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SCHOOL LAWS

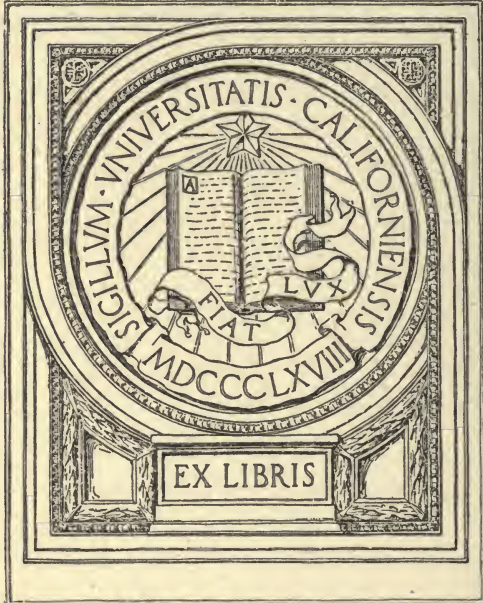
of the
State of Wyoming



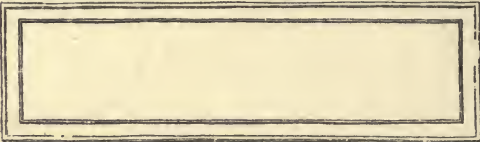
1919

GIFT OF

Wyoming Dept. of Education



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SCHOOL LAWS

OF THE

STATE OF WYOMING

COMPILED UNDER THE DIRECTION OF
STATE DEPARTMENT OF EDUCATION
CHEYENNE, WYOMING

1919

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Constitutional Provisions

ARTICLE VII. CONSTITUTION OF THE STATE OF WYOMING.

Public Schools..

Section 1. The legislature shall provide for the establishment and maintenance of a complete and uniform system of public instruction, embracing free elementary schools of every needed kind and grade, a university with such technical and professional departments as the public good may require and the means of the State allow, and such other institutions as may be necessary.

School Revenues.

Sec. 2. The following are declared to be perpetual funds for school purposes, of which the annual income only can be appropriated, to-wit: Such per centum as has been or may hereafter be granted by Congress on the sale of lands in this State; all moneys arising from the sale or lease of sections number sixteen and thirty-six in each township in the State, and the lands selected or that may be selected in lieu thereof; the proceeds of all lands that have been or may hereafter be granted to this State, where by the terms and conditions of the grant, the same are not to be otherwise appropriated; the net proceeds of lands and other property and effects that may come to the State by escheat or forfeiture, or from unclaimed dividends or distributive shares of the estates of deceased persons; all moneys, stocks, bonds, lands and other property now belonging to the common school fund.

Other School Revenues.

Sec. 3. To the sources of revenue above mentioned shall be added all other grants, gifts and devises that have been or may hereafter be made to this State and not otherwise appropriated by the terms of the grant, gift or devise.

Restriction in Use of Revenues.

Sec. 4. All moneys, stocks, bonds, lands and other property belonging to a county school fund, except such moneys and property as may be provided by law for current use in aid of public schools, shall belong to and be securely invested and sacredly preserved in the several counties as a county public school fund, the income of which shall be appropriated exclusively to the use and support of free public schools in the several counties of the State.

Fines—Disposition Of.

Sec. 5. All fines and penalties under general laws of the State shall belong to the public school fund of the respective counties and be paid over to the custodians of such funds for the current support of the public schools therein.

Sec. 6 (as amended by Amendment III, L. 1917). All funds belonging to the State for public school purposes, the interest and income of which only are to be used, shall be deemed trust funds in the care of the State, which shall keep them for the exclusive benefit of the public schools, and shall make good any losses that may in any manner occur, so that the same shall remain forever inviolate and undiminished. None of such funds shall ever be invested or loaned, except on the bonds issued by school districts, or county bonds of the State, or State securities of this State, or of the United States, or on first mortgages on farm lands or such other securities as may be authorized by law.

Application of School Funds.

Sec. 7. The income arising from the funds mentioned in the preceding section, together with all the rents of the unsold school lands and such other means as the legislature may provide, shall be exclusively applied to the support of free schools in every county in the State.

Distribution of School Funds.

Sec. 8. Provision shall be made by general law for the equitable distribution of such income among the several counties according to the number of children of school age in each, which several counties shall in like manner distribute the proportion of said fund by them received respectively to the several school districts embraced therein. But no appropriation shall be made from said fund to any district for the year in which a school has not been maintained for at least three months nor shall any portion of any public school fund ever be used to support or assist any private school, or any school, academy, seminary, college, or other institution of learning controlled by any church or sectarian organization or religious denomination whatsoever.

Taxation for Schools.

Sec. 9. The legislature shall make such further provision by taxation or otherwise, as with the income arising from the general school fund will create and maintain a thorough and efficient system of public schools adequate to the proper instruction of all the youth of the State, between the ages of six and twenty-one years, free of charge; and, in view of such provision so made, the legislature shall require that every child of sufficient physical and mental ability shall attend a public

school during the period between six and eighteen years for a time equivalent to three years, unless educated by other means.

No Discrimination Between Pupils.

Sec. 10. In none of the public schools so established and maintained shall distinction or discrimination be made on account of sex, race or color.

Text Books.

Sec. 11. Neither the legislature nor the Superintendent of Public Instruction shall have power to prescribe text books to be used in the public schools.

Sectarianism Prohibited.

Sec. 12. No sectarian instruction, qualifications or tests shall be imparted, exacted, applied or in any manner tolerated in the schools of any grade or character controlled by the State, nor shall attendance be required at any religious service therein, nor shall any sectarian tenets or doctrines be taught or favored in any public school or institution that may be established under this constitution.

Land Commissioners.

Sec. 13. The Governor, Secretary of State, State Treasurer and Superintendent of Public Instruction shall constitute a Board of Land Commissioners, which, under direction of the legislature, as limited by this constitution, shall have direction, control, leasing and disposal of the lands of the State granted, or which may be hereafter granted for the support and benefit of public schools, subject to the further limitations that the sale of all lands shall be at public auction, after such delay (not less than the time fixed by congress) in portions at proper intervals of time, and at such minimum prices (not less than the minimum fixed by congress) as to realize the largest possible proceeds.

Supervision of Schools.

Sec. 14. The general supervision of the public schools shall be entrusted to the State Superintendent of Public Instruction, whose powers and duties shall be prescribed by law.

THE UNIVERSITY.

Establishment of University.

Sec. 15. The establishment of the University of Wyoming is hereby confirmed, and said institution, with its several departments, is hereby declared to be the University of the State of Wyoming. All lands which have been heretofore granted or which may be granted hereafter by congress unto the university as such, or in aid of the instruction to be given in any

of its departments, with all other grants, donations, or devises for said university, or for any of its departments, shall vest in said university, and be exclusively used for the purposes for which they were granted, donated or devised. The said lands may be leased on terms approved by the land commissioners, but may not be sold on terms not approved by congress.

Tuition Free.

Sec. 16. The university shall be equally open to students of both sexes, irrespective of race or color; and, in order that the instruction furnished may be as nearly free as possible, any amount in addition to the income from its grants of lands and other sources above mentioned, necessary to its support and maintenance in a condition of full efficiency shall be raised by taxation or otherwise, under provisions of the legislature.

Government of University.

Sec. 17. The legislature shall provide by law for the management of the university, its lands and other property by a Board of Trustees, consisting of not less than seven members, to be appointed by the Governor by and with the advice and consent of the Senate, and the President of the university, and the Superintendent of Public Instruction, as members ex officio, as such having the right to speak, but not to vote. The duties and powers of the Trustees shall be prescribed by law.

Statutory Provisions

CHAPTER 1.

STATE DEPARTMENT OF EDUCATION.

Supervision of Public Schools.

Section 1. The general supervision of the public schools shall be entrusted to the State Superintendent of Public Instruction, who shall administer the State system according to law for the best interests of the people and of the State, making such rules and regulations as may be necessary for the proper and effective administration of the same. Provided, That nothing in this Act or any Chapter thereof shall be construed to limit or contravene the functions and powers of the Board of Trustees of the University of Wyoming as hitherto established by law in conformity with the Constitution of the State of Wyoming and the Laws of the United States. [L. 1919, Chap. 127, Sec. 1.]

Educational Matters Affecting Counties.

Sec. 2. Educational matters affecting the county shall be under the supervision of the County Superintendent of Schools. [L. 1919, Chap. 127, Sec. 2.]

Educational Matters Affecting School Districts.

Sec. 3. Educational matters affecting the school district shall be under the care of the District Board of School Trustees. [L. 1919, Chap. 127, Sec. 3.]

State Board of Education.

Sec. 4. There shall be a State Board of Education to be composed of seven members, at least two of whom shall be persons actively engaged in educational work. The State Superintendent of Public Instruction shall be ex-officio a member of such Board and shall have the right to vote. The other six members of said Board shall be appointed from among the citizens of the State in such a manner that the different parts of the State shall be represented, and not more than four members of such Board shall be from one political party, and the members shall hold office from the first April succeeding their appointment for a term of six years, provided that the length of the term of the first regular appointees under this section shall be as follows: Two members shall be appointed for two years, two for four years, two for six years, but thereafter the

term of each member shall be six years. They shall be appointed by the State Superintendent of Public Instruction with the approval of the Governor, and shall be appointed solely because of their character and fitness. All members of the Board shall be persons of mature years, known for their integrity, culture, public spirit, business ability, and interest in public education. Vacancies shall be filled by the State Superintendent of Public Instruction with the approval of the Governor and shall be for the unexpired term. All members shall be eligible to reappointment unless otherwise disqualified by the provisions of this Act. Members of the Board may be removed by the State Superintendent of Public Instruction with the approval of the Governor for immorality, misconduct, neglect of duty, or incompetency. The Board shall meet semi-annually on the second Monday in April and October. The first meeting of each year shall be for the purpose of organization, at which a chairman shall be elected, but the Commissioner of Education shall act as secretary. Special meetings may be held as often as the duties of the Board require and the Board shall meet at the call of the State Superintendent of Public Instruction or the Governor whenever in the opinion of these officials an emergency exists. [L. 1919, Chap. 127, Sec. 4.]

Duties of State Superintendent of Public Instruction.

Sec. 5. The State Superintendent of Public Instruction shall exercise general control and supervision of the public schools and the educational interests of the State. He shall consult with and advise through the Commissioner of Education, with Boards of Education, County and City Superintendents, Supervisors, Principals, Teachers, and other such school officers and citizens, and seek in every way to develop public sentiment in support of progressive education. [L. 1919, Chap. 127, Sec. 5.]

Interpretation of School Laws.

Sec. 6. The State Superintendent of Public Instruction shall explain the true intent and meaning of the school laws and of rules and regulations of the State Board of Education and shall decide without expense to the parties concerned all controversies and disputes involving the administration of the public school system and his decisions shall hold until revoked by court of competent jurisdiction. He shall have authority to administer oaths and examine under oath any witnesses on any matter pertaining to public schools in any part of the State. He shall have power to enforce all provisions of this Act and of the rules and regulations of the State Board of Education. [L. 1919, Chap. 127, Sec. 6.]

Agreements and Contracts with Publishing Houses.

Sec. 7. The State Superintendent of Public Instruction shall furnish all publishing houses selling books within the State, contract forms for their use in entering into agreements with school officers for the purchase of books to be used in the public schools. [L. 1919, Chap. 127, Sec. 7.]

Census of School Children.

Sec. 8. There shall be an annual census of all school children in the State. The State Superintendent of Public Instruction shall, with the advice of the State Board of Education, provide for taking such annual census and shall prescribe rules and regulations and furnish forms and blanks for the use of county superintendents, district boards, principals, teachers, and all other school officials, and shall require all financial accounts and all educational records to be kept and reports made according to these forms and blanks. [L. 1919, Chap. 127, Sec. 8.]

Report to Governor.

Sec. 9. The State Superintendent of Public Instruction and the State Board of Education shall report biennially to the Governor and the legislature a complete statement of the work of the educational department, including financial statements, educational progress, and needs of the State school system and he shall recommend to the Governor and the legislature such legislation concerning schools and such appropriations for additional educational activities as he may see fit and as the educational needs of the State may require. [L. 1919, Chap. 127, Sec. 9.]

Shall Assume Duties of State Board of Examiners.

Sec. 10. The State Superintendent of Public Instruction, with the advice of the State Board of Education, shall assume the powers and duties now conferred upon the State Board of Examiners. They shall in connection with such duties keep on file information regarding the certification, experience, and efficiency of the teachers, which shall be at the disposal of Superintendents and School Trustees when called for. [L. 1919, Chap. 127, Sec. 10.]

Normal Department of State University.

Sec. 11. The State Superintendent of Public Instruction shall advise with the Board of Trustees of the State University in matters relating to the course of study in the State Normal Department of the State University. The Superintendent of Public Instruction and the State Board of Education shall be the Trustees of all other teacher training institutions which may hereafter be established. [L. 1919, Chap. 127, Sec. 11.]

Compensation of Members of Board of Education.

Sec. 12. Members of the State Board of Education shall receive no salary, but shall receive travelling and other expenses necessarily incurred in the performance of their duties. [L. 1919, Chap. 127, Sec. 12.]

Admission of Public Schools—Rules For.

Sec. 13. The State Superintendent of Public Instruction with the State Board of Education shall prescribe policies of educational administration throughout the State, and shall recommend rules and regulations for the administration of the public school system. For the purpose of enforcing the school laws, the Board may institute legal proceedings in the name of the State of Wyoming. [L. 1919, Chap. 127, Sec. 13.]

Vocational Schools.

Sec. 14. The State Board of Education shall have general oversight of vocational or other special schools receiving State aid. [L. 1919, Chap. 127, Sec. 14.]

Course of Study in Schools.

Sec. 15. The State Board of Education shall prescribe standards regulating the general course of study for the elementary and high schools, and for any other educational institutions which receive State aid, and shall provide for the printing and distribution of a suggestive State course of study and of all other printed matter necessary to carry out the provisions of this Act, and shall provide for the grading and standardization of elementary and high schools, and shall enumerate the minimum standards with which schools receiving money from any State fund must comply. Such standards may include in addition to education restrictions, rules and regulations for the sanitary and hygienic construction of school houses and the location and selection of grounds. [L. 1919, Chap. 127, Sec. 15.]

Publication of Courses of Reading.

Sec. 16. The State Board of Education shall prescribe and publish annually courses of reading for teachers in the elementary and high schools and may require certified statements from teachers or take such other methods as may in its judgment seem necessary to assure itself that the required reading has been done, or it shall prescribe such other methods of training teachers in service as it may deem necessary and promote the same through city and county superintendents. [L. 1919, Chap. 127, Sec. 16.]

Rules for Administration of Laws Governing Certification of Officers.

Sec. 17. The State Board of Education shall prescribe rules and regulations for administering the laws governing the cer-

tification of superintendents, supervisors, principals, and teachers, whether by examination in specified subjects or through the completion of courses in approved institutions and in its discretion, prepare and publish lists of approved Normal schools, Colleges, and Universities and fix standards for such approval. [L. 1919, Chap. 127, Sec. 17.]

Office Assistants—Field Agents.

Sec. 18. The State Department of Education shall be provided with adequate office assistants, ample room and equipment. There may be field agents, who shall assist in the general supervisory, advisory and inspectorial duties of the State Superintendent of Public Instruction. The field agents shall also be advisors and inspectors of high schools and such schools as receive State aid for vocational or other courses or for other purposes approved by the State Board of Education. [L. 1919, Chap. 127, Sec. 18.]

Commissioner of Education.

Sec. 19. The State Board of Education, with the approval of the Governor, shall appoint a Commissioner of Education. [L. 1919, Chap. 127, Sec. 19.]

Power of Commissioner.

Sec. 20. The Commissioner of Education shall, under the general supervision and direction of the State Superintendent of Public Instruction, execute the educational policies of the State Board of Education. [L. 1919, Chap. 127, Sec. 20.]

Qualifications of Commissioner.

Sec. 21. The Commissioner of Education shall be a person of literary and scientific attainments, versed in history, theory, and principles of education, with practical knowledge of the organization and management of the schools. He shall be a graduate of a standard four year College or University, or have an equivalent education and training, shall be an experienced educator actively engaged in educational work at the time or within two years of the time of his assuming the duties of his office. [L. 1919, Chap. 127, Sec. 21.]

Duties of Commissioner.

Sec. 22. The Commissioner of Education shall devote his time, attention, and energies to the faithful performance of the duties of his office as prescribed by law. He shall prepare and publish such pamphlets, and bulletins as shall stimulate public interest in education and inform the public on the educational policies of the administration; shall make tours of inspection from time to time in the several counties of the State for the discussion and consideration of questions of public education; shall foster professional growth and enthusiasm in teaching and

school affairs by every means available; shall in person and through his assistants examine the expenditures and accounts, the educational and administrative methods of boards and superintendents; shall advise with them on all matters pertaining to the management of the school system and shall arrange for such conferences, conventions, or institutes, as he may deem necessary or as may be provided by law. [L. 1919, Chap. 127, Sec. 22.]

Commissioner Shall Suggest Course of Study.

Sec. 23. The Commissioner of Education shall prepare or cause to be prepared and shall submit for approval and adoption by the State Board of Education, a suggestive course of study for the different grades and kinds of elementary and high schools and such other schools as receive State funds or State aid. He shall prepare for the use and guidance of the district board such regulations and suggestions for standardizing and grading schools and for the hygienic and sanitary building of school houses and the selections of sites. [L. 1919, Chap. 127, Sec. 23.]

Distribution of School Laws and Reports.

Sec. 24. The Commissioner of Education shall have printed and distributed the school law and such forms for and instructions regarding reports as will enable the school officers to make them out fully and correctly. He shall furnish all forms necessary to carry out legal requirements or to furnish such data as may from time to time be required by the rules and regulations of the Board of Education or by the provisions of the State school law. He may require from the county superintendents, city superintendents, principals, teachers, and school officers, annual reports and such other reports as he may at any time deem necessary and advisable. [L. 1919, Chap. 127, Sec. 24.]

Publication of Lists of Text Books.

Sec. 25. The Commissioner of Education, through the State Board of Education, shall publish lists of approved text books, together with prices, for use in public schools of the State from which superintendents, teachers, and trustees may select such books as are most suitable for the schools over which they preside, provided that these lists give sufficient latitude to enable school officers affected to make such selection as fit their particular needs, and further provided that no books shall be included unless publishers have complied with the law. [L. 1919, Chap. 127, Sec. 25.]

Investigations Regarding Educational Needs.

Sec. 26. The State Board of Education and the Commissioner of Education shall conduct investigations within and

without the State regarding educational needs and progress and means of improving conditions; they may appoint special agents for such investigations and perform any additional duties required by law. [L. 1919, Chap. 127, Sec. 26.]

Certification Division.

Sec. 27. A Certification Division of the State Department of Education shall be created. The chief officer of this division shall be the Commissioner of Education and shall be a person of high professional qualifications and of broad experience in educational work. The chief of this division shall also conduct the State Teacher's Employment Bureau and shall be held responsible for the work of his division. [L. 1919, Chap. 127, Sec. 27.]

List of Teachers Employed—Register.

Sec. 28. The Chief of the Certification Division shall keep in his office classified lists of all the teachers employed in the State, and such other teachers within or without the State as desire to register with the State Department of Education, with records concerning the training, education, certification, experience, teaching success, and such other facts as relate to their ability to teach and enable him to furnish reliable information to superintendents and trustees who desire to engage teachers. Assistance given to boards in the employment of teachers and to teachers in securing positions, shall be without charge. [L. 1919, Chap. 127, Sec. 28.]

Methods of Obtaining Certificate.

Sec. 29. Provisions shall be made for two methods by which certificates may be obtained, namely, through examination and upon credentials, and these two ways of obtaining certificates shall be made as nearly as possible of equivalent standards. All forms of certificates shall be issued from the office of the State Superintendent of Public Instruction, upon the recommendation of the Certification Division and the registry of these certificates shall be kept on file. It shall be the duty of the Certification Division to prepare and recommend to the State Board of Education a list of approved institutions whose graduates may receive certificates without examination. The Division shall also provide for the recognition of certificates granted in other states. All certificates shall be State certificates and valid in all counties of the State, subject to registration as provided by law. Examinations shall be uniform as to lists of questions, dates of holding, and rules and regulations governing these matters in the various counties. The County Superintendent of Schools shall co-operate with the Certification Division in administering all examinations, reporting grades, and distributing certificates, in their respective counties. [L. 1919, Chap. 127, Sec. 29.]

Number of Examinations—Fees.

Sec. 30. The Certification Division shall determine the number of examinations to be given each year, and publish announcements for the year at least six months in advance of the date of the first examination to be given during the year, but the Certification Division may provide for examinations whenever deemed advisable. Certificates granted on credentials may be applied for at any time, such application to be made through the office of the County Superintendent of Schools in accordance with such rules as the State Department may prescribe. Every applicant for a certificate to be granted upon examination, credentials, or renewal, shall pay such reasonable fee as may be prescribed by the State Board of Education. [L. 1919, Chap. 127, Sec. 30.]

Classes of Certificate.

Sec. 31. The State Board of Education through its Certification Division shall provide for the following classes of certificates: (1) Elementary City School Certificates; (2) Rural School Certificates; (3) High School Certificates; (4) Administrative Certificates; (5) Special Certificates. [L. 1919, Chap. 127, Sec. 31.]

Registration of Certificates.

Sec. 32. All certificates must annually be registered at the office of the County Superintendent of Schools in the county wherein the holder shall intend to teach the ensuing year. Before such certificates can be registered the holder of each must furnish satisfactory evidence of having complied with the rules and regulations of the State Board of Education with reference to professional study. Failure to comply with the registration law shall invalidate the holder's certificate and such person shall not be entitled to receive pay for teaching, provided, that exception to this regulation may be permitted by the State Board of Education upon the written application of a district board. [L. 1919, Chap. 127, Sec. 32.]

Issuance of Certificates.

Sec. 33. The State Superintendent of Public Instruction shall issue certificates to superintendents, supervisors, principals, and teachers, on the recommendation of the State Board of Education, and shall make such arrangements as to time, place and manner of holding such examinations as may be necessary to carry out the provisions of the Board and the statutes regarding such certification. [L. 1919, Chap. 127, Sec. 33.]

Revocation of Certificate.

Sec. 34. The State Superintendent of Public Instruction through the Certification Division shall have power to revoke a

teacher's certificate upon evidence of a gross neglect of duty, incompetency, immorality, or other reprehensible conduct. Such evidence must be presented in written charges and no certificate shall be revoked without a personal hearing unless the holder thereof shall refuse or fail to appear for such hearing. [L. 1919, Chap. 127, Sec. 34.]

Salary of Commissioner.

Sec. 35. The Commissioner of Education shall receive an annual salary of three thousand dollars (\$3,000.00). [L. 1919, Chap. 127, Sec. 35.]

Certificate Necessary for Compensation.

Sec. 36. No person shall teach or supervise a public school in the State of Wyoming and receive compensation therefor out of any public fund who at the time of rendering such services is not a holder of a certificate granted under the provisions of this chapter. [C. S. 1910, Sec. 2020.]

HIGH SCHOOL NORMAL TRAINING DEPARTMENTS.

In Accredited Schools—Subjects to be Taught.

Sec. 37. The Board of Trustees of High Schools of the State accredited by the State Board of Examiners, are hereby authorized to establish Normal Training Departments in such High Schools, in which shall be taught elementary psychology, rural school management, rural school methods, primary methods, arithmetic, language, geography, history, civics, physiology, music, drawing and agriculture and in which at least one hour each day shall be devoted to practice work under the guidance of a regularly employed teacher, who shall have completed the training course of a regular Normal School. The course of studies for such High School Normal Department shall cover a semester's work and graduation therefrom shall require one year's work of nine months. [L. 1917, Chap. 123, Sec. 1.]

Admission—Certificates.

Sec. 38. Pupils who have completed three full years' work in an accredited High School of the State, or who hold a third grade certificate, shall be admitted to said Normal Department, and upon completing one year's course therein shall be entitled to receive a teacher's certificate, to be known as a State Normal Training Department Certificate, which shall be valid for one year, and shall entitle the holder to teach in rural schools only upon passing the regular teachers' examination in rhetoric and theory and practice, and securing no less than 80% in each subject, a holder of this certificate shall be issued a regular

second grade certificate. Pupils who have completed a full four years' course in an accredited High School before entering this Department shall, upon completing one year's work therein, be issued a teacher's certificate entitled an "Advanced State Normal Training Department Certificate", which shall be valid for two years and subject to renewal under the regulations for renewing other certificates. The holder of this certificate shall be issued a first grade State certificate under the same conditions that the holder of a regular second grade certificate is issued a first grade certificate. When the holder of an Advanced State Normal Training Department Certificate shall have taught one year he or she shall be given one year's credit in the regular work of the Normal Schools of the State. [L. 1917, Chap. 123, Sec. 2.]

Equipment—Teachers.

Sec. 39. Boards of Trustees of High Schools establishing Normal Training Departments, as herein provided, shall furnish books and apparatus sufficient for said department of the class designated by the State Board of Teachers Examiners, and shall employ teachers for said department who have been specially trained for the instruction of teachers for rural schools. On and after August 31, 1919, any teacher now in the work must have had full four year course in a university or college with special professional training. [L. 1917, Chap. 123, Sec. 3.]

Tax Levy.

Sec. 40. Any board of trustees of an accredited High School of the State desiring to establish a Normal Training Department therein shall so declare by formal resolution and shall cause the clerk of said board to transmit a certified copy of said resolution to the State Board of Equalization, on or before the 1st day of July thereafter, and it shall be the duty of the State Board of Equalization to provide for the levy of a special tax of one-eighth of one mill, or so much thereof as may be necessary to provide all accredited High Schools of the State wherein Normal Departments have been established and so certified, with the sum of One Thousand Dollars (\$1,000.00) annually, said tax to be levied upon each and every dollar of the assessed valuation of the State and collected and paid to the State Treasurer in the manner provided by law for the collection and payment of other States taxes. The sum of One Thousand Dollars (\$1,000.00) shall be payable from said tax fund to the treasurers of the boards of such accredited High Schools wherein Normal Departments have been so established and certified, upon a warrant of the State Auditor to be issued upon the voucher of such treasurer, and it shall be the duty of the State Superintendent of Public Instruction to coun-

tersign the voucher. Such fund to be used solely for the payment of teacher's salary. [L. 1917, Chap. 123, Sec. 4.]

Room.

Sec. 41. Boards of trustees governing accredited four-year High Schools of the State, wherein Normal Departments have been established, are hereby required to provide a room for the use of said Normal or Training Department, and such room shall be used solely for the use of said Normal Training Department. [L. 1917, Chap. 123, Sec. 5.]

ACCEPTANCE OF TERMS OF FEDERAL VOCATIONAL EDUCATION ACT.

Acceptance.

Sec. 42. That the State of Wyoming does hereby accept the provisions of an act of the Congress of the United States of America entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure", and will observe and comply with all the requirements of said act. [L. 1917, Chap. 99, Sec. 1.]

