, by ordinance, fix the compensation, if any, of the members of such board of education, but the secretary of said board shall receive an annual salary of at least the sum of three thousand dollars. He shall be the business executive of said board. Said board of education may employ, from time to time, such agents and employees as it may deem necessary, and may fix their duties and the compensation to be paid to them by the city of Hartford. In no case shall said board employ any person to perform any duty in connection with the schools under contract for a longer period than one year, except as superintendent of schools, who in no case shall be appointed for a term of office exceeding four years, and except for construction or repair of school property.

§ 5 The board of school visitors shall pass out of office as a board of education on July first of the year following their organization as a board of education, and at the annual town and city meeting held on the first day of April of said year there shall be elected nine persons residents of the city of Hartford, to serve as a board of education for said city, and who shall, on the first day of July next following their election, and until their respective successors are chosen and qualified, constitute a board of education for the city of Hartford, with the powers and duties hereinbefore specified. Said board of education shall be nominated and elected in classes, three members to hold office for one year, three members for two years, and three members for three years, from the first day of July next following their election and until their respective successors are elected and qualified, and no person shall vote for more than two members of each class. Said members so elected shall constitute a board of education for the city of Hartford, with the powers and duties hereinbefore specified. At each annual town and city meeting thereafter there shall be nominated and elected three members of said board of education to hold office for three years from the first day of July next following their election, and no person shall vote for more than two of such members.

Substitute for senate joint resolution No. 168

§ 1 That section five of a resolution amending the charter of the city of Hartford creating a board of finance, approved April 5, 1905, being section eighty-five of the compiled charter of the city of Hartford, is hereby amended so that the fourth sentence thereof shall read as follows: In the preparation of said estimates, said board shall give notice to each board and department and to the chairman of each school district committee of a definite time when and place where it will meet to consider the needs of such board, department, or school district; and said board of finance shall recommend such tax upon the polls and ratable estates within the limits of said city as it shall deem necessary to meet such expenses.

§ 2 Each school district committee of the city of Hartford shall annually submit to the board of finance of said city, in such form and at such time as said board shall require, its report showing the detailed

expenses of the district for its fiscal year last past, and, on or before February first in each year, shall submit to said board of finance a detailed statement of the estimated expenses of the district for the next ensuing fiscal year.

§ 3 For the first year of the operation of this amendment, said board of finance shall recommend to the court of common council the levy of a tax of five mills upon the city's grand list, and the appropriation of the proceeds thereof for the purposes of school maintenance in the various districts, and said board of finance shall apportion to each district such proportion of the proceeds of said tax as the total number of pupils registered in each district during the fall term immediately preceding February first bears to the total number of pupils registered in all the school districts during said fall term.

§ 4 For the second year of the operation of this amendment and for the year succeeding, said board of finance, after consultation with the several school district committees of said city, shall annually recommend to the court of common council of said city the levy and appropriation for the purposes of the several school districts of such tax as it may deem necessary for the maintenance of the schools in said districts, said tax to be levied upon the city's grand list and apportioned to the several districts in accordance with the method prescribed in section three of this resolution.

§ 5 For the purposes of the distribution to the school districts of the tax on the shares of stock of certain corporations, as provided by section 2333 of the general statutes, the district rate in all the school districts shall be the rate determined under the provisions of this resolution, and the amount of such tax shall be distributed to said school districts in accordance with the number of registered pupils as hereinbefore provided.

§ 6 This resolution, unless amended or repealed by the general assembly, shall remain in force for not less than five years from July fifteenth of the year in which it is put in operation, and no vote for the consolidation of school districts in said city shall be taken during said period of five years.

§ 7 An act concerning school taxes in the city of Hartford, approved May 19, 1905, being sections eighty-seven, eighty-eight, eighty-nine, and ninety of the compiled charter of said city, is hereby repealed.

Authorizing the West middle school district of Hartford to issue bonds
Special acts 1911, page 107

Authorizing the West middle school district of Hartford to issue
refunding bonds
Special acts 1911, page 107

An act concerning the equalization of school district taxes within the
city of Hartford
Special acts, 1913, page 703

§ 1 Section five of a resolution amending the charter of the city of Hartford creating a board of finance, approved April 5, 1905, being section eighty-five of the compiled charter of the city of Hartford, is hereby amended so that the fourth sentence thereof shall read as follows: In the preparation of said estimates, said board shall give notice to each board and department and to the chairmen of each school district committee of a definite time when and place where it will meet to consider the needs of such board, department, or school district; and said board of finance shall recommend such tax upon the polls and ratable estates within the limits of said city as it shall deem necessary to meet such expenses.

§ 2 Each school district committee of the city of Hartford shall annually submit to the board of finance of said city, in such form and at such time as said board shall require, its report showing the detailed expenses of the district for its fiscal year last past, and, on or before February first in each year, shall submit to said board of finance a detailed statement of the estimated expenses of the district for the next ensuing fiscal year.

§ 3 For the first year of the operation of this act said board of finance shall recommend to the court of common council the levy of a tax of five mills upon the city's grand list, and the appropriation of the proceeds thereof for the purposes of school maintenance in the various districts, and said board of finance shall apportion to each district such proportion of the proceeds of said tax as the total number of pupils registered in each district during the fall term immediately preceding February first bears to the total number of pupils registered in all the school districts during said fall term.

§ 4 For the second year of the operation of this amendment and for the years succeeding, said board of finance, after consultation with the several school district committees of said city, shall annually recommend to the court of common council of said city the levy and appropriation for the purposes of the several school districts of such tax as it may deem necessary for the maintenance of the schools in said districts said tax to be levied upon the city's grand list and apportioned to the several districts in accordance with the method prescribed in section three of this act.

§ 5 For the purposes of the distribution to the school districts of the tax on the shares of stock of certain corporations, as provided by section 2333 of the general statutes, the district rate in all the school districts shall be the rate determined under the provisions of this act, and the amount of such tax shall be distributed to said school districts in accordance with the number of registered pupils as hereinbefore provided.

§ 6 This act shall remain in force for not less than three years from April 1, 1913, and no vote for consolidation of school districts in said city shall be taken at the annual city and town meetings to be held in said city on the first Tuesdays in April, 1913, 1914, and 1915. If said town and city of Hartford shall hereafter vote in favor

of consolidation of school districts within its limits, said consolidation shall be established under a certain plan fully described and set forth in a resolution approved September 12, 1911, a sub-title whereof is "Substitute for Senate Joint Resolution No. 30, Resolution establishing a Board of Education for the City of Hartford." If at annual city or town meetings of Hartford to be holden on the first Tuesday of April, 1916, or subsequent years, a majority of the voters at said meetings shall vote in favor of consolidation of school districts, then consolidation shall be put into effect on the first day of July following such vote under the provisions of said substitute for senate joint resolution No. 30, entitled "Resolution establishing a Board of Education for the City of Hartford." Such resolution, in case of such vote by the city or town meeting in favor of consolidation shall become an amendment forthwith to the charter of the city of Hartford.

§ 7 An act concerning school taxes in the city of Hartford, approved May 19, 1905, being sections eighty-seven, eighty-eight, eighty-nine, and ninety of the compiled charter of said city, is hereby repealed.

An act amending the charter of the city of Hartford

Special acts, 1913, page 793

§ 1 Nothing contained in the resolution amending the charter of the city of Hartford approved July 9, 1895, or in any other resolution or act affecting the power of the city of Hartford to lay or levy a tax upon certain land or property within its limits shall prevent said city from laying or levying a tax in excess of six mills on a dollar of its grand list, provided the proceeds of such excess taxes above said six mills levied upon property described in section fifteen of the resolution consolidating the governments of the city and town of Hartford, approved July 9, 1895, shall be expended or distributed by said city toward or for the support of public schools located within the limits of the city of Hartford.

§ 2 All proceedings at law for collecting within the town and city of Hartford a personal tax laid under chapter 260 of the public acts of 1909 as amended by chapter 295 of the public acts of 1911, may be brought to the city police court established and holden within and for said city.

An act concerning the board of school visitors of Hartford

Special acts, 1913, page 845

§ 1 The board of school visitors of the town of Hartford may institute and operate at the expense of the city, vacation, invalid, and other schools in and for said city, provided said board of school visitors shall not expend for such purposes any sum or sums in excess of the appropriations therefor made annually by the court of common council.

§ 2 Said board of school visitors of the town of Hartford shall

comply in all respects with the charter and ordinances of the city of Hartford in reference to its printing, its purchases, and its contracts. The board of school visitors of the town of Hartford is hereby declared to constitute a department of the city of Hartford, within the scope of a resolution amending a resolution establishing a board of contract and supply in the city of Hartford, approved July 18, 1905.

High school bond issue

Special acts, 1913, page 810

An act concerning the rate of interest on bonds of the second north school district of the town of Hartford

Special acts, 1913, page 802

The bonds or other obligations which may be issued by the second north school district of the town of Hartford under authority of a resolution authorizing the second north school district of the town of Hartford to issue bonds, approved March 18, 1903, may bear interest at a rate not greater than four and one-half per centum per annum, payable semi-annually.

An act authorizing the northeast school district of Hartford to issue bonds

Special acts, 1913, page 836

An act changing the territorial limits of the northwest school district of the town of Hartford

Special acts, 1913, page 1126

§ 1 On and after July 15, 1915, the territorial limits of the northwest school district of the town of Hartford shall not include any land or property lying in the town of Bloomfield.

§ 2 For a period of two years from July 15, 1913, the town of Bloomfield shall pay to the northwest school district of the town of Hartford annually, the sum of twenty-five dollars per capita for all persons within school age living in the town of Bloomfield and within the present limits of the northwest school district, in full payment of all legal obligations of the town of Bloomfield to the support of the schools of the town of Hartford.

§ 3 After July 15, 1915, the town of Bloomfield shall provide educational facilities for all that portion of said town at present included within the territorial limits of the northwest school district of the town of Hartford and excluded from said district by this act in the same manner as said town of Bloomfield now provides educational facilities for the remainder of said town.

§ 4 All property of said northwest school district lying within the limits of the town of Hartford shall, after July 15, 1915, belong to said

northwest school district, and said district shall assume and bear all obligations incurred by said district.

§ 5 This act shall take effect July 15, 1913.

An act authorizing the southwest school district of Hartford to issue bonds

Special acts, 1913, page 833

An act concerning the consolidation of school districts in the city of Hartford

Special acts, 1915, page 603

If, at the annual city or town meeting of the city or town of Hartford to be held on the first Tuesday of April, 1916, or any subsequent year, the voters thereof shall vote on the question of consolidating the school districts therein pursuant to the provisions of section six of an act concerning the equalization of school district taxes within the city of Hartford, approved April 3, 1913, no such proposal shall be subsequently submitted to said electors within a period of five years from the date of such vote.

An act changing the name of the board of school visitors of the city of Hartford to the board of education of the city of Hartford

Special acts, 1915, page 7

The name of the board of school visitors of the city of Hartford is hereby changed to the board of education of the city of Hartford.

An act authorizing the northwest school district of Hartford to issue bonds

Special acts, 1915, page 28

An act annexing a part of the territory of the southwest school district, in Hartford, to the Hartford south school district

Special acts, 1915, page 139

So much of the territory belonging to the Southwest school district, in Hartford, as lies west of Franklin avenue and east of Goodwin park, and east of a line parallel with the east line of Maple avenue and one hundred and fifty feet distant therefrom, is hereby separated from said Southwest school district and made a part of the Hartford South school district, in said Hartford.

An act authorizing the first school district of the city of Hartford to issue bonds

Special acts, 1915, page 215

An act changing the title of the presiding officer of the board of education of the city of Hartford

Special acts, 1915, page 327

The title of the chairman of the board of education of the city of Hartford is hereby changed to the president of the board of education of the city of Hartford.

An act authorizing the Washington school district of the town of Hartford to issue bonds

Special acts 1917, page 960

An act authorizing the first school district of the town of Hartford to issue bonds

Special acts of 1917, page 1052

An act authorizing the Arsenal school district of Hartford to issue bonds

Special acts, 1917, page 1054

Special acts 1919, page 181

An act authorizing the first school district of Hartford to issue bonds

Special acts 1919, page 220

An act authorizing the Northeast school district of Hartford to issue bonds

HUNTINGTON

Creating a department of finance in the town of Huntington

Special acts 1911, pages 265-268

An act amending an act creating a department of finance in the town of Huntington

Special acts of 1913, page 1201

An act incorporating the city of Shelton

Special acts, 1915, page 657

§ 27 The city of Shelton may maintain a public library with a reading room and such incidental conveniences as may be proper, the use of which, under proper regulations, shall be free. There shall be in said city a department of the public library which shall be under the management and control of a board of six library directors, who shall serve without pay, and not more than three members shall be of the same political party. No person shall be ineligible by reason of sex to

serve on said board. Said board of directors shall have charge of all the property of said city used for the purposes of said library and shall direct the expenditure of all money placed at its disposal by the city and all money and property which may be donated to said library. The members of the board of library directors holding office under the provisions of the general statutes, when this act takes effect, shall continue to hold their respective offices until their successors are elected in accordance with the provisions of this act. At the city election held on the Tuesday after the first Monday of November, 1916, there shall be elected six library directors, two of whom shall be elected for two years, two for four years, and two for six years, from the first Monday of January next succeeding, and biennially thereafter two library directors shall be elected for the term of six years. The board of library directors shall hold their offices for the terms for which they are elected, and until their successors are duly elected and qualified. All vacancies in said board shall be filled for the unexpired term from the political party in which the vacancy occurs, by the remaining members of said board.