State Board.

Sec. 43. That the State Board of Education is hereby designated as the State Board for the purposes of the said act and is hereby given all necessary power to cooperate with the Federal Board of Vocational Education in the administration of the provisions of the act. [L. 1917, Chap. 99, Sec. 2.]

State Treasurer Custodian of Funds.

Sec. 44. That the State Treasurer is appointed custodian of funds allotted by Federal Act to the State of Wyoming for the promotion of vocational education, and he shall provide for the proper custody and disbursement of such funds on the requisition of the State Board of Education. [L. 1917, Chap. 99, Sec. 3.]

Appropriation.

Sec. 45. That there is hereby appropriated for the purposes of this Act from the General fund out of any moneys not otherwise appropriated Three Thousand (\$3,000.00) Dollars annually. [L. 1917, Chap. 99, Sec. 4.]

Co-Operating Between State and Government.

Sec. 46. The sum of Two Thousand Dollars for the year ending March 31, 1920, and the further sum of Two Thousand

Dollars for the year ending March 31, 1921, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, for the purpose of cooperating with the Federal Board for Vocational Education in paying the salaries of teachers, supervisors, and directors of agricultural subjects, and teachers of trade, home economics, and industrial subjects, and the training of teachers of vocational subjects, and to comply with the condition of the Act of Congress of the United States of America providing for the promotion of Vocational Education, accepted for this State by an Act of the Legislature thereof approved February 20, 1917, and known as Chapter 99 of the Session Laws of 1917, of the State of Wyoming, requiring that for each dollar of Federal money expended under said Act of Congress an equal amount shall be expended by the State or local community, or both; the said sums respectively hereby appropriated to be expended in accordance with the plans provided by the State Board designated and authorized by said Act of the Legislature of the State of Wyoming, to cooperate with the Federal Board for Vocational Education, and approved by said last named board. [L. 1919, Chap. 145, Sec. 14.]

Fire Escapes.

Sec. 47. Every building now or hereafter used, in whole or in part, as a public building, public or private institution, office building, lyceum, church, theatre, public hall, place of assemblage or place of public resort, and every hotel, apartment house, boarding house, tenement house, factory or workshop, three or more stories in height, school and hospital buildings, two or more stories in height, shall be provided with safe and suitable metallic, tunnel, iron or fire-proof ladders or stair fire-escapes with guard rail of sufficient strength, attached to the outside walls thereof and extending from or suitably near the ground to the uppermost story thereof, with platforms not less than 6x3 feet and of such shape and size and in such proximity to the windows of each story above the first, as to render access to such ladders or stairs from each such story easy and safe to the occupants of such building, in case of fire; and it shall be the duty of every proprietor, custodian, superintendent or person or persons having charge and control of such public buildings mentioned and described herein, to post notices in every hall, and in a public and conspicuous place in such building, designating the places on each and every floor of such building where such fire-escapes are located and may be found. [L. 1919, Chap. 74, Sec. 1.]

Means of Exit—Doors.

Sec. 48. Every building now or hereafter used, in whole or in part, as a public building, public or private institution,

office building, lyceum, church, school house, theatre, picture show house, public hall, place of assemblage or place of public resort, and every hotel, apartment house, boarding house or tenement house, two stories or less in height, having twelve (12) or more rooms shall be provided with at least two stairways, hallways or means of exit or escape from each story in case of fire.

In addition to the above mentioned and described stairways and hallways or means of exit, all doors to every public hall, lyceum, theatre, picture show house, or other place of amusement, which is thrown open to and used for the profit of the owner or proprietor or owners or proprietors by public assemblies in the State of Wyoming, shall not be less than three feet in width, and shall swing or open out of and not into said public hall, lyceum, theatre, picture show house, or other place of amusement. [L. 1917, Chap. 18, Sec. 2.]

Factories, Offices, Etc., to be Equipped.

Sec. 49. Every building now or hereafter used, in whole or in part, as a factory, mill, workshop, garage, office, bakery, laundry, store, and any other building or buildings in which people are employed at manual or other labor, shall be provided with proper and sufficient means of escape in case of fire, by two or more ways of egress, and all doors leading into or to such factory, mill, workshop, garage, office, bakery, laundry, store, and any other building or buildings in which people are employed at manual or other labor, shall not be locked, bolted or fastened during working hours as to prevent free and easy access therefrom. [L. 1917, Chap. 18, Sec. 3.]

Exits Unobstructed—Stairways.

Sec. 50. All such metallic, iron or fire-proof ladders or stair fire-escapes, stairways, hallways or means of egress, mentioned or described in this Act, shall at all times be kept free from any obstruction; in good repair and ready for use; and at night, or where lights are necessary in the daytime, a red light shall be provided with the words inscribed thereon "FIRE-ESCAPE". Provided that on all hotel, theatre, school and hospital buildings, two or more stories in height, said stairways shall extend from each floor of said building to the ground and shall not be less than three (3) feet wide, the risers of said stairs shall not be greater than eight (8) inches, and the treads not less than ten (10) inches wide; and the platform not less than three (3) feet wide, and in all cases the full width of the stairs. All such stairs shall have proper guard rails not less than twenty-eight (28) inches high. Where tubing is used for guard rails they shall be not more than ten (10) inches apart; and where balusters are used they shall be not more than six (6) inches apart. [L. 1917, Chap. 18, Sec. 4.]

Applicable to Schools.

Sec. 51. The provisions of this chapter are hereby made applicable to the trustees of all universities and school districts in this State, operating under the general school law of this State. [L. 1917, Chap. 18, Sec. 5.]

Penalty.

Sec. 52. Every person, firm or corporation, or his or its agents, officers, directors or trustees, owning or having the management or control of any such buildings or structures herein mentioned or described, who shall fail, neglect or refuse to comply with the provisions of this Act not later than October first, nineteen hundred seventeen (October 1, 1917), shall be deemed guilty of a misdemeanor and on conviction thereof shall be punishable by imprisonment in the county jail for not less than three, nor more than six months, or by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by both such fine and imprisonment. Each month or fraction thereof in which any building designated in this Act shall remain in violation thereof shall constitute a separate offense. [L. 1917, Chap. 18, Sec. 6.]

Additional Requirements.

Sec. 53. Any incorporated city or town may by ordinance make additional requirements relative to fire-escapes or exits. [L. 1917, Chap. 18, Sec. 7.]

MONTHLY PAYMENT BY COUNTY TREASURER OF MUNICIPAL, DISTRICT AND LIBRARY FUNDS.

Sec. 54. It shall be the duty of the county treasurer of each county to keep an accurate record of all funds in his hands and due to the respective cities, towns, school districts and county libraries within the county; and on the first day of each month he shall pay over to the treasurer of each city, town, school district and county libraries all funds theretofore collected by him for the benefit of the respective city, town, school district or county libraries. [L. 1917, Chap. 31, Sec. 1.]

NON-PARTISAN ELECTION OF COUNTY SUPERINTENDENTS.

Sec. 55. The County Superintendent of Schools shall hereafter be nominated and elected regardless of political affiliations. [L. 1917, Chap. 59, Sec. 1.]

Petition and Affidavit—Fee.

Sec. 56. Any person desiring to become a candidate for County Superintendent of Schools may, within not more than

sixty nor less than twenty days preceding a primary election, file with the County Clerk of the county in which such person resides, a statement in substantially the following form, to-wit:

“Petition and Affidavit of.....
Candidate for County Superintendent of Schools.....
 State of Wyoming, }
 County of..... } ss.

I,, being first duly sworn, say that I reside at....., in the city of....., in the County of.....in the State of Wyoming; that I am a qualified voter of said State and said county; that I am eligible to be elected to the office to which I aspire; that I am a candidate for the nomination for the office of County Superintendent of Schools to be voted upon at the primary election to be held on the.....day of....., 19....; that I hereby request that my name be printed upon the official ballot for the nomination at such primary election for the office of County Superintendent of Schools.

.....
 Subscribed and sworn to before me by the said.....
 this.....day of....., A. D. 19.... [”]..

Such petition and affidavit shall be accompanied by a fee of Ten Dollars (\$10.00), to be paid into the county treasury of said county, and no further requisite shall be necessary for such person to have his name printed on the non-partisan primary ballot.[”] [L. 1917, Chap. 59, Sec. 2.]

Ballots.

Sec. 57. Notwithstanding any more general law respecting primary elections in force in the State, the official ballot to be prepared and used at such primary, when relating to County Superintendent of Schools or other non-partisan officers, shall simply place the names of all candidates for judicial offices and County Superintendent of Schools upon the primary ballot without any political designation; the names to be arranged as hereinafter stated, the said ballot to be a separate ballot from the party ballots used at the primary election, and said non-partisan ballots to have separate columns for judicial offices and for County Superintendent of Schools; the heading of the column to indicate whether the column is for the school officers mentioned or for judicial officers. The form of such ballot shall be the same as prescribed for non-partisan election of judges, in Section 3 of Chapter 74 of the Session Laws of 1915, and the names of said nominees for the said school offices shall be arranged the same as provided in said Section 3 of Chapter

74 of the Session Laws of 1915, for the arrangement of names for the judicial offices. [L. 1917, Chap. 59, Sec. 3.]

Voters Not Required to Declare Party Affiliation.

Sec. 58. At said primary election for County Superintendent of Schools or for judicial officers, any qualified elector of the precinct shall be permitted to vote for the nomination of non-partisan officers without being required to state any party affiliation, and the provisions of Chapter 23 of the Session Laws of 1911 and any and all amendments thereto that require an elector to state his party affiliation when voting at a primary, shall not apply to those electors who vote only the non-partisan ballot.

Any elector offering to vote at such primary election for non-partisan officers only shall, unless he has been recorded as voting at the last preceding general primary election, be required to take the oath contained in Section 4 of Chapter 128 of the Session Laws of 1913. And any such elector offering to vote for non-partisan officers only and not offering to vote a party ticket, shall be registered by the judges of election in the poll book under a separate column headed "Non-Partisan."

The method of voting and of accounting and certifying the returns shall in all respects be governed by the provisions of Chapter 74 of the Session Laws of 1915 relative to the nomination of non-partisan judges, except insofar as the same may be modified or changed by this Act. [L. 1917, Chap. 59, Sec. 4.]

Ballots for General Election.

Sec. 59. After said primary election held as aforesaid, the county clerk or other official whose duty it is to prepare the official ballot for the general election to be held in this State, shall prepare a separate ballot similar and substantially in the same general form, and the names rotated on said ballot as herein provided for the nomination of said school officers at the primary election, and as provided in Chapter 74, Session Laws of 1915, for the nomination of judicial officers; and the two candidates receiving the highest number of votes at the primary election for each of said offices shall be entitled to have their names printed on the official non-partisan ballot at the general election. Said ballot for non-partisan officers may contain judicial officers and the same school officers, arranged, however, in separate columns, but such non-partisan ballot shall be separate from the regular ballot used at such election and shall be deposited in a separate ballot box, the same as in voting upon constitutional amendments. The candidate receiving the highest number of votes at said general election shall be declared duly elected to the office for which said person was a candidate. In all other respects the procedure

for the nomination and election to the offices herein referred to shall be regulated by the provisions of the statutes relating to primary and general elections in force in this State so far as they are applicable. [L. 1917, Chap. 59, Sec. 5.]

Sec. 60. All acts and parts of Acts in conflict with the provisions of this Act are hereby expressly repealed and Chapter 74, Sessions Laws of 1915, is hereby modified to conform to the provisions of this Act. [L. 1917, Chap. 59, Sec. 6.]

Uniforms for School Cadets.

Sec. 61. The sum of Ten Thousand Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury not otherwise appropriated, for the purchase of uniforms for the members of all public school cadet organizations in the State, which adopt military setting-up exercises, drill and calisthenics and conduct the same according to requirements, rules and regulations laid down by the State Adjutant General. Such uniforms shall be chosen, purchased, distributed and used in accordance with the directions of the Adjutant General, and this appropriation shall be expended under direction of the Adjutant General by vouchers rendered in the regular form to the State Auditor and approved by the Adjutant General. [L. 1919, Chap. 144, Sec. 66.]

High School Districts May Accept Gifts.

Sec. 62. High school districts within the State of Wyoming organized as provided in Chapter 142, Wyoming Compiled Statutes of 1910, are hereby authorized to receive any and all property that may be donated, devised, bequeathed or given, for educational purposes in this State, or for any of the purposes for which said High schools are organized as provided in said Chapter 142 or any and all amendments thereto, and may apply said devices, bequests, gifts or donations to the purposes and for the objects for which they may be so devised, bequeathed, given or donated. [L. 1917, Chap. 73, Sec. 1.]

Distribution of School Funds.

Sec. 63. On or before the 31st day of March in every year, if there shall be any money to the credit of the income fund, for the use of public schools, in the State treasury, including the rents of the unsold school lands, the State Superintendent of Public Instruction shall distribute such income among the several counties of the State according to the number of children of school age in each, the same to be determined by reference to the last preceding annual reports furnished to the State Superintendent of Public Instruction by the several County Superintendents of Schools. Such moneys so distributed shall be paid to the county treasurer of each county by the State treasurer, upon the requisition to that effect by the State

Superintendent of Public Instruction, which said requisition shall state the county entitled thereto, together with the amount, and the fund out of which it is paid; and the Superintendent of Public Instruction shall at the same time notify each Superintendent of Schools that such distribution has been made; such requisition shall be accompanied by a warrant of the auditor upon the treasurer covering the amount of the requisition in each case, and the Superintendent of Public Instruction shall file such requisition with the auditor and a copy of the same with the treasurer. Upon such distribution being made and said money being paid to the respective county treasurers, the County Superintendent of Schools in each county shall cause such money to be distributed among the several school districts in the county pro rata in the same manner and in the same proportion as the regular county school tax is required by law to be distributed. Provided, however, That any law with reference to the distribution of the county school tax which provides for a certain amount to be paid to each school district before the pro rata distribution of the balance is made shall not apply in the case of the distribution of said money; Provided, further, That no apportionment from said State fund shall be made to any school district for a year in which a school has not been maintained therein for at least three months. [C. S. 1910, Sec. 135.]

Board of Trustees.

Sec. 64. The government of the university shall vest in a Board of nine Trustees to be appointed by the Governor, three, and only three, of whom shall at all times be residents of the county of Albany, together with the President of the university and the State Superintendent of Public Instruction, as members ex-officio, as such having the right to speak but not to vote. [C. S. 1910, Sec. 413.]

Board—Who Members.

Sec. 65. The Governor, the Secretary of State, the State Treasurer, the State Auditor and the State Superintendent of Public Instruction shall constitute and shall hereafter be known as the State Board of Charities and Reform. [C. S. 1910, Sec. 436.]

Secretary of Board.

Sec. 66. The Superintendent of Public Instruction shall be Secretary of the Board, and shall keep a careful record of the transactions of the Board in a substantial and bound book, to be kept for that purpose, and which shall be known as the records and proceedings of the State Board of Charities and Reform; he shall countersign all papers, instruments, or documents approved, made, or directed by the Board; he shall also,

for the Board and under its direction, make a biennial report to the Governor, during the month of December in each even numbered year, showing clearly and succinctly the condition of all institutions under the control or supervision of said Board, whether general or direct, giving the number of inmates therein, their ages, sex, condition, religious belief, conduct, and all other matters pertaining thereto, and such report shall also contain such recommendations as the Board may see fit to make to the Governor, or the legislature, as shall tend to ameliorate the condition of the inmates of such institutions, that may tend to prevent crime, and as the claims of humanity and the public good may require. [C. S. 1910, Sec. 443.]

School Land Board.

Sec. 67. The Governor, Secretary of State, State Treasurer and Superintendent of Public Instruction, being constituted a Board of Land Commissioners by the provisions of section thirteen, article seven, of the Constitution of the State, they shall, as such Board, have the direction, control, lease and disposal of all lands heretofore or hereafter granted to the State for the support and benefit of public schools. Said Board shall be officially known and designated as "the State Board of School Land Commissioners", and shall have power and authority to take such official action, as may be at any time necessary, in making the selection of lands granted to the State for public school purposes, or to secure to the State the transfer and title of any such lands. [C. S. 1910, Sec. 602.]

COUNTY SUPERINTENDENT OF SCHOOLS.

Must Hold Teachers' Certificate.

Sec. 68. No County Superintendent of Schools shall receive compensation out of any public fund for his services as County Superintendent of Schools until he has filed with the Board of County Commissioners a Wyoming teacher's certificate of as high a rank as first class, in full force and effect; and the said County Superintendent of Schools shall be required to have such certificate in full force and effect during his term of office to entitle him to compensation out of public funds. [L. 1913, Chap. 40, Sec. 1.]

Oath and Bond—Prohibited from Teaching.

Sec. 69. There shall be in each organized county a Superintendent of Public Schools, who shall, before entering upon the duties of his office, take the oath prescribed by the constitution and give bond to the State of Wyoming in the penal sum of Five Hundred Dollars for the faithful performance of all duties required of him by law as such superintendent, to be

approved by the Board of County Commissioners, and together with his certificate of election and oath, filed in the county clerk's office; Provided, That no person shall at the same time hold the positions of County Superintendent of Public Schools and teacher in any public school in his or her county. [C. S. 1910, Sec. 1296.]

Salaries of County Superintendents.

Sec. 70. County Superintendents of Schools shall receive the following annual salaries: In counties having an assessed valuation of more than Five Million Dollars, One Thousand Dollars; in counties having an assessed valuation less than Five Million Dollars, and counties having an assessed valuation of less than Two Million Dollars, Five Hundred Dollars. Together with their actual and necessary traveling expenses while engaged in the discharge of their official duties, the account for which expenses, before being allowed, shall be stated in separate items, accompanied by vouchers, or receipts for all items amounting to Five Dollars or more, and otherwise made conformable to the law. [L. 1915, Chap. 156, Sec. 1.]

NOTE—The Attorney General has ruled that the above Chapter should read as follows: "County Superintendents of Schools shall receive the following annual salaries: In counties having an assessed valuation of more than five million dollars, \$1,000.00; in counties having an assessed valuation of less than five million dollars (here should be read into the statute the words and figures \$750.00); and counties having an assessed valuation of less than two million dollars, \$500.00."

Duties.

Sec. 71. The duties of the County Superintendent shall be as follows: He shall on or before the fourth Monday of July in each year, transmit to the Superintendent of Public Instruction a report containing an abstract of the several particulars set forth in the report of the district clerks, together with a statement of the financial affairs of his office, and such suggestions as he shall think proper, relative to the schools of his county; he shall distribute to the districts within his county such blank forms, circulars and other communications as may be transmitted to him for that purpose by the Superintendent of Public Instruction. [S. L. 1907, Ch. 15, Sec. 3; C. S. 1910, Sec. 1298.]

Office and Records of County Superintendent of Schools—Office at County Seat.

Sec. 72. It shall be the duty of the Board of County Commissioners in each county of the State of Wyoming, to provide an office for the County Superintendent of Schools at the county seat, suitably equipped for properly transacting the

duties of the office of County Superintendent, and the County Superintendent shall keep his office open such days and parts of days as may be in his judgment for the mutual advantage of himself and his patrons. [L. 1913, Chap. 24, Sec. 1.]

Records.

Sec. 73. It shall be the duty of the County Superintendent of Schools to keep on file in his office, a full and complete record of the official transactions of his office, including copies of all reports received by him in his official capacity and made by him to the State Superintendent of Public Instruction. [L. 1913, Chap. 24, Sec. 2.]

Clerk to Certify Number of Teachers.

Sec. 74. It shall be the duty of the clerk of the Board of Trustees of each school district, including high school district, to file with the County Superintendent of Schools of the county within which such school district lies, on or before the first day of July each year, a certificate showing the number of teachers employed within said school district during the preceding year; Provided, That after the year 1913 every teacher for whom credit shall be claimed in such certificate must have been engaged in teaching in said district for at least six school months during the said school year, or in conjunction with a predecessor shall have taught for said period.

Provided that in a school district continuing a high school up to that time previously conducted by a high school district, of which it was a part, the six months' service in the district of each high school teacher employed shall be estimated by crediting the teacher with the time of service immediately preceding, or in conjunction with the predecessor, with time of service in the school year preceding as teacher in said high school district;

And provided further, that no credit shall be claimed for a teacher in a grade school where the average number of pupils in attendance during the preceding school year has been less than six pupils per teacher, nor for a teacher in a high school where the average attendance has been less than ten pupils per teacher. [L. 1915, Chap. 159, Sec. 1.]

Duty of County Superintendent.

Sec. 75. It shall be the duty of the said County Superintendent to verify and correct said certificate and on or before the first day of August in each year to file with the county clerk a certificate showing the number of said teachers during the preceding school year in each of the school districts, including high school districts, in the county. [L. 1913, Chap. 52, Sec. 2.]

County School Tax Limit.

Sec. 76. It shall be the duty of the Board of County Commissioners of each county to levy a general school tax upon all property within the county in an amount sufficient to raise three hundred dollars for each teacher within said county as certified to by the County Superintendent of Schools; Provided, That said levy shall not exceed three mills upon the dollar. [L. 1911, Chap. 106, Sec. 7, as amended by L. 1913, Chap. 52, Sec. 3.]

Apportionment of Taxes.

Sec. 77. On the first Monday of February in each year, commencing with the year 1914, the County Superintendent of Schools shall apportion the county school tax and all money in the county treasury belonging to the county school fund, including poll taxes, fines and forfeitures, among the several school districts, including high school districts, in proportion to the number of teachers within the respective districts during the preceding school year as determined by the certificate of the County Superintendent of Schools filed with the county clerk; he shall record a statement of such apportionment in his office and shall also notify the county treasurer of the same; he shall thereupon immediately draw an order on the county treasurer, in favor of the treasurer of each school district for the amount due it from said funds, and transmit the same to the treasurer of the district, which draft the county treasurer shall pay to the treasurer of the school district upon presentation, properly endorsed. [C. S. 1910, Sec. 1299; L. 1911, Chap. 90, Sec. 1; L. 1913, Chap. 52, Sec. 4.]

Supplementary Apportionment.

Sec. 78. Should no apportionment of the school funds be made on the first Monday in February, as required in this chapter, the County Superintendent of Schools shall make an apportionment as soon thereafter as practicable, in the same manner as hereinbefore provided. He may also, at any time, make a supplementary apportionment of the money paid into the county school fund subsequent to the time of the first apportionment on account of taxes or poll taxes due for the preceding year, such apportionment to be made in the same manner as provided in Section 1299. [C. S. 1910, Sec. 1300; L. 1911, Chap. 90; L. 1913, Chap. 52, Sec. 5.]

Duplicate Remittance Slips.

Sec. 79. It shall be the duty of County Superintendents of Schools and county treasurers when remitting funds to school district treasurers to advise the clerks of such districts of each and every remittance by issuing duplicate remittance slips giving date and amount of remittance, sending one with remit-

tance to the district treasurer and one to the district clerk. [L. 1913, Chap. 15, Sec. 1.]

District Boundary Board—Members and Duties.

Sec. 80. The County Superintendent of Schools and the Board of County Commissioners shall constitute a board for laying off their county into convenient school districts, such Board to be styled "The District Boundary Board". Said Board shall divide the county into school districts, and may alter and change the boundaries of the districts as formed from time to time as the convenience of the inhabitants of the aforesaid districts may require, and shall proceed to make such change, as in the judgment of the said Board may seem wise, at any time when petitioned by a majority of the legal voters of all the districts whether organized and existing or proposed, which shall be affected by such division or change of boundaries. And the District Boundary Board shall abolish or join in a contiguous district any school district in which no school has been maintained for twelve consecutive months, and all funds to the credit of such district so abolished or joined to another district shall be returned to, and become a part of the general school fund of the county; Provided, That nothing in this chapter shall be construed as to prevent the District Boundary Board from joining any school district, having less than eight pupils, to any other school district lying contiguous thereto, if, in the judgment of the Board, it will be for the benefit of the public schools so to join such districts. [L. 1913, Chap. 42, Sec. 1.]

Chairman and Secretary.

Sec. 81. The Chairman of the Board of County Commissioners shall act as Chairman of the District Boundary Board. The Board shall be authorized to transact business as a Board when the County Superintendent and two members of the Board of County Commissioners are present. The County Superintendent of Schools shall act as Secretary of the District Boundary Board and shall keep an accurate record showing the boundaries of all the districts in his county so established and organized and any revisions or changes in boundaries made by the said Board. [L. 1913, Chap. 42, Sec. 2.]

Notice to District Clerk.

Sec. 82. When the District Boundary Board shall have established a new district or shall have altered or changed the boundaries of any district or districts, the County Superintendent shall promptly notify, in writing, the clerk of the district board in each of the districts so affected, giving in said notice the number of the district or districts affected and describing their boundaries. [L. 1913, Chap. 42, Sec. 3.]

Corporate City in One District.

Sec. 83. Whenever the District Boundary Board shall establish a new district or change the boundaries of existing districts, such establishment or change shall be made so as to keep all territory, embraced in any corporate city or village, in one school district, but the District Boundary Board may include in any such school district territory not within such corporate boundaries; and said Boundary Board is hereby authorized to change without presentation of a petition, the boundaries of any school district or districts so that all the territory embraced in a corporate city or village shall be in one district. [L. 1913, Chap. 42, Sec. 4.]

Appeal.

Sec. 84. A majority of the voters in any district affected by the changed boundary, or a majority of such voters dissatisfied by the formation of any new district, shall have the right to appeal from the District Boundary Board to the State Superintendent of Public Instruction, whose decision shall be final in the matter. [L. 1913, Chap. 42, Sec. 5.]

Funds of New Districts.

Sec. 85. Whenever the District Boundary Board shall have formed or established a new district from districts already legally organized, the School Board of such newly organized district may draw the public school funds for paying teachers or other necessary legal school expenses from the school treasury of the district from which it was separated until such a time as the newly organized district shall receive its proper apportionment of school moneys and taxes. In like manner, any district which is established from two or more districts may draw the proper school expenses for payment of teachers or other necessary legal school expenses from the treasury of the districts to which the said new school district formerly belonged. [L. 1913, Chap. 42, Sec. 6.]

Recommend Dismissal of Incompetent Teachers—Visits.

Sec. 86. The County Superintendent shall have the general superintendence of the schools of the county, and shall visit each school at least once in each term, and shall have power to recommend for dismissal all teachers he may find to be incompetent; Provided, That before any teacher shall be dismissed it shall be the duty of the Superintendent to specify charges, in writing, against said teacher, and shall file the same with the Board of Trustees of the school district wherein said teacher is employed, and upon such charges a hearing shall be had in the presence of the Board, and if in their judgment the charges as preferred are well sustained, then the said Board may proceed to dismiss said teacher. [C. S. 1910, Sec. 1302.]

Failure to Make Report—Penalty.

Sec. 87. Should he fail to make his reports, as required in this chapter, he shall forfeit the sum of one hundred dollars, and suit shall be brought on his official bond for the collection of the same, with damages, by the prosecuting attorney. [C. S. 1910, Sec. 1303.]

Supervisory and Appellate Authority.

Sec. 88. He shall see that the annual reports of the clerks of the several school districts in his county are made correctly and in due time, and shall hear and determine all appeals from the decision of the District Boards. [C. S. 1910, Sec. 1304.]

County Teachers' Institutes.

Sec. 89. The County Superintendent of Schools shall hold annually at some convenient place a county teachers' institute for the instruction and advancement of teaching. Said institute shall continue not less than four days nor more than eight days. The County Superintendent shall preside at all meetings and shall determine the time and place for holding such meetings. It shall be the duty of all teachers actually engaged in teaching or having either a written or verbal contract to teach in such county, to attend such institute, unless they shall have a written excuse signed by the County Superintendent; and the State Superintendent of Public Instruction may, at his discretion, upon the written complaint of the County Superintendent, revoke the certificate or refuse to grant a certificate to any teacher who refuses to attend the county institute held in accordance with the provisions of this act; Provided, That a certificate signed by a regularly practicing physician of the inability of any such teacher to attend such institute, or the affidavit of two citizens of the county that said teacher was unable to attend such institute because of storms, floods or other conditions beyond the control of said teacher, shall operate to exempt said teacher from the provisions of this act. Each teacher who attends institute shall be given by the County Superintendent, a certificate setting forth the number of days of said institute such teacher shall have been in attendance, and the Board of Directors shall withhold the salary of any teacher who shall not produce the said certificate of attendance or an excuse from the County Superintendent for the time that he should have been in attendance at the institute. It shall be the duty of each District Board to pay all teachers who attend such institute the same salary per day that would have been paid had the same amount of time been expended in teaching. It shall be the duty of the County Boards of Commissioners in each county to appropriate annually, two hundred and fifty dollars (\$250.00) in counties having an assessed valuation of more than five million dollars (\$5,000,000.00); two

hundred dollars (\$200.00) in counties having an assessed valuation of more than two million five hundred thousand dollars (\$2,500,000.00); one hundred and fifty dollars (\$150.00) in counties having an assessed valuation of more than one million four hundred thousand dollars (\$1,400,000.00) and not exceeding two million five hundred thousand dollars (\$2,500,000.00), for the payment of such instructors or lecturers as the County Superintendent may employ to assist in holding the county institute, and no part of the amount appropriated shall be paid out by the County Commissioners to the lecturers or instructors or any other expense incurred by the County Superintendent for county institute purposes unless ordered by the County Superintendent. [C. S. 1910, Sec. 1305; L. 1913, Chap. 44, Sec. 1.]

Joint Institutes.

Sec. 90. Two or more counties may, at the discretion of their County Superintendents, unite for the purpose of holding a joint annual institute at such place as may be agreed upon by such Superintendents, and all the provisions of Section 1305 shall apply to such joint institute. [C. S. 1910, Sec. 1305; L. 1913, Chap. 44, Sec. 2.]

Deputy County Superintendent.

Sec. 91. In counties of the first, second and third class, the County Superintendent, by and with the consent of the Board of County Commissioners, may appoint Deputy County Superintendents, to be paid by the county a compensation of Three Dollars (\$3.00) per diem while actually engaged as such Deputy; Provided, however, that in no case shall the amount so appropriated by any county for such Deputy exceed the sum of Nine Hundred Dollars (\$900.00) in first class counties, Six Hundred Dollars (\$600.00) in second class counties, and Four Hundred Dollars (\$400.00) in third class counties. [L. 1919, Chap. 139, Sec. 8.]

Duty of the County Superintendent.

Sec. 92. It shall be the duty of the County Superintendent of Schools to cause the subjects prescribed in the course of study to be taught in the public schools of his county and the work of instruction to be pursued as planned therein; Provided, That a principal or Superintendent of Schools in any district who has supervision over three or more teachers may amend and change the course of study prescribed by the State Superintendent of Public Instruction in such manner as will, in his judgment, apply more directly to the local conditions of such district. Except elimination of the prescribed subjects. [L. 1913, Chap. 53, Sec. 2.]

City Superintendents and Others Report Failure.

Sec. 93. It shall be the duty of the several City Superintendents of Schools in the State and of the clerk and Board of Directors of all other educational institutions receiving aid from the State, to report to the County Superintendent of Schools any failure or neglect on the part of the Board of Trustees of any school district, or the Board of Directors of any educational institution receiving aid from the State, to make proper provision for the teaching of those branches prescribed in the State course of study issued by authority and through the office of the State Superintendent of Public Instruction in any or all of the schools or other educational institutions under their charge or over which they have jurisdiction. [L. 1913, Chap. 53, Sec. 3.]

Eligibility to Share in Annual Apportionment.

Sec. 94. The County Superintendent shall apportion annually his county's share of the State school land income fund only to those districts in which the subjects prescribed in this act have been taught as required, the County Superintendent determining from the annual report of the district officers the eligibility of the districts to share in the apportionment. [L. 1913, Chap. 53, Sec. 4.]

COUNTY LIBRARIES.**Tax to Be Levied—Amount.**

Sec. 95. When the County Commissioners of any county have received proper and sufficient guarantees, whether in the form of conveyances, or bonds of citizens, or associations or corporations, that a suitable place will be permanently furnished for the protection and use of a public library as a condition precedent to their own action, under the provisions of this chapter, it shall be their duty to levy annually a tax of not less than one-eighth of a mill nor more than one-half of a mill on the dollar on all taxable property in the county, for the establishment and maintenance of a public library to be located at the county seat of such county. And whenever a suitable place is furnished without rent for the use of any county library, the directors thereof shall have the power to pay such incidental expenses as may be necessary in keeping in repair and properly janitored, lighted, heated and cared for, the place so furnished, and to pay the expense thereof out of the taxes levied hereunder. [C. S. 1910, Sec. 1316.]

How Tax Levied and Collected.

Sec. 96. The tax authorized by the preceding section shall be levied and collected at the same time and in the same manner as other county taxes of such county are levied and

collected, and the whole amount so collected shall be set apart and shall be designated the county library fund; Provided, That nothing herein contained shall be construed into authorizing any additional levy to that now authorized by law. [C. S. 1910, Sec. 1317.]

Board of Directors—Appointment.

Sec. 97. The control and use of said library fund shall be entrusted by the County Commissioners of any county to three competent and responsible citizens of the county, to be appointed by said commissioners and to constitute a board of directors for this purpose. As soon as appointed they shall incorporate as a body, with an appropriate name. They shall serve without compensation and the treasurer of the board shall give bonds, to be approved by the County Commissioners, for the faithful performance of his duties. It shall be their duty, upon notification from the County Commissioners that a library fund is at their disposal, to expend so much of the said fund as shall be found available, in the purchase of books, furniture, salaries of librarian and assistants, and incidental expenses for the library herein provided to be established; Provided, That the books so purchased shall be of a kind best suited to inform the mind and improve the character of the reader; that neither sectarian nor professional books shall be purchased out of such fund, and that not exceeding twenty-five per centum of such fund so expended shall be used for the purchase of works of fiction; the said trustees appointed by the County Commissioners shall hold office, one-third for one year, one-third for two years, and one-third for three years from the 1st day of July following their appointment, and at their regular meeting shall cast lots for the respective terms; and annually thereafter the County Commissioners shall, before the 1st day of July of each year, appoint, as before, one director to take the place of the retiring director, who shall hold office for three years and until his successor is appointed. The County Commissioners may remove any director for misconduct or neglect of duty. [C. S. 1910, Sec. 1318.]

Donations—Location of Library—Librarian.

Sec. 98. The said Board of Directors is authorized to receive donations of real estate, money or books, in aid of the establishment or maintenance of the library, for which said directors are hereby made responsible, and, as trustees of the donor, shall carefully observe the conditions accompanying every such gift, and if any incorporated literary or library association shall donate to such county library, property equal in value to one thousand dollars, or shall annually contribute to its resources a sum exceeding two hundred and fifty dollars in money, such association shall be entitled to name one

person to be an associate member of said Board of Trustees, who shall have all the rights, privileges and responsibilities of the other members thereof. When no provision can be made for otherwise furnishing the library with the necessary accommodations for its books and other publications, without expense to the library fund arising from the public tax, it shall be the duty of the Board of School Trustees or directors of the school district embracing the county seat, to provide accommodations for them in the best situated school building over which such Board of School Trustees have control. The Board of Directors shall also appoint a competent person to have the immediate charge of the library, with such duties and compensation for services as they shall fix and determine. [C. S. 1910, Sec. 1319.]

Libraries to Be Free.

Sec. 99. Every library established and maintained under the provisions of this chapter shall be free to all residents of the county to which it belongs, on the condition that such persons comply with such rules and regulations for the safety and management of the library as the Board of Directors shall prescribe, which rules and regulations may be enforced by legal proceedings in any court of competent jurisdiction; Provided, That in the management of the library, the best possible provision shall be made for the convenient use of the books thereof by the residents of such county residing out of the town wherein the library is situated. [C. S. 1910, Sec. 1320.]

Board of Directors—Use of Books.

Sec. 100. It shall be the further duty of such Board of Directors to keep a careful record of all its doings, with duplicate vouchers for all expenditures, one set of such vouchers to be kept in the office of the Secretary of the Board of Directors, the other to be filed with the County Commissioners at the end of each calendar year. The Board of Directors shall also, at the end of each year, report to the County Commissioners all the important transactions for the previous twelve months, specifying in each report the sum of money received from the county library fund, also the moneys and property received from other sources, the use and disposition made of such moneys and other property, the number of books and other publications then in the library, the number of books and other publications added by purchase and gift during the year, as well as the number of books lost and missing, the number, title and cost of books, maps and charts purchased out of the county library fund, the number of books loaned out, with the general character of such books, the number of persons who have drawn books from the library during the year, and the number of visitors thereto, together with such other facts deemed

of public interest, a copy of which report shall be furnished by the clerk of said Board of County Commissioners for publication in at least one paper of general circulation in the county. Only persons resident of the county shall be allowed to obtain a loan of books from the library, and in every case when books are lost or destroyed by such parties, or withheld from the library by such persons, then in that event such persons shall be responsible for the loss of such book or books, and the value of said book or books may be recovered by proper action at law in any court of competent jurisdiction in the county. [C. S. 1910, Sec. 1321.]

PUBLIC INDEBTEDNESS.

Indebtedness in Excess of Constitutional Limit, Void.

Sec. 101. Any indebtedness created after February 21, 1899, in excess of the limitation of the constitution, by any county, city, town, village, or other sub-division of the State of Wyoming in any current year, defined as from the first Monday in January of one year to the first Monday in January of the next year ensuing, in excess of that authorized by the constitution of the State and for the payment of which there are no available revenues, during such current year, shall as against such county, city, town, village, or other sub-division of the State, be void and of no effect, but any officer who shall participate in creating such indebtedness, and the sureties on his official bond, shall be personally liable to the holder, or holders, of such indebtedness as fully as if such indebtedness had been contracted for his individual benefit. [C. S. 1910, Sec. 1353.]

SCHOOL DISTRICTS — ORGANIZATION AND GOVERNMENT.

Notice of Formation of New District.

Sec. 102. Whenever a school district shall be formed in any county, the County Superintendent of Schools in such county shall, within fifteen days thereafter, prepare a notice of the formation of such district, describing its boundaries and stating the number thereof, and appointing a time and place for the district meeting. He shall cause the notice, thus prepared, to be posted in at least five public places in the district, at least ten days before the time appointed for such meeting; and when a joint district is derived from portions of two or more counties, the County Superintendent of each county, from which any portion of the new district is taken, shall unite in giving the customary notices and the new district shall be num-

bered by the Superintendent of the county having the highest number of districts. [C. S. 1910, Sec. 1926.]

First Election of Trustees—Officers of District.

Sec. 103. The qualified electors of a school district, when assembled in accordance with the notice required in section nineteen hundred and twenty-six, shall organize by appointing a chairman and a secretary who shall act as judges of election. They shall then by ballot elect three trustees possessing the qualifications of electors of said district, and the name of each elector shall be recorded by the secretary, and they shall hold their office until the next succeeding annual district election and until their successors are elected and qualified. The said trustees shall constitute a Board of Directors for the district and shall, as soon as they are qualified, choose from their number a director, treasurer and clerk of the district. [C. S. 1910, Sec. 1928.]

Oath of Directors.

Sec. 104. All directors of the Board shall, within ten days after their election, appear before some justice of the peace or other person qualified to administer oaths, and take an oath for the faithful performance of their duties and in accordance with law, and shall, without delay, transmit a copy of said oath in writing to the County Superintendent of Schools. [C. S. 1910, Sec. 1929.]

Annual Election of Trustees—District Officers.

Sec. 105. Except as otherwise provided by law, there shall be elected in each organized school district meeting on the first Monday in May of each year, one trustee, who shall hold his office for three years and until his successor is duly elected and qualified. If, for any cause, the annual election should not be held at the regular annual meeting, a special meeting may be held for that purpose if so specified in the notice for said special meeting. The trustees together shall constitute a Board of Directors for the district, and shall, immediately after they are qualified, elect one of their number a director, treasurer and clerk of the district. At the first regular annual election after a school district is organized there shall be three trustees elected, one to hold his office for the term of three years, and one to hold his office for the term of two years, and one for the term of one year and until their successors are elected and qualified, and thereafter at each such annual meeting there shall be one trustee elected as aforesaid, for the term of three years, as successor to the outgoing member of the Board, and all of said trustees herein mentioned shall possess the qualifications of any elector in said district, and shall be elected by ballot, and the name of each

elector voting for trustee shall be recorded by the secretary of the meeting, and such record shall be filed with the district clerk. [C. S. 1910, Sec. 1930.]

Election of Trustees Where Number Increased to Six.

Sec. 106. In all school districts in this State containing a population of one thousand or more, the number of trustees may be increased to six at any annual school election held hereafter, if the majority of the electors at such annual meeting, upon taking a vote by ballot, so decide. The electors shall then proceed by ballot to elect one trustee for one year, one trustee for two years, and two trustees for three years. At all annual elections held thereafter there shall be elected two trustees, who shall hold their office for three years, or until their successors are elected and qualified. [C. S. 1910, Sec. 1931.]

School District Seal.

Sec. 107. It shall be the duty of every Board of School Directors so increased to six members to provide, at the expense of their district, and for said district, a seal, upon which shall be engraved the words "School District No.....,County, Wyo.," stating the number of the district, and the county in which it is situated. The seal shall be in possession of the clerk of the district. It shall be affixed to all communications or notices required by law to be sent or published by such School Board, and to all warrants drawn upon the treasurer of the district. [C. S. 1910, Sec. 1932.]

School District to Be Body Corporate.

Sec. 108. Each school district formed under the provisions of this title is hereby declared to be a body corporate by the name and style of "School District No....., in the County of.....and State of Wyoming"; and in that name it may hold property and be a party to suits and contracts. [C. S. 1910, Sec. 1933.]

Regular Meetings of District.

Sec. 109. The fiscal year shall end on the 30th day of April and the annual school meeting of each school district shall be held on the first Monday of May in each year. And, when present, the director and clerk shall preside as chairman and secretary, respectively, of such meeting. [C. S. 1910, Sec. 1934.]

Powers of District Meeting.

Sec. 110. The qualified electors of the district, when assembled, shall have power:

1. To appoint a chairman and secretary, in the absence of the regular officers.

2. To adjourn from time to time, as occasion may require.

3. To determine the number of schools which shall be established in the district, and the length of time each shall be taught.

4. To fix the site of each school house, taking into consideration in doing so, the wants and necessities of the people of each portion of the district.

5. To vote such sum of money as the meeting shall deem sufficient for any of the following purposes: To supply any deficiency in the fund for the payment of teachers; to purchase or lease a suitable site for a school house, or school houses; to build, rent or purchase a school house, or school houses, and keep in repair and furnish the same with the necessary fuel and appendages; for procuring libraries for the schools, books and stationery for the use of the Board and district meetings; and for the payment of all other contingent expenses of the district.

6. To direct the sale or other disposition to be made of any school house, or the site thereof, and of such other property, real or personal, as may belong to the district; and to direct the manner in which the proceeds arising therefrom shall be applied.

7. To vote a sum not exceeding one hundred dollars in any one year, to procure a district library, consisting of such books as they may direct any person to procure.

8. To delegate any and all powers specified in the foregoing sub-divisions to the District Board; Provided, That the District Board shall not have power to vote or raise money as provided in sub-division five.

9. To transact generally such business as may tend to promote the cause of education in accordance with the provisions of this and succeeding chapters. [C. S. 1910, Sec. 1935.]

NOTE—Bonds may not be voted at regular district meeting unless special notice is given. See Chapter on School District Bonds, page 56.

Objects in Voting Money to Be Designated.

Sec. 111. In voting money, the district meetings shall designate the respective objects for which the same is raised, and the amount to be raised for each object, and the aggregate amount shall be assessed and collected, as provided by law. [C. S. 1910, Sec. 1936.]

Meeting May Adopt Rules of Order.

Sec. 112. They may adopt rules of order, not incompatible with the provisions of this chapter and the instructions of the Superintendent of Public Instruction, for the government

of district meetings, and may alter and change the same from time to time as occasion may require, and may prescribe the manner of taking the sense of the meeting upon any question; Provided, That the last specification shall not apply to the election of officers. [C. S. 1910, Sec. 1937.]

Transfer of School Funds.

Sec. 113. In all cases where there are moneys belonging to the school house fund, remaining in the hands of the district treasurer of any school district, and the Board of Directors thereof are satisfied that such moneys are not required to build a school house or school houses, in said district, or repair or furnish the same, such moneys may be transferred and accredited to the teachers' fund, and applied to the payment of teachers. And the Board may also in like manner transfer a surplus of the teachers' fund to the fund for building school houses when required. [C. S. 1910, Sec. 1938.]

Manner of Conducting Annual Meeting—Election of Trustees.

Sec. 114. At the regular district meeting of school districts in each year, at the time now provided by law for the election of trustees, such district meeting shall be opened by proclamation of the trustees, at the hour named in the published or posted notice for the meeting. And the order of business at such meeting shall be:

1. Reading and consideration of the report of the clerk and treasurer.
2. Voting of money to be raised by special tax.
3. Election of trustee or trustees.
4. Miscellaneous business.

[C. S. 1910, Sec. 1939.]

Qualification of Electors.

Sec. 115. All school district elections shall be carried on as provided by law, and the qualifications of voters at such elections shall be the same as at any other election, and in addition thereto, such voter shall be in possession of a tax receipt, from the tax collector of the county in which such election is being held, showing that such voter is a property owner in such school district; Provided, however, That the tax qualification mentioned in this section shall apply only to questions of special school tax appropriations of money and bonding such school district. [C. S. 1910, Sec. 1940.]

Directors Shall Qualify.

Sec. 116. Said directors shall qualify in the manner prescribed for directors elected upon the formation of a new school district; and, in case they neglect or refuse to do so, they shall be subject to the same penalty. [C. S. 1910, Sec. 1941.]

Meeting of Board.

Sec. 117. The Board of Directors may hold such regular, special or adjourned meetings as they may from time to time determine. [C. S. 1910, Sec. 1942.]

Powers and Duties of District Board.

Sec. 118. The District Board shall make all contracts, purchases, payments and sales, necessary to carry out every vote of the district, for procuring any site for a school house, renting, repairing or furnishing the same, and disposing thereof, or for keeping a school therein, and performing such other duties as may be delegated to them by the district meeting. [C. S. 1910, Sec. 1943.]

Members of Board May Administer Oaths.

Sec. 119. The trustees of school districts are hereby severally authorized to administer oaths within their respective counties in any and all matters pertaining to their respective districts and the business thereof, where an oath is or shall be required by law. [C. S. 1910, Sec. 1944.]

Authority of Board to Remove Scholars.

Sec. 120. The District Board shall have power to admit scholars from adjoining districts, and remove scholars for disorderly conduct; and when scholars are admitted from other districts the District Board may, in their discretion, require a tuition fee from such scholars. [C. S. 1910, Sec. 1945.]

When Board to Advertise for Bids.

Sec. 121. Whenever any school house is to be built or any repairs, addition or improvement costing more than two hundred dollars, made to any school house or district property, the Board of Directors of the district shall advertise for bids for such work, and in all cases contract the same to the lowest responsible bidder. [C. S. 1910, Sec. 1946.]

Settlement with Treasurer—Report to District Meeting.

Sec. 122. They shall, from time to time, examine the books and accounts of the treasurer, and make settlement with him, and shall, at each regular meeting of the district, present to the same a full statement of the receipts and expenditures of the district and such other matters as may be deemed important. [C. S. 1910, Sec. 1947.]

Visiting Committee.

Sec. 123. They shall appoint a committee from their own body to visit the respective schools of the district monthly, and to aid the teachers in establishing and enforcing rules for the government of schools, and see that the teachers keep a correct list of the pupils, the time which they attend school, the

branches of learning which each is studying, and such other matters as may, in the opinion of the Board, tend to promote the welfare of the school. [C. S. 1910, Sec. 1948.]

Auditing and Payment of Claims.

Sec. 124. They shall audit and allow all just claims against the district, and the directors shall draw an order for all demands thus audited, on the district treasurer. [C. S. 1910, Sec. 1949.]

Special District Meetings—Requisites of Notice.

Sec. 125. They shall, upon the written request of five legal voters of the district, or whenever they deem it expedient, call special meetings thereof; but in all such cases, the notice of such meeting shall clearly state the precise object for which it is called, and time and place at which it is to be held. [C. S. 1910, Sec. 1950.]

Vacancy on Board of Trustees—How Filled.

Sec. 126. In case a vacancy in any District School Board shall be caused by the resignation, death or otherwise of any one of its members, such vacancy shall be filled by appointment of the District Board, and said appointee may legally hold such office until the next annual school election following said appointment, but no longer, and at the annual election said vacancy shall be filled in the same way and manner as authorized by law for the annual election of School Trustees. [C. S. 1910, Sec. 1951.]

Bond of District Treasurer.

Sec. 127. The district treasurer shall give bonds to the district in such penalty and with such sureties as the Board of the County Commissioners shall direct and approve, conditioned for the faithful application of all money which may come into his hands by virtue of his office; Provided, Said bonds shall not exceed one and one-quarter times the amount of all the school moneys handled by the treasurer in any one year. Said penalty may be increased from time to time as the interests of the district may require, the said bond, after being approved by the Board of County Commissioners, shall be filed with the county treasurer, and it is hereby made unlawful for the county treasurer to pay over any sums of money out of the school fund to any district treasurer until such bond shall have been approved and filed as herein provided, and in case of a breach in the conditions of said bond, suit shall be brought thereon by the Board of County Commissioners of the county in which the district is situated, for the benefit of said district. [C. S. 1910, Sec. 1952.]

Establishment of High Schools.

Sec. 128. The County Superintendent and District Board of Directors may determine whether a school of a higher grade shall be established in the district, the number of teachers to be employed, and the course of instruction to be pursued therein, until the meeting of the teachers' institute, provided for by law, at which time the institute shall determine the studies to be pursued in all schools of like grade in the State; and the Superintendent of Public Instruction shall have the same power to carry into effect the determination of the institute, as is provided in other cases; and the board may erect, for the purpose, one or more permanent school houses, and shall cause such classification of the pupils as they may deem necessary; but in selecting the site for such school house or school houses the permanent interest and future welfare of the people of the entire district shall be consulted. [C. S. 1910, Sec. 1953.]

NOTE—This refers particularly to the district high school, and not to the high school as formed in accordance with S. L. 1905, Ch. 67.

Separate School for Colored Children.

Sec. 129. When there are fifteen or more colored children within any school district, the Board of Directors thereof, with the approval of the County Superintendent of Schools, may provide a separate school for the instruction of such colored children. [C. S. 1910, Sec. 1954.]

Employment and Payment of Teachers.

Sec. 130. The District Board shall employ all teachers necessary for the schools of the district, and pay them by draft on the treasurer. [C. S. 1910, Sec. 1955.]

Free to All Children—Compulsory Education.

Sec. 131. The public schools of each school district of the State shall at all times be equally free and accessible to all children resident therein over six and under the age of twenty-one years, subject to such regulations as the District Board in each district may prescribe. Every parent, guardian or other person in this State having control or charge of any child or children between the ages of seven and fourteen years, inclusive, shall be required to send such child or children to a public, private or parochial school, or to two or more of these schools, each school year, during the entire time that the public school shall be in session in the district in which the pupil resides. Provided, That exceptions may be made in the following cases: (1) Invalids or others to whom the school room might be injurious, may upon receipt of a physician's certificate be excused by the District Board. (2) Pupils to whom

the provisions of this act might work a hardship may be excused by the written consent of the District Board when a request stating the reason for such excuse is presented by the parent or guardian to the District Board. (3) Pupils who for legal reasons have been excluded from the regular schools and no provisions made for the schooling of such children. [C. S. 1910, Sec. 1956.]

Duty of Officers—Truancy.

Sec. 132. It shall be the duty of the sheriff of each county and of every deputy sheriff and constable within their respective precincts and of any truant officer, if there be any, to see that the provisions of Sections 1956, 1957 and 1958 are complied with, and when from personal knowledge, or upon reports or complaints of any resident or teacher of the county, or precinct, or district under his supervision, he believes that any child subject to the provisions of said sections is habitually tardy or absent from school, he shall immediately give written notice to the parent, guardian or custodian of such child that the attendance of such child at school is required by law, and if within five days after such notice such parent, guardian or custodian does not comply with the provisions of this act, then such officer shall make and file complaint against such parent, guardian or custodian of any such child before a justice of the peace of the proper county, or the district court, for a violation of said provisions. Provided, That only one notice shall be required as to any child in any one year. Any such parent, guardian or custodian of any such child who shall violate the provisions of said sections, and after receiving such notice as aforesaid, and shall fail to comply with the provisions thereof, shall be adjudged guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than five dollars and not more than twenty-five dollars for any one offense, to which may be added in the discretion of the court, imprisonment in the county jail of not more than ninety days for any offense after the first. Any District Board of a school district in which there is located a city or town of more than 2,500 inhabitants, may appoint a regular truant officer to carry out the provisions of said sections, who shall be paid out of the district treasury such sum as shall be provided in the order for his appointment, not exceeding, however, the sum of four dollars for each day of actual service. [C. S. 1910, Sec. 1957.]

Enumeration—Delinquent Pupils.

Sec. 133. On the first day of school in each school district it shall be the duty of the clerk thereof to furnish to the sheriff or constable within the proper precinct, a list of the names of children of compulsory school age within the district who are enumerated on the regular enumeration lists. At the

close of the first week of school in such district, it shall be the duty of each teacher therein to send to the County Superintendent of Schools a complete list of pupils attending his or her school, which list shall be immediately forwarded by said County Superintendent to the proper sheriff, deputy sheriff, constable or truant officer, in order that the provisions of this and the two preceding sections may be duly executed; and it shall be the further duty of the teacher, or principal, if there be any, when a pupil has been absent for three consecutive days, for which absence there has been, in the teacher's judgment, no good reason assigned, or when a pupil is habitually absent or tardy, to make written report to the truant officer of the district concerning such delinquency, and it shall then be the duty of said officer to proceed according to section 134. [C. S. 1910, Sec. 1958.]