Special acts, 1915, pages 666 and 667

§ 49 Said city shall be a consolidated school district, and shall be substituted for and take the place of the town of Huntington in all meetings, duties, powers, obligations, and proceedings required by law of or by the town of Huntington in all matters concerning education, and shall act instead of said town; and all the powers, obligations, duties, rights, and property of the several school districts and said town shall, with reference to education, be vested in and belong to said city, which shall be to all intents and purposes such consolidated school district.

§ 50 There shall be in said city a board of education consisting of eight electors who shall be elected upon the general ticket with the mayor, and not more than four members shall be of the same political party. At the city election held on the Tuesday after the first Monday of November, 1916, there shall be elected eight members of said board of education, four of whom shall be elected for two years and four for four years, from the first Monday of January next succeeding, and biennially thereafter four members of the board of education shall be elected for the term of four years. The members of the board of education shall hold their offices until their successors are elected and qualified.

§ 51 Vacancies in said board shall be filled by the remaining members of said board of the political party in which the vacancy occurs until the same shall be filled by the voters of the ward in which such vacancy occurs, and in case it is filled by the voters of said ward it shall only be for the unexpired term. Vacancies shall be filled from the same political party in which the vacancy exists. Said board of education shall have all the powers vested in and shall perform all the

duties imposed by law on town school committees, selectmen, and boards of school visitors, relative to schools and educational matters, and said board shall have the superintendence, management, and control of all matters concerning education, schools, and school property in said city.

§ 52 The police commissioner of said city shall assign one or more policemen to act as truant officers. Said board of education shall audit and approve all bills for the current expenses of its department, and said clerk shall thereupon certify whether or not the appropriation is sufficient for the payment thereof, and, if sufficient, he shall draw his order for the same upon the city treasurer in favor of the persons entitled to payment thereof. Said board of education shall submit to the mayor, on or before the first Monday of April in each year, an estimate of the amount required for the support and maintenance of the public schools of said city for the ensuing fiscal year.

§ 53 All the property of the town of Huntington, the borough of Shelton, and the several school districts of said town, and all rights of action and all securities of said municipalities and liens therefor, including liens for taxes or assessments due the town of Huntington, the borough of Shelton, and the several school districts in said town, are hereby transferred to and vested in said city of Shelton, and the city of Shelton is hereby made liable for all the debts, dues, bonds, and obligations of the town of Huntington, the borough of Shelton, and the several school districts of said town that are now due or may hereafter become due, and shall execute, abide by, and perform all the duties and obligations and have and exercise all the rights of said town of Huntington, borough of Shelton, and the several school districts of said town, but the debts and obligations of the borough of Shelton shall be a charge upon the property lying within the second taxing district, and upon said property only.

MANCHESTER

Special acts of 1895, page 408

Special acts of 1907, page 291

Special acts of 1913, page 1123

Special acts of 1915, page 75

§ 1 The territory and inhabitants within the limits of the ninth school district of Manchester bounded by a line commencing at a point in the center line of middle turnpike opposite the dividing line between the lands of R. O. Cheney and E. C. Hilliard, thence running southerly to a point where said line intersects the north line of the land of E. L. G. Hohenthal, thence west on said north line about four hundred and five feet to the northwest corner of said land, thence south on the west line of said Hohenthal's land about six hundred and fifty feet to the intersection with the center line of Olcott street, thence westerly

on the center line of Olcott street to the east line of the land of the Charles Case property at a point five hundred and twenty-six feet easterly of the center line of McKee street, thence south on the east line of said Case property to the center line of Center street, thence west on the center line of Center street to the center line of McKee street, thence south on the center line of McKee street to Hartford road, thence south on the line of the old highway now discontinued to the dividing line between land formerly of Edna McKee and land of Cheney Brothers, thence easterly in a straight line to the south end of the bridge south of the house of the late George Gould on South Main street, thence south along the center of the highway to the dividing line between land formerly of Richard Joslyn and land formerly of Abel Lewis, thence easterly in a straight line to a point where the west line of the third district crosses Wyllis brook on Gardner street, thence north on Gardner street in a straight line to Highland street, thence east about fifty-two feet to the center line of Autumn street, thence north on the center line of Autumn street to the dividing line between land of C. W. Cowles and land of H. G. and R. Cheney, thence west on said line to the west line of the old cemetery, thence north on said line to the center of East Center street, thence easterly on the center line of East Center street to the east line of the property of Martha Durkins and Mary Digney, thence north on said line to Middle turnpike, thence westerly along Middle turnpike to the point of beginning; are hereby made a body politic and corporate by the name of the Ninth school district of Manchester, and shall have all the powers and privileges of school districts under the laws of this state.

§ 2 The first meeting of said district shall be held in June, 1895, and shall be called by the present district committee. At said meeting shall be elected by ballot a committee consisting of five persons whose terms of office shall begin July fifteenth, 1895. One of this number shall be elected to hold office until the next annual meeting, two until the second annual meeting, and the remaining two until the third annual meeting thereafter. At each annual meeting of said district, which shall be held in June, so many members of said committee shall be elected by ballot to hold office for three years as, together with those previously elected to hold office beyond said annual meeting, will make the whole number five; and all members of said committee shall be residents of said district. In case of vacancy caused by resignation, death, or removal from the district, the remaining members of the committee shall fill the vacancy until the next annual meeting of said district, when a member shall be elected for the unexpired term. The district committee, or a majority thereof, shall give notice of all meetings of said district, and may call a special meeting thereof at any time, and shall call one on the written request of twenty legal voters of the district.

§ 3 Said committee shall examine, employ, and dismiss teachers, shall determine the number and qualifications of the scholars to be

admitted into each school, provided that all children of school age within said district shall be admitted to some one of the schools maintained by said district, may prescribe the course of study to be followed in the schools, and shall exercise all the powers and perform all the duties of district committees and school visitors. The authority of the school visitors of the town in which said district is situated shall extend only to the remaining portion of said town.

§ 4 In the town of Manchester, in each year, before the third Tuesday of June, the school visitors shall elect three of their number, and the committee chosen under the provisions of this resolution shall also elect three of its number, and the board of selectmen shall elect three of its members, and the nine persons shall be the joint board of the town of Manchester in lieu of that provided for in section 2234 of the general statutes, and shall have the rights and perform the duties of said joint board prescribed in sections 2234, 2236 and 2237 of the general statutes.

Special acts of 1913, pages 1124-1125

§ 2 Said district may establish public day and evening schools for instruction in the principles and practice of such trades and useful occupations as may be designated by the committee of said district. Said committee shall have the power to purchase such materials as may be necessary for the proper conduct of said schools and may dispose of the products of said schools and of the income from such products either for prizes to the pupils for proficiency in work or for maintenance of said schools.

§ 3 Said district may equip and maintain gymnasiums, baths, and recreation grounds, with all necessary buildings and paraphernalia, for the use of the inhabitants of the town of Manchester as the recreation committee may designate, and is authorized to raise money by taxation for the purpose of carrying out the provisions of this act. Said district shall have all the rights and powers for the acquirement of land for any of the provisions of this act which it has for the acquirement of land for school purposes.

§ 4 Said recreation grounds, gymnasiums, and baths shall be under the supervision of a committee of five residents of said district who shall be known as the recreation committee of the ninth school district. Two of said committee shall be appointed annually by the district committee from its members. At the annual meeting of said district in 1913 said district shall elect one member of said committee to hold office for one year from July 15, 1913, one member to hold office for two years from said date, and one member to hold office for three years from said date. At each annual meeting thereafter said district shall elect one member of said committee who shall hold office for three years from July fifteenth succeeding his election. In case of a vacancy among the elected members of said recreation committee the remaining members of said committee shall elect some person to fill the vacancy until the next annual meeting. In case of a vacancy

among the members appointed by the school committee said school committee shall appoint some person for the balance of the unexpired term. The recreation committee shall have charge of the baths, recreation grounds, and gymnasiums maintained by the district, and shall make rules and regulations for their management, use, and rental, and may employ such attendants and assistants as may be necessary to properly supervise and maintain them.

§ 5 Whenever said district shall vote to purchase land for any of the purposes of said district, or to purchase, erect, or equip any building for any of said purposes, or to enlarge any such building, and the estimated expense thereof is more than ten thousand dollars, and an appropriation is made for the purpose of meeting such expense, said district may, at a meeting duly warned for that purpose, vote to issue bonds of said district to defray such expenses, provided said district shall not issue bonds exceeding in the aggregate of all issues five per centum of the grand list of said district. Said meeting shall fix the rate of interest on said bonds, the time and place of payment of principal and interest thereon, the amount and kind of bonds, the manner in which they shall be issued and sold, and the person or persons by whom the same shall be signed on behalf of said district. A certain part of said bonds shall become due each year. Said district shall make provision for a sinking fund for the payment of said bonds. The proceeds of the sale of such bonds shall be paid into the district treasury and no portion of the money so raised shall be used for any purpose other than that for which said bonds were issued. Any balance remaining after completing such payment shall be used only for the purchase of land or the purchase or construction of buildings or their enlargement or equipment.

An act concerning the Ninth school district of Manchester
Special acts, 1915, page 3

An act authorizing the Middletown City school district to issue bonds
Special acts, 1913, page 786

An act concerning reimbursement by the state of high school tuition
to the town of Middletown
Public acts, 1915, chapter 327, page 2194

§ 1 The town of Middletown shall pay the whole or any part of the tuition fee of any child who resides with his parents or guardians in that part of said town of Middletown which is not included in the city district of said town and who, with the written consent of the school visitors, attends a high school, provided the high school shall be approved by the state board of education. Such tuition fee shall be paid annually by the town treasurer of Middletown upon the order of the chairman of the board of school visitors of said town.

§ 2 The town of Middletown shall, annually, in July, receive from the treasurer of the state an amount equal to two-thirds of the aggregate of the sums which have been paid by the town for tuition fees under the provisions of section one of this act, provided not more than thirty dollars shall be paid by the state for each scholar so attending from said part of the town of Middletown.

§ 3 The number and names of the children so attending high schools and the high schools which they shall attend, shall, on or before the first of July in each year, be certified under oath by the secretary of the board of school visitors of the town of Middletown to the state board of education. The comptroller shall, on application of said board, draw an order on the treasurer in favor of the town for the amount provided for in section two of this act.

An act authorizing the Middletown City school district to issue bonds
Special acts, 1915, page 80

MONTVILLE

An act incorporating the Palmer memorial association
Special acts, 1915, page 113

NAUGATUCK

Special acts of 1895, page 221

§ 6 All burdens and all expenses imposed by law upon the town of Naugatuck, for the support of schools, shall hereafter be borne by said borough; and said borough shall hereafter perform all the duties, and have and exercise all the rights, powers, and privileges of and relative to said purposes and matters by law conferred upon said town; and all laws of the state imposing such duties, burdens, and expenses, and conferring such rights, powers, and privileges upon said town, are hereby amended, so as to be hereafter applicable to, and operative upon, said borough, except as is herein otherwise provided.

§ 23 There shall be in said borough a board of education, consisting of six electors of said borough. Of the members elected at the annual elector's meeting of said borough in May, 1895, two shall be elected for the term of three years, two for the term of two years, and two for the term of one year, respectively, and at said election in May, 1895, no person shall vote for more than one person for each of the respective terms last above named. At the borough election held on the first Monday of May, 1896, and annually thereafter, two members of said board of education shall be elected for the term of three years, but no person shall vote for more than one member of said board at any election after May, 1895, except for persons to fill vacancies. Vacancies in said board may be filled by the remaining members of said board until the same be filled by the voters thereof, but only for the unexpired term. Said board of education shall have all the

powers now or hereafter vested in, and shall perform all the duties now or hereafter imposed by law on the school visitors of the several towns in this state. The board of education and the warden and burgesses of said borough shall meet as a joint board on the second Tuesday in June in each year, and prepare a statement showing the estimated cost of each and all the public schools in the borough for the succeeding school year, and shall immediately thereafter notify the committees of the respective school districts of the several amounts so estimated; and said board of education shall present, at the annual borough meeting, a written or printed statement of the total cost of each and all of the public schools in said borough for the school year next preceding, and shall present an estimate of the cost of such schools for the current school year, at a meeting of the freemen of the borough held in July in each year; and said joint board shall hereafter do and perform all other acts and things that the school visitors and the selectmen of said town of Naugatuck have heretofore done and performed, and as may be hereafter required by law to be done and performed, in the several towns by the board of school visitors and selectmen.