School Offenses Defined—Penalty.

Sec. 134. Any person who shall use insulting and abusive language to and toward any teacher in or about any public school house, or who shall wilfully disturb any public school or district meeting, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than five dollars, and not exceeding one hundred dollars.

Any person who shall wilfully break, cut, deface, despoil, injure, damage or destroy any school property, or who shall cut, mark, write or otherwise place or put on, or cause to be placed or put upon, any school property, any language or pictures or figures or signs of an obscene character, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall pay a fine of not less than five dollars, nor more than one hundred dollars. The said fines shall be paid into the treasury of the school district in which the offense was committed. [C. S. 1910, Sec. 1959.]

School Week and Month Defined.

Sec. 135. Five days school constitute a school week, and twenty days a school month; and it shall be understood that school is not to be kept in operation on Saturdays or any holiday, but if a holiday fall upon a day which would otherwise be a school day, it shall be counted as though taught. [C. S. 1910, Sec. 1960.]

School Officers Shall Not Be Agents for School Supplies—Penalty.

Sec. 136. Neither the State Superintendent, or any person in his office, nor any County Superintendent, nor school district officer, nor any officer or teacher connected with any public school, shall act as agent or solicitor for the sale of any school books, maps, charts, school library books, school fur-

niture, apparatus or stationery, or furnish any assistance to, or receive any reward therefor, from any author, publisher, bookseller or dealer, doing the same. Every person violating this section shall forfeit not less than fifty nor more than two hundred dollars for each offense, and be liable to removal from office therefor. [C. S. 1910, Sec. 1961.]

State Treasurer Shall Keep School Fund.

Sec. 137. The State Treasurer shall keep a separate fund to be known as the "school fund", and all moneys appropriated for school purposes shall be kept in such fund. [C. S. 1910, Sec. 1962.]

Discrimination on Account of Sex or Religious Belief Prohibited.

Sec. 138. In the employment of teachers in the public schools in this State, no discrimination shall be made in the question of pay on account of sex, nor on account of the religious belief of the applicant for the position of teacher, when the persons are equally qualified, and the labor is the same. [C. S. 1910, Sec. 1965.]

Examinations Required.

Sec. 139. No certificate shall be granted hereafter to any person to teach in the schools of Wyoming, who shall not pass a satisfactory examination in physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system. [C. S. 1910, Sec. 1966.]

NOTE—This is interpreted not to apply to those who have shown that efficiency to render them eligible to secure certificates without examination.

Teacher's Report.

Sec. 140. It shall be the duty of the teacher of every district school, or graded school, to make out and file with the district clerk, at the expiration of each term of the school, a full report of the whole number of scholars admitted to the school during such term, distinguishing between male and female, the names of such scholars, the number of days each scholar attended the same, the aggregate number of days of attendance of said schools, the text-books used, the branches taught and the number of pupils engaged in the study of each of said branches. Any teacher who shall neglect or refuse to comply with the requirements of this section, shall forfeit his or her wages for teaching such school, at the discretion of the District Board. [C. S. 1910, Sec. 1967.]

Refusal to Deliver Records to Successor—Penalty.

Sec. 141. Every school district clerk or treasurer, who shall neglect or refuse to deliver to their successors in office,

all records and books, belonging severally to their offices, shall be subject to a fine not exceeding five hundred dollars. [C. S. 1910, Sec. 1968.]

Employment of Counsel.

Sec. 142. In all cases where suits may be instituted by, or against, any of the school officers contemplated or created by law, to enforce any of the provisions herein contained, counsel may be employed, if necessary, by the officer instituting the suit, and the expense of the suit shall be borne by the district, county or state in whose name, or against whom, the same may be instituted. [C. S. 1910, Sec. 1969.]

Collection and Disposition of Fines.

Sec. 143. All fines, penalties and forfeitures provided by the school laws may be recovered by action in the name of the people of the State of Wyoming, for the use of the proper school district or county, and when they accrue, belong to the respective districts or counties in which the same may be accrued; and the treasurer of such districts, and the County Commissioners of such counties are hereby authorized to receive and apply the proceeds of such forfeiture as the interest of the permanent fund is now, or may hereafter be, applied. [C. S. 1910, Sec. 1970.]

Officer Failing to Pay Over Money—Penalty.

Sec. 144. Any officer or person collecting or receiving any fines, forfeitures or other moneys and refusing and failing to pay over the same as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five per cent. per month during the time of so withholding the same. [C. S. 1910, Sec. 1971.]

Effect of Change in County Boundaries on School Districts.

Sec. 145. If by any act of the State legislature changing the boundary line or lines of any county or counties, or forming new counties from counties already formed, any legally organized school district is or has been separated from the county to which it then belonged and is or has been joined to another county, the members of the school board of such school district so separated from one county and joined to another county, shall hold their respective offices until the next annual school election following said change in county boundaries; and until such annual school election said school board may draw the public school funds for paying teachers, or other necessary legal school expenses from the school treasury of the county to which said school district formerly belonged, and in the same way and manner as said Board would have drawn and expended said public moneys had no change in county boundaries been made. [C. S. 1910, Sec. 1972.]

State Treasurer Authorized to Receive Donations for Schools.

Sec. 146. Whenever the State of Wyoming shall be entitled to receive any moneys or funds from the United States of America, or from any other source or authority, to be expended for the benefit of the public schools of the State, or held or in any manner applied for their benefit, the State Treasurer is hereby authorized to receive and receipt for such moneys or funds, and to make such application and use of the same as may be required by law. Should such moneys or funds be donated to the State, and should the act of donation require such moneys or funds to be applied or held, or used in a particular manner, they shall be so applied. [C. S., 1910, Sec. 1973.]

Liability of Treasurer for School Money.

Sec. 147. The State Treasurer shall faithfully account for all moneys or funds received pursuant to the foregoing section, and he and his sureties upon his official bond shall be liable for any failure to so account for such moneys or funds. [C. S. 1910, Sec. 1974.]

School Board May Establish Manual Training Schools.

Sec. 148. The School Board of any district in the State shall have power to establish and locate industrial and manual training schools in connection with the public schools of said district. [C. S. 1910, Sec. 1975.]

Humane Treatment of Animals Taught.

Sec. 149. There shall be taught in the public schools of Wyoming, in addition to the other branches of study now prescribed, a system of humane treatment of animals, as embodied in the laws of Wyoming; such instruction to consist of not less than two lessons of ten minutes each per week. The principal or teacher of every school shall certify in his or her reports that such instruction has been given in the school under his or her control. [C. S. 1910, Sec. 1976.]

DISTRICT OFFICERS AND THEIR DUTIES.**Director to Preside at Meetings and Countersign Orders.**

Sec. 150. The Director, when present, shall preside at all meetings of the Board of the district, and countersign all orders on the treasury for the payment of money. [C. S. 1910, Sec. 1977.]

How Drafts and Orders Drawn.

Sec. 151. All drafts and orders drawn on the district treasurer, as required in the foregoing section, shall specify the funds on which they are drawn, and the use for which

the money is designated, and shall be signed by the district clerk. [C. S. 1910, Sec. 1978.]

By Whom District to Appear in Actions.

Sec. 152. The Director shall appear in behalf of his district in all suits brought by or against the same; but when he is individually a party, this duty shall be performed by the clerk. [C. S. 1910, Sec. 1979.]

Duties of Clerk.

Sec. 153. The clerk shall record all the proceedings of the Board and of the district meetings in books to be kept for that purpose, and report in writing to the County Superintendent of Schools the name of the Director and Treasurer immediately after they are chosen or elected, and he shall preserve copies of all reports made to the County Superintendent, and shall file all papers transmitted to him, by school officers or other persons, pertaining to the business of the district, and shall sign all drafts, warrants and orders drawn by him. [C. S. 1910, Sec. 1980.]

Clerk to Certify Debt Limit.

Sec. 154. The clerk of each school district of each county shall endorse a certificate upon every bond or evidence of debt issued pursuant to law, that the same is within the lawful debt limit of such school district, and is issued according to law. He shall sign such certificate in his official character. [C. S. 1910, Sec. 1981.]

Clerks Shall Keep Accounts.

Sec. 155. The district clerk shall keep an accurate account of all the expenses incurred by the district, and shall present the same to the District Board, to be audited and paid as herein provided, out of the school fund. [C. S. 1910, Sec. 1982.]

Notice of District Meetings.

Sec. 156. The district clerk shall give ten days previous notice of all regular and special meetings of the district, herein authorized, by posting up a written notice in three different places therein, and shall furnish a copy of the same to the teachers of each school in the district, to be read once in the presence of the pupils thereof. [C. S. 1910, Sec. 1983.]

Duty—District Clerk.

Sec. 157. The district clerk shall immediately after the annual school meeting and not later than the fourth Monday in May in each year, submit a report to the County Superintendent for the past year ending April 30th next preceding.

1. Of the number of schools taught in such district, the number of days each scholar attended the same, and the aggregate number of days of attendance of said school respec-

tively, as certified by the teachers of the several schools of such district.

2. The number of schools and the branches taught in each.

3. The number of pupils in each school, and of each sex.

4. The number of teachers employed in each school and the average compensation of each per month.

5. The number of days the school has been taught, and by whom.

6. The average cost of tuition for a pupil, per month, in each school.

7. Books used in each school.

8. The number of volumes in the library of such school.

9. The aggregate amount paid teachers during the year, the source from which the same was received, and the amount of teachers' fund in the hands of the treasurer.

10. The number of district school houses and the cost of each.

11. The amount raised in the district by tax for the erection of school houses, and for other purposes authorized by law, and such other information as he may deem useful. [C. S. 1910, Sec. 1984.]

Failure to Make Report—Penalty.

Sec. 158. Should the clerk fail to file his report, as above directed, he shall forfeit the sum of twenty-five dollars, and shall be liable to make good on his official bond, all loss resulting to the district for such failure, and it shall be the duty of the prosecuting attorney to bring suit in both cases upon complaint by the County Superintendent of Schools, whose duty it shall be to make the complaint. [L. 1913, Chap. 92.]

NOTE—Local authorities may, at their discretion, require this bond.

Duties of the Treasurer—Publication of Report.

Sec. 159. The treasurer shall have the custody of all moneys belonging to the district, and shall pay out the same upon the order of the clerk, countersigned by the director; and shall keep an account of the receipts and expenditures thereof, in a book provided for that purpose. He shall cause to be published in some newspaper of general circulation in the county wherein such school district is situate, on the first week of July in each year, a full and true report of the receipts and disbursements of said district for the year preceding such report. [C. S. 1910, Sec. 1986.]

Teachers' Fund.

Sec. 160. The moneys for the payment of teachers shall be called the "teachers' fund", and the treasurer shall keep

distinct and separate accounts with them; and no warrant for money shall be paid by the treasurer which does not specify the fund on which it is drawn, and the specific use to which it is to be applied. [C. S. 1910, Sec. 1987.]

School House Fund.

Sec. 161. The school house fund shall consist only of taxes collected in the district; and other school moneys belonging to the district shall go to the teachers' fund, and shall be applied to no other use except to pay the wages of school teachers in the district. [C. S. 1910, Sec. 1988.]

Treasurer to Receive District Money.

Sec. 162. The District Treasurer shall apply for, and receive all money apportioned to the district, by the County Superintendent, when notified of said apportionment. [C. S. 1910, Sec. 1989.]

Treasurer to Render Statement on Request.

Sec. 163. The District Treasurer shall render a statement of the finances of the district as shown by the records of his office, at any time when required by the District Board. [C. S. 1910, Sec. 1990.]

Flag to Be Displayed on School House.

Sec. 164. It shall be the duty of the Trustees, at the expense of such district, in each school district in the State of Wyoming, to cause the American flag to be placed in a proper and suitable manner upon each school house, flag staff or tower, in such respective school districts in the State of Wyoming. And they shall cause said flag to be hoisted upon each of said school house or school houses, flag staff or tower, in such respective districts, during the time when school shall be in session. [C. S. 1910, Sec. 1991.]

Annual Enumeration—Children.

Sec. 165. It shall be the duty of the Board of Trustees of each school district in this State to cause to be made during the month of April in each year a full and true enumeration of all children of school age, to-wit: those between the ages of six and twenty-one years, in their respective districts. Such enumeration shall be in duplicate and in such form as may be prescribed by the State Superintendent of Public Instruction, and shall set forth and state the name, age, sex and residence of each child enumerated, and the same shall bear a certificate signed by all or a majority of the trustees of such school district to the effect that it has been examined by the Board of Trustees of such district and found to be according to the best judgment and belief of the subscribers a full, true and correct enumeration of all the children of school age in their district.

One of the duplicate copies of said enumeration shall be filed by the clerk of the school district with the other papers and records of the district in his custody and the other shall by said clerk be transmitted to the County Superintendent of Schools of his county on or before the fourth Monday of May in each year. [C. S. 1910, Sec. 1992.]

Employ an Enumerator.

Sec. 166. The Board of Trustees of each district shall, in its judgment it is necessary so to do, have power to employ a suitable person or persons for such time as may be actually necessary to make such enumeration for such district and return the same to the said Board; such person so employed shall before commencing the making of such enumeration take, subscribe and file with the district clerk an oath in writing to the effect that he will faithfully, diligently, truly and to the best of his skill and ability perform his duty as such enumerator. [C. S. 1910, Sec. 1993.]

False Enumeration—Penalty.

Sec. 167. Any trustee of any school district or any enumerator employed to make or assist in making the enumeration for any district who shall knowingly and wilfully make any false enumeration of the children of school age in such district or who shall certify to the correctness and truthfulness of any such enumeration knowing the same to be false, incorrect and untrue, shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars or be imprisoned, in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment, at the discretion of the court. [C. S. 1910, Sec. 1994.]

Failure to Enumerate—Penalty.

Sec. 168. In the event that the Board of Trustees of any school district should fail, neglect or refuse to make or cause to be made such enumerations as hereinbefore provided for in the event that the clerk of any district shall fail, neglect or refuse to transmit to the County Superintendent of Schools on or before the fourth Monday in May of each year the duplicate copy of the enumeration of his district as hereinbefore provided, then and in either of such cases it is hereby made the duty of the County Superintendent of Schools to cause such enumeration to be made on or before the third Monday in June following at the expense of the school district, and to that end the said Superintendent shall have all the power hereinbefore conferred upon the Board of Trustees for that purpose, and for the purpose of paying the expense of such enumeration the said Superintendent is hereby authorized and directed to issue

to the person making such enumeration an order upon such school district for the amount due such person and upon presentation of such order it shall be the duty of the director and clerk of such district to issue a warrant upon the treasurer of the district for such amount. Provided, however, That in the event that such enumeration shall be made because of the failure, neglect or refusal of the clerk of the district to transmit a duplicate copy of an enumeration which had been made, then and in such case the said clerk shall be liable to his school district for the cost and expense of the enumeration made by the County Superintendent, and the said district may, by an action at law recover of and from such defaulting clerk the cost thereof, together with costs and attorney's fees. Provided, further, That if such enumeration by the County Superintendent be rendered necessary because of the neglect or failure or default of any members of the Board of Trustees in the performance of the duties by this or the three preceding sections enjoined upon them, then and in such case such defaulting members shall be jointly and severally liable to the school district for such cost and expense; and the same, together with costs and attorney's fees, may be recovered by the district in an action at law from such defaulting members of the Board. [C. S. 1910, Sec. 1995.]

County Superintendents—Duty—Report.

Sec. 169. It shall be the duty of the County Superintendent of Schools to compile the said reports of the enumeration of children of school age in the several school districts of his county reported to him as hereinbefore provided and therefrom to ascertain and determine the number of children of school age in his county, and at the time of making his annual report to the State Superintendent of Public Instruction he shall include in such report a statement of the number of children of school age in his county as shown by such enumeration. [C. S. 1910, Sec. 1996.]

Distribution of State School Funds.

Sec. 170. It shall be the duty of the County Superintendent of Schools in distributing to the several school districts of his county the funds or moneys apportioned and distributed to his county for school purposes by the State Superintendent of Public Instruction. Provided, however, That no portion of the funds apportioned to any county by the State Superintendent of Public Instruction for school purposes shall be apportioned by the County Superintendent of Schools to any district for the year in which a school has not been maintained for at least three months. [C. S. 1910, Sec. 1997.]

PUBLIC KINDERGARTEN.**Power of Trustees to Establish Kindergarten.**

Sec. 171. The Board of Trustees of any school district in this State shall have power to establish and maintain free kindergarten schools in connection with the public schools of their district, for the instruction of children residing in such district and between the ages of four and six years, and shall establish such courses of training, study and discipline and such rules and regulations for the government of such kindergarten schools as said board may deem advisable; Provided, That the cost of establishing and maintaining such kindergarten schools shall be paid from the special school fund of said school district, and the gross sum to be so expended by the said Board for such kindergarten schools shall be annually fixed and determined by the qualified electors of such district at the annual meeting of such electors. [C. S. 1910, Sec. 1998.]

Shall Be Part of School System—Teachers.

Sec. 172. The said kindergarten schools shall be a part of the public school system and governed as far as practicable in the same manner and by the same officers as is now, or hereafter may be provided by law, for the government of the public schools of this State; Provided, however, That teachers of the kindergarten schools shall be the holders of certificates or diplomas from some reputable institution for the training of kindergarten teachers, and shall pass such other examination and possess such other qualifications as may be required by the Board of Trustees of the district employing them. [C. S. 1910, Sec. 1999.]

Law Not Changed in Reference to Apportionment.

Sec. 173. Nothing in this chapter shall be so construed as to, in any manner, change the law, as it now exists, with reference to the taking of the census of the school population, or the apportionment of the State and county school funds among the several counties and districts in this State. [C. S. 1910, Sec. 2000.]

How Carried Into Effect.

Sec. 174. That for the purpose of carrying into effect the provisions of this chapter, it shall be lawful for the qualified electors of any school district in the State at the annual meeting held under the provisions of existing law, to vote such sum of money as may be necessary to establish and maintain such kindergarten schools, during the school year next following such meeting, such sum in the aggregate not to exceed one mill upon the dollar of the valuation of the property in the district, as determined by the next preceding annual assessment thereof for the purposes of taxation, the same

to be certified, levied, collected and disbursed in the same manner as is now provided by law with respect to the special school funds of the several school districts in this State. [C. S. 1910, Sec. 2001.]

FREE TEXT BOOKS.

Text Books in Public Schools.

Sec. 175. The Board of School Directors in city or county are hereby empowered, and it is made their duty, to purchase all text-books necessary for the schools of such city, town or district; and they are further authorized to enter into contract, as hereinafter provided, with the publishers of such books for a period of years, not to exceed five; Provided, That the contract prices of such books shall not exceed the lowest price then granted to any dealer, State, county, township, school district, or other individual or corporation in the United States, to be determined as hereinafter provided; and Provided, further, That such contract shall guarantee to such district any further reduction that may be granted elsewhere during the life of such contract. Said Boards are hereby empowered to purchase, as a book of reference for use in their schools, the History of Wyoming, in three volumes, of which C. G. Coutant is the author, and "The Sabbath as an American War Day", in one volume, of which W. P. Carroll is the author; Provided, That the price paid for the said work shall not exceed the price paid therefor by subscribers generally. Provided, That no school trustee or officer of the district shall be interested in any way, directly or indirectly, in the sale of school supplies in the district in which he is a director. [C. S. 1910, Sec. 2002.]

Books—Paid for from Public School Land Income Fund.

Sec. 176. The books to be purchased under the provisions of this chapter shall be paid for by the directors of the different school districts of the State, out of the public land income fund, when the same shall be distributed to such districts annually. [C. S. 1910, Sec. 2004.]

Books Paid for by Order on District Treasurer.

Sec. 177. For the purpose of paying for school books, the school district officers may draw an order on the District Treasurer for the amount of school books ordered. [C. S. 1910, Sec. 2005.]

Orders—From What Funds Paid.

Sec. 178. The District Treasurer shall pay orders drawn by school district officers for the purpose of school books out of any funds in his hands belonging to the district, except

the money belonging to the teachers' fund. [C. S. 1910, Sec. 2006.]

Publisher Becoming Member of Trust Nullifies Contract.

Sec. 179. Any contract entered into under the provisions of this chapter with any publisher who shall hereafter become a party to any combination or trust for the purpose of raising the price of school text-books shall, at the wish of the School Board of the district using such books, become null and void. [C. S. 1910, Sec. 2007.]

Attorney General Must Investigate Violation of Contracts.

Sec. 180. Upon the filing of a written complaint with the State Superintendent of Public Instruction by the officers of any District Board, charging any publisher with violating the provisions of such contract as hereinbefore mentioned, the Attorney General is hereby instructed, and it shall be his duty, to investigate the same, and if he finds probable cause for action, he shall immediately begin proceedings in the name of the State to enforce the liability on the bond hereinbefore mentioned. [C. S. 1910, Sec. 2010.]

Books Property of District.

Sec. 181. All books purchased by District Boards, as hereinbefore mentioned, shall be held as the property of the district and loaned to pupils of the school while pursuing a course of study therein, free of charge; but the District Board shall hold such pupils responsible for any damage to, loss of, or failure to return such books at the time and to the person that may be designated by the Board of such district. [C. S. 1910, Sec. 2011.]

Pupils May Purchase Books.

Sec. 182. The provisions of this chapter shall include all school supplies; Provided, That nothing in this chapter shall be construed to prohibit any pupil or parent from purchasing from the Board such books as may be necessary, at cost to the district; Provided, further, That the Board may designate some local dealer to handle books for the district with such an increase above contract price to pay cost of transportation and handling, as may be agreed upon between said Board and said dealer. [C. S. 1910, Sec. 2012.]

SCHOOL DISTRICT BONDS.

NOTE—School Trustees are urged when considering the issuance of school bonds, to consult with local attorneys.

Authority to Call Election to Determine Issue.

Sec. 183. The Board of School Trustees of any school district may, whenever a majority thereof so decide, submit to

the electors of the district the question whether the Board shall be authorized to issue the coupon bonds of the district to a certain amount, not to exceed two per cent of the taxable property in said district, and bearing a certain rate of interest, not exceeding six per cent per annum, and payable and redeemable at a certain time, not exceeding twenty-five years, for the purpose of building one or more school houses in said district, and providing the same with necessary furniture, and funding outstanding indebtedness evidenced by warrant or otherwise, against said district. [C. S. 1910, Sec. 2028.]

Bond Election—Issue of Bonds.

Sec. 184. Such elections must be held in the manner prescribed for general or special elections in school districts, and the ballots must contain the words "Bonds, Yes", or "Bonds, No.". If the majority of the votes at such election are "Bonds, yes", the Board of Trustees must issue such bonds in such form as the Board may direct; they must bear the signatures of the President of the Board of Trustees and be countersigned by the clerk of the school district, and bear the district seal and be countersigned by the County Treasurer, and the coupon attached to the bonds must be signed by the President and clerk and the County Treasurer. And each bond so issued must be registered by the County Treasurer in a book provided for that purpose, which must show the number and amount of each bond, and the person to whom the same is issued, and the said bonds must be sold by the said School Trustees, as provided in section two thousand and thirty. [C. S. 1910, Sec. 2029.]

Sale of Bonds—Application of Proceeds.

Sec. 185. The School Trustees must give notice in some newspaper of general circulation, published in the capital of this State, and also in some newspaper published in the county in which said school district is located, for a period of not less than four weeks, to the effect that the said School Trustees will sell said bonds, briefly describing the same, and the time and place where such sale will take place; Provided, That the said bonds must not be sold for less than their par value, and the said Trustees are authorized to reject any bids, and to sell said bonds at private sale, if they deem it for the best interests of the district; and all money arising from the sale of said bonds must be paid forthwith into the treasury of the county in which said district may be located, to the credit of said district, and the same shall be immediately available for the purpose of building or providing the school house, or school houses, authorized by this chapter. [C. S. 1910, Sec. 2030.]

Pledge for Payment.

Sec. 186. The faith of each school district is solemnly pledged for the payment of the interest, and the redemption of the principal of all bonds which are issued under this chapter. [C. S. 1910, Sec. 2031.]

Tax Levy to Redeem and Pay Interest.

Sec. 187. The Board of County Commissioners of the proper county of each district must ascertain and levy annually, the tax necessary to pay the interest as it becomes due, and a sinking fund to redeem the said bonds at their maturity; and said tax is a lien upon the property in said school district, and must be collected in the same manner as other taxes for school purposes. Said tax shall be known as "district bond tax of school district No.". [C. S. 1910, Sec. 2032.]

Redemption.

Sec. 188. When the sum in the sinking fund equals or exceeds the amount of any bond then due, the County Treasurer shall post in his office, a notice that he will, within thirty days from the date of such notice, redeem the bonds then payable, giving the number thereof, and the preference must be given to the oldest issue; and if, at the expiration of the said thirty days the holder or holders of said bonds shall fail or neglect to present the same for payment, interest thereon must cease; but the Treasurer shall, at all times thereafter, be ready to redeem the same on presentation, and when any bonds are so purchased or redeemed, the County Treasurer must cancel the same by writing across the face of each bond in red ink, the word "cancelled", and the date of such cancellation. The annual interest on all of said bonds shall be payable at the office of the Treasurer of the proper county on the first and ten succeeding days of January in each year. [C. S. 1910, Sec. 2033.]

Payment of Interest.

Sec. 189. The County Treasurer may pay out of any moneys belonging to a school district tax fund, the interest upon any bonds issued under this chapter by such school district, when the same becomes due, upon the presentation at his office of the proper coupon, which must show the amount due, and the number of the bond to which it belonged, and all coupons so paid, must be reported to the School Trustees at their first regular meeting thereafter. [C. S. 1910, Sec. 2034.]

Preparation of Bonds.

Sec. 190. The School Trustees of any district shall cause to be printed or lithographed at the lowest rates, suitable bonds, with the coupons attached, when the same become

necessary, and pay therefor out of any moneys in their treasury. [C. S. 1910, Sec. 2035.]

Penalty for Misapplication of Funds by Trustees.

Sec. 191. If any of the School Trustees fraudulently fail or refuse to pay into the proper county treasury the money arising from the sale of any bonds provided for by this chapter, they shall be deemed guilty of felony, and upon conviction thereof, be punished by imprisonment in the State penitentiary for a term of not less than one year, nor more than ten years. [C. S. 1910, Sec. 2036.]

County Treasurer Shall Have Custody of Funds.

Sec. 192. The County Treasurer of such county shall have the custody of all funds realized from the sale of said bonds, until the same are drawn out by the order of the Board of Directors of said districts. [C. S. 1910, Sec. 2037.]

Additional Bond of County Treasurer.

Sec. 193. The Board of Trustees of said district shall require the said County Treasurer to give said district a separate bond in such sum as said Board may deem proper, with two or more sufficient sureties, conditioned for the faithful performance of the duties required of him by this chapter, and the faithful accounting for the moneys deposited with him and realized from the sale of said bonds, as herein provided for, and such bonds shall be approved by said Board and shall be and remain in the custody of said Board of Trustees. [C. S. 1910, Sec. 2038.]

REFUNDING SCHOOL DISTRICT BONDS.

Power of Board to Issue Refunding Bonds.

Sec. 194. The Board of Directors of each and every school district in the State of Wyoming are hereby authorized to issue refunding bonds of such school district, for the purpose of taking up outstanding bonds of such school district, for any sum not exceeding the amount of outstanding bonds; Provided, That the qualified electors of any school district shall so elect and determine at any regular meeting, or at any special meeting, held for such purpose. [C. S. 1910, Sec. 2039.]

Form of Bond, Time and Interest.

Sec. 195. Said bonds shall be issued in sums of not less than one hundred dollars, and shall be redeemed by the school district issuing the same within a period not exceeding thirty years, and not less than five years from the date of issue, and shall bear interest at a rate not exceeding six per centum per annum, on each dollar of their face, which interest shall be

payable annually or semi-annually, the rate of interest to be determined by the Board of School Directors. Such bonds shall be numbered from one upwards, and be headed "Refunding bonds of school district No....., in the county of....., State of Wyoming"; and before being issued shall be registered by the Treasurer of the county within which such school district is situated. [C. S. 1910, Sec. 2040.]

Registration of Bond.

Sec. 196. The County Treasurer of each county shall keep a book in which shall be registered all such bonds, showing the number of the bond, the date of issue, amount, number of coupons, date of redemption, date of registry and payment of interest on such bonds, which book shall, during business hours, be open for inspection. [C. S. 1910, Sec. 2041.]

By Whom Signed and Sale Thereof.

Sec. 197. All bonds so issued shall be signed by the presiding officer of the Board of Directors of such school district, countersigned by the County Treasurer of the county in which such school district is situated, and attested by the clerk of such school district, with the seal of such school district attached; and none of such bonds shall be sold for less than their face value, and shall not be sold until thirty days' notice shall have been given in some newspaper of general circulation in the State of Wyoming. [C. S. 1910, Sec. 2042.]

Coupons—Where paid.

Sec. 198. Said bonds shall have coupons attached, representing the interest to be paid each year; and the coupons representing said interest shall be detached from the bonds before presentation for payment of the interest for the year corresponding and upon payment shall be forthwith cancelled by the County Treasurer, by writing the word "cancelled" across the face thereof. The interest on all such bonds shall be payable at the office of the County Treasurer of the county in which such school district issuing such bonds is situated, or in any place designated by the Board of School Directors of such school district. [C. S. 1910, Sec. 2043.]

Tax to Pay Interest and Principal.

Sec. 199. There shall be annually levied by the Board of County Commissioners of the county, within which is situated any school district issuing any such bonds, as are herein provided for, on all taxable property within the limits of said school district, a tax not to exceed seven mills on the dollar of valuation, which shall be known as the "Refunding bond fund of school district.....". Said tax shall be payable only in the lawful money of the United States, and shall be used

to pay the interest and principal of said bonds, and for no other purpose, and said tax shall be collected in the same manner, and at the same time as the county taxes, and paid into the county treasury by the collector of taxes. [C. S. 1910, Sec. 2044.]

Duty of School Directors as to Redemption.

Sec. 200. The Board of School Directors of any school district, which may issue bonds, as provided in this chapter, shall each year, after the tenth year, retire as many of such bonds as can be redeemed, with the amount of said bond fund at the time in the hands of the County Treasurer, and in all such cases, such bonds shall be redeemed by the payment of number one first, and proceeding continuously upwards with those outstanding. All cancelled bonds shall be turned over to the Board of Directors at such times as they may direct. [C. S. 1910, Sec. 2045.]

Property in District Pledged for Payment.

Sec. 201. All taxable property of any school district issuing bonds, as herein provided for, at the time of issuing such bonds, shall be pledged for the payment of the principal and interest of such bonds in the manner herein provided, and it shall not be lawful to use or divert any portion of such bond fund for any purpose whatever, except for the payment of such principal and interest. [C. S. 1910, Sec. 2046.]

Duty of County Treasurer.

Sec. 202. The County Treasurer of each county in which any school district, issuing bonds as herein provided for, is situated, shall have custody of all funds realized from the sale of such bonds, and shall pay the same out only upon the return of such bonds, for the redemption of which the refunding bonds, for the issue of which this chapter provides, may have been issued. Such bonds so redeemed shall be cancelled by the County Treasurer and turned over to the Board of School Directors of the school district which issued said redeemed bonds at such time as they may direct. It shall be the duty of the County Treasurer to give a separate bond to be made to such school district, in such sum and with such sureties as the Board of County Commissioners of the county may deem proper and sufficient, conditioned for the faithful accounting of the moneys deposited with him and realized from the sale of such bonds as are herein provided for, and such Treasurer's separate bond shall be and remain in the custody of the county clerk of the county in which such school district is situated. [C. S. 1910, Sec. 2047.]

Funds Realized from Sale of Refunding Bonds.

Sec. 203. Whenever any school district shall have issued its refunding bonds, and the funds realized from the sale of such refunding bonds, by reason of such bonds selling for more than their par value, are more than sufficient to redeem all the bonds, to redeem which said refunding bonds were issued, such surplus may be used; First, to pay all the expenses of issuing and disposing of said refunding bonds. Second, any surplus still remaining shall be turned by the County Treasurer into the "Refunding bond fund" of such school district, and used for the purposes for which such fund is used as provided in section two thousand and forty-four. [C. S. 1910, Sec. 2048.]

Balance in the Hands of County Treasurer—How Used.

Sec. 204. Whenever any school district shall have issued its refunding bonds and there remains in the hands of the County Treasurer of the county in which said school district is situated, any moneys belonging to the funds provided by law for the payment of the principal or interest, or both, of the bonds to redeem which said refunding bonds were issued, said money may be used: First, to pay any deficiency in the expenses of issuing and disposing of said refunding bonds that cannot be paid by the surplus realized from the sale of said refunding bonds. Second, any moneys still remaining in said fund shall be turned by said County Treasurer into the "Refunding bond fund" of such school district and used for the purposes for which such fund is used as provided in section two thousand and forty-four. [C. S. 1910, Sec. 2049.]

Surplus—How Used.

Sec. 205. The County Treasurer of any county in which is situated a school district that may issue refunding bonds, is hereby authorized and required to pay out the surplus moneys derived from the sale of any such refunding bonds, or the surplus moneys remaining in the old fund for the expenses incurred by such school district in issuing and disposing of such refunding bonds on orders of the School Board of such school district, which orders shall state on their face that the money to be so paid was a legitimate expense incurred in the issue and sale of such refunding bonds. When all of such expense has been paid by the issue of such orders or otherwise, the Board of Directors shall, over the seal of said district, notify said County Treasurer of the fact that all the expense incurred in the issue and sale of such refunding bonds has been paid, whereupon said Treasurer shall immediately transfer all moneys remaining in his hands applicable to the payment of interest or principal of the old bonds to the "Refunding bond fund" of such school district; Provided, however, That all the

bonds to redeem which said refunding bonds were issued have already been paid. [C. S. 1910, Sec. 2050.]

HIGH SCHOOL DISTRICT.

High School Districts.

Sec. 206. That for the purpose of affording better educational facilities for pupils more advanced than the studies provided in the district schools existing in the several counties in this State, and in addition to such school districts as are now organized, or which may hereafter be formed under the laws for the creation and formation of the same, there may be organized and established a high school district and a free high school therein on conditions and in the manner hereinafter prescribed, the territorial extent of which may embrace any number of present organized and constituted school districts, the qualified electors of which may vote to become a part of such high school district and participate in the maintenance and benefits of such high school organization. [C. S. 1910, Sec. 2051.]

Body Corporate.

Sec. 207. Each high school district which may be formed under the provisions of this chapter, is hereby declared to be a body corporate by the name and style of "..... High School, State of Wyoming", and in that name it may hold property and be a party to suits and contracts. [C. S. 1910, Sec. 2052.]

How Formed.

Sec. 208. Whenever one hundred freeholders in any territory sought to be organized into a high school district under the provisions of this chapter, a portion of which shall be freeholders of each school district intended to be embraced within such high school district, shall petition the Board of County Commissioners of the county within which such territory is, requesting the organization and establishment of a high school district under the provisions of this chapter, defining the boundaries thereof, and describing the lands to be embraced therein, by townships and ranges or fractions of townships, the Board shall, at their first meeting thereafter, give twenty days' notice by publication in the official paper of said county that the question of the creation of such high school district will be submitted to the electors of the territory so to be embraced in such high school district at a designated time, not to exceed thirty days from the expiration of the said twenty days' notice, whether such high school district shall be created and established. In addition to said notice, the Trustees in the several school districts embraced within such territory thus to be

organized into such high school district, shall be notified by such Board of County Commissioners of the holding of said election immediately after the first publication of the notice provided for in this section. And it shall be the duty of said School Trustees to post a copy of said published notice on the front door of each school house in their said respective districts of such impending election. [C. S. 1910, Sec. 2053.]

Election—Called by County Commissioners.

Sec. 209. Such election shall be conducted in all respects the same as the election for School Trustees, except that the said Board of County Commissioners shall call the election and that there shall be no registration of voters required or printed ballots furnished. Each school district to constitute a part of such high school district, shall constitute a voting precinct for the purpose of this chapter. [C. S. 1910, Sec. 2054.]

Failure Trustees to Open Election.

Sec. 210. If for any reason the Trustees of any such school district fail to open such election in the manner provided, then and in such event the qualified electors of such school district assembled at the time and place for holding such election shall organize by appointing a Chairman and Secretary, who shall act as judges of such election. [C. S. 1910, Sec. 2055.]

Judges of Election.

Sec. 211. In school districts having six Trustees, three of their number shall be designated by them to act as judges of such election, but if for any reason they do not appear, the qualified electors of such school district there assembled may proceed to elect three persons having the qualifications of electors to act as judges thereat. [C. S. 1910, Sec. 2056.]

Election by Ballot.

Sec. 212. Said election shall be by ballot either written or printed and none but qualified electors of such school district shall be permitted to vote thereat. And the name of each person voting shall be recorded by the judges certified as such and return thereof made with the ballots as hereinafter provided. Those in favor of the creation and organization of the high school district shall write or print on their ballots "For high school district". Those opposed to the creation and organization of the high school district shall write or print on their ballots, "Opposed to high school district". [C. S. 1910, Sec. 2057.]

Canvass.

Sec. 213. After the election the ballots on said question shall be canvassed in the same manner as for School Trustees,

except that the judges of such election in the different precincts shall forward the returns by registered mail to the county clerk of the county to be canvassed and the result to be determined by the Board of County Commissioners. The work of canvassing the returns shall be expeditiously done, and if for any reason delay should occur in forwarding the returns from the different precincts or from any of them, the Board of County Commissioners shall see that the delayed returns are promptly obtained. [C. S. 1910, Sec. 2058.]

When Created—Appointment First Trustees.

Sec. 214. When the returns of such election shall have been received by the county clerk, the Board of County Commissioners shall proceed without delay to canvass the same, and determine and declare the result of such election, and enter the same upon their minutes. Such high school district shall be created, and said Board of County Commissioners shall declare the same to be composed of all precincts wherein a majority vote has been in favor of said proposition. The Board of County Commissioners shall give notice of the result of the election, naming the territory embraced in such created high school district, as shown by the election and as provided in this section, and thereupon such territory shall at once be created and constitute such high school district. The Board of County Commissioners shall thereafter, by order duly entered, promptly proceed to appoint six persons possessing qualifications of electors within the described territory and taxpayers thereof, who shall, with the County Superintendent as ex officio member thereof, constitute a Board of Trustees of said high school district. Each of such Trustees so appointed shall hold office until the first Monday in May next following his appointment, and until his successor is elected and qualified and shall within ten days of his appointment qualify by taking the oath required of county officers, and giving bond as may be required by the County Commissioners for the faithful discharge of his duties, whereupon said high school district shall become fully organized. [C. S. 1910, Sec. 2059.]

Election of Trustees—Time.

Sec. 215. The election of High School District Trustees shall be held at the same time and place and in the same manner as Trustees of other school districts except that in high school district elections the returns shall be made to the county clerk of the county, and the same canvassed, the result determined and declared by the Board of County Commissioners as in the organization of a high school district. The acting and qualified Trustees of such high school district may, until otherwise provided by law, make rules and regulations to secure uniformity in the nomination of candidates for such Trustees;

Provided, however, That no such rules and regulations shall abridge the right of qualified voters to vote for any candidate they may desire for such Trustees. [C. S. 1910, Sec. 2060.]

Trustees—Terms.

Sec. 216. There shall be elected in each high school district at the regular annual school election on the first Monday in May of each year, in the same manner as provided by law for the election of Trustees for school districts, except as provided in the preceding section, three Trustees for such high school district, who shall hold office for a term of two years and until their successors are elected and qualified. On the next succeeding first Monday in May after the establishment of a high school district there shall be elected in said district six Trustees, who shall be divided into two classes of three each. The term of those in the first class shall expire one year from the first Monday in May following their election, and the term of those in the second class shall expire two years from the first Monday in May following their election. When a vacancy occurs in the office of Trustees in said district by death, resignation, removal from the district or otherwise, the fact of said vacancy shall be immediately certified by the Secretary, and such vacancy shall be filled by appointment by said Board of Trustees until the next annual election, at which time such vacancy shall be filled by election. [C. S. 1910, Sec. 2061.]

Quorum.

Sec. 217. A majority of such Board of Trustees shall constitute a quorum for the transaction of all business, but four votes shall be required to decide any question. [C. S. 1910, Sec. 2062.]

Where Located.

Sec. 218. The high school in said district shall be located at the county seat of government whenever said county seat is within the territory constituting such district, and a high school may be located in any other district selected by the electors of said district. [C. S. 1910, Sec. 2063.]

Powers of Board—Officers.

Sec. 219. At their first meeting in each year the Trustees shall choose from their number a President and a Secretary, who shall hold office for one year or until their successors are chosen and qualified. The County Treasurer of the county wherein such high school district is, shall be the custodian of all funds available for such school purposes, under the provisions of this chapter. Payment shall be made by said Treasurer upon warrants, drawn against said funds duly signed by the President and Secretary. The Trustees shall have authority to make all necessary rules for the government of said high

school not inconsistent with law, and shall possess all powers which may be delegated to the Board of Trustees in other school districts, at the annual meetings thereof. Such high school districts shall be recognized as one of the regular constituted school districts of the county, and shall be entitled to and shall receive all the rights and benefits as such. [C. S. 1910, Sec. 2064.]

Tax Levy—Bonds.

Sec. 220. At the first meeting of the Board of Trustees after any election in each year, or at any appropriate time, the said Trustees shall make an estimate of the amount of funds needed for building purposes, for the payment of teachers' wages and for the payment of contingent expenses, and they shall present to the Board of County Commissioners a certified estimate of the tax required to raise the amount desired for such purpose. But in no case shall the tax for such purpose exceed in any one year the amount of ten mills on the dollar on all taxable property in said district, and when the tax is levied for the payment of teachers' wages and contingent expenses only, it shall not exceed two mills on the dollar.

Provided, That said Trustees may, if in their judgment they think best, bond said district for the purpose of raising money necessary to build, equip a high school in said district, and to purchase a suitable site therefor. But no bonds shall ever be issued to pay teachers' salaries, or for the general expenses in maintaining said school, or, further, that no bonds shall be issued, by such district beyond the united bonding capability of the territory embraced within such district, taking into consideration existing obligations thereof at the time of the creation of such high school district, nor shall the issuance of any such bonds impair any outstanding obligations of any portion of the territory embraced within such high school district. [C. S. 1910, Sec. 2065.]

Submission of Bonding Question to Electors.

Sec. 221. The Board of Trustees of the high school district, whenever a majority of the Board shall so desire, may submit to the electors of said district the question of whether the Board shall issue bonds of said district for the purchase or erection of a building for high school purposes and the equipment and for a suitable site therefor, provided that no such district shall be bonded for the above purpose in any amount to exceed \$50,000.00 and provided such bonds must run a term of twenty-five years or less, but no longer, and provided any such issue of bonds shall not increase the school indebtedness of the territory of said district beyond the maximum limit fixed by the State constitution. Said election shall be held in the manner prescribed in this chapter for the sub-

mission of the question of the establishment of said high school district, except that the Board of High School Trustees shall officiate in the place of the Board of County Commissioners in giving the notices for and in determining the result of said election. The ballot shall be in the form as follows:

“Shall bonds be issued and sold to the amount \$., bearing.per cent interest, for the purpose of purchasing a school lot and building a school thereon and to equip the same?”

“Bonds, Yes.”

“Bonds, No.”

The ballots herein provided for shall be printed and furnished in sufficient quantities at the different polling places for the use of the electors by the Board of High School Trustees. The elector shall prepare his ballot by crossing out thereon parts of the ballots in such a manner that the remaining part shall express his vote upon the question submitted. If a majority of the votes cast at such election are “Bonds, Yes”, the Board of High School Trustees shall issue such bonds in such form as the Board may direct and shall bear the signature of the President and the Secretary of such Board written in ink. The coupons attached to said bonds shall be signed in the same manner. Lithographic or fac simile signatures of the President and Secretary may be affixed to the coupons only when so stated in the bonds. Each bond so issued shall be registered by the County Treasurer in a book provided for that purpose, which shall show the number and amount of each bond and the person to whom same is issued. Said bonds shall be sold by said Trustees in the manner provided for the sale of school district bonds, and the moneys arising from the sale thereof shall be paid into the treasury of the county to the credit of said high school district. The faith of the said high school district is solemnly pledged for the interest and redemption of the principal of the bonds issued under the provisions of this chapter. The County Commissioners at the time of making the levy of taxes for county purposes shall levy a tax for that year upon the taxable property in said high school district for the interest and redemption of said bonds, and said tax must not be less than sufficient to pay the interest of said bonds for that year and such proportion of the principal as will come due during such year, and in any event must be high enough to raise annually for the first half of the term, (and) high enough to pay such annual interest and to pay annually a portion of the principal of said bonds equal to the sum pledged by taking the whole amount of said bonds outstanding and dividing it by the number of years for which said bonds have to run, and all moneys so collected must be paid into the county treasury to the credit of said high school district and kept in a separate

fund, and to be used for the payment of the principal and interest on said bonds, and for no other purpose. [C. S. 1910, Sec. 2066.]

Payment of Bonds.

Sec. 222. Said bonds shall be paid, principal and interest, in the manner provided for the payment of school district bonds. [C. S. 1910, Sec. 2067.]

Estimate for Maintenance When Bonds Are Issued.

Sec. 223. In case bonds are issued, then the Trustees, in making estimates for the maintenance of the high school, shall not include estimates for buildings or whatever said bonds are issued for. [C. S. 1910, Sec. 2068.]

Collection of Tax.

Sec. 224. The tax provided for in Section 2065 shall be levied and collected in the same manner as other county taxes, and when collected the County Treasurer shall place the same to the credit of said high school district. [C. S. 1910, Sec. 2069.]

Record of Proceedings.

Sec. 225. The said Board of Trustees of said high school district shall keep a record of all the official acts done by said Board, shall keep a full record of all warrants issued against the moneys belonging to said high school district. Payments of money can only be made upon warrants drawn against funds belonging to said high school district and the warrants so drawn must specify upon their face the purpose for which funds called for by the warrants so issued. Said Board of Trustees of said high school district shall provide, at the expense of their district and for said district, a seal, upon which shall be engraved the words "... County High School, State of Wyoming", said blank space to contain the name of the county wherein is located such high school district. The seal shall be kept in possession of the clerk of said district. Said seal shall be affixed to all communications or notices required by law to be sent or published by said High School Board and to all warrants drawn upon the Treasurer of said High School Trustees. [C. S. 1910, Sec. 2070.]

Trustees Provide Suitable Buildings.

Sec. 226. The said Board of Trustees shall proceed as soon as practicable after their appointment and qualification to establish the high school contemplated by this chapter, and may at their discretion lease suitable buildings for the use of the high school while the new buildings are in process of erection, or may contract with the trustees of the local school district, or with other parties for the use of suitable buildings

for such high school purpose, and for such time as may be deemed best for the interest of such high school district, and if at any time the qualified electors of such district shall vote bonds, as herein provided, said trustees shall select the best site that can be obtained and the title thereto, upon procuring such site, purchased or otherwise, shall vest in such high school district under the name herein provided for and the Trustees shall then proceed to make purchase of material and to build said building thereon, or to let such contracts for the necessary school buildings as they may deem proper. They shall not, however, make any purchase or enter into any contract whereby obligations are assumed in excess of the amount of funds on hand or available through the levy of taxes or the issuance of bonds for the current year. [C. S. 1910, Sec. 2071.]

Employment of Faculty.

Sec. 227. After suitable buildings are secured as herein above provided for the carrying on of said high school, the Trustees shall employ some suitable person to take charge of said school, who shall be known as principal of said school, and who shall possess such qualifications as may be prescribed by said Board of Trustees, except that said principal shall be required to possess at least five years' experience in teaching, and the Trustees shall furnish such assistant teachers as they may deem necessary, and shall designate the salaries which shall be paid such principal and assistant teachers. [C. S. 1910, Sec. 2072.]

Government.

Sec. 228. The principal of any such high school, with the approval of the Board of Trustees, shall make such rules and regulations as may be deemed proper in regard to study, conduct and government of the pupils under his charge; and if any such pupil shall not conform to or obey the rules of the school, they may be suspended or expelled therefrom by the Board of Trustees. [C. S. 1910, Sec. 2073.]

Courses of Study.

Sec. 229. There shall be provided such courses of study as will prepare and fit a student attending such high school for admission to the University of this State, and such courses of study must be sufficient for such purposes. [C. S. 1910, Sec. 2074.]

Military Training in High Schools.

Sec. 230. The high schools maintained in two or more separate school districts or in separate high school districts of the State may by arrangement between the respective Boards of Trustees of such districts, approved by the State Board of Education, be united under joint administrative control of the

State Board, for the purposes contemplated by this act. [L. 1919, Chap. 93, Sec. 1.]

Sec. 231. Any group of high schools so united shall be designated in the order of its establishment as Joint Administrative High School District No..... The State Board of Education is hereby charged with the power and duty of representing and acting for such joint district in its relations with the United States so far as the same may relate to military training carried on in such schools. [L. 1919, Chap. 93, Sec. 2.]

Sec. 232. No financial obligations shall be imposed upon any joint district except with the approval of the Board of Trustees of its constituent districts. Such obligations when imposed shall be shared by the constituent districts in proportion to the numbers of students undergoing military training in each. [L. 1919, Chap. 93, Sec. 3.]

Sec. 233. The State Board of Education shall annually, and at such times as it may be requested by the Boards of Trustees of the districts, report fully to such districts concerning its action and proceedings under this act. [L. 1919, Chap. 93, Sec. 4.]

Tuition—Admission.

Sec. 234. Tuition shall be free to all pupils who are bona fide residents of said high school district. The Board of Trustees shall make such general rules and regulations as they deem proper in regard to age and grade of attainments essential to entitle pupils to admission to said school; Provided, That no person shall be admitted to such high school who shall not have passed a satisfactory examination, or who does not hold an eighth grade common school certificate. If there shall be more applicants than can be accommodated at any one time, each district shall be entitled to send its proportionate number of pupils according to the number of pupils it may have as shown by the last report of the County Superintendent of Schools, and the Boards of the respective school districts shall designate such pupils as shall attend subject to the proviso above stated. [C. S. 1910, Sec. 2075.]

Admission of Pupils from Other Districts.

Sec. 235. If at any time the school can accommodate more pupils than apply for admission from the district, the vacancies may be filled by applicants from other counties or school districts, upon the payment of such tuition as the Board of Trustees may prescribe, but at no time shall such pupils remain in said school to the exclusion of pupils residing in the district. [C. S. 1910, Sec. 2076.]

Mileage of Trustees—No Compensation—Reports.

Sec. 236. The Trustees of said high school district who do not reside at the place where said high school is established are entitled to mileage in attending the meetings of the Board. The Trustees of said high school shall serve without compensation, and the Board shall make such reports from time to time as the County Superintendent of Schools or the State Superintendent of Public Instruction may require. [C. S. 1910, Sec. 2077.]

Certificates of Graduation—Admission to State University.

Sec. 237. Upon the presentation of a certificate of graduation from any such high school within one year of the date of same, to any State institution of learning, the person presenting the same may be admitted without further examination to said institution of learning. [C. S. 1910, Sec. 2078.]

No Tuition to Bona Fide Residents.

Sec. 238. Such high school shall be free to all persons of school age, possessing the qualifications, who are bona fide residents of said high school district. [C. S. 1910, Sec. 2079.]

Districts—How Annexed.

Sec. 239. Whenever any "high school district" shall have been created in any county under the provisions of this chapter, and any school district in the county wherein said "high school district" is located shall not, at the time of the election on the establishment of such "high school district", cast a majority vote in favor of such proposition, such school district may at any time thereafter become a part of such "high school district" in the manner hereinafter provided. [C. S. 1910, Sec. 2080.]

Petition for Annexation.

Sec. 240. Whenever ten freeholders in any such school district mentioned in Section 2080 hereof, not incorporated within such high school district as mentioned in Section 2080 hereof, shall petition the Board of County Commissioners of the county wherein said school district is located to make such school district a part of such "high school district" as mentioned in Section 2080 hereof, describing the lands embraced in said school district by townships and ranges, or fractions of townships, the said Board shall, at their first meeting thereafter, give twenty days' notice by publication in the official paper of said county that the question whether such territory shall be incorporated within said "high school district" will be submitted to the electors of such school district at a designated time, which shall not exceed thirty days from the expiration of said twenty days' notice. In addition to said notice, the Trustees in said school district thus intended to be incorporated

into the said "high school district" shall be notified immediately after the first publication of said notice by such Board of County Commissioners of the holding of such election, and it shall be the duty of said School Trustees to post a copy of said published notice on the front door of each school house in said school district. [C. S. 1910, Sec. 2081.]

Submission of Question.

Sec. 241. Such election shall be conducted in all respects as near as may be, as provided in Sections 2054, 2055, 2056, 2057, and 2058, and the duties and acts to be performed shall be performed in the same manner, and by the same persons as therein specified. [C. S. 1910, Sec. 2082.]

Returns—Commissioners' Action.

Sec. 242. When the returns of such election shall have been received by the county clerk, of said county, the Board of County Commissioners shall proceed without delay to canvass the same, determine and declare the result of such election, and enter the same upon their minutes, and if a majority vote of such school district has been cast in favor of incorporating such school district within said "high school district", then such school district shall at once become a part of and be incorporated within such "high school district" with the same force and effect and to all intents and purposes as though originally embraced therein, and for the purpose of maintaining and supporting the said "high school district" and its purposes and objects and to pay the current or other expenses, or pay the bonded indebtedness or the interest thereon, the property of such school district, so incorporated within said "high school district" shall after such incorporation in each year be subject to the same taxation as the property of the other territory embraced within said "high school district" and be subject to all the laws, rules and regulations governing such "high school district" as though originally incorporated therein. [C. S. 1910, Sec. 2083.]

GENERAL ELECTIONS.

Vacancy in State Office.