An act incorporating the Naugatuck high school scholarship fund

Special acts of 1919, page 147

§ 1 Harris Whittemore, William T. Rodenbach and Frank W. Eaton, all of the borough of Naugatuck, and such other persons as they shall associate with them, and their successors, are constituted a body politic and corporate by the name of The Naugatuck High School Scholarship Fund.

§ 2 Said corporation is formed for the purpose of receiving, holding and managing both real and personal property and of providing from the income thereof cash scholarships for graduates of the Naugatuck high school.

§ 3 Said corporation may sue and be sued and prosecute and defend suits in all courts in this state; may have and use a common seal and alter the same; may make by-laws for the management of its affairs, and elect such officers as its by-laws may prescribe; may receive, hold and possess any estate, real or personal, by subscription, gift, grant, purchase, bequest or devise, either in trust or otherwise, and may grant, alien, sell, invest and dispose of the same and the income thereof for the purpose herein set forth.

§ 4 Any vacancy which may occur among the members of said corporation shall be filled by the remaining members at a meeting of such members, reasonable notice of which shall be given.

§ 5 Said corporation and all property and funds held by it shall be exempt from taxation.

§ 6 Said corporation shall make report annually to the board of education of Naugatuck.

NEW BRITAIN

Special acts of 1905, page 932

Special acts of 1913, page 1023

Special acts of 1915, pages 411 and 1028

SCHOOLS

§ 36 Said city shall be a consolidated school district and it shall be in place of the town of New Britain in all the duties, obligations, and other matters required by law of or by the town concerning education, and it shall act in such matters instead of the town. All the powers, obligations, rights, and property of the town, whether as a town or as a consolidated school district, shall be vested in and belong to said city.

§ 37 There shall be a school committee of said city, with all the rights, duties, or powers concerning schools and educational matters now or hereafter vested in committees of consolidated school districts and selectmen of towns by the laws of this state. Said committee shall serve without compensation, except as hereinafter provided, and the present school committee of the consolidated school district of the town of New Britain shall continue to be the committee of the consolidated school district of the city of New Britain until the successors of the present members of said committee shall be elected and qualified as herein provided.

§ 38 Said committee may fix and determine the compensation to be paid to its officers.

§ 39 Said committee shall audit and approve monthly all bills for all current expenses of their department and report the same to the city comptroller, provided, in all cases whenever a discount for cash can be procured from the price of any goods purchased, the finance committee of the school committee shall have power to pay any such bill in order to take advantage of the discount for the benefit of the school district, and may draw an order upon the treasurer therefor in favor of the person entitled to payment of the bill discounted, but all such bills so discounted shall be afterwards ratified and approved by the school committee at the next regular meeting thereof. The city comptroller shall certify to the city treasurer whether or not the appropriation available is sufficient for the payment of the bills audited and approved, and, if sufficient, said committee, by its duly authorized official, shall draw upon the treasurer in favor of the person entitled to the payment of any such bill, and the comptroller shall keep a list of all bills approved and filed with said committee.

§ 40 All business relative to the schools of said consolidated school district of the city of New Britain heretofore transacted in town meetings shall hereafter be transacted in city meetings.

§ 41 Said committee may make, change, amend, or alter any rules, regulations, or by-laws which they may deem necessary relative to the manner of conducting the meetings and business of the committee, to

the conduct and government of schools, and to the duties, terms of office, mode of election, and compensation of all persons employed by said committee and its officers; and said committee may at any time remove any officer thereof or any person employed by them.

§ 42 Said committee shall make such estimates of its expenses for each year and keep such accounts of its expenditures as shall be prescribed by the ordinances of said city, and shall make a report of its doings annually in each year to the common council at the close of each school year.

§ 43 Whenever upon estimates of the board of finance and taxation the common council shall make an appropriation exceeding five thousand dollars for the purpose of erecting any school building, or enlarging any existing school building, or buying or securing land therefor or for equipment thereof, said common council may, in lieu of voting to lay a tax to meet said appropriation, refer the same to a city meeting, which city meeting, if warned for that purpose, may vote to issue the bonds of said city for the purpose of raising money to defray the expenses thereof instead of levying a tax to meet the same. Said city meeting shall fix the rate of interest on said bonds, the time and place of payment of principal and interest thereon, the amount and kind of bonds, the manner in which they shall be issued and sold, and the person or persons empowered to sign the same on behalf of said city; and may provide that a certain part of said bonds may become due and payable in each year, and may provide a sinking fund for the payment of such bonds. The avails of such bonds shall be paid into the city treasury and credited to said school committee on the books of the treasurer to the account of new school buildings and no portion of the money raised by the sale of bonds shall be used for any purpose or paid out of the treasury except for obtaining land for or for defraying the expense of the construction or enlargement of such new school buildings and for furnishing and equipping such new buildings or extensions, and any balance remaining after payment of such bills shall be available only for the purpose of the construction of new or the extension or enlargement of existing school buildings or the purchase of land for school buildings.

Special acts, 1913, page 1028

There shall be in said city a commission of public amusement, appointed by the mayor, consisting of four members, each of whom shall hold office for a term of three years and until his successor is appointed and qualified. Such appointments shall be so made that not more than two of said commissioners shall belong to the same political party. On or before the first day of August, 1911, the mayor shall appoint two members of said commission to hold office until May 1, 1912, and two to hold office until May 1, 1915, and as the terms of said commissioners expire, reappointments shall be made on or before the first day of May for a term of three years from said first day of May. Said commission shall serve without compensation. Said commission

shall have supervision of public playgrounds and the management and expenditure of moneys appropriated or received by said city for the purpose of public amusements. Nothing herein shall give said commission any powers over public parks or school grounds except by consent, from time to time obtained, of the park commissioners or the school committee. Said city may appropriate money to be expended under the direction of said commission for public playgrounds and amusements.

Special acts of 1919, page 218, sec. 16

Act authorizing the city of New Britain to issue bonds

Creating a board of finance in the town of New Canaan

Special acts 1911, pages 160-163

An act amending the charter of the New Canaan reading-room and circulating library corporation by changing its name to New Canaan library

Special acts, 1915, page 243

§ 1 The charter of the New Canaan reading-room and circulating library corporation, approved March 13, 1885, is hereby amended by changing the name of said corporation to New Canaan library.

§ 2 This act shall take effect without acceptance by said corporation.

NEW HAVEN

Special acts of 1899, page 419

Department of education

§ 104 There shall be in said city a department of education, which shall have the care and management of all the affairs of the New Haven city school district. After this act takes effect no meeting of the New Haven city school district shall be held for any purpose whatever.

§ 105 Said department shall be under the control of a board of education of seven members who shall serve without compensation. The members of the board of education in office at the time this act takes effect shall hold their respective offices during the terms for which they were appointed unless sooner removed for cause according to the provisions of this act. On or before the first day of September, 1899, the mayor shall appoint two members of said board to serve four years from the third Monday in September next following; on or before the first day of September, 1900, the mayor shall appoint two members of said board to serve four years from the third Monday of September next following on or before the first day of September, 1901, he shall appoint two members of said board to serve for four years from the third Monday of September next following; and on or before the first day of September, 1902, said mayor shall appoint one member

of said board to serve for a period of four years from the third Monday of September next following. And on or before the first day of September in every year thereafter the mayor shall fill the vacancies about to occur in said board by appointing one or two members, as the case may be, to serve for four years from the third Monday in September following their appointment. Not more than four members of the same political party shall at any one time be members of said board. The mayor shall fill all vacancies caused by death, resignation, or otherwise, by appointment, for the unexpired term. If the mayor shall refuse, fail, or neglect for thirty days to make an appointment to fill any vacancy that may occur in said board, either by death, resignation, removal, or otherwise, then the remaining members of said board may elect a suitable person to fill such vacancy.

§ 106 The board of education shall appoint a superintendent of schools, and shall decide the number of principals, assistants, and teachers to be employed. It may appoint or employ a secretary, an inspector of buildings, and such other officers and employees as may be necessary for the proper conduct of its business. It shall fix their terms of office and their salaries and prescribe their duties in each case, except as hereinafter provided. The officers and employees of the New Haven city school district, at the time of the taking effect of this act, shall retain their respective offices until their successors shall be chosen, and the rules and regulations of the board of education then in existence, not inconsistent with this act, shall remain in full force until repealed. Said board shall have the entire charge and direction of all the public schools of said district, and of the expenditure of all moneys appropriated for the support of the same, and shall have charge of the construction, management, and repair of all school buildings, and shall possess all other powers and be subject to all of the general duties of boards of education, school committees, and school visitors in this state, so far as the same are consistent with the terms of this act. It shall annually choose a president from among its own members, make its own by-laws, keep a journal of its proceedings, define the duties of its officers and committees, and prescribe such rules and regulations for discipline in said public schools as are not inconsistent with the laws of the state.

§ 107 The superintendent of schools, if he has not held the office before, shall be appointed for one year, and if continued in office thereafter may be appointed for a term of five years, and his salary shall not be reduced before the expiration of said term of five years. He shall not be removed during said term except by the vote of five members of the board of education. He shall appoint from those eligible under the rules of the board all principals, assistants, and teachers necessary to fill positions authorized by the board. He shall assign all principals, assistants, and teachers to their respective positions and reassign them or dismiss them from office at his discretion. He shall report at each meeting of the board all appointments, reassignments, and dismissals made by him since the previous meeting. Any appointment by the

superintendent may be rejected by a vote of five members of the board. Any dismissal by the superintendent shall be final unless reversed by a vote of five members of the board at the meeting when such dismissal is reported. Notice of dismissal on the part of the superintendent shall be given to the principal, assistant, or teacher, by the superintendent in writing at least one week before the meeting of the board when the superintendent reports such dismissal. He shall, with the approval of the board of education, prescribe the courses of study in all the schools, but the text-books to be used in said courses shall be designated by the board. The superintendent shall annually, at a date to be fixed by the board, submit to the board a full report of the work and condition of the schools during the previous year, with recommendations for the ensuing year, which report, when accepted by the board, shall form part of its report to the mayor. He shall also report, each month during the school year, to the board in writing, any changes made in the several courses of study, and what principals, assistants, and teachers he has assigned, reassigned, or dismissed, and shall furnish such additional information regarding the condition of the schools and the efficiency of the teaching force as may be required by the board. Said monthly reports shall be entered in a suitable book provided for the purpose, and shall be kept as a part of the records of the department.

§ 108 The treasurer of the city shall receive the amount of school money to which the district is entitled from the school moneys of the state, from the town of New Haven, from state appropriations for school purposes, from gifts, and from the tax laid within the district for school purposes, which moneys shall be subject to the order of the board of education under such rules and regulations as the board of finance may from time to time establish.

§ 109 The board of education shall submit to the board of finance of the city, at the time fixed by law for the submission of the estimates of the other departments of said city, a detailed estimate of its expenses for the next year for which the appropriations for city purposes are by law required to be made, specifying separately the sums needed for current and special expenses.

§ 110 Said board of finance shall annually appropriate for the purposes of said district such amount as it may deem necessary for such purposes. Appropriations made for school sites and the building and furnishing of new schoolhouses or additions to old ones shall be known as the special school fund, and it shall be the duty of the board of education to cause accurate accounts to be kept of its receipts and expenditures, distinguishing between those of a general and those of a special character. The board of finance shall levy, for school purposes, a tax upon all property within said district as now or hereafter constituted.

§ 111 The board of education shall have power to maintain one or two high schools, as it may deem advisable, and a manual training school, and it shall determine the number and location of primary and grammar schools, but no expenditure involving any expense to the city

of New Haven or the New Haven city school district for the purchase of ground or the erection of schoolhouses shall be made until a special appropriation for that purpose shall have been made.

§ 112 Said board shall annually, at a date to be fixed by the mayor, transmit to the mayor a full report of its proceedings during the previous year, together with a statement of its receipts and expenditures, specifying those on account of current expenses, and special expenses for land and buildings respectively, with such other details as the mayor may from time to time require.

§ 113 Said board shall have power to divide the school district into as many sub-districts as it may deem advisable for the purpose of determining the limits within which children may attend each school.

§ 114 The city of New Haven, upon the recommendation of the board of education, shall have power to take sites for schoolhouses, or for the enlargement of sites already acquired, in the manner provided by law for the taking of land for public parks.

§ 115 The title to all property, legal or equitable, owned by such district, or which may hereafter be acquired for school purposes in said district, is hereby vested in the board of education, as trustee for said New Haven city school district.

§ 116 The Westville school district and the South school district are excepted from the provisions hereof. Whenever the electors of either the Westville school district or the South school district in the town and city of New Haven shall, by a majority vote in district meeting, in the manner provided for the admission of the different wards in section 218 of this act, express their desire to have their district annexed to the New Haven city school district, said vote shall be certified to the board of education of the New Haven city school district, and said board shall then, by a proper vote, declare the district in question to be a part of the New Haven city school district, and it shall thereafter be included in said New Haven city school district, and be governed by all the provisions of this act relating to said district.

Teachers' retirement fund

Special acts 1911, pages 323-328

§ 1 There shall be a fund to be known as the "Teachers' Retirement Fund" for the benefit of teachers of the public day schools of the New Haven city school district, which shall consist of moneys received from the following sources: (1) All appropriations, gifts, or bequests made to the fund from public or private sources, for the purposes for which said retirement fund is established: (2) An assessment of one per centum of the annual salaries of all teachers who have taught for a period of ten years or less, and of two per centum of the annual salaries of all teachers who have taught for more than ten years, which assessment shall, during the school year, be retained from the salaries of such teachers in equal monthly amounts; provided that the amount deducted from any salary shall not exceed

thirty-two dollars in any year: (3) Such part of the salary of any teacher as shall not have been paid to such teacher by reason of the resignation, illness, or absence of such teacher, or from any other cause, which shall be transferred by the board of education, at the end of each fiscal year, to said retirement fund; provided, that if the amount so transferred, during any fiscal year, shall not equal the amount raised under the provisions of subdivision (2) of this section, the difference between said amounts shall be made up the following year by the board of finance by making an appropriation therefor.

§ 2 The board of finance of the city of New Haven, in making the appropriations for said district, shall appropriate for the salaries of the day school teachers of said city, an amount sufficient to pay the full yearly salary to each day school teacher employed by said board of education for the ensuing fiscal year.

§ 3 (1) The city treasurer shall be treasurer of said fund. The board of education of the city of New Haven shall be trustee of said retirement fund and may invest and reinvest the same in accordance with the laws relating to the investment of trust funds. (2) All orders on said fund shall be signed by the secretary and countersigned by the president of the board of education. The unexpended yearly balance of said fund, if any, shall be set apart by said trustee and constitute a permanent fund to be invested, as aforesaid, by the trustee, and only the income from said permanent fund shall be used in carrying out the provisions of this act. (3) Whenever the permanent fund amounts to a sum the income from which, in the judgment of the board of trustees and board of finance of the city of New Haven, will be sufficient to pay the annuities provided for in this act, then no transfer of the sums under subdivision (3) of section one shall be made by the board of education, but said sums shall revert to the city treasury. (4) The trustee of the retirement fund shall have power, in its discretion, to authorize the expenditure from the general fund of such a sum as it may deem necessary for clerical and other expenses incident to the administration of said fund, payment therefrom to be made on vouchers prepared and audited in the same manner as payments from other funds under the jurisdiction of the board of education.

§ 4 Two members of the board of education, to be chosen annually by said board, one member of the board of aldermen, to be elected by the board of aldermen, the treasurer of the city of New Haven, and a teacher chosen by the teachers of the public schools of New Haven shall constitute a board of retirement. The member of said board representing the teachers shall first be chosen by said teachers for one year and thereafter for two years; the first election for the selection of said members shall be conducted by said board of education, and each subsequent election shall be conducted by a committee appointed by the board of retirement, under such rules and regulations as said committee shall determine. Said committee shall have power to conduct special elections to fill any vacancy occurring in the teachers' representation on said board.

§ 5 (1) Upon a majority vote of the board of retirement and a majority vote of the board of education, any teacher who has taught in public day schools for a period of thirty years, of which period the last twenty years shall have been in said public day schools of the New Haven city school district, shall be placed on the retired list. (2) Any teacher of the public day schools of the New Haven city school district who has reached the age of sixty-five years or over, and who has taught for a period of not less than thirty years, of which period the last twenty shall have been in the public day schools of the New Haven city school district, shall have the right to apply to the board of retirement to be placed on the retired list. If said application shall be approved by a majority vote of said board of retirement and a like vote of said board of education, the applicant shall be placed on the retired list. (3) Any teacher who has taught in the public day schools of the New Haven city school district for a period of forty years previous to the date when this act becomes operative shall, upon recommendation by a majority vote of the board of retirement and a majority vote of the board of education, be placed upon the retired list.

§ 6 (1) The board of retirement shall annually appoint three physicians or surgeons of the city of New Haven, of at least ten years active practice, who shall be known as the board of examiners, who shall serve without pay, and who shall, upon request of the board of education or the board of retirement, make such examinations as may be called for under the terms of this section and report their findings, in writing, to the board making such request. (2) On the recommendation of a majority vote of said board of retirement, said board of education shall have power, by a majority vote of all of its members, to place on the disability list for the remainder of his or her life, or any part thereof, any teacher of the public day schools of the New Haven city school district who is found by said board of examiners to be mentally or physically incapacitated for the performance of duty, and who has been engaged in the work of teaching for a period of at least fifteen years, the last ten of which shall have been in the public day schools of the New Haven city school district. In no case shall a teacher be placed on the disability list until said board of examiners shall have filed a report, in writing, within thirty days from the date of examination, to the effect that said teacher has refused to submit to an examination or, after examination, is found by the board of examiners to be physically or mentally unfitted for further service in the day schools of New Haven. (3) Any teacher of the public day schools of the New Haven city school district who has been engaged in teaching for a period of at least fifteen years, the last ten of which shall have been in said public day schools of the New Haven city school district, shall have the right to apply to the board of retirement to be placed on the disability list on the ground that he or she is mentally or physically incapacitated for the further performance of duty as a teacher. Any applicant for retirement on said ground of

disability shall submit to a proper medical examination by said board of examiners before his or her application shall be considered. The board of education may, by a majority vote, upon recommendation by a majority vote of said board of retirement, place said teacher on the disability list. (4) Nothing in this act shall be construed as prohibiting the board of retirement from recommending, by a majority vote, to the board of education that the disability of a teacher retired under this section shall be declared ended. Said board of education may, by a majority vote, on such recommendation of said board of retirement, declare ended the disability of a teacher retired under the terms of this section, and upon delivery to said teacher of a written offer of reappointment to a position as a teacher equal in remuneration to the one previously held by said teacher, the payment of the annuity of such teacher under this disability clause shall be discontinued. (5) Nothing in this act shall be construed as prohibiting a teacher who has been placed on the disability list from applying, once each year, to be reinstated to active duty as a teacher. On recommendation by a majority vote of the board of retirement, after an examination of said applicant by the board of examiners, the board of education may, by a majority vote, restore said teacher to active duty, and the disability annuity shall cease on the day that said teacher resumes his or her work as a teacher. (6) In no case, however, shall the disability provided for in subdivisions (2) and (3) of this section be declared ended or finished until an examination has been made by said board of examiners or the teacher in question has refused to be so examined, and said board of examiners shall have certified, by a majority vote, either to said teacher's refusal to be examined, or that, after such examination, said teacher is found to be physically and mentally fitted for further service in the public day schools of the New Haven City school district. The provisions of this section shall not, however, apply to ordinary cases of temporary disability.

§ 7 (1) The annuity paid to any teacher regularly placed on the retired list for the remainder of his or her life shall be one-half of his or her average annual salary for the five years last previous to the date of his or her retirement; provided, that such annuity shall be not less than four hundred dollars nor more than eight hundred dollars per annum. Said annuity shall be payable to said teacher in monthly installments during the school year. (2) Any teacher regularly placed on the disability list shall receive an annuity the amount of which shall be one-thirtieth part of the total annuity provided for in subdivision (1) of this section, for each year of service of said teacher, not exceeding thirty years. (3) No annuities shall be paid under the provisions of this act, except as provided in subdivision (3) of section five, unless the retiring teacher shall have first paid into the retirement fund such sum or sums as shall make his or her total payments equal to the amount of the annuity paid for the first year; but should any retiring teacher be unable to pay the full amount of said sum before receiving an annuity, the board of trustees shall, in

paying the annuity of such teacher, withhold, from each monthly payment, twenty per centum thereof until the full amount hereinbefore provided for shall have been so contributed to the fund. If said retirement fund shall at any time be found insufficient to carry out the provisions of this act, the amount in said fund shall, during the continuance of such insufficiency, be distributed pro rata among the persons entitled thereto and such distribution shall be in full of all annuities then due.

§ 8 Teachers who are dismissed from school employment shall have refunded to them, without interest, the amounts which they have contributed to said retirement fund.

§ 9 Nothing in this act shall be construed as preventing said board of education from discontinuing the employment of any teacher at the end of his or her contract of employment; nor shall anything herein contained be construed as creating any contract right in any teacher to receive the annuity provided for by section six of this act until placed on the retired or disability list in accordance with sections five and six of this act. The acceptance of employment as a teacher in the public day schools of the New Haven city school district after the date of this act shall be considered as being made subject to the terms and provisions of this act and as authorizing the deduction from the salary of such teacher provided for by section one of this act.

§ 10 The term "teacher" as used in this act shall include all teachers regularly appointed and employed in the public day schools, by the board of education, including the superintendent of schools and the members of the supervising staff. The public day schools of the New Haven city school district shall be deemed to be all public day schools maintained wholly or in part by the New Haven city school district. The term "majority" shall mean a majority of the entire membership of the board referred to.

§ 11 Any pledge, mortgage, sale, assignment, or transfer of, or of any right, claim, or interest in, said retirement fund or in any annuity granted under the provisions of this act shall be void and said retirement fund and all said annuities shall be exempt from attachment, levy, and sale, and from all legal process at law or in equity to sequester the same by or in behalf of any creditor of any person having an interest in said fund or entitled to any such annuity.

§ 12 This act shall take effect from its passage, but no annuity payable hereunder, shall be paid until the first day of September, 1911. All employments for the teaching and supervising staff of the public day schools of the New Haven city school district for the school year of 1911 and 1912 and thereafter, shall be made subject to the provisions hereof. No deduction, as provided herein, shall be made from the salary of any teacher for the school year ending July 14, 1911.

§ 13 In the month of September, 1912, and annually thereafter during the month of September, the board of retirement shall file an annual report, showing the financial condition of the teachers' retirement fund, with the board of aldermen, which report shall be printed in the city year book of the city of New Haven.

Janitors' and engineers' retirement fund

Special acts 1911, page 387

§ 1 There shall be a fund to be known as the "Janitors' and Engineers' Retirement Fund" for the benefit of janitors and the engineer or engineers of the public day schools of the city of New Haven, which shall consist of moneys received from the following sources: (1) all appropriations, gifts, or bequests made to the fund from public or private sources, for the purposes for which said retirement fund is established; (2) an assessment of one and one-half per centum on the annual salaries of all appointed janitors and engineers, which shall be retained from such salaries and paid into said fund; (3) all compensation for services that may be unclaimed by any janitor or engineer for a period of six months after the same shall become due; (4) an appropriation to said fund by the city of New Haven of an amount equal to the difference between the one and one-half per centum per annum on said salaries and the amount required to meet the expenditures hereinafter provided for.

§ 2 The board of education of the city of New Haven shall be trustee of said fund, and may invest and re-invest the same in accordance with the laws relating to investment of trust funds. The city treasurer shall be treasurer of said fund. All orders on said fund shall be signed by the secretary and countersigned by the president of the board of education. The unexpended yearly balance of said fund, if any, shall be set apart by said trustee and constitute a permanent fund, to be invested by the trustee as aforesaid, and the income of such permanent fund shall be used in carrying out the provisions of this act.

§ 3 There shall be a board of retirement in said city which shall consist of the mayor, the president of the board of aldermen, the secretary of the board of education, and two members who shall be chosen by the janitors and engineer or engineers of said public day schools from their own number, at a meeting held for that purpose. At the first meeting held for such purpose one such member shall be chosen to serve for one year, and one for two years, and annually thereafter one shall be chosen for a term of two years. Said board shall investigate and recommend to said board of education such janitors and engineer or engineers as said board of retirement may deem advisable to retire under the provisions of this act.

§ 4 Upon the recommendation of the board of retirement, a majority of said board of education may retire any janitor or engineer who has been connected with the public schools of the city of New Haven for a period of thirty years or more, or any janitor or engineer who may be incapacitated while in service from further duty as such janitor or engineer, and thereupon said trustee shall pay to such janitor or engineer, during the remainder of his or her life, the sum of three hundred dollars per annum, provided such janitor or engineer, at the time of his retirement, was receiving a salary less than eight hundred

dollars per annum, and the sum of six hundred dollars per annum provided such janitor or engineer, at the time of his retirement, was receiving a salary of eight hundred dollars or more per annum.

§ 5 Any janitor or engineer who may be retired and who has not paid into said fund an amount equal to the sum of his or her annuity, shall receive such annuity less twenty per centum thereof, which deduction shall be made annually until the amount of such annuity is paid into said fund, and one and one-half per centum which shall be deducted annually from all annuities which shall be used to defray the expense of said fund.

§ 6 Nothing in this act shall be so construed as to prevent the board of education from discontinuing the employment of any janitor or engineer for cause; provided, that any sum that may have been deducted from the salary of such janitor or engineer and paid into the retirement fund, under the provisions of this act, shall be returned to him or her without interest. No janitor or engineer who shall terminate his employment, except as provided herein, shall be entitled to receive any money that may have been deducted from the salary of such janitor or engineer and paid into said retirement fund.