Sec. 243. At each of said general elections there shall also be elected such State officers as may be required to be elected to fill any vacancy occurring by operation of law, or the Constitution of this State, including any vacancy or vacancies in the office of Justice of the Supreme Court. [C. S. 1910, Sec. 2087.]

State Officers.

Sec. 244. At the general election held in the year one thousand eight hundred and ninety-four, and at the general election held every fourth year thereafter, there shall be elected a Governor, a Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Instruction, and such other State officers as are, or may be, created by law, and made elective, whose election shall occur, or ought to occur at such general election. [C. S. 1910, Sec. 2088.]

County Officers to Be Elected.

Sec. 245. The following county and precinct officers shall hold their office by election; and there shall be held in the several voting precincts of this State, on the Tuesday next following the first Monday in November, in the year of our Lord one thousand eight hundred and ninety-two, and on the Tuesday next following the first Monday in November, in each second year thereafter, a general election at which the following county and precinct officers shall be elected:

The Clerk.

The Commissioners.

The Surveyors.

The Sheriff.

The County Treasurer.

The County and Prosecuting Attorney.

The Superintendent of Schools.

The Assessor.

The Coroner.

The Justices of the Peace.

The Constables.

The Clerk of the District Court for each county, whenever his term of office shall expire before the next general election, or whenever a vacancy therein is to be filled, and such other county and precinct officers which may be created and made elective by law. In counties having an assessed valuation not exceeding five million dollars, the County Clerk shall be ex-officio Clerk of the District Court, and shall perform all the duties pertaining to the office of Clerk of the District Court, but shall receive no additional or separate compensation therefor. [C. S. 1910, Sec. 2091.]

Relating to General Elections—Who May Vote.

Sec. 246. Except as hereinafter provided, every person shall be qualified and entitled to vote who is a citizen of the United States and over the age of twenty-one years and who has been a bona fide resident of Wyoming for one year and of the county wherein his residence is located sixty days next preceding the election at which he votes and of the election dis-

trict wherein he seeks to vote for a period of ten days next preceding election and who shall be able to read the Constitution of this State and who has complied with the provisions of law concerning registration; Provided, however, That any person prevented by physical disability from being able to read the Constitution of this State shall not for this reason while laboring under such disability be deprived of his right to vote; Provided, further, That where any qualified elector who has registered in any other precinct in such city or town before the date of election, such voter shall be entitled to vote in the precinct where registered; Provided, further, That any person who is a citizen of the United States and who was a qualified elector on the tenth day of July in the year 1890 and who has since then continued to be a resident in this State and who has complied with the provisions of law concerning registration shall continue to be an elector of this State; and, Provided, moreover, That any person who is serving in the army of the United States or is an officer or soldier and who is residing on any military reservation in this State shall not be entitled to vote at any election held in this State unless such person has acquired the rights of citizenship by residence therein for a period of not less than one year while serving in the army of the United States as such officer or soldier. [C. S. 1910, Sec. 2092.]

Special County Elections Shall be Ordered by County Commissioners.

Sec. 247. All special elections for county and precinct officers shall be ordered by the County Commissioners, which order shall be countersigned by the Clerk of the Board of County Commissioners. [C. S. 1910, Sec. 2110.]

Vacancy in Office—Who Determines Fact Of.

Sec. 248. Whenever it is alleged that a vacancy in any office exists, the officer, court or county board, whose duty it is to fill the vacancy, by appointment, or to order an election to fill such vacancy, shall have power to determine whether or not the facts occasioning such vacancy exist. [C. S. 1910, Sec. 2112.]

Who May Vote at Special Elections.

Sec. 249. All persons who have registered either during the registration period immediately preceding a special election, or a municipal election, or who have registered less than two years before such election, during a regular registration period for county elections, or during any special or municipal registration period, subsequent to such regular county election, shall be entitled to vote at such special election, or municipal election, as the case may be, in the precinct in which they regis-

tered. The provisions of law governing registration and elections shall apply to all special elections and municipal elections. [C. S. 1910, Sec. 2113.]

GENERAL PROVISIONS.

Qualifications of Office Holders.

Sec. 250. No person shall be eligible to any office who, at the time he is chosen and during his incumbency therein, is not a qualified elector and an actual resident of the district, county, town, ward or precinct, as the case may be, in which he holds such office. [C. S. 1910, Sec. 2273.]

Woman Suffrage.

Sec. 251. When they possess the other qualifications of an elector, the rights of women to the elective franchise and to hold office shall be the same as those of men. [C. S. 1910, Sec. 2274.]

Persons Disqualified from Voting or Holding Office.

Sec. 252. The following persons shall not vote or hold office:

- One who is under guardianship.
- One who is non compos mentis.
- One who has been within Wyoming convicted of any felony, unless restored to civil rights by pardon.
- One who has made or become, either directly or indirectly, interested in any bet or wager depending upon the result of the election at which he or she shall offer to vote. [C. S. 1910, Sec. 2275.]

Resignation of Elective Offices.

Sec. 253. Resignation of elective offices shall be made to the officer, court or county board authorized by law to fill a vacancy in such office by appointment or to order an election to fill such vacancy. [C. S. 1910, Sec. 2276.]

Vacancies in Elective Offices—How Made.

Sec. 254. Every elective office shall become vacant on the happening of either of the following events to the incumbent before the end of his term of office:

1. His death.
2. His resignation.
3. His becoming insane or non compos mentis.
4. His ceasing to be an inhabitant of the State, or if the office is local, his ceasing to be an inhabitant of the district, town, ward or precinct for which he was elected.
5. His conviction of an infamous crime or of any offense involving a violation of official oath.
6. His removal from office.

7. His refusal or neglect to take his oath of office, or to give or renew his official bond, or to deposit or file such oath or bond within the time prescribed by law.

8. The decision of a competent tribunal declaring his election void. [C. S. 1910, Sec, 2277.]

TAXATION AND REVENUE.

Purposes for Which Taxes Levied—Limitations Upon Amount.

Sec. 255. There shall be levied and assessed upon the taxable real and personal property within this State in each year, the following taxes:

First—For State revenue, four mills on the dollar when no rate is directed by the State Board of Equalization before the date in each year when the tax ought to be levied and assessed, but in no case shall the tax for State revenue purposes exceed said four mills on the dollar; except for the support of State educational and charitable institutions, the payment of the State debt and the interest thereon.

Second—The County Commissioners shall annually levy a tax for the support of the common schools in their county, not to exceed three mills on the dollar. For county revenue for all purposes there shall be levied annually a tax, but the aggregate tax for county revenue, including general school tax, shall not exceed twelve mills on the dollar, exclusive of State revenue, except for the payment of its public debt and the interest thereon. An additional tax of two dollars for each person between the ages of twenty-one years and fifty years, inclusive, shall be annually levied for county school purposes; Provided, always, That the Board of County Commissioners in each and every county of this State shall not expend in any one year, from out of the revenue so raised, for the support of the poor and lunatic purposes, a sum amounting to more than two mills on the dollar for each and every dollar of the assessed valuation of the property within their county for the then current year; for road purposes, a sum not amounting to more than three mills on the dollar of each and every dollar of assessed valuation of the property within their county for the then current year. [C. S. 1910, Sec. 2320.]

Property Exempt from Taxation.

Sec. 256. The following described property is hereby exempted from taxation:

First—The property of the United States and of this State, the property of any county, township, incorporated cities, towns and school districts, public libraries, lots with the buildings thereon used exclusively for religious worship, church

parsonages, public grounds by whomsoever donated to the public, including all places for the burial of the dead.

Second—Fire engines and all implements used for extinguishing fires, with the grounds used exclusively for the buildings of a fire company or companies.

Third—Household and kitchen furniture, beds and bedding, wearing apparel of every person, and the food provided for each family, not to exceed in all the value of one hundred dollars.

Fourth—The polls of all persons who have arrived at the age of fifty years.

Fifth—The property of all honorably discharged veterans of the Civil War to the amount of Two Thousand Dollars (\$2,000.00) in assessed valuation. [L. 1917, Chap. 87.]

Property Exempt from Taxation.

Sec. 257. That lands, with the buildings thereon, used for schools, orphan asylums or hospitals, and for lodge rooms for the meetings of all secret, benevolent and charitable societies or associations shall be exempted from taxation so long as said lands and buildings are not used for private profit. [C. S. 1910, Sec. 2322.]

Bonds Exempt from Taxation.

Sec. 258. Coupon or registered interest bearing bonds of the State of Wyoming, or any county, school district, or municipality of the State of Wyoming shall be exempt from taxation when owned by actual residents of the State, provided, that the owner or owners of such securities shall list the same annually on their assessment schedule, describing such bonds and the amount thereof, and shall mark opposite thereto, on such schedule, "exempt". [C. S. 1910, Sec. 2323.]

What Property Subject to Taxation.

Sec. 259. All other property, real and personal, within this State is subject to taxation in the manner herein directed, and this section is intended to embrace lands and lots in towns, including lands bought from the United States, whether bought on a credit or otherwise; buildings or improvements erected upon lands, the title to which still remains in the United States, or in any incorporated company, and all lands entered by pre-emption, final or commuted homestead, or as desert land, or at private or public sale, or under any act of congress, when final receipt therefor has been issued, shall be subject to taxation whether patent for the same has been issued or not, and when such final proof shall have been made before the 1st day of April in any year, the land so entered shall be subject to taxation for that year. It shall be the duty of the County

Commissioners of each county to obtain from the officers of the United States land district in which the county may be situated, an accurate transcript and plat of all entries and sales of public land which may or should be subject to taxation under the laws of the United States, or of this State, described by land numbers in their respective counties. Such transcripts shall be filed and preserved in their office, and they shall have the same corrected each year by obtaining as aforesaid, additional or supplementary transcripts. On the first Monday in April of each year, they shall cause to be furnished to the County Assessor of the county, a true and correct plat or plats corrected as aforesaid of all lands hereinbefore described, situate in the county, and they are hereby authorized and required to make any appropriation necessary to secure the execution of the work provided for in this section. Ferries, franchises and toll-bridges, all of which, for the purpose of this chapter, shall be considered real property. Horses and neat cattle, mules and asses, sheep, swine, goats, and all dogs and other animals; money in bank bills, coin or gold dust, whether in possession or on deposit; property, money or labor, due from solvent debtors on contract, or on judgment, and whether within this State or not; mortgages and other like securities, stock or shares in any bank or company, incorporated or otherwise and whether incorporated by this or any other State, and whether situated in this State or not; public stocks or loans, household furniture not otherwise exempt, including gold and silver plate, musical instruments, watches and jewelry, pleasure carriages, stages, hacks, omnibuses and other vehicles for transporting passengers, wagons, carts, drays, sleds, and every other description of vehicle or carriage, all real and personal property within this State of every kind and description not heretofore enumerated, belonging to or claimed by any incorporated company, whether incorporated in this State or not, annuities—but not including pensions from the United States, or any State, nor salaries, nor payment for services expected to be rendered—and all other property not above exempted, although not herein specified. [C. S. 1910, Sec. 2324.]

Tax of Equity Interest of Holder of State School and Other Lands.

Sec. 260. The equity or interest of the purchaser or his assignee of any State lands sold under contract shall be assessed and taxed as other property. The value of such interest or equity shall be determined by taking the fair value of the lands and deducting therefrom the amount of principal and accrued interest of the purchase money remaining unpaid on the first day of January of the year for which the property is

assessed. The property of the State in such lands shall not be assessed or taxed, but the interest of the purchaser or his assignee may be sold in the same manner as lands are sold for taxes. [L. 1919, Chap. 134, Sec. 1.]

Sec. 261. The interest or equity of the entryman or his assignee in public lands under any reclamation project in this State, shall be assessed and taxed as other property. The value of such interest or equity shall be determined by taking the fair value of the lands and deducting therefrom the amount of principal and accrued interest owing to the United States remaining unpaid on the first day of January of the year for which the property is assessed. The property of the United States in such lands shall not be assessed or taxed but the interest of the purchaser or his assignee may be sold in the same manner as lands are sold for taxes. [L. 1919, Chap. 124, Sec. 2.]

Time of Making County Levy—Form of Tax List.

Sec. 262. On the first Monday of September, of each year, the Board of County Commissioners shall, by an order to be entered of record among their proceedings, levy the requisite taxes for the year, and the same may be levied at any time prior to the first Monday of September, if the statement and notice required by Section 2340 has been received from the auditor. Immediately after the taxes have been levied the County Assessor shall compute the taxes from the credit valuations as corrected by the Board of Equalization, and as entered by him in the column of corrected valuations in the combined assessment roll and tax list; Provided, That all taxes for State purposes may be computed as a whole and entered in one column. The State Examiner is hereby authorized and directed to prescribe the form of such combined assessment roll and tax list, which shall be uniform as to general requirements in all counties of the State. [C. S. 1910, Sec. 2343.]

Tax for School Purposes.

Sec. 263. The County Commissioners shall, at the time of levying tax for county purposes, cause to be levied a tax for the support of schools within the county as provided by law, which shall be collected by the County Collector, at the same time, and in the same manner as State and county taxes are collected, with the exception that it shall be receivable in cash or warrants of the school district. The County Treasurer shall, at all times, hold subject to the draft of the proper officers, all moneys belonging to teachers' or school house fund. [C. S. 1910, Sec. 2401.]

Assessments—When Made.

Sec. 264. Whenever a sum of money has been voted by a school district, as by law provided, the clerk shall, under the supervision of the Directors, make out and certify over his official signature, the amount of money voted in his district, and on or before the fourth Monday in May of each year cause the same to be filed in the office of the clerk of the Board of County Commissioners; the clerk shall also at the same time notify the District Assessor of the assessment district in which said school district is situated, in writing, of the action of the district. Said District Assessor shall at the time of making the annual assessment of his district also assess the property of each school district, from which he has received notification as aforesaid, and return to the supervising assessor at the time of returning the assessment schedules, separate schedules listing the property of each school district by him assessed. Said separate schedule shall be by the Supervising Assessor, compiled, footed and returned to the Board of County Commissioners as hereinbefore provided for other assessment schedules. [C. S. 1910, Sec. 2402.]

Equalization of Assessment and Levy of Taxes.

Sec. 265. The Board of County Commissioners of each county shall have the power and it is made their duty to equalize the assessment and valuation of the taxable property of all the several school districts in the county which is assessable by the County Assessor, and shall also have power to add to such assessment any taxable property in such school district not included in the assessments as returned by the assessor, and which it was his duty to assess in the same manner as is or hereafter may be provided by law for county and State purposes, and it shall be the duty of the Board of County Commissioners when making the annual levy for taxes, to levy upon the taxable property of each school district a tax sufficient to raise the amount of money voted in the district for the year, which levy shall also be made upon the assessed valuation of railroad and telegraph property in such school district as assessed by the State Board of Equalization. And the county clerk in making out the annual tax list shall carry out in a separate column the amount of the district school tax in the same manner as other taxes. [C. S. 1910, Sec. 2403.]

Manner of Collecting Taxes.

Sec. 266. The taxes and assessments of all school districts for all purposes, except as otherwise specially provided by law shall be collected like county taxes and all delinquent taxes shall be returned by the collector in the same manner as other delinquent taxes are required by law to be returned. [C. S. 1910, Sec. 2404.]

To Whom School Moneys Paid.

Sec. 267. The amount of tax collected by the County Collector shall be paid over to the County Treasurer like other taxes, and shall be held by said County Treasurer subject to the draft of the County Superintendent, and shall be paid over accordingly; Provided, That the money collected on the district tax rolls shall be paid by the Collector directly to the Treasurer of the proper district, and his receipt taken therefor. [C. S. 1910, Sec. 2405.]

POLL TAXES.**Land Income Funds Available—When.**

Sec. 268. On the 15th day of January, eighteen hundred and ninety-nine, and on the 15th day of January of each second year thereafter, any and all moneys which shall be in either of the following land income funds shall become available, and may be used for the following purposes, respectively:

First—The “deaf, dumb and blind land income fund”, for the support, maintenance and education of all such deaf, dumb and blind persons as are or may hereafter become charges upon the State.

Second—The “insane asylum land income fund”, for the support and maintenance of the State Insane Asylum and the inmates thereof.

Third—The “fish hatchery land income fund”, for the support and maintenance of the State fish hatchery in Albany county.

Fund Appropriated.

Sec. 269. The sum of sixteen thousand seven hundred thirty-five dollars and ninety-five cents now to the credit of the penitentiary in Albany County Land Income Fund, together with any further amounts which may accrue thereto, is hereby appropriated for the payment of expenses heretofore or hereafter accruing for the support and maintenance of the State penitentiary located in Carbon county, and the care and subsistence of the convicts therein.

Fifth—The “university land income fund”, for the support and maintenance of the State University at Laramie, the same to be paid by the State Treasurer to the treasurer of the Board of Trustees of the State University upon the warrant of the State Auditor to be issued upon request of said Board of Trustees.

Sixth—The “State charitable, educational, penal and reformatory institutions land income fund”, for the custody, support and maintenance of State convicts and persons con-

fined at the expense of the State in reformatory institutions within or without the State.

Seventh—The “penal, reformatory or educational institution in Carbon county land income fund”, for and toward the completion, furnishing and maintenance of the penitentiary at Rawlins, in Carbon county.

Eighth—The “miners’ hospital land income fund”, for the support and maintenance of the Wyoming General Hospital, at Rock Springs.

Ninth—The “public building at the capital land income fund”, for the care, repair, maintenance and furnishing of the capitol building”.

Tenth—The “poor farm in Fremont county land income fund”, for the care, repair, maintenance and improvement of the poor farm in Fremont county.

On the fifteenth day of January, nineteen hundred and one, and on the 15th day of January of each second year thereafter, it shall be the duty of the State Treasurer to make a report to the Governor and to the Senate and House of Representatives, showing the amount of money in each of said land income funds on that date. [C. S. 1910, Sec. 2485.]

TAXATION AND REVENUE.

County Commissioners’ Limit.

Sec. 270. The power of the Board of County Commissioners of each of the several counties to fix rates of levy annually by means of which to create a fund out of which to meet and defray the current expenses of the county is hereby limited as follows: [L. 1911, Chap. 106, Sec. 2.]

Assessed Valuation Limit.

Sec. 271. In any county which has an assessed valuation for the current tax year of four millions of dollars or less, the levy shall not exceed seven mills on the dollar of such valuation; and in any county which has an assessed valuation for the current tax year of five millions of dollars and not less than four millions of dollars the levy shall not exceed six and one-half mills on the dollar of such valuation. [L. 1911, Chap. 106, Sec. 3.]

Method of Estimating.

Sec. 272. In any county which has an assessed valuation for the current tax year of more than five million dollars and not in excess of twenty million dollars, the maximum levy shall be determined by reducing the levy of six and one-half mills allowed upon a valuation of five million dollars one-tenth of

one mill for each one million dollars in excess of five million dollars, and any rate of levy so determined shall be the maximum rate of levy for all assessed valuations which are fractions of the next higher one million dollars of valuation. [L. 1911, Chap. 106, Sec. 4.]

The Same.

Sec. 273. In any county which has an assessed valuation for the current tax year of more than twenty million dollars, the maximum levy shall be determined by reducing the levy of four and one-half mills allowed upon a valuation of twenty million dollars one one-hundredth of one mill for each one million dollars in excess of twenty million dollars, and any rate of levy so determined shall be the maximum rate of levy for all assessed valuations which are fractions of the next higher one million dollars of valuation. [L. 1911, Chap. 106, Sec. 5.]

Detail Illustration.

Sec. 274. The limitations of the county current expense tax levies as prescribed and fixed in sections three, four, five and six of this act are illustrated in detail, as follows:

The maximum levy for valuation less than \$6,000,000 shall be 6.5 mills.

The maximum levy for valuations of \$6,000,000 and less than \$7,000,000 shall be 6.4 mills.

The maximum levy for valuations of \$7,000,000 and less than \$8,000,000 shall be 6.3 mills.

The maximum levy for valuations of \$8,000,000 and less than \$9,000,000 shall be 6.2 mills.

The maximum levy for valuations of \$9,000,000 and less than \$10,000,000 shall be 6.1 mills.

The maximum levy for valuations of \$10,000,000 and less than \$11,000,000 shall be 6 mills.

The maximum levy for valuations of \$11,000,000 and less than \$12,000,000 shall be 5.9 mills.

The maximum levy for valuations of \$12,000,000 and less than \$13,000,000 shall be 5.8 mills.

The maximum levy for valuations of \$13,000,000 and less than \$14,000,000 shall be 5.7 mills.

The maximum levy for valuations of \$14,000,000 and less than \$15,000,000 shall be 5.6 mills.

The maximum levy for valuations of \$15,000,000 and less than \$16,000,000 shall be 5.5 mills.

The maximum levy for valuations of \$16,000,000 and less than \$17,000,000 shall be 5.4 mills.

The maximum levy for valuations of \$17,000,000 and less than \$18,000,000 shall be 5.3 mills.

The maximum levy for valuations of \$18,000,000 and less than \$19,000,000 shall be 5.2 mills.

The maximum levy for valuations of \$19,000,000 and less than \$20,000,000 shall be 5.1 mills.

The maximum levy for valuations of \$20,000,000 and less than \$21,000,000 shall be 4.50 mills.

The maximum levy for valuations of \$21,000,000 and less than \$22,000,000 shall be 4.49 mills.

The maximum levy for valuations of \$22,000,000 and less than \$23,000,000 shall be 4.48 mills.

The maximum levy for valuations of \$23,000,000 and less than \$24,000,000 shall be 4.47 mills.

The maximum levy for valuations of \$24,000,000 and less than \$25,000,000 shall be 4.46 mills.

The maximum levy for valuations of \$25,000,000 and less than \$26,000,000 shall be 4.45 mills.

The maximum levy for valuations of \$26,000,000 and less than \$27,000,000 shall be 4.44 mills.

The maximum levy for valuations of \$27,000,000 and less than \$28,000,000 shall be 4.43 mills.

The maximum levy for valuations of \$28,000,000 and less than \$29,000,000 shall be 4.42 mills.

The maximum levy for valuations of \$29,000,000 and less than \$30,000,000 shall be 4.41 mills.

The maximum levy for valuations of \$30,000,000 and less than \$31,000,000 shall be 4.40 mills.

The maximum levy for valuations of \$31,000,000 and less than \$32,000,000 shall be 4.39 mills.

The maximum levy for valuations of \$32,000,000 and less than \$33,000,000 shall be 4.38 mills.

The maximum levy for valuations of \$33,000,000 and less than \$34,000,000 shall be 4.37 mills.

The maximum levy for valuations of \$34,000,000 and less than \$35,000,000 shall be 4.36 mills.

The maximum levy for valuations of \$35,000,000 and less than \$36,000,000 shall be 4.35 mills.

Provided, That if in any county it shall be shown by the Board of County Commissioners of such county that the levy authorized by this act would not be sufficient to pay the current expenses of such county, or to liquidate its floating indebtedness, the Board of County Commissioners of such county may apply to the State Board of Equalization for authority to make a larger levy for the current year and such Board of Equalization shall give such authority. This proviso shall apply to the years 1911, 1912 and 1913 only. Provided, always, That the Board of County Commissioners in each and every county of this State shall not expend in any one year, out of the revenue raised for county current expenses, a sum amounting to more than one-fifth of such revenue for the support of the poor and lunatic asylums, and shall not expend for road and bridge

purposes in any one year a sum amounting to more than one-half of the revenue raised for said county current expenses; and provided, further, that the qualified electors of any county may, by direct vote at any general or special election held as provided by law in such county, authorize for one year an increase, not exceeding two mills on the dollar valuation, in the levy for county current expenses, over and above the maximum levy for such purpose in this act provided, and if so authorized then the County Board may make such increased levy for the year voted upon, and thereafter the limitation of this act shall apply unless an increased levy for a particular year shall be voted at another election in like manner. [L. 1911, Chap. 106, Sec. 6.]

County Library Tax Limit as Amended by S. L. 1915.

Sec. 275. The authority of the Board of County Commissioners of each county to levy annually a county library tax, is hereby limited so that the Board shall not levy in excess of one-half of one mill on the dollar upon all taxable property in the county. [L. 1911, Chap. 106, Sec. 8.]

School District Limit.

Sec. 276. The authority of the qualified electors of any school district at the annual meeting, to vote a tax for school purposes, is hereby limited to the extent that no tax shall be voted for such purposes which shall be in excess of three and one-half mills upon the dollar of all the taxable property of any such school district. Provided, That in no event shall any school district levy any greater tax than is reasonably necessary for the ensuing school year; and provided, further, that the question of an increased levy above the limitation hereinbefore specified may be submitted by the District Board of any school district to the electors of the district at the annual meeting or election, and if so submitted due notice thereof shall be given for at least thirty days in advance of such election or meeting by posting written or printed notices upon the front door of each and every school house in the district, in at least three additional public places in the district, and said notice shall state the proposed increase in the levy, which increase shall not in any case amount to more than five mills on the dollar valuation of all the taxable property of the district, making the aggregate levy not to exceed eight and one-half mills. If fifty-one per cent of the votes cast at such election or meeting shall be in favor of the increased levy, as named in said election notice, then the officers charged with levying taxes may make such increased levy for the year voted upon, and thereafter, the limitation of this act shall apply, unless an increased levy for a particular year shall be voted at another election in like manner; and in all cases where an

increased levy is voted the school district clerk shall forward to the county clerk and the County Superintendent, with his certificate of the school district levy, his affidavit showing that all of the notices herein required to be posted were in fact duly posted at least thirty days in advance of the election, and shall also forward a report showing the number of votes cast for and against the proposition for an increased levy. [L. 1911, Chap. 106, Sec. 9.]

Bonded Debt.

Sec. 277. This act shall in no way limit the amount of any levy necessary to be made for the purpose of paying any bonded debt, judgment or the interest thereon, against any county, city, town or school district. [L. 1911, Chap. 106, Sec. 10.]

Excess Levy Unlawful—Duty of Assessor.

Sec. 278. Any levy which may be certified to the county clerk in excess of the limitations fixed by this act shall be unlawful, and in any such case, it shall be unlawful for the county clerk or county assessor of any county within the State to enter upon the tax roll of the county any such excessive levy; and in case of any such excess in any levy it is hereby made the duty of the County Assessor to reduce such levy and to extend upon the tax roll only such part thereof as will comply with the provisions of this act. [L. 1911, Chap. 106, Sec. 11.]

Misdemeanor.

Sec. 279. Any member of any Board, or any other officer who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred dollars or more than five hundred dollars and shall also be subject to removal from office by a civil action prosecuted by any tax payer. [L. 1911, Chap. 106, Sec. 12.]

DEPOSIT OF PUBLIC MONEY.

Officers Deposit Monthly.

Sec. 280. Every State officer, employee, department, or commission receiving money, for or on behalf of the State, from any source, shall on or before the first Monday of each month pay to the State Treasurer all such money, received during the preceding month, and on the same date shall file a detailed verified statement of such receipts with the State Auditor and a true copy thereof with the State Examiner. [C. S. 1910, Sec. 2486.]

State Board of Deposits.