§ 7 In the month of September, 1912, and annually thereafter, said trustee shall file with the board of aldermen an annual report showing the financial condition of the janitors' and engineers' retirement fund, which report shall be printed in the city year book of the city of New Haven.

NEW LONDON

Special acts of 1905, pages 783, 784, 786, and 802

§ 9 At each annual meeting for the election of officers there shall be elected three school visitors for the term of three years and until their successors are chosen and qualified.

§ 10 The mayor shall be, ex officio, a member of all committees of the court of common council, and of the board of water and sewer commissioners, and of the board of school visitors.

§ 48 All the rights, powers, and duties relative to education, schools, school districts, schoolhouses, school lands, school property, and school officers, of whatsoever kind, heretofore conferred or imposed, or hereafter to be conferred or imposed upon towns, shall be and they are imposed and conferred, within the limits of the city of New London, upon said city, and upon the officers chosen by it for school purposes.

§ 49 The school visitors of said city shall continue to be such school officers, and shall be charged with and perform all the duties of a school committee, and shall have all its powers, and shall act in the place and stead of such committee in all things; and the city of New London shall be substituted for and take the place of the town of New London in all matters concerning education, and shall act instead of said town in all of the same.

§ 50 All the powers, obligatory duties, rights, and property of said city of New London, whether as such city, or as a union school district, in respect to education and schools, shall be vested in and belong to said city of New London, which shall be and act, for all intents and purposes, as such union school district, and all such powers and duties of said city shall be exercised and performed by said board of school visitors, unless otherwise ordered by said city.

NEW LONDON

Special acts, 1911, page 584

TEACHERS' RETIREMENT FUND

§ 1 There shall be a fund known as the "teachers' retirement fund" for the benefit of teachers and superintendents of the public day schools of the New London Union School District, which shall consist of moneys received from the following sources: (1) All appropriations, gifts, or bequests made to the fund from public or private sources, for the purposes for which said retirement fund is established. (2) Five per centum of excise moneys or license fees collected on account of licenses issued for the sale of spirituous and intoxicating liquors within the city of New London. (3) An assessment of one per centum of the annual salaries of all teachers and superintendents the same to be retained from the salaries of such teachers and superintendents in equal monthly amounts. (4) An appropriation to said retirement fund by the city of New London of an amount equal to the difference between three per centum of the total of said salary list and five per centum of the excise money received for said fund, plus the assessment of one per centum per annum on said salaries; and (5) all other legal methods for the increase of said fund.

§ 2 The city treasurer shall be treasurer of said fund. The board of school visitors of the city of New London shall be trustee of said retirement fund and may invest and reinvest the same in accordance with the laws relating to the investment of trust funds. All orders on said fund shall be signed by the secretary and countersigned by the president of the board of school visitors. The unexpended yearly balance of said fund, if any, shall be set apart by said trustee and constitute a permanent fund to be invested, as aforesaid, by the trustee, and only the income from said permanent fund shall be used in carrying out the provisions of this act; provided, that when the permanent fund amounts to a sum exceeding fifty thousand dollars, the part of said fund in excess of said fifty thousand dollars shall be used, from year to year, in carrying out the provisions of this act, and thereafter the annual appropriation made by the city of New London, as provided for in sub-division (4) of section one shall be of such amount only as shall be necessary, in addition to the excess of the principal of said fund over fifty thousand dollars, to carry out the purposes of this act.

§ 3 The mayor of the city of New London, the president of the board of school visitors, the superintendent of schools, and two members of the teaching staff, chosen by the members of said teaching staff, shall constitute a board of retirement, which board shall investigate and recommend to the board of school visitors any member of said teaching or supervising staff whom it deems advisable to retire under the provisions of this act. The two members of said board of retirement representing said teaching staff shall first be chosen one for one year and the other for two years, and annually thereafter one such member shall be chosen for two years. The first election for the choice of said members shall be conducted by said board of school visitors, and all subsequent elections shall be conducted by a committee appointed by the board of retirement, under such rules and regulations as said committee shall determine. Said committee shall have power to conduct a special election to fill any vacancy occurring in the representation of such teachers on said board of retirement.

§ 4 Upon the recommendation of the board of retirement, said board of school visitors, by a majority vote, may retire any member of said teaching and supervising staff who has been connected with the teaching or supervising staff of public schools for a period of not less than thirty years, of which period at least fifteen years of such service shall have been in connection with the public schools of New London, or who has been connected with the teaching or supervising staff of public schools for a period of not less than twenty-five years, of which period at least fifteen years of such service shall have been in connection with the public schools of New London, and who because of mental or physical disability is no longer able to continue in such service, and such teacher or supervisor so retired shall be paid annually from said fund, during the remainder of his or her life, an amount equal to one-half of his or her average annual salary during the last five years of his or her connection with the public schools of New London. Any member of said teaching and supervising staff who has reached the age of sixty-five years and who has been connected with the teaching or supervising staff of public schools for a period of not less than thirty years, of which at least fifteen years shall have been in connection with the public schools of New London, or any member of said teaching or supervising staff who has been connected with the teaching or supervising staff of the public schools of New London for a period of not less than thirty-five years, shall have the right, upon application to the board of retirement, to be retired and to receive, annually, from said fund, for the remainder of his or her life, an amount equal to one-half of his or her average annual salary for the last five years previous to the date of such application for retirement. Said annuity shall be payable to said teacher in monthly installments during the school year.

§ 5 Nothing in this act shall be construed as preventing said board of education from discontinuing the employment of any teacher or supervisor at the end of his or her contract of employment, or from

discharging any teacher during the term of his or her employment, and any sum which may have been deducted from the salary of such teacher or supervisor and paid into the retirement fund, under the provisions of this act, shall be and remain a part of said retirement fund, free from any claim thereon of such teacher; nor shall anything herein contained be construed as creating any contract right in any member of said teaching and supervising staff to receive the pension provided for in section five of this act until retired from service in accordance with the provisions of said section. The acceptance of employment as a teacher or supervisor in the public day schools of the New London Union School District, after the passage of this act, shall be considered as being made subject to the terms and provisions of this act, and as authorizing the deduction of the one per centum, provided for in section one hereof, from the salary of such teacher. No teacher or supervisor who shall leave the employment of the New London Union School District, unless in accordance with the provisions of section five of this act, shall be entitled to receive from said retirement fund, or otherwise, any moneys that may have been deducted from the salary of such teacher or supervisor and paid into such retirement fund under the provisions of this act.

An act concerning the admission of teachers in the New London public schools to the benefits of the retirement system for teachers

Special acts of 1919, page 177

§ 1 Any teacher employed by the city of New London in its public schools, who shall begin service after July 1, 1919, shall become thereby a member of the teachers' retirement association of the state, and shall be exempt from, and entitled to no rights under, the provisions of the charter of said city relating to the teachers' retirement fund.

§ 2 Any teacher now in service in the public schools of the city of New London, may, on or before July 1, 1919, become a member of the state retirement association and entitled to all the rights and subject to all the obligations thereof, by written application to the secretary of said association and by paying an amount equal to the total assessments, with regular interest thereon, that he would have paid if he had been in service before June 30, 1917, and joined said association on or before September 30, 1917, or, if such teacher was first in service subsequent to July 1, 1917, by paying an amount equal to the total assessments, with regular interest, that he would have paid if he had joined the state retirement association on entering the service of the public schools.

§ 3 Said city of New London shall continue to be entitled to reimbursement by the state according to the provisions of section eleven for all pensions, allowances or annuities paid by it to teachers who have been retired or may hereafter be retired under the provisions of the charter of said city.

An act amending the charter of the city of New London in reference to the teachers' retirement fund

Special acts 1919, page 192

§ 1 Any teacher employed by the city of Nw London in its public schools, who shall begin service after July 1, 1919, shall become thereby a member of the teachers' retirement association of the state, and shall be exempt from, and entitled to no rights under, the provisions of the charter of said city relating to the teachers' retirement fund.

§ 2 Any teacher now in service in the public schools of the city of New London, may, on or before July 1, 1919, become a member of the state retirement association and entitled to all the rights and subject to all the obligations thereof, by written application to the secretary of said associations and by paying an amount equal to the total assessments, with regular interest thereon, that he would have paid if he had been in service before June 30, 1917, and joined said association on or before September 30, 1917, or, if such teacher was first in service subsequent to July 1, 1917, by paying an amount equal to the total assessments, with regular interest, that he would have paid if he had joined the state retirement association on entering the service of the public schools.

§ 3 When any teacher now in service in the public schools of the city shall elect, on or before July 1, 1919, to become a member of the state retirement association there shall be paid, for such teacher, from the teachers' retirement fund of said city to the fund of the state retirement association the assessments with interest, that such teacher is required to pay upon becoming a member of such association, and thereupon all rights of such teacher to any part of said retirement fund of said city, except as in this act provided, and all obligations to pay any assessments thereto, shall terminate.

§ 4 From said retirement fund of said city, with all accumulations thereto, including any part thereof as may have been set apart as a permanent fund, there shall be made, in addition to the payments to be made under section fourteen, Par D, hereof, all payments to which any teacher may be entitled, who has been or may be retired under the provisions of said charter; and, also, there shall be paid from said fund to any teacher who shall become a member of said state association under the provisions of section fourteen, Par D, hereof, and shall continue as a teacher in the public schools of said city and who would, but for the failure to pay assessments to said fund, become entitled to retirement under the provisions of said charter, such amounts as he or she would be entitled to upon retirement under said charter, less any amounts that he or she may receive under the state retirement system.

§ 5 After this act shall come into effect the city of New London shall not be obliged to make any further payments to said fund, unless said fund shall not be sufficient to pay all obligations under

said charter as hereby amended, in which event said city shall pay into said fund an amount sufficient to meet all such obligations. Any balance of said fund remaining after all obligations are satisfied shall be paid into the general treasury of the city for school purposes.

Incorporating Thames College

Special acts 1911, page 101

§ 1 That Oliver Gildersleeve of Gildersleeve, Frances S. Williams of Glastonbury, Mary C. Mitchell, Mary M. Partridge, and Edward L. Smith of Hartford, Elizabeth C. Wright of West Hartford, Elizabeth C. B. Buell of Litchfield, Colin S. Buell, A. H. Chappell, and Bryan F. Mahan, of New London, H. H. Bridgman of Norfolk, and Edward D. Robbins of New Haven, and such other persons as they may associate with them, are hereby constituted a body corporate and politic forever, by the name of "Thames College"; said college to be located in the city of New London, and by that name it shall have perpetual succession, with power to contract, to sue and be sued and plead and be impleaded, to have and use a common seal, to hold and use any estate, real or personal, and the same to lease, sell and convey.

§ 2 The sole and exclusive purpose of said corporation shall be to establish, organize, maintain, and conduct an institution for the higher education of women, and said corporation shall have all lawful powers proper for the execution of such purpose.

§ 3 The care, control, and disposition of the property and funds of said corporation and the general management of its affairs shall be vested in a board of trustees. Said corporation shall have power to adopt by-laws for the government of its affairs, which by-laws shall prescribe the number of the trustees, which shall not exceed twenty-four, their terms of office, and the manner of their election. By-laws may be adopted and repealed or amended by a two-thirds vote of all trustees at any meeting of the trustees duly held upon proper notice; provided, that the notice of such meeting shall set forth the terms of the action with regard to the by-laws to be taken at such meeting.

§ 4 Said corporation shall be organized by the action of the incorporators in adopting by-laws and electing a board of trustees, any of whom may be chosen from among the incorporators. Meetings of the incorporators for the purpose of organization may be called by Colin S. Buell, Elizabeth C. Wright, and Edward D. Robbins, by written notice mailed to all of the incorporators, stating the time and place of meeting.

§ 5 Said college shall have power, in accordance with its by-laws, to confer degrees and grant diplomas.

§ 6 The property of said corporation shall enjoy the exemption from taxation, and all other privileges and exemptions, now enjoyed by or hereafter granted to Yale University.

Changing the name of Thames college to Connecticut college for women

Special acts 1911, page 291

That the name of the corporation created by resolution incorporating Thames College, approved April 4, 1911, is hereby changed to "Connecticut College for Women", and said resolution and the title thereof is hereby amended in accordance herewith.

Amending the charter of the Connecticut college for women

Special acts 1911, page 385

Whereas, the higher education of the women of this state is a matter of great public concern, and

Whereas, the Connecticut College for Women has been incorporated at this session of the general assembly for the purpose of providing such education through voluntary contributions, without the necessity of levying taxes for the support thereof, and

Whereas, it is a matter of public concern that a suitable site should be provided for the purposes of said Connecticut College for Women, therefore

Be it enacted by the Senate and House of Representatives in General Assembly convened:

The Connecticut College for Women shall have power to take such real estate in the towns of New London and Waterford as its trustees shall find to be necessary for the purposes of said educational corporation, upon payment of just compensation therefor, and if said Connecticut College for Women cannot agree with any owner upon the amount to be paid him for any real estate thus taken, it may proceed in the manner provided by section 4106, 4107, and 4108 of the general statutes respecting the condemnation of land for the site of county buildings.

An act changing the name of the manual training and industrial school of New London to the New London vocational school

Special acts of 1915, page 315

§ 1 The name of the manual training and industrial school of New London, incorporated under the provisions of a resolution approved May 11, 1903, is hereby changed to the New London vocational school.

§ 2 This act shall take effect upon its acceptance by the trustees of said school in a meeting duly warned and held for that purpose and the filing of a copy of the record of such acceptance in the office of the secretary of the state.

An act amending the charter of the city of New London
concerning the election of school visitors

Special acts of 1917, page 1069

§ 1 At any annual meeting of the city of New London for the election of officers, no person shall vote for more than two school visitors, and the three persons receiving the highest number of votes for such office shall be elected.

§ 2 This act shall take effect upon approval by a majority vote of the electors of the city of New London at any annual or special meeting held for that purpose.

An act authorizing the city of New London to issue bonds
for school purposes

Special acts 1917, page 932

An act authorizing the city of New London to issue bonds

Special acts, 1919, page 164

NEWTOWN

An act creating a board of finance in the town of Newtown,

Special acts of 1917, page 940

NORTH STONINGTON

Exempting from taxation the property of the Wheeler school and library.

Special acts 1911, page 299

NORWALK

An act consolidating the town of Norwalk with the cities of Norwalk and South Norwalk and the East Norwalk fire district, and incorporating the city of Norwalk

Special acts of 1913, page 1042

§ 12 The annual meeting of the electors residing in said taxing district shall be held on the third Wednesday of September for the purpose of hearing the reports of the commissioners of said district, making the annual appropriation for the maintenance of the public library, and acting on such matters as may be properly brought before said meeting. Notice of the time and place of said meeting shall be given by said board of commissioners by publishing in a newspaper having a circulation in said district at least ten days before said meeting, which notice shall set forth all matters to be considered at such meeting. Special meetings of said district may be called in like manner by said board, and shall be called upon written petition of twenty-five electors of said district, to consider and act upon the matters set forth in said notice and petition.

Special acts of 1913, page 1053

§ 50 There shall be elected on said first Monday of October, 1913, a board of education of nine members, three to hold office for two years, three for four years, and three for six years. No person shall vote for more than five of said members. Said nine members when elected shall enter upon their duties on the first Monday of January succeeding their election. Biennially thereafter there shall be chosen three members of said board of education. No person shall vote for more than two of said members and said three members when so elected shall enter upon their duties on the first Monday of January succeeding their election and shall hold office for a term of six years and until their successors are elected and qualified. Said board shall perform the same duties and have the same powers as provided by statute for town school committees.

Special acts of 1913, page 1085

Special acts of 1919, page 156

§ 162 From the first day of October, 1913, to the first Monday of January, 1914, the schools of said town shall be under control of the school committee of said town in office on the first day of October, 1913, and said committee shall submit to the treasurer of the city the estimate provided for in section one hundred and sixty-eight.

§ 163 The members of the present school committee of the town of Norwalk shall continue in office for the respective terms for which they have been elected, and shall continue in office until their successors are duly elected and qualified, with the same duties and authority as now provided by law, and while in office shall act as members of the board of education herein provided for.

§ 164 The superintendent, teachers, and other persons employed by the school committee of said town at the passage of this act shall retain their respective positions for the terms for which they have been appointed, and the rules and regulations concerning schools shall remain in force.

§ 165 The territorial limits of said city as herein described shall be one school district, but the board of education may divide the same into sub-districts for the purpose of control of attendance of pupils to certain schools.

§ 166 There shall be in said city a department of education which shall be under the control of nine members, who shall be known as the board of education and shall be elected as hereinbefore provided. Said board shall hold a regular meeting every month, and shall, at its first meeting and annually thereafter, elect from its number a chairman who shall preside at all meetings of said board. It shall also elect from its number a secretary who shall keep a record of all votes, acts, and transactions of said board, and shall perform all duties imposed upon him by said board or by law. Said board shall

appoint a superintendent of schools and such number of assistants, principals, teachers, and janitors as it may deem necessary, and prescribe their respective terms of office and their duties.

§ 167 Said board shall have charge and direction of the public schools in said city and of the expenditure of moneys appropriated for the support of the same, shall keep all the school buildings and apparatus used therein in good condition and repair, and shall have the powers and be subject to the general duties and limitations of boards of education, school committees, and school visitors in this state, so far as the same are consistent with the provisions of this act. It shall make its by-laws, define the duties of its officers and committees, and prescribe rules and regulations for discipline in said public schools.

§ 168 Said board shall, on or before the fifteenth day of May, in each year, submit to the treasurer of said city a detailed estimate of the expenses for the support of said schools for the ensuing year, specifying as far as possible the items of such expense, and shall at the end of each fiscal year, transmit to the mayor a full report of its proceedings during said year, with a statement showing the total amount of money received and expended for the support of said schools, and, at least once in each month, shall transmit to the mayor a detailed statement of the expenses incurred during the preceding month, and said expenses shall be paid in the same manner as other expenses of said city.

§ 169 On and after the first day of January, 1914, the salaries of the several officers of the city and town of Norwalk shall be paid monthly, and shall be as follows: The mayor shall receive one thousand dollars per annum; the councilmen each one hundred dollars per annum; the clerk twelve hundred dollars per annum; the treasurer five hundred dollars per annum; the collector fifteen hundred dollars per annum; each assessor five hundred dollars per annum; each member of the board of relief fifty dollars per annum; the auditor five hundred dollars per annum; the selectmen of said town each fifty dollars per annum.

§ 170 The salaries of the superintendent of schools, and his assistants, and the principals, teachers, janitors, and secretary appointed by the board of education shall be as fixed by said board.

An act authorizing the town of Norwalk to issue bonds

Special acts of 1913, page 879

Special acts, 1913, page 946

An act concerning control of Norwalk high school

§ 1 The town school committee of the town of Norwalk shall have the management and control of the Norwalk high school, and shall have the same powers and perform the same duties in the management and charge of said high school as the Norwalk high school committee has at the passage of this act, and such powers as said

town school committee has, in the care, management, and control of other schools in said town.

§ 2 All the provisions of chapter 146 of the public acts of 1909 shall apply to said town of Norwalk, and to the school districts therein, except that the school committee, now composed of the school visitors and the chairman of the districts within the town, shall continue a joint board having the powers and duties of the school committee created by said act, until the first Monday of October, 1913, and the assessors of said town in office at the passage of this act shall, on or before the thirtieth day of September, 1913, appraise the property of the school districts within the town, and at the meeting of said town next held for the purpose of laying a tax after said thirtieth day of September, 1913, an equalization tax shall be levied upon the grand list of the town then completed for the purposes mentioned in said act, the rate of said tax to be determined and fixed in the same manner as town taxes are determined and fixed in said town.

§ 3 So much of the act establishing the Norwalk high school and any amendment of the same, as is inconsistent herewith is hereby repealed.

§ 4 All acts performed since said first Monday of October, 1911, by said town of Norwalk and any of its officers, and by any school district situated within said town, and any of said school district officers in the care, control, and management of the schools within said town are hereby validated and confirmed.

§ 5 Section one of this act shall take effect on July 1, 1913, and thereafter no high school committee, or any member or members thereof shall be elected, nor shall such high school committee have any further control over said high school after said date, and all other sections of this act shall take effect from its passage.

An act amending an act consolidating the town of Norwalk with the cities of Norwalk and South Norwalk and the East Norwalk fire district, and incorporating the city of Norwalk.

BOARD OF ESTIMATE AND TAXATION

Special acts of 1915, page 486, section 3

ORANGE

Special acts of 1899, page 269

Union school district of Orange

§ 1 The Union school district of the town of Orange may, at its next annual meeting, vote upon the question of whether or not said district will adopt the form of school government provided for in sections, 2130, 2131, 2132, 2133, and 2134 of the general statutes, and if a majority of the voters of said district shall at said meeting vote in favor of adopting said form of government, then the officers of said district elected at said annual meeting shall hold office until the third Monday of September, 1899.

§ 2 If said district shall vote to adopt said form of government, then said district shall hold its annual meeting on the third Monday of September, 1899, and annually thereafter; and at the annual meeting held on the third Monday of September, 1899, elect the officers provided for in said section 2130 of the general statutes, and shall elect two members of a board of education to serve for one year, two members to serve for two years, and two members to serve for three years, and annually thereafter two members to serve for three years, as provided in said statutes.

§ 3 Upon said district voting as herein provided, and upon the election of officers of said district as provided in section two, said district and said officers shall have all the powers, rights and duties, and be subject to all the obligations imposed upon school districts so organized as provided in sections 2130, 2131, 2132, 2133 and 2134 of the general statutes, and all other acts relating to school districts so far as the same are applicable; and in case of a vacancy occurring in any office. the board of education may fill the same till the next annual meeting.

§ 4 The adoption by said district of said form of government shall in no manner affect the rights, property, or obligations of said school district, but the same shall continue in the same manner as if this act had not been passed, and shall be administered, adjusted, and liquidated by said district and by the officers elected in pursuance of this act, in lieu of the officers now administering the same, and all debts due said district and all obligations due from said district shall be collected and paid by said district and by the officers elected hereunder to the same extent as if this act had not been passed.

§ 5 If said district shall vote to adopt said form of government, the school visitors of the town of Orange shall only have jurisdiction in the remaining portion of the town after the third Monday of September, 1899.

§ 6 This act shall take effect from its passage.

ORANGE

Special acts 1911, page 386

Amending a resolution authorizing the Union school district of the town of Orange and the Orange center school district of the town of Orange to issue bonds, and authorizing the northern school district to issue bonds.

Special acts 1911, pages 304-313

An act creating a board of finance for the town of Orange, increasing the powers of the selectmen, and repealing the charter of the borough of West Haven

Special acts 1917, page 1186

An act amending the charter of the town of Orange concerning powers of the board of finance

RIDGEFIELD

An act authorizing the town of Ridgefield to issue bonds
Special acts, 1913, page 746

An act amending an act creating a board of finance in the town of Ridgefield
Special acts, 1915, page 47

ROCKY HILL

An act authorizing the town of Rocky Hill to issue school bonds
Special acts, 1915, page 121

SEYMOUR

An act creating a department of finance in the town of Seymour
Special acts of 1917, page 853

STAMFORD

Special acts 1911, page 205

Authorizing the town of Stamford to issue bonds for schools

An act concerning a board of directors of public playgrounds of the town of Stamford
Special acts, 1913, page 943

An act amending an act concerning a board of directors of public playgrounds of the town of Stamford

Special acts 1919, page 50

§ 1 Section one of an act concerning a board of directors of public playgrounds of the town of Stamford, approved June 4, 1913, is amended to read as follows: There shall be a board of directors of public recreation in the town of Stamford, whose members shall serve without compensation.

§ 2 Section two of said act is amended to read as follows: Said board shall have control, for the purpose of conducting playgrounds for children, recreation centers and related activities, of all lands and buildings and parts thereof which it may acquire the right to use for such purpose by permission of any person, corporation or public body, having control thereof, and may make rules and regulations for the government thereof, during such periods as such use shall be so permitted, may employ such persons as it shall deem

necessary and may acquire, in behalf of said town, equipment or the use of the same for such playgrounds and other activities, may lease land and buildings or parts thereof, and may receive gifts of money or property for the purposes of this act, but said board shall not have power to bind said town by any contract except with respect to funds in the hands of said board.

§ 3 Section three of said act is amended to read as follows: During the month of October, 1919, and after the first Monday thereof, the school committee and the selectmen of the town of Stamford shall meet in joint session and shall elect from the male and female inhabitants of said town of Stamford not less than five nor more than ten members of such board. The members of said board shall be divided with respect to their terms of office into three classes, the terms of office of the members of each class expiring on the first Monday of October, 1920, 1921 and 1922, respectively. Said classes shall be as nearly equal in number as the membership of said board will permit. In electing said members, such joint board shall determine to which class they shall belong, and thereafter during the month of October after the first Monday thereof, in each year, such joint board shall elect for a term of three years successors to those members whose terms have expired. Such joint board may at any time increase the number of said directors by election of one or more additional members, and may, in its discretion, omit to elect a successor to any member whose term shall have expired or whose office shall have become vacant, provided the membership of said board of directors shall not be increased above ten or allowed to remain below five and in every case in which the membership of said board shall be increased said classes shall be kept as nearly equal numerically as possible.

§ 4 Section four of said act is amended to read as follows: The secretary of the school committee shall be the secretary of such joint board and the minutes of the meetings thereof shall be recorded with the minutes of said school committee, and the first selectman shall call the meeting of such joint board and in case of his failure so to do, a majority of the members of said joint board may call such meeting. Such joint board shall provide for the first meeting and organization of said board of directors. Said board of directors shall, at its first meeting, and annually thereafter at its first meeting after such annual meeting of such joint board for the election of its members, elect a chairman, a secretary and a treasurer.