Sec. 281. There is hereby created a Board of Deposits consisting of the Governor, State Treasurer and Secretary of State, and said officers are hereby required to perform the duties herein prescribed, as members of said Board of Deposits, without any extra or additional compensation. The Governor of the State shall be chairman of said Board, and the State Treasurer, secretary thereof. The records of said Board kept by said secretary, or a duly certified copy thereof, shall be prima facie evidence of the matter appearing therein in any court in the United States. It shall be the duty of said Board of deposits to meet on the first Monday of April of each year, or at any other time, upon the call of the chairman, and designate such banks within this State, as it may, under the provisions of this chapter, deem eligible to be made State depositories for the purpose of receiving on deposit funds of this State. [C. S. 1910, Sec. 2487.]

Designation of Depositories.

Sec. 282. All banks, applying to be made State depositories under the provisions of this chapter, shall, on or before the first Monday in April of each year, file their application, in writing, with the secretary of the said Board of Deposits, said application to be accompanied by a sworn statement of the financial condition of said bank at the time the application is made. The Board of Deposits at its meeting shall pass upon all applications made in compliance with this chapter, and shall, over the signatures of the members of said Board, or a majority thereof, endorse on said application their approval or rejection. Any and all banks whose applications may be endorsed with the approval of the Board as aforesaid, shall be deemed eligible to be made State depositories under the provisions of this chapter. [C. S. 1910, Sec. 2488.]

Deposits by Treasurer.

Sec. 283. The State Treasurer may deposit any portion of the public moneys in his possession in such national banks within this State, or in any State banks incorporated under the laws of and doing business in this State, as shall have been approved under the provisions of this chapter by the Board of Deposits as herein provided; but the said treasurer shall not have on deposit in any bank of public funds more than one-half of its paid in and unimpaired capital stock and surplus at any one time. [C. S. 1910, Sec. 2489.]

Interest and Security.

Sec. 284. For the security of funds so deposited under the provisions of this chapter, the State Treasurer shall require all such depositories to deposit securities of the kind and char-

acter hereinafter described, or to give bonds in some responsible surety company, authorized to do business in this State, for the payment of such deposits and interest thereon. Said bonds, when given, shall run to the State of Wyoming, and, together with the securities offered shall be approved by the said Board of Deposits. Said bonds shall be conditioned, that the depositories shall on or before the tenth day of each month render to the State Treasurer, and State Auditor, a statement in duplicate, showing the daily balance of State funds, and the amount of money of the State held by it during the month preceding, and the amount of the interest accrued thereon, and for the payment of the said deposit and the interest thereon, as herein provided, when demanded by the State Treasurer, or his authorized deputy on his check, order or demand at any time, and generally to do and perform whatever may be required by the provisions of this chapter, for a faithful discharge of the trust reposed in such depository. Said bonds shall contain the further obligation to settle with and pay to the State Treasurer, for the use of this State, interest upon daily balances on said deposits, at the rate fixed by said Board of Deposits, payable quarterly, on the first Monday in January, April, July and October in each year, or at any time when the account may be closed. Said bonds shall be in substance as follows:

Know All Men by These Present: That we,, as principal, and, as surety, are held and firmly bound unto the State of Wyoming in the just and full sum of dollars, for the payment of which, well and truly to be made, we bind ourselves, and our successors and assigns, jointly and severally by these presents.

Dated this day of, A. D.

The condition of the foregoing is such that, Whereas, the said bank, in consideration of the deposit of certain moneys of the State of Wyoming for safe keeping in bank of, the amount whereof shall be subject to withdrawal or diminution by the State Treasurer of said State as the requirements of the said State shall demand, and which amount may be increased or decreased as the said Treasurer may determine, and, Whereas, The said bank, in consideration of said deposits, and for the privilege of keeping the same, has agreed to pay and will pay to the State of Wyoming interest on account of said deposit at the rate fixed by the Board of Deposits of the said State, to-wit: Interest at the rate of per centum per annum, the same to be paid quarterly on the first days of January, April, July and October in each year upon the daily average balance of the deposit of State funds in the said bank, for the quarter or any fraction thereof next preceding the payment of said per centum, which shall be

computed and credited to the account of the State, and shall become a part thereof.

Now, Therefore, If the said bank of shall on or before the tenth day of each month render to the State Treasurer and State Auditor of said State a statement in duplicate, showing the daily balance of the State moneys held by it during the month next preceding, and the interest thereon, subject at all times to the check, order or demand of the State Treasurer, or his authorized deputy, as aforesaid, and shall pay over the same, and any part thereof, upon the check, order or demand of the State Treasurer, or his authorized deputy, and shall calculate, credit and pay said interest as aforesaid, in the amount and manner aforesaid, and shall in all respects save and keep the State of Wyoming and the State Treasurer, or his successor in office, safe and harmless for and by reason of the making of said deposit, or deposits, then this obligation shall be void and of no effect, otherwise to be and to remain in full force and virtue.

It being the further condition of the above, however, that said surety shall have the right to terminate its obligation hereunder upon giving notice in writing to the Governor and State Treasurer of said State of its election so to do, and such termination shall take effect at the expiration of thirty days from receipt of said notice by said Governor and State Treasurer.

Witness our hands and seals, the day and year first above written.

..... (Seal)
..... (Seal)

In addition to the other limitations herein provided, the said Treasurer shall not have on deposit in any bank, at any time, more than ninety per cent of the amount of the bond given by said bank, and the bonds shall be deposited with and held by the State Treasurer. [S. L. 1907, Chap. 30, Sec. 5; C. S. 1910, Sec. 2490.]

Collateral Security.

Sec. 285. Any such depository may, instead of such bond in an approved surety company, furnish, as security for such deposit, or deposits, United States government bonds, or State bonds of this State, county, city or school district bonds or warrants issued by virtue of the laws of this State, worth not less than their par value, and in an amount equal, at least, to the maximum amount of money at any time to be deposited with such bank; Provided, however, That for temporary deposits in excess of the amount for which such bank may bond as provided by this chapter, such depository or bank may deposit local securities having an appraised value of at least twenty-five per cent more than the amount of such temporary depos-

its; the said securities to be approved by said Board of Deposits and to be accompanied by a written assignment vesting the legal title thereto in the State of Wyoming, as collateral security, that such depository, so depositing and assigning said securities, shall and will safely keep and pay over to the State Treasurer, or his authorized deputy, on his check, order or demand, all money which may come into the possession of such depository, under and by virtue of the provisions of this chapter, together with all interest accruing thereon as herein provided, and providing, that in case of default on the part of such depository, the said State shall have full power and authority, to sell, in the manner hereinafter provided, said securities or so much thereof as may be necessary to realize the full amount of the funds of the State so deposited in said depository, together with the interest thereon. The interest on such bonds, so deposited and furnished, shall, when paid, be turned over to the bank so depositing the same, as long as it is not in default. [C. S. 1910, Sec. 2491.]

Annual Interest Rate.

Sec. 286. The said Board of Deposits shall annually, on the first Monday in April of each year, or as soon thereafter as possible, taking into consideration all information before it, fix the rate of interest to be paid on the deposits herein provided for, which shall not be less than two per centum per annum, nor more than four per centum per annum, and which said rate shall be and go into effect on the first day of May following, and which rate shall not be changed for a period of one year. [C. S. 1910, Sec. 2492.]

Daily Balance Computations.

Sec. 287. The amount to be paid by any and all banks, under the provisions of this chapter, for interest on such public funds on deposit, shall be computed on the average daily balance of public moneys kept on deposit therewith, and shall be paid to the State Treasurer quarterly, on the first Monday in January, April, July and October of each year, and said banks shall quarterly, on the first Monday of January, April, July and October of each year, render a statement in duplicate to the State Treasurer and State Auditor, showing the amount so paid. The State Treasurer shall require, and it is hereby made the duty of every such depository to keep accurate accounts of all moneys deposited with it, showing the amount deposited and when deposited, and to render on or before the tenth day of each and every month, to the State Treasurer and State Auditor a statement in duplicate showing the daily balances of the State moneys held by it during the month next preceding, and the interest thereon; and all sums paid to the State for interest as aforesaid shall be credited by the Treasurer to the

account of the several funds from which it was derived. [C. S. 1910, Sec. 2493.]

Withdrawals.

Sec. 288. Nothing in this chapter shall be held to prevent the State Treasurer or his authorized deputy from withdrawing any and all of said funds so deposited, for the purpose of paying the appropriations and obligations of the State and paying the same out as lawfully required, nor shall anything in this chapter prevent the State Treasurer or his authorized deputy from withdrawing any or all of said funds so deposited, whenever he deems it advisable or to the interests of the State to do so. The State Treasurer, and his sureties, shall be responsible for the faithful performance of the duties of said Treasurer under the law, and for a proper accounting and turning over to his successor of all moneys paid to said Treasurer as such; but he shall not be held personally liable for any moneys that may be lost by reason of the failure or insolvency of any bank selected as a depository under the provisions of this chapter, nor for the deficiency or loss upon any bond, or securities deposited by any bank, if the said bond or securities so deposited have been approved by the Board of Deposits; Provided, however, That if such loss could have been avoided by the exercise of reasonable care and diligence on the part of said Treasurer or his deputy, then and in such case the said Treasurer shall be liable to the State for such loss; but nothing in this section contained shall be construed as relieving from any liability any bond given or any collateral deposited under the provisions of this chapter. [C. S. 1910, Sec. 2494.]

Funds Not Deposited.

Sec. 289. Whenever any State funds remain on hand which cannot be placed in the banks of this State under the provisions of this chapter, then the State Treasurer shall immediately notify the chairman of said Board of Deposits, which said Board shall immediately thereupon hold a meeting, and, if possible, secure other banks in the State to hold said funds under the provisions of this chapter. During the time that funds cannot be deposited in the banks entitled thereto under the provisions of this chapter, the State Treasurer shall hold said funds in safe keeping, and in that case he and his sureties on his bond shall be responsible for the safe keeping of such money and turning the same over to his successor. [C. S. 1910, Sec. 2495.]

Sale of Collateral.

Sec. 290. The State Treasurer is hereby authorized and empowered to sell any or all bonds that may be deposited as collateral security for the deposit of any State fund in any

depository under this chapter, at a public or private sale, whenever there shall be a failure or refusal upon the part of any bank, as a State depository, to pay over the funds, or any part thereof, upon the demand or order of the State Treasurer, or his authorized deputy, on such bank. Notice of the sale of bonds under this chapter shall be given by publication in a newspaper published at the capital of Wyoming, once each week for five consecutive weeks, and when a sale of bonds is made by the said State Treasurer, either at public or private sale under this chapter, and such bonds have been transferred by the chairman and secretary of the said Board of Deposits, the absolute ownership of such bonds shall vest in the purchaser or purchasers, upon the payment of the purchase money to the State Treasurer. Should there be any surplus after paying the amount due the State and expenses of sale, it shall be paid to the bank which made the deposit of such securities. [C. S. 1910, Sec. 2496.]

Recovery on Bonds.

Sec. 291. It shall be the duty of the Attorney General of the State to enter and prosecute, in the name of the State, to final determination, all suits for the recovery of any penalty arising under the conditions of any bond given, or required to be given under the provisions of this chapter to the State of Wyoming. [S. L. 1909, Ch. 30, Sec. 12; C. S. 1910, Sec. 2497.]

Investment Permanent Funds.

Sec. 292. Nothing in this chapter shall be construed to prevent the proper State authorities from investing as provided by law any of the permanent funds of this State. [C. S. 1910, Sec. 2498.]

County, City and School Funds.

Sec. 293. Under this chapter the term "proper governing board" shall be held to mean when applied to the deposit of county funds "the Board of County Commissioners" of such county; when applied to the deposit of funds of a city or town, the mayor and council or the mayor and trustees, as the case may be, of such city or town, and when applied to the deposit of school district funds, the Board of Directors or Trustees of such school district. [C. S. 1910, Sec. 2499.]

Deposits—City, County, Town and School District Treasurers.

Sec. 294. Every County Treasurer, City Treasurer, town Trustees and Treasurer of a school district, within the State of Wyoming, shall deposit, and at all times keep on deposit for safe keeping, in banks, incorporated under the laws of this State and in national banks, doing business in his county, when designated as depositories by the proper governing board, the amount of moneys in his hands collected and held

by him as such Treasurer. Any such bank, located in such county, may apply for the privilege of keeping such moneys upon the following conditions: All such deposits shall be subject to payment when demanded by the proper Treasurer on his check, order or demand, and by all banks, receiving and holding such deposits, interest shall be paid at a rate not less than two per cent per annum nor more than four per cent per annum, as may be determined by the proper governing board upon the amount so deposited, as hereinafter provided, and subject also to such regulations as are imposed by law. [C. S. 1910, Sec. 2500.]

Investment of Public Funds in U. S. Bonds.

Sec. 295. The Board of County Commissioners of any county, the City or Town Council of any city or town, and the Board of Trustees of any school district within the State, may in their discretion invest in the bonds of the United States or of this State, any surplus fund or funds not required for the immediate current expenses of such bodies, and may in their discretion from time to time sell and dispose of such bonds as they may deem expedient. [S. L. 1919, Chap. 80, Sec. 1.]

Depositories—Interest.

Sec. 296. Such applications by such banks, shall be submitted to the proper governing board on or before the first Monday of April of each year, and shall be acted upon by the proper governing board on the said first Monday of April of each year, or as soon thereafter as practicable, and said Board shall also at said time fix the rate of interest, which said rate shall go into effect on May 1st following and shall not be changed for one year, and no moneys shall be deposited by any such Treasurer except in such banks as have been approved by the proper governing board. [C. S. 1910, Sec. 2501.]

How Interest Computed.

Sec. 297. The amount to be paid by any and all banks under the provisions of this chapter for interest on public funds on deposit shall be computed on the average daily balance of the public moneys kept on deposit therewith, and shall be paid and credited to the proper county, city, town, or school district on the first day of January, April, July and October of each year; and every such bank shall keep account of such public moneys as may be deposited, and when deposited, and the interest thereon as aforesaid, and shall make a statement thereof, in duplicate, to the proper treasurer, and the proper governing board, on the first Monday of January, April, July and October of each year and all interest paid on said public moneys shall be credited by the proper treasurer to the account of the several funds from which it is derived. [C. S. 1910, Sec. 2502.]

Security Required.

Sec. 298. For the security of the funds so deposited under the provisions of this chapter, the proper treasurer shall require all such depositories to give bonds for the safe keeping and payment of such deposits and the interest thereon, which bond shall run to the proper county, city, town or school district, and be approved by the proper governing board of such county, city, town or school district, and conditioned that such depository shall, on the first Monday of each January, April, July and October of each year, render to the proper treasurer, and the proper governing board of the county, city, town or school district, a statement in duplicate, showing the several daily balances, and the amount of public moneys held by it during the preceding three months, and the amount of the interest thereon, and how credited, and for the payment of the said deposits, and the interest accrued thereon, as herein provided, and when demanded by the proper treasurer on his check, order or demand at any time, and generally to do and perform whatever may be required by the provisions of this chapter, and a faithful discharge of the trust reposed in such depository. The said bond in substance shall be similar, or as near as may be, to the bonds required of State depositories, and when the penalty thereof exceeds the sum of five thousand dollars, such bond shall be furnished by some responsible surety company authorized to do business in this State. No county, municipal or school district treasurer shall have on deposit in any bank at any one time more than one-half of the penal amount named in its said bond in all cases where private bonds are furnished, nor more than ninety per cent of the amount of all other bonds, nor more than one-half of the paid up capital stock and unimpaired capital stock and surplus of such bank. The bonds shall be deposited with the clerk of the county, city, town or school district to which said bond may be given. Where there are no banks in the county, or where the banks in the proper county refuse or fail to bid on said money, or refuse or fail to receive the said funds under the provisions of this chapter, then part or all of said money may be deposited under the conditions of this act, in any other bank in the State, selected by the proper governing board of the county, city, town or school district, as the case may be. [C. S. 1910, Sec. 2503.]

Collateral Security.

Sec. 299. Instead of the bonds provided for in Section 2503, the bank or banks receiving on deposit public funds may, as security therefor, furnish to the proper treasurer of any county, municipality or school district, securities of the kind mentioned in Section 2491, to be approved by the proper gov-

erning board and the provisions of this chapter, applicable to such securities when furnished by State depositories, shall be applicable, as near as may be, to such securities when furnished to the treasurer of any county, municipality or school district. [C. S. 1910, Sec. 2504.]

Funds Not Deposited.

Sec. 300. Whenever funds remain on hand which cannot be placed in the banks of the respective counties of this State under the provisions of this chapter, then the proper treasurer shall immediately notify the chairman of the proper governing board, which said board shall immediately thereupon hold a meeting and, if possible, secure other banks in the State to hold said funds under the provisions of this chapter. During the time that funds cannot be deposited in the banks entitled thereto under the provisions of this chapter, the proper treasurer shall hold said deposits in safe keeping, and shall be liable on his official bond for such funds so held. [C. S. 1910, Sec. 2505.]

Treasurer's Liability.

Sec. 301. No county, city, town or school district treasurer shall be liable on his official bond for money on deposit in any bank under and by direction of the proper legal authority and in conformity to the provisions of this chapter if said bank has given bond which has been approved as herein provided, except in cases where any loss could have been prevented by the exercise of reasonable care on the part of such treasurer. Nothing in this section contained shall be construed as relieving from any liability any bond given or any collateral deposited under the provisions of this chapter. Nor shall anything in this chapter prevent the proper treasurer from withdrawing any or all funds by him deposited in accordance with this chapter, whenever he deems it advisable or to the interests of the public which he represents, or to pay out money as by law required. [C. S. 1910, Sec. 2506.]

Profit Making Prohibited.

Sec. 302. The making of profit, directly, or indirectly, by any State Treasurer, or by the treasurer of any county, city, town or school district, or by any other public officer or employee having in his custody or under his control any public moneys, by loaning such moneys or by depositing the same contrary to the provisions of this chapter or the using of such moneys by any of said public officers or employes for any purpose not authorized by law, shall be deemed a felony and are hereby prohibited, and any of said public officers or employees who shall violate any of the foregoing provisions of this section shall, on conviction, be punished by imprisonment in the

State penitentiary for a term not exceeding two years or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment. [C. S. 1910, Sec. 2507.]

Bribes—Penalty.

Sec. 303. The offering or giving, directly or indirectly, by any person to any public officer or employee having in his custody or under his control any public moneys of any gift, compensation, reward or inducement for the purpose of inducing any such public officer or employee to deposit such public moneys in any bank or to use the same in any manner not authorized by law, shall be deemed a felony and is hereby prohibited, and any person violating any of the provisions of this section shall, on conviction, be punished by imprisonment in the penitentiary for a term not exceeding two years or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment. [C. S. 1910, Sec. 2508.]

PROTECTION OF BIRDS.

Unlawful to Kill—Penalty.

Sec. 304. Any person who shall, within the State of Wyoming, kill or catch or have in his or her possession, living or dead, any wild bird other than a game bird, or who shall purchase, offer or expose for sale any such wild bird after it has been killed or caught, shall for each offense, be subject to a fine of not more than five dollars for each such bird killed or caught, or had in possession, living or dead, or imprisonment for not more than ten days, or both, at the discretion of the court. For the purposes of this chapter the following only shall be considered game birds: The Anatidae, commonly known as swans, geese, brant and river and lake ducks; the Rallidae, commonly known as rails, coots and mud-hens; the Limicolae, commonly known as shore-birds, plovers, snipe, sandpipers, tattlers, willets, curlews, godwits and avocets; the Gallinaw, commonly known as grouse, prairie chickens, pheasants, sage hens, partridges and quails. [C. S. 1910, Sec. 2788.]

Destruction of Eggs—Penalty.

Sec. 305. Any person who shall, within the State of Wyoming, take or needlessly destroy the nest or the eggs of any wild bird, or shall have such nest or eggs in his or her possession, shall be subject for each offense to a fine of not more than five dollars, or imprisonment for not more than ten days, or both, at the discretion of the court. [C. S. 1910, Sec. 2789.]

Scientific Use Permitted.

Sec. 306. Sections 2788 and 2789 shall not apply to any person holding a certificate giving the right to take birds, their

nests and eggs, for scientific purposes, as provided for in Section 2791. [C. S. 1910, Sec. 2790.]

Certificates—Bond.

Sec. 307. Certificates may be granted by the Superintendent of Public Instruction to any properly accredited person of the age of fifteen years or upwards, permitting the holder thereof to collect birds, their nests or eggs, for strictly scientific purposes only. No such certificate shall be issued until the applicant therefor shall have filed with the said Superintendent of Public Instruction written testimonials from two well known scientific men or educators, certifying to the good character and fitness of said applicant to be entrusted with such privilege. Said applicant must file with said persons or officers a properly executed bond, in the sum of two hundred dollars, signed by two responsible citizens of the State as sureties. This bond shall be forfeited to the State, and the certificate become void, upon proof that the holder of such certificate has killed any birds, or taken the nest or eggs of any bird, for other than the purposes named in Sections 2790 and 2791, and shall be further subject for each offense to the penalties provided therefor in Sections 2788 and 2789. [C. S. 1910, Sec. 2791.]

Term of Certificate.

Sec. 308. The certificate authorized by this act shall be in force for one year only from the date of its issue, and shall not be transferable. [C. S. 1910, Sec. 2792.]

Birds Not Protected.

Sec. 309. The following named birds shall be exempt from protection under the provisions of this chapter, viz: English sparrow, magpie, sharp-shinned hawk, Cooper's hawk, goshawk, duck hawk, gold or brown eagle, kingfisher and blue heron. [C. S. 1910, Sec. 2793.]

BOARD OF HEALTH.

Vaccination.

Sec. 310. The State Board of Health may adopt such measures for the general vaccination of the inhabitants of any city, town, or county in the State, as they may deem proper and necessary to prevent the introduction or arrest the progress of smallpox; and every person who shall refuse to be vaccinated, or prevent any person under his care and control from being vaccinated, or who shall fail to present himself or herself to the county health officer or a practicing physician acting under the direction of the Board or county health officer, for the purpose of being vaccinated, if such physician

believes vaccination necessary, shall upon conviction be fined not more than one hundred dollars nor less than ten dollars, or imprisoned in the county jail not more than thirty days. [C. S. 1910, Sec. 2740.]

INTEREST AND USURY.

When Rate Not Effective.

Sec. 311. The rate of interest fixed by this chapter shall not affect interest on purchase of school, university and agricultural lands, or on lands delinquent, or sold for the non-payment of taxes; or the rates of interest on warrants issued by the proper authorities of the State, county, city, town, village or other municipal subdivision, or any bonds issued by any county, city, town, village or school district, but they and each of them shall draw interest and be payable in the manner now, or that may hereafter be fixed by law. [C. S. 1910, Sec. 3364.]

Interest on Public Warrants.

Sec. 312. All State, county, school district, town, city or other public warrants issued after June 1st, eighteen hundred and ninety, for any salary or salaries, fee or fees, or for or on account of any public indebtedness, claim or demand, whatever, which indebtedness, claim or demand shall have accrued on any public contract, transaction, or liability, entered into or arising after the 1st day of June, eighteen hundred and ninety, shall draw interest upon the amount expressed in such warrant or warrants at the rate of six per centum per annum from the date of the presentation thereof for payment at the treasury or other place where the same may be payable, until there is money in the treasury for the payment thereof, and it shall be unlawful to allow or pay any rate of interest upon such warrant or warrants, except as herein specified and expressed, and every State or County Treasurer or municipal officer duly authorized to act as treasurer, to whom such warrant or order is presented for payment, provided he has not sufficient funds in the treasury to pay the same, shall endorse thereon the words "not paid, for want of funds", and sign and date the same officially. [C. S. 1910, Sec. 3365.]

LEGAL HOLIDAYS.

Legal Holidays.

Sec. 313. The 1st day of January, the 12th day of February, the 22nd day of February, the 30th day of May, the 4th day of July, the day that may be appointed by the President of the

United States as the annual Thanksgiving day, the 25th day of December of each and every year, all days upon which general elections are held and Arbor day, are hereby declared legal holidays in and for the State of Wyoming. If the 1st day of January, the 12th day of February, the 22nd day of February, the 30th day of May, the 4th day of July or the 25th day of December, fall upon a Sunday, the Monday following shall be a legal holiday. [C. S. 1910, Sec. 3581.]

NOTE—Labor day is a national holiday.

Arbor Day.

Sec. 314. The Governor shall annually, in the spring, designate by official proclamation, an arbor day, to be observed by the schools and for economic tree planting. [C. S. 1910, Sec. 3582.]

MISCELLANEOUS.

Public Officer Subject to Garnishment.

Sec. 315. The salary or wages due any State, county, city, town or school district officer or employee, shall be liable and subject to garnishment in civil actions in the same manner and for the same causes as the salary or wages of any private individual now is, or may hereafter be, liable and subject to garnishment under the laws of this State. This act shall apply to the salary or wages due to any officer or employee of the State, or of any county, city, town or school district of the State, whether said officer or employee shall have been elected or shall have been appointed to the office or position which he holds. [L. 1911, Chap. 56.]

Disposition of Fines.

Sec. 316. If a fine be imposed and paid before commitment, it shall be received by the Justice and by him paid over to the County Treasurer, within thirty days after the receipt thereof, for the use of the schools in the county. [C. S. 1910, Sec. 6116.]

Payment of Fine—Commitment.

Sec. 317. If the defendant be committed for not paying a fine, he may pay it to the sheriff of the county, or to the Justice by whom the commitment was made, but to no other person; who must in like manner, within thirty days after the receipt thereof, pay it into the county treasury for the use of the schools in the county. [C. S. 1910, Sec. 6117.]

CO-OPERATIVE AGRICULTURAL EXTENSION WORK.**Act of Congress Accepted—Authority of University Trustees.**

Sec. 318. The terms and conditions of an act of Congress approved by the President May 8th, 1914, entitled "An act to provide for Co-operative Agricultural Extension Work between the Agricultural Colleges in the several states receiving the benefits of the Act of Congress approved July 2nd, 1862, and Acts supplementary thereto, and the United States Department of Agriculture", are hereby assented to and accepted by the State of Wyoming, and the Board of Trustees of the University of Wyoming be and they are hereby authorized and empowered to receive the grants of money appropriated under said act, and to organize and conduct agricultural extension work which shall be carried on in connection with the college of agriculture of said university in accordance with the terms and conditions expressed in the Act of Congress aforesaid. [L. 1915, Chap. 25, Sec. 1.]

Appropriation.

Sec. 319. That for the purpose of paying the expenses of said co-operative agricultural extension work or other agricultural extension work, and the necessary printing and distributing of information in connection with the same, there is appropriated annually out of the money in the State treasury not otherwise appropriated \$8,000, which shall be paid annually to the Treasurer of the Board of Trustees of the University of Wyoming, Provided that there is also appropriated an additional sum of \$2,000.00 for the fiscal year following that in which the foregoing appropriation first becomes available, and for each year thereafter for ten years a sum exceeding by \$1,000.00 the sum appropriated for each preceding year. [L. 1915, Chap. 25, Sec. 2.]

Funds for County Work—Agreement with Agricultural College.