§ 5 Section eight of said act is amended to read as follows: The town and the city of Stamford are severally empowered to appropriate money for the use of said board of directors and to pay the same to said board, and every officer or public body of the town or city of Stamford, having control of land or buildings with said town or city may permit said board of directors to use the same or part thereof for such playgrounds, recreation centers or other related activities.

§ 6 The secretary of said board of directors shall keep a record of all its proceedings in a book which shall be provided for that purpose at the expense of the town of Stamford, and shall submit to the town of Stamford at its annual town meeting a written report of the doings of said board of directors. Said board of directors and its officers shall preserve all books and documents of permanent value which shall come into their hands by virtue of their offices and transmit them to their successors.

§ 7 The treasurer of said board of directors shall receive and disburse all funds of said board and shall perform the duties incident to said office under the direction of said board and shall give such bond with surety for the faithful performance of his duties as said board of directors shall determine.

§ 8 The town and the city of Stamford are hereby severally empowered to appropriate money for the use of said board of directors and to pay the same to said board, and every officer or public body of the town or city of Stamford, having control of land within said town or city may permit said board of directors to use the same or part thereof for such playgrounds.

§ 9 This act shall take effect from its passage.

An act revising the charter of the city of Stamford

Special acts, 1915, page 589

CITY COURT

§ 234 Criminal process issued by said court may be served by any policeman of said city, within his jurisdiction, or by any proper officer, or by any indifferent person specially deputed for that purpose. Whenever said court shall, in the manner provided by law, sentence juvenile offenders to any reform school or other institution legally authorized to receive such offenders, the proper officer of said school or institution shall receive and keep such offenders according to the rules and discipline of the same, and according to law; and all persons sentenced by said court to imprisonment in the county jail or workhouse, in cases within its jurisdiction, shall be received and kept by the keepers thereof according to law.

Special acts of 1919, page 312

An act validating the election of a board of finance in the town of Stamford

STRATFORD

Special acts, 1917, page 1216

An act amending an act creating a board of finance for the town of Stratford, increasing the powers of the selectmen and providing for election by direct primary.

Special acts of 1919, page 232

An act authorizing the town of Stratford to issue bonds

TORRINGTON

An act authorizing the town of Torrington to issue bonds
Special acts, 1913, page 910

An act authorizing the town of Torrington to issue bonds
Special acts, 1915, page 29

VOLUNTOWN

Public acts 1911, chapter 71

§ 1 The town of Voluntown shall have jurisdiction of the schools which, prior to the passage of chapter 146 of the public acts of 1909, were maintained in the joint district known as the fourth school district of the town of Voluntown, and the towns of Voluntown and Griswold shall apportion the cost of the maintenance of the schools in said district under the provisions of section 2276 of the general statutes in the same manner as before the passage of said chapter 146 of the public acts of 1909.

§ 2 The inhabitants of that portion of the territory, formerly included in said fourth school district, which is situated in said town of Griswold shall have power to levy and collect taxes on the property located therein for the support of said schools and for the erection, maintenance, repair, equipment, and furnishings of the school building, to supply said building with fuel, and to purchase school apparatus, and shall also have power to borrow money for the foregoing purposes.

Public acts 1911, chapter 223

Section two of chapter 71 of the public acts of 1911 is hereby amended to read as follows: The inhabitants of that portion of the territory, formerly included in said fourth school district, which is situated in said town of Griswold, shall have the right to a voice and vote, equally with the inhabitants of the town of Voluntown, in all matters pertaining to the maintenance and equipment of schools in said former fourth school district, and the selectmen of the town of Voluntown shall include the inhabitants of said territory in all warnings of school meetings at which matters pertaining to said schools are to be acted upon, and the inhabitants of said territory, with the inhabitants of the town of Voluntown, in such meetings assembled, shall have power to levy and collect taxes on the property located in said territory as well as in the town of Voluntown for the support of said schools and for the erection, maintenance, repair, equipment, and furnishings of the school building, to supply said building with fuel, and to purchase school apparatus, and shall also have power to borrow money for said purposes, and the persons chosen to collect school taxes in said town of Voluntown shall have authority to collect school taxes in said territory.

WALLINGFORD

An act authorizing the Central school district of Wallingford to issue bonds

Special acts 1913, page 732

An act unifying the assessment and collection of taxes and creating a board of finance in the town of Wallingford

Special acts, 1913, page 751

§ 9 There shall be in said town a board of finance of seven members, of which board the first selectman of said town, the warden of said borough, the chairman of the board of water commissioners of said borough, and the chairman of the central school district committee shall be *ex-officio* members. During the month of December, 1913, and in the month of December biennially thereafter, said *ex-officio* members shall appoint three additional members to serve on said board, each for the term of two years from the first Monday of January following his appointment, who shall be men of known business experience and good standing, and taxpayers residing in said town, and holding no political office in said town, borough, or school district. The members of said board shall serve without pay, and shall be sworn to a faithful performance of their duties, and shall appoint a clerk, who may be of their own number, who shall keep a record of the votes and doings of said board. Said board shall, from time to time, examine the condition of the finances of said town, borough, school district, the water fund, and the electric light funds of said borough, and the cash balances in the hands of their respective treasurers, whose books shall be open at all times to the inspection of said board of finance. Either of said treasurers shall be authorized, with the approval of said board of finance, expressed by its majority vote, and it shall be his duty when requested by such vote, to loan for and in the name of his community or department, to either of the other communities or departments, desiring a loan for its temporary requirements, such surplus cash funds as he may have available, taking the demand note of such borrower authorized to be made for such temporary loan, payable at such rate of interest, or without interest, as such board of finance shall determine. Said treasurers, or either of them, when directed by vote of said board may loan to any bank or trust company in this state, approved by said board, any surplus funds in his hands, not required to be deposited for current use, subject to call, at such rate of interest as may be obtained to the best advantage therefor.

WATERBURY

Special acts of 1899, page 498

Special acts of 1915, page 304

§ 1 The territorial limits of the body politic and corporate existing under the name of the city of Waterbury shall hereafter include all

land and territory situated within the limits of the Center school district of Waterbury as now or hereafter defined.

§ 2 There shall be in the city of Waterbury a department of education which shall have the care and management of all the property and affairs of the Center school district of Waterbury. After this act shall take effect no meeting of said Center school district shall be held for any purpose whatever.

§ 3 Said department shall, from the first Monday of January, 1916, be under the control of the board of education, consisting of the mayor, who shall be *ex-officio* chairman, and nine members, who shall be elected at the meetings of said city for the election of officers, as follows: On the Tuesday after the first Monday of October, 1915, the electors of said city shall elect, in the manner provided for the election of city officers in said city, from their number, three members of the board of education to serve for two years from the first Monday in January, 1916, and no person shall vote for more than two of such members; three members to serve for four years from said first Monday of January, 1916, and no person shall vote for more than two of such members; three members to serve for six years from said first Monday of January, 1916, and no person shall vote for more than two of such members. At the city election to be held in said city on the Tuesday after the first Monday of October, 1917, and biennially thereafter, the legal voters of said city shall elect from their number three members of the board of education to serve for six years from the first Monday of January next following their election, and no person shall vote for more than two of such members. The provisions of the charter of said city in relation to the powers and duties of city officers shall apply to members of the board of education, and said members shall hold office until their successors are duly elected and qualified.

§ 4 In case a vacancy shall occur in the membership of said board of education, such vacancy shall be filled by the board of aldermen of said city, at a meeting specially called for that purpose, by ballot, and the person so chosen by said board of aldermen shall hold office for the unexpired term and until his successor is duly elected and qualified.

§ 5 The members of said board of education shall receive such compensation for their services as shall be prescribed by the board of aldermen.

§ 6 Said board shall hold regular meetings every month, and special meetings at such times as it may appoint or the mayor may call. Except in case of a tie, the mayor shall have no vote in any meeting.

§ 7 The board of education shall appoint a superintendent of schools, and shall decide the number of principals, assistants, and teachers to be employed. It may appoint or employ a clerk, an inspector of buildings, and such other officers and employees as may be necessary for the proper conduct of its business. It shall fix their salaries, subject to the approval of the board of finance, and prescribe their terms of office, and their duties, in each case, except as hereinafter provided. The officers and employees of the Center school dis-

trict, at the time when this act shall take effect, shall retain their respective offices until their successors shall be chosen and duly qualified, and the rules and regulations of the board of education and district committee then in existence, not inconsistent with this act, shall remain in full force until repealed. The board of education, herein provided for shall have the entire charge and direction of all public schools of said district, and of the expenditure of all moneys appropriated for the support of the same, and shall have power to construct, manage, and repair all school buildings, and shall possess all other powers and be subject to all of the general duties of boards of education, school committees, and school visitors in this state, so far as the same are consistent with the terms of this act. It shall make its own by-laws, keep a journal of its proceedings, define the duties of its officers and committees, and prescribe such rules and regulations for discipline in the said public schools as are not inconsistent with the laws of the state.

§ 8 The superintendent of schools shall be appointed for the term of two years, and his salary shall not be increased or decreased during any term except in the manner provided by the charter of said city. He shall not be removed during said term except by the vote of five members of the board of education. He shall appoint from those eligible under the rules of the board all principals, assistants, and teachers necessary to fill positions authorized by the board. He shall assign all principals, assistants, and teachers to their respective positions, and reassign them or dismiss them from office at his discretion. He shall report at each meeting of the board all appointments, reassignments, and dismissals, made by him since the previous meeting. Any appointment by the superintendent may be rejected by a vote of the majority of the board. Any dismissal by the superintendent shall be final unless reversed by a vote of a majority of the board at the meeting when such dismissal is reported. Notice of dismissal on the part of the superintendent shall be given to the principal, assistant, or teacher by the superintendent in writing at least one week before the meeting of the board when the superintendent reports such dismissal. He shall, with the approval of the board of education, prescribe the course of study in all the schools, but the text-books to be used in said courses shall be designated by the board. The superintendent shall annually, at a date to be fixed by the board, submit to the board a full report of the work and condition of the schools during the previous year, with recommendations for the ensuing year, which report, when accepted by the board, shall form part of its report to the mayor. He shall also report, each month during the school year, to the board in writing, any changes made in the course of study, and what principals, assistants, and teachers he has assigned, reassigned, or dismissed, and shall furnish such additional information regarding the condition of the schools and the efficiency of the teaching force as may be required by the board. Said monthly reports shall be entered in a suitable book provided for that purpose, and shall be kept as part of the records of the department.

§ 9 The treasurer of the city shall receive the amount of school money to which the district is entitled from the school moneys of the state, from the town of Waterbury, from state appropriations for school purposes, from gifts, and from the tax laid within the district for school purposes, which moneys shall be subject to the order of the board of education under such rules and regulations as the board of finance may from time to time establish.

§ 10 The board of education shall submit to the board of finance of the city, at the time fixed by law for the submission of the estimates of the other departments of said city, a detailed estimate of its expenses for the next year for which the appropriations for city purposes are by law required to be made, specifying separately the sums needed for current and special expenses.

§ 11 The provisions of sections 92 and 93 of the charter of the city of Waterbury shall apply to such estimates, and to all taxes and appropriations based thereon; but no tax shall be laid upon any property lying outside of the present limits of the city of Waterbury and within the limits of said city as hereby established at a rate exceeding one-half of the rate of taxation upon property lying within the present limits of said city.

§ 12 The board of education shall annually, at a date fixed by the mayor, transmit to the mayor a full report of its proceedings during the previous year, together with a statement of its receipts and expenditures, specifying those on account of current expenses and special expenses for land and buildings respectively, with such other details as the mayor may from time to time require.

§ 13 Said board shall have power to divide the school district into as many sub-districts as it may deem advisable, for the purpose of determining the limits within which children may attend each school.

§ 14 The city of Waterbury, upon the recommendation of the board of education, shall have power to take sites for schoolhouses, or for the enlargement of sites already acquired, in the manner provided by law for taking of land for public parks.

§ 15 The title to all property, legal or equitable, owned by said district, or which may hereafter be acquired for school purposes in said district, is hereby vested in the board of education, as trustee for said Center school district.

§ 16 Nothing in this act shall be construed to restrict the right of any woman to vote at any meeting held for the purpose of choosing any officer of schools, or for any educational purpose under the general or special laws of this state, and nothing herein shall confer upon any woman the right to vote for the mayor of said city of Waterbury or for any other city officer.

Amending the charter of the city of Waterbury and consolidating the governments of the town and city of Waterbury

Special acts of 1901, page 858

§ 10 All liabilities, debts, and obligations owing on said first

Monday of January, 1902, from or by the city or Center school district of Waterbury, shall remain a liability, debt, and obligation upon the persons and property with the second district hereinbefore described, and any indebtedness, bonded or otherwise, thereafter incurred for any purposes within said second district not in this act provided to be paid by said first district, including disposal of sewage, shall be assumed solely by the said second district.