Sec. 320. That the County Commissioners of each of the several counties of the State are hereby authorized to provide and appropriate funds for use in and about agricultural or farm demonstrations and field work in such county, such funds to be provided either by special provision in the annual tax levy, not exceeding one-fourth ($\frac{1}{4}$) mill, of such county or by appropriation of funds not otherwise appropriated, and the same to be expended subject to the supervision of the Agricultural College of the University of Wyoming; and for each dollar so provided by such county there is hereby appropriated, in addition to the appropriation provided for in Section 2 of this Act, the sum of two dollars to be paid out of any moneys in the general fund of the State not otherwise appropriated and to

be available when the Secretary of State has been advised by the certificate of the County Commissioners of such county, countersigned by the President of the State University, that such provision has been actually made and that memorandums of agreement have been entered into between said county and the Agricultural College of the University of Wyoming, said moneys to be turned in to the Treasurer of the Board of Trustees of the University; provided, however, that in no event shall the total amount so appropriated to any one county exceed \$3,000.00 during any one year. [L. 1915, Chap. 25, Sec. 3.]

Districts.

Sec. 321. In order to obtain or increase the benefits to be derived from the provisions of this act, any two or more contiguous counties may unite in the formation of a district and each district so formed shall be regarded, for the purpose of this act, as a single county and shall be entitled to the same benefits under this act as if such districts were in fact one county; provided, however, that no county included in such district as a county, shall be entitled to any of the benefits of this act as long as the district formed as aforesaid, of which county is a part, shall receive such benefits. [L. 1915, Chap. 25, Sec. 4.]

Agricultural Experts.

Sec. 322. When the County Commissioners of any county or district, composed of two or more counties, have complied with the provisions of Section 3 of this act, they shall make a request for a county agent or agricultural expert to be sent them by the Agricultural College of the University of Wyoming and the authorities of said university shall provide them with a suitable man, qualified to do the work usually expected from a man educated in the science of agriculture; provided, an unsatisfactory man shall not be continued as county agent. And it shall be the duty of the Agricultural College of the University to carry into effect the provisions of conferring with each Board of County Commissioners. [L. 1915, Chap. 25, Sec. 5.]

Money from Other Sources.

Sec. 323. That the Board of Trustees of the University of Wyoming is authorized to receive from any source whenever and wherever the same may be available, moneys to be applied and expended under the supervision of said Agricultural College, in aid of all or any of the purposes aforesaid and all such sums shall be and are hereby deemed to be appropriated for the purposes aforesaid. Any and all sums so received shall be in addition to any other benefits to be derived by such county hereunder, and shall be paid out upon requisition as

provided for other university funds. [L. 1915, Chap. 25, Sec. 6.]

POLL TAXES.

Levy and Collection.

Sec. 324. At their first meeting in January of each year, or as soon thereafter as possible, the Boards of Commissioners in each and every county in the State, shall annually levy a school poll tax of two dollars for each and every person between the ages of twenty-one years and fifty years inclusive, for county school purposes, which poll tax shall be due and payable at the time of assessment; and may be collected by the County Assessors at any time during the year, and it shall be lawful for the Treasurer or Collector to levy upon any county warrant or warrants, or other evidences of indebtedness, which are the property of any delinquent taxpayer, at any time after said poll tax shall have become due and payable, and to sell and dispose of the same to the best advantage, and apply the proceeds thereof to the payment of taxes due from said delinquent, giving a proper receipt therefor to said delinquent. Provided, that the provisions of this section shall not be construed to apply to owners of real estate in the county where school poll taxes are levied. [L. 1915, Chap. 33, Sec. 1.]

Receipts Prepared by County Treasurer.

Sec. 325. The County Treasurer shall, before the first day of March, 1915, and before the first Monday in February of each year thereafter, cause to be printed blank stub poll tax receipts, for the use of the assessors and deputies. The style of such blanks shall be changed every year. The County Treasurer shall, before the first day of March, 1915, and before the first Monday in February of each year thereafter;

1. Number and sign the blank poll tax receipts.
2. At the time of signing make an entry of the whole number thereof, and of the first and last number placed thereon, in a book to be kept by him for that purpose.
3. Deliver all such blanks to the County Clerk, and charge him therewith. [L. 1915, Chap. 33, Sec. 2.]

Duty of County Clerk.

Sec. 326. The County Clerk, upon receipt thereof, shall sign the same, and make in a book to be kept by him for that purpose a similar entry to that prescribed in sub-division 2, of the preceding section. The County Clerk shall, at any time after the first Monday in February, deliver to the Assessor the blanks and charge him therewith. [L. 1915, Chap. 33, Sec. 3.]

Duty of County Assessor.

Sec. 327. The Assessor shall demand payment of poll tax of every person liable therefor whose name does not appear upon the assessment list. Poll tax shall be added upon the assessment list to other taxes of persons liable therefor, paying taxes upon real and personal property, and paid to the County Treasurer at the time of the payment of other taxes. Every person indebted to one who neglects or refuses, after demand, to pay a poll tax becomes liable therefor, and must pay the same for such other person or persons, after service upon him by the Assessor of a notice in writing, stating the name of such person or persons. Notice to a corporation shall be served on the person on whom process may be served, as in civil actions. [L. 1915, Chap. 33, Sec. 4.]

Employers Liable.

Sec. 328. Every person, corporation or association employing one or more persons subject to poll taxes are liable for any and all poll taxes that may be due from such employees, and may deduct the amount paid out for such poll taxes from any sum due to the extent of any moneys due to such employees at the time when served with notice by the Assessor as provided in Section 4 of this Act, or that may afterwards become due, for such employes, whether the wages are payable directly to the employees or other persons who furnish such employees under contract. The Assessor may require the person or his agent or any officer or agent or manager of any association to make a verified statement showing the number and giving the names of the employees of such person, association or corporation. The person, association or corporation refusing to make such verified statement shall forfeit the sum of one hundred dollars which may be recovered in an action brought in the name of the county. [L. 1915, Chap. 33, Sec. 5.]

Assessor May Seize Property.

Sec. 329. The Assessor, in case of the failure of a person, corporation or association to pay the poll tax in the manner mentioned in this chapter, shall seize so much of the property of such person, association or corporation as will be sufficient to pay the poll tax and costs, and sell the same as provided in Section 2419 of Chapter 162, Compiled Statutes of Wyoming, 1910. Every person paying the poll tax of another may deduct the same from any indebtedness of such other person. The Assessor shall deliver the poll tax receipt, filled out with the name of the person owing the tax, to the purchaser of property at any such sale; in other cases he shall deliver it, filled out in like manner, to the person paying the tax. The receipt so delivered is the only evidence of payment. [L. 1915, Chap. 33, Sec. 6.]

Monthly and Final Settlement by Assessor.

Sec. 330. On the first Monday in each month the Assessor shall make oath before the County Clerk, of the total amount of poll taxes collected by him during the last preceding month, and shall, at the same time, settle with the County Clerk for the same, and pay into the County Treasurer's office the total amount of poll taxes collected. On the first Monday in January of each year the Assessor shall return to the County Clerk all the poll tax receipts received by him and not used, together with the stubs of receipts used, and shall make final settlement with the County Clerk and Treasurer therefor. The County Clerk shall, as soon as settlement is made, return to the Treasurer the receipts not used, together with the stubs of receipts used. The Treasurer shall credit the County Clerk with the receipts so returned, and shall thereupon seal them up, together with the stubs of receipts used, securely and deposit them in his office. [L. 1915, Chap. 33, Sec. 7.]

Roll of Names—School Fund.

Sec. 331. The Assessor shall keep a roll of names and local residence, or place of business, of all persons subject to or liable for poll tax, and if paid, date and amount of each payment, and if not paid, the cause of non-payment. The proceeds of the poll tax shall be paid to the County Treasurer, as provided by law, for the exclusive use of the school fund in the district in which said poll tax is collected. [L. 1915, Chap. 33, Sec. 8.]

GIFTS FOR EDUCATIONAL PURPOSES.**Charitable Trust, Exempt from Taxation.**

Sec. 332. That all property devised, bequeathed or given for non-sectarian, public educational purposes in this State, or for the purpose of non-sectarian, public education of the youths of this State shall be considered as charitable trusts, and the said property, so long as the same is not diverted from the purposes herein expressed, shall be exempt from taxation including inheritance taxation. [L. 1915, Chap. 34, Sec. 1.]

May Incorporate.

Sec. 333. The executors, trustees or persons receiving such devise, gifts or legacies may organize and form a corporation under the provisions of and to be governed by, as near as may be, Chapter 280 of the Wyoming Compiled Statutes of 1910, and the provisions of this act. The purposes and powers of such corporation may include either or all of those mentioned in subdivision fourth, fifth and sixth of Section 4212 of said Chapter 280 of the Wyoming Compiled Statutes of 1910, and the further purposes, if desired, to establish and maintain a

school or schools of technology or other similar institutions, and advance, in such manner as may be found advisable, the education of the youths of this State. An amendment to the certificate of incorporation may be made from time to time by the Trustees or Board of Directors, changing the number of Trustees (to be, however, not less than three), or by adding thereto such of the powers and purposes above enumerated as have not heretofore been included; such amendment shall be executed in duplicate, shall be duly acknowledged by the president and secretary of such corporation, and shall be filed in the same manner as is required in the case of the original certificate. [L. 1915, Chap. 34, Sec. 2.]

Powers of Executors, Trustees and Corporations.

Sec. 334. Such Executors, Trustees or persons receiving such devises, gifts or legacies, and the corporations formed as above mentioned, shall have the power to receive gifts and donations of real and personal property in any amount and value; to sell all real and personal property coming in their hands and to reinvest the same in and hold other property; to make a gift to or loan to such persons, deemed proper by the said Board of Trustees, of an amount or amounts of money, for the purpose of educating such person either in the schools of this or any other State or county, and generally to do all other things not inconsistent herewith, or with the terms of the original devise, bequest or gift, so as to advance the general education of the youths of this State. [L. 1915, Chap. 34, Sec. 3.]

RIGHTS OF WAY ACROSS STATE AND SCHOOL LANDS.

Sec. 335. That the State Board of Land Commissioners and State Board of School Land Commissioners may, at their discretion, grant permanent rights of way or easements across or upon any portion of State or School lands, upon such terms as the Board may determine, for any ditch, reservoir, railroad, public highway, telegraph and telephone lines, or other public conveyances. [C. S. 1910, Sec. 649; L. 1915, Chap. 35, Sec. 1.]

LEASING STATE AND SCHOOL LANDS.

Manner of Leasing State Lands.

Sec. 336. The State Board of Land Commissioners and also the State Board of School Land Commissioners shall severally lease all State and School lands belonging to the State in such manner and to such parties as shall inure to the greatest benefit and secure the greatest revenue to the State. Preference shall in all cases be given to applications for leases of

either State or School lands to persons who are resident citizens and taxpayers of the State, and applications made by citizens of the State who hold title to lands upon which they reside nearest to any State or School lands applied for shall be given a preference right over all other applicants to lease the same at such rental as the Board shall deem equitable and just; provided, that such preference right shall not be given as against the application of the old lessee who has made valuable improvements upon the lands applied for or on lands in the vicinity thereof, if the Board shall find that such preference right will work extreme financial hardship upon such old lessee, and such preference to resident title-holders shall extend to an area of lands equal to twice the area of lands to which such resident citizen holds title, not, however, to exceed six hundred and forty acres of School or educational institutions lands, or a total of two thousand five hundred and sixty acres of State and School lands.

Where two or more applicants claim preference by reason of holding title to lands nearest to lands applied for, the Boards shall grant leases upon a basis as nearly equitable as possible. Applicant claiming the preference right accorded by this section must set forth such claims at the time of making their applications, or subsequent thereto, and prior to the expiration of any prior lease on the lands covered by such application. [C. S. 1910, Sec. 615; L. 1915, Chap. 38, Sec. 1.]

TAX FOR UNIVERSITY BUILDINGS.

Levy—Expenditure.

Sec. 337. In order that the University of Wyoming may be kept in a condition of full efficiency as required by the terms of Section Sixteen of Article Seven of the Constitution of the State of Wyoming, there shall be assessed upon all taxable property in the State in each year a tax of one-eighth of a mill, in addition to other levies or appropriations now authorized or to be authorized by law, upon each and every dollar of the assessed valuation of such property, which tax shall be levied, collected, and paid to the State Treasurer in the manner provided by law for the levy, collection and payment of other State taxes. Said tax, when so paid to the State Treasurer, shall be paid to the Treasurer of the said Board of Trustees upon the warrant of the State Auditor, to be issued upon request of said Board of Trustees. The proceeds of said tax shall be appropriated and expended by the said Board of Trustees for such permanent buildings and improvements as the said Board in its discretion may deem necessary. Provided, however, that any revenue thus collected which shall be in excess of the

amount required to meet the expenses of buildings and improvements in any given year, may be expended by said Board for the maintenance of extension work in departments other than agriculture and home economics. [L. 1915, Chap. 42.]

LEGALIZING CERTAIN SCHOOL BONDS.

Sec. 338. Whereas, School District No. 1, in the County of Uinta and State of Wyoming, held an election in the court room of the Uinta County Court House at Evanston within said district on Monday, the 4th day of May, 1914, on the proposition of issuing Twenty-five Thousand (\$25,000.00) Dollars of the bonds of said School District for the purpose of building a high school building; and,

Whereas, at said election a majority of the voters voted in favor of the issuance of said bonds; and,

Whereas, the said bonds were then advertised and sold to the State of Wyoming and the moneys received for the said bonds have been used in the erection of the proposed building, which has been accepted by the said School District; and,

Whereas, it is claimed that certain irregularities occurred in relation to some of the proceedings in issuing said bonds; now, therefore:

Be It Enacted by the Legislature of the State of Wyoming.

Sec. 1. That the said proceedings and the said bonds be, and they are hereby legalized and rendered valid and effective, and the said bonds are made valid, legal and binding in all the respects, as if each and every proceeding in the issuance of the said bonds had been in all respects due and regular and in conformity with the statutes governing the issue of such bonds. [L. 1915, Chap. 61.]

EMPLOYMENT OF CHILDREN.

Employment Prohibited.

Sec. 339. That no child under eighteen (18) years of age shall be employed or permitted to work in any brewery, distillery, saloon, concert hall or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, bottled or sold; no child under fourteen (14) years of age employed in the public messenger service, shall be required to deliver any message, package or any other thing whatsoever to any brewery, distillery, saloon, concert hall, or other establishment where malt or alcoholic liquors are manufactured, packed, wrapped, bottled or sold, or to any premises used for immoral purposes. [L. 1915, Chap. 77, Sec. 1.]

Improper Exhibitions—Dangerous Occupations.

Sec. 340. That [is] [it] shall be unlawful for any person having the care, custody or control, of any child under the age of sixteen (16) years to exhibit, use or employ such child as an actor or performer in any concert hall or room where intoxicating liquors are sold or given away, or for any illegal, obscene, indecent or immoral purposes, exhibition or practice whatsoever, or for any business or in any place, situation, or exhibition, or vocation injurious to the morals or health, or dangerous to the life or limb of such child, or cause, procure or encourage such child to engage therein; nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or musician in any church, school or academy, or the teaching or learning the science or practice of music, or in the physical development of its body in any respectable gymnasium or natatorium; nor shall anything in this section be construed to prevent children taking part in what are known as amateur entertainments or theatricals for charity, or not for profit, in schools, churches, settlement houses, or boys' or girls' clubs. [L. 1915, Chap. 77, Sec. 2.]

Mines, Smelters and Machine Shops.

Sec. 341. That it shall be unlawful for any person, firm or corporation, to take, receive, hire or employ any child or children under fourteen (14) years of age, in any underground works, or mine, in or about the surface workings thereof, or to any smelter, coke oven, or to adjust any belt to any machinery, or to operate, or assist in operating, circular or band saws; wood shapers, wood joiners, planers, sand paper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines in sheet metal and tin ware manufacturing, stamping machines in washer and nut factories; nor shall they be employed in operating any passenger or freight elevators, steam boiler, steam machinery, or other steam generating apparatus, or automobiles, wire or iron straightening machinery; nor shall they operate, or assist in operating, rolling mill machinery, punchers, or shears, nor shall they operate, or assist in operating laundry machinery, nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors, or white lead; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes. [L. 1915, Chap. 77, Sec. 3.]

Nine Hour Day.

Sec. 342. That no person under the age of fourteen (14) years shall be employed, or suffered, or permitted, to work at

any gainful occupation, except farm work or domestic service, more than fifty-six (56) hours in any one week, or more than nine (9) hours in any one day. [L. 1915, Chap. 77, Sec. 4.]

Seats for Girls.

Sec. 343. That no female under eighteen (18) years of age shall be employed, permitted, or suffered to work in any capacity where such employment compels her to remain standing constantly. Every person who shall employ any female under eighteen (18) years of age, shall provide suitable seats, chairs, or benches, for the use of the females so employed, which shall be so placed as to be accessible to such employees, and shall permit the use of such seats, chairs, or benches, by them in so far as the nature of their work allows, and there shall be provided at least one seat to every three (3) female employees. [L. 1915, Chap. 77, Sec. 5.]

Penalty.

Sec. 344. That any person, firm or corporation, employing any child in violation of the provisions of this Act, or permitting, or conniving at such violation, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) or imprisoned in the county jail not less than thirty (30) days nor more than ninety (90) days, or by both such punishments, in the discretion of the Court. [L. 1915, Chap. 77, Sec. 6.]

PHYSICAL EXAMINATION OF SCHOOL PUPILS.

Teacher to Make Examinations.

Sec. 345. It shall be the duty of every teacher engaged in teaching in the public schools of incorporated cities and towns of the State separately and carefully to test and examine every child under his or her jurisdiction to ascertain if such child is suffering from defective sight or hearing or diseases of nose or throat. Provided, that such examination shall be made by observation by the teachers, without using drugs or instruments and without coming in physical contact with said child. [L. 1915, Chap. 127, Sec. 1.]

Charts—Questions—Report.

Sec. 346. In making the tests required by Section 1 of this Act the teacher shall employ eye testing charts of a standard character approved and supplied by the State Superintendent of Public Instruction and shall conform to the rules of the State Superintendent in methods of applying such tests, especial attention being given to defects that may be disclosed by the following questions:

1. Does the pupil habitually suffer from inflamed lids or eyes?
2. Does the pupil fail to read a majority of the letters in the number 20 line of the standard vision chart with either eye?
3. Do the eyes and head habitually grow weary and painful after study?
4. Does the pupil appear to be "cross-eyed"?
5. Does the pupil complain of ear-ache in either ear?
6. Does matter (pus) or a foul odor proceed from either ear?
7. Does the pupil fail to hear an ordinary voice at twenty feet in a quiet room?
8. Is the pupil frequently subject to "colds in the head" and discharge from the nose and throat?
9. Is the pupil an habitual "mouth breather"?

If an affirmative answer is found to any of these questions the teacher shall give such pupil a report to his parent or guardian made on a report blank prepared and furnished by the State Superintendent of Public Instruction, such report to be made in form prescribed by the State Superintendent.

It shall be the further duty of the teacher to record the results of the examination required by Section 1 of this Act in such manner as may be prescribed by the State Superintendent of Public Instruction. [L. 1915, Chap. 127, Sec. 2.]

Duty of State Superintendent.

Sec. 347. It shall be the duty of the State Superintendent of Public Instruction to prescribe rules for making such tests as are required by this Act and to prepare copies thereof, together with all blanks, charts and printed forms deemed necessary by the State Superintendent for carrying into effect the provisions of this Act, and to distribute them to all the public school teachers in incorporated cities and towns of the State, such distribution to be made through the District Boards or, if there be such, through the executive officers, thereof, the expenses of such printing and distribution to be borne out of the State Superintendent's contingent; Provided, that the annual expense for such purpose shall not exceed one hundred and fifty dollars. [L. 1915, Chap. 127, Sec. 3.]

When Tests Are to Be Made.

Sec. 348. During the first month of each school year, after the opening of school, teachers must make the tests required of this Act upon the children then in attendance at school; and thereafter, as children enter school during the year, such tests must be made immediately upon their entrance. [L. 1915, Chap. 127, Sec. 4.]

Boards of Trustees to Enforce This Act.

Sec. 349. It shall be the duty of the Boards of Trustees of the several school districts of the State to enforce the provisions of this Act. [L. 1915, Chap. 127, Sec. 5.]

FUNDS FOR MAINTENANCE OF HIGH SCHOOLS.**Tax Limit.**

Sec. 350. That should any school district determine to conduct a four year high school, with a course of study sufficient to prepare its pupils for admission to the State University, the said district shall then possess and have added to its present taxing powers, the taxing powers of a high school district under the present high school district law, to-wit: Not to exceed two mills on the dollar on all taxable property in the school district for teachers' wages and contingent expenses and in case of building, not to exceed in all ten mills on the dollar on all taxable property within the district. [L. 1915, Chap. 158, Sec. 1.]

Elimination of District from High School District.

Sec. 351. The vote to determine whether or not any school district may be eliminated from any high school district at present organized and that the said school district will maintain such a school shall be by ballot and at the annual meeting or special meeting called for that purpose. The form of the ballot shall be, "For a Four Year High School" and "Against a Four Year High School." Fifty-one per cent of the electors present of each and every school district comprising said high school district and voting for the high school shall be sufficient authority for the elimination of said district from said high school district and for the voting and levying of the additional funds above mentioned for high school purposes. [L. 1915, Chap. 158, Sec. 2.]

Taxing Power Continues.

Sec. 352. After the establishment of such a high school the power shall remain with the district to provide annually for its maintenance so long as it shall maintain a four year high school of the above standard. [L. 1915, Chap. 158, Sec. 3.]

STATE TEACHERS' INSTITUTE.**Held Annually—Secretary and Treasurer.**

Sec. 353. To promote uniformity in the methods of teaching throughout the State and greater efficiency in the public schools, through lectures, discussion, demonstration, and other means within the scope of institute work, the State Superin-

tendent of Public Instruction shall hold and conduct annually a State Teachers' Institute at a time and place to be determined by said Superintendent. Said institute may be held at the same time and place as the annual meeting of the State Teachers' Association and concurrently therewith, in case the said association does not require as a condition of membership the payment of a fee or dues by a teacher who has paid the annual certificate registration fee as hereinafter provided. The State Superintendent shall appoint a secretary and treasurer of the State Teachers' Institute, and shall have authority to fill any vacancy occurring in either of those offices, and determine the amount of compensation, if any, to be paid said officers respectively; provided, that such compensation shall be paid only out of the funds provided by this act for defraying the expenses of holding and conducting the State Institute. The secretary and treasurer so appointed shall hold office at the pleasure of the Superintendent, and the treasurer shall be required to give a bond in a sum not less than one thousand dollars for the faithful performance of his duties and the faithful accounting for any money which shall come into his hands as such officer, to be approved by the Superintendent; the fee or charge for said bond to be paid out of the funds made by this act available for defraying the expenses of said Institute. [L. 1915, Chap. 161, Sec. 1.]

Certificate Registration Fee.

Sec. 354. At the time of the first registration of a teacher's certificate of any class in the office of the County Superintendent of Schools of any county, as required by Section 2022 of the Compiled Statutes, 1910, the teacher named in said certificate shall pay to the County Superintendent as a registration fee the sum of one dollar, and thereafter in each school year a like fee of one dollar, to be known as the annual registration fee, shall be paid by each holder of a teacher's certificate of any class, who is engaged in teaching in any of the public schools in the State, to the County Superintendent of the county wherein the holder of such certificate is so engaged; provided, that in case any such certificate shall be registered in more than one county during the same school year only one fee shall be paid therefor, the same to be collected by the Superintendent with whom the certificate is first registered during that year. The registration fees herein provided for shall be transmitted by each County Superintendent of Schools to the Treasurer of the State Teachers' Institute, with a statement showing the names of the several teachers paying the same, and thereupon the said treasurer shall issue a receipt for the amount to the County Superintendent. A duplicate of the statement sent to the treasurer shall at the same time be transmitted by the

County Superintendent to the State Superintendent of Public Instruction. The form of the report transmitting such fees and the receipt therefor shall be prepared and furnished by the State Superintendent of Public Instruction. The fees thus collected shall constitute a fund in the hands of the treasurer of the institute for the payment of the expenses of holding and conducting the said State Teachers' Institute, and the same shall be paid out by the Institute Treasurer upon the order of the Superintendent of Public Instruction, attested by the Institute Secretary. The term "school year" as used in this section shall be understood and construed to mean the period beginning the first day of September and ending the thirty-first day of August of the following calendar year. [L. 1915, Chap. 161, Sec. 2.]

Co-Operation Between State and Government.

Sec. 355. The sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury not otherwise appropriated, for the purpose of carrying out the provisions of the agreement entered into between the Governor of the State of Wyoming and the Bureau of Animal Industry of the United States Government, said amount to be expended under the supervision and direction of the State Board of Charities and Reform. (Approved by Governor for Seventy-five Hundred Dollars only.) [L. 1919, Chap. 145.]

CO-OPERATION WITH U. S. IN EDUCATION.

Sec. 356. The State of Wyoming hereby agrees to accept the provisions of the pending bill in the United States Senate designated as Senate 4987, to create a Department of Education, etc, or of any bill or act which may be enacted into law by Congress relating to the subject of said bill, and hereby designates the State Board of Education and confers upon said State Board all necessary powers to cooperate with the Department of Education of the United States in the administration of such bill or act of Congress in so far as the same relates to the aiding of the states in the promotion of education. [L. 1919, Chap. 41, Sec. 1.]

Sec. 357. It shall be the duty of the State Board of Education to provide for the education and training, and when necessary, for the support and maintenance of children resident in this State who are afflicted with stuttering, stammering, defects of the organs of speech, arrested physical development or other physical defects (caused by infantile paralysis or otherwise) or who are defective in mental development, and who are

in consequence of such defects unfitted for attendance in the public schools, and for whose instruction, treatment and care no adequate provision is made in the public schools or other public institutions of the State. It shall be lawful for the State Board of Education thus to provide for such children under the age of twenty-one years, by placing them in some school or institution in this State or elsewhere, as may be deemed expedient, or to provide for special classes for such children in the local schools of any city or rural district. [L. 1919, Chap. 41, Sec. 2.]

Sec. 358. The State Board of Education shall investigate and ascertain what children residing in the State may be suitable for the care, education and training provided for by this Act, and for such purposes may secure such expert assistance and advice as it shall deem needful, and any officials or employees of the State or of any county, city or public institution in the State, may be called upon by the State Board to render appropriate services without other or further compensation than their actual and necessary expenses incurred in such service, or the State Board of Education may, if it deem it advisable, employ an educational or medical expert to make such tests and diagnoses as will be necessary to determine what children need such treatment. [L. 1919, Chap. 41, Sec. 3.]

Sec. 359. All necessary expense for investigation, clothing, subsisting and transportation of pupils, and of keeping and maintaining them in such institution or institutions, shall be paid out of funds hereby appropriated upon itemized bills, which when allowed by the State Board shall be certified to by an officer of said State Board; Provided, that when the State Board is satisfied that the parents or guardians of such children are financially able to bear such expense in whole or in part they shall