§ 11 The several school districts of the town of Waterbury, outside of said second district, shall continue to remain as school districts with the same territorial limits, rights, powers, and obligations as now existing with the exception as set forth in section seven of this act, and the obligations now imposed upon the town of Waterbury, with respect to the support of schools outside of said second district, are hereby imposed upon said city of Waterbury and shall be an expense incurred by and chargeable to the first district hereinbefore described.

§ 12 Whenever twenty-five electors residing in any one of said school districts shall petition the board of aldermen of said city that the school district within which they reside may be brought under the full jurisdiction of the second district heretofore described, so that the persons and property within said school district may secure from the government of said city the same benefits and be subject to the same obligations as persons and property within said second district, said board of aldermen, after due hearing, shall fix a day on which all legal voters residing within the limits of said school district may vote upon the question whether they are in favor of or opposed to said petition. And if on said day a majority of the votes cast within said school district shall be found in favor of having said petition granted, said board of aldermen shall grant the same and make an order that the said school district, together with its inhabitants and property, shall thereafter be and remain under the full jurisdiction of the said second district, and such order shall have the same force and effect as if it formed a part of this act, and said school district shall then be deemed to have been abolished as a school district.

§ 13 The board of education of said city shall, on and after the first Monday of January, 1902, have and possess all of the powers and duties vested in town school visitors by the general statutes. Said board shall have the power, at its discretion, of admitting any child resident in any of the several school districts outside of said second taxation district to any graded school within said second district, and shall admit any such child to the high school within said district, if such child shall be qualified for admission thereto, upon payment of such annual fee as may be determined upon by said board of education. Such fee shall be paid by said city and be an expense of and chargeable to the said first taxation district, *provided*, that not more than thirty dollars shall be paid for each scholar attending such schools from any of said several school districts.

Amending a resolution authorizing the city of Waterbury to issue school bonds and improvement bonds

Special acts 1911, page 10

An act authorizing the city of Waterbury to issue school bonds

Special acts, 1913, page 985

An act amending the charter of the Waterbury industrial school

Special acts, 1913, page 816

§ 1 The resolution amending the charter of the Waterbury industrial school, approved May 3, 1895, is hereby amended by striking out in section one thereof the words "not exceeding one hundred thousand dollars" and inserting in lieu thereof the words "not exceeding three hundred and fifty thousand dollars."

§ 2 The purpose of said corporation shall be to provide for the social welfare of girls, including education and recreation, to furnish assistance to the needy, and to do other charitable and benevolent work.

§ 3 All acts of said corporation and all gifts, devises, and bequests made to said corporation prior to the approval of this act are hereby validated and confirmed.

An act authorizing the city of Waterbury to issue high school bonds

Special acts, 1915, page 114

An act authorizing the city of Waterbury to issue school bonds

Special acts, 1915, page 115

An act concerning school improvement bonds of the city of Waterbury

Special acts, 1915, page 126

An act amending the charter of the city of Waterbury concerning school districts

Special acts, 1915, page 331

§ 1 From the first Monday of January, 1916, all inhabitants and property of the Waterville school district of the town of Waterbury shall be taxed in the same manner as the inhabitants and property within the limits of the second taxation district of the city of Waterbury.

§ 2 Said Waterville school district, from the first Monday of January, 1916, shall be under the jurisdiction of the second taxing district of the city of Waterbury, so that the persons and property within said school district may secure from the government of said city the same benefits and be subject to the same obligations as persons and property within said second district.

§ 3 The funds received from the sale of bonds authorized by an act authorizing the city of Waterbury to issue sewage bonds, approved May 23, 1911, may be used for the purpose of constructing any portion of a trunk line sewer beyond the limits of the second taxation district.

§ 4 Whenever any school district of the town of Waterbury shall be abolished and the persons and property thereof brought under the jurisdiction of said second taxation district, the board of aldermen of the city of Waterbury may levy a tax on the property of such former school district, as shown by the last completed grand list of the town of Waterbury, for the purpose of defraying the current expenses of such school district, until the end of the fiscal year of said city.

§ 5 The board of aldermen of said city is hereby authorized to levy a tax on the property of the former town plot school district, as shown by the last completed grand list of the town of Waterbury, to defray the current expenses of said former district until the end of the fiscal year of said city.

§ 6 Whenever any school district in the town of Waterbury shall be abolished and the persons and property therein brought under the jurisdiction of the second taxation district of said city, the board of aldermen may continue the school district collector in office and he is authorized and directed to proceed with the collection of taxes assessed, and the enforcement of liens filed to secure the same. Such collector shall furnish a bond to said city, to the satisfaction of the board of finance, for the faithful performance of his duties, and shall pay to the treasurer of said city all money which may come into his possession. In case of a vacancy in the office of collector, the authority and duties of such office shall devolve upon the tax collector of said city, who shall be allowed such compensation as the board of finance of said city may approve. All unsatisfied taxes and liens filed by former district collectors shall become the property of said city, which may collect the amount due thereon through its tax collector or the former district collectors. This section shall apply to the collector of the former town plot school district, who is hereby authorized and directed to collect unpaid taxes and liens of said district, and he shall receive the same compensation as allowed by said district before the passage of this act.

§ 7 The funds of any school district abolished in said city shall be transferred to the treasurer of said city, and shall be applied in payment of debts and expenses of said district.

Special acts 1919, page 83

An act authorizing the city of Waterbury to issue high school bonds

Special acts 1919, page 111

An act authorizing the city of Waterbury to issue school bonds

An act amending the charter of the city of Waterbury concerning appropriations for new school buildings

Special acts, 1915, page 471 as amended by special acts, 1917, page 782

§ 1 Section ten of an act in addition to an act revising and amending the charter of the city of Waterbury, approved June 20, 1899, is hereby amended to read as follows: The board of education shall submit to the board of finance of the city, at the time fixed by law for the admission of the estimate of the other departments of said city, a detailed estimate of its current expenses for the next year for which appropriations for city purposes are required to be made.

§ 2 The board of aldermen of said city shall annually appropriate for the purchase of land for school sites or additions thereto, and for the construction of new schoolhouses, equipment and furnishings, and for additions to, improvement and repairs of schoolhouses, an amount equal to one and one-half mills on all property subject to taxation within that portion of the city of Waterbury known as the second taxation district, as now or hereafter constituted, which appropriation, with all sums that may be legally added thereto, shall be a special fund for the purposes hereinbefore designated, to be known as "The Special School Fund." Such sums as have been heretofore appropriated for either of said purposes and not expended, and all sums derived from the sale of buildings or land vested in said board of education, as trustee for the center school district, and all sums derived from fire insurance upon schoolhouses and their contents, injured or destroyed by fire, shall be a part of said fund. The unexpended balance in said fund shall not be returned to the treasury at the expiration of the fiscal year, but shall be retained for the purposes of said special school fund. Said board of aldermen shall annually appropriate for said purposes, in addition to the foregoing, such amount as it may deem necessary. The board of aldermen shall levy for school purposes a tax upon all taxable property within said second taxation district as now or hereafter constituted.

Said special school fund shall be used by the department of education for the purposes hereinbefore specified.

§ 3 The department of education shall not purchase or contract for the purchase of land for school purposes, except when sufficient money for said purposes is actually in said special school fund or an appropriation for said purposes has been made by the board of aldermen.

§ 4 This act shall continue in force for a period of ten years.

An act authorizing the city of Waterbury to issue high school bonds

Special acts 1917, page 779

Special acts 1917, page 1106

Special acts of 1919, page 187

An act authorizing the town of Waterford to issue bonds

An act amending the charter of the city of Waterbury concerning
the Bunker Hill school district
Special acts of 1917, page 1128

WESTVILLE

Special acts, 1911, page 118

Authorizing the Westville school district to issue bonds

An act authorizing the Westville school district to issue bonds
Special acts, 1913, page 717

An act authorizing the Westville school district to lay a tax
Special acts, 1913, page 784
Special act of 1913, page 1155

An act authorizing the Westville school district to issue school bonds
Special acts of 1917, page 856

An act concerning the reimbursement in part by the state of high
school tuition

§ 1 The Westville school district in Westville, New Haven, shall pay the whole or any part of the tuition fee of any child who resides with his parents or guardian in said district and who with the written consent of the school visitors or board of education attends a high school in another town or district, provided the high school shall be approved by the state board of education. Such tuition fee shall be paid annually by the Westville school district treasurer upon the order of the chairman of the board of education of said district.

§ 2 The Westville school district in Westville, New Haven, shall annually in July receive from the treasurer of the state an amount equal to two-thirds of the aggregate of the sums which have been paid by the Westville school district for tuition fees under the provisions of section one, provided not more than thirty dollars shall be paid by the state for each scholar so attending from the Westville school district.

§ 3 The number and names of the children so attending high schools in towns or districts other than that in which they reside and the high schools which they attend shall, on or before the first of July in each year, be certified under oath by the clerk of the board of education of the district in which the pupils reside to the state board of education. The comptroller shall, on application of said board of education of the Westville school district, draw an order on the treasurer in favor of the Westville school district for the amount provided in section two.

Special acts of 1919, page 107

An act authorizing the Westville school district to issue high school bonds

WESTON

Public acts 1911, page 1623

§ 1 The first selectman of the town of Weston shall, until the annual town meeting, in 1914, of the town of Weston, be *ex-officio*, a member of the board of school visitors of said town, with power, however, to vote on any question pending before said board of school visitors only in case of a tie.

§ 2 This act shall take effect from its passage.

WETHERSFIELD

An act authorizing the town of Wethersfield to issue bonds

Special acts, 1915, page 29

Joint school district in the towns of Wilton, Redding, and Weston

Special acts 1911, page 143

§ 1 The territory heretofore included within the limits of school district number ten of the town of Wilton, formed from parts of the towns of Wilton, Redding, and Weston, and all the inhabitants within said territory, be and they are hereby made and constituted a body politic and corporate under the name of District No. 10 of the Town of Wilton, with all the powers given to school districts by chapters 135 and 137 of the general statutes and amendments thereof.

§ 2 All moneys expended by the town of Wilton for the maintenance of a public school in said district shall be paid by said towns on the basis of the school enumeration of children in said district, to be determined as follows: the whole number of children enumerated in the district shall be taken as the common denominator, and the number of children so enumerated residing in each town in said district shall be taken as the numerator, to determine the fractional part of such tax or sum of money expended which each of said towns shall be required to pay.

§ 3 Said school district shall be subject to the same supervision by the state board of education as said board now exercises over other public schools. The school committee of the town of Wilton shall exercise the powers and perform the duties in said district provided for school visitors in chapter 134 of the general statutes and amendments thereof, and said district shall receive the same benefits from the state school fund, through the town of Wilton, that other school districts receive.

§ 4 Said district shall be exempt from the provisions of chapter 146 of the public acts of 1909, and from the provisions of any other statute, so far as such provisions are inconsistent herewith.

An act creating a board of finance in the town of Wilton

Special acts, 1915, page 173

Special acts, 1917, page 759

WINCHESTER

An act consolidating the borough of Winsted with the town of
Winchester

Special acts, 1915, page 448

§ 28 The board of selectmen shall, within seven days after the annual town meeting in the year 1915, appoint six residents of the town as a school committee, two for a term of one year, two for a term of two years, and two for a term of three years, and thereafter, within seven days after each annual town meeting, said board shall appoint two residents of said town to be members of said school committee for a term of three years. Said town school committee shall have all the powers conferred by the general statutes upon such committees, except that it shall not have power to draw orders upon the treasurer of the town for payment of money, nor to fill vacancies in its number. Any such vacancies shall be filed by the board of selectmen, and no expenses incurred by said committee in maintaining public schools in said town or in performing the other duties of their office shall be paid until approved by the board of selectmen.

§ 29 The board of selectmen shall, within sixty days after the annual town meeting in the year 1915, appoint a board of relief consisting of three members, one for a term of one year, one for a term of two years, and one for a term of three years; and thereafter, within sixty days after each annual town meeting, said board shall appoint one member of the board of relief for a term of three years. Said board of relief shall have the same powers and duties, and shall, in equalizing and adjusting valuations and assessment lists, proceed in all respects as though elected by ballot for and in behalf of the town of Winchester. Any member of the board of relief, or of the school committee, or any assessor may be removed from office by the board of selectmen for cause after hearing, but in case of such removal, the selectmen shall cause to be recorded in the records of said board a statement of the reasons therefor.

WINDHAM

An act authorizing the town of Windham to issue bonds

Special acts, 1913, page 935

WOODBRIDGE

Special acts 1911, page 94

Authorizing the town of Woodbridge to issue bonds for school building purposes

Public acts, 1915, chapter 339

Section 60 of the general statutes is hereby amended to read as follows: The general assembly, in behalf of the state; the representatives of the towns and the senators resident in the several counties, in behalf of their respective counties; every city, by its common council when so authorized by its charter, or by its freemen in legal meeting assembled; and every town, borough, or school district, by legal meeting of its qualified voters; shall make appropriations of specific sums of money for any purpose authorized by law and provided for in the warnings of the meetings at which the appropriations are made.

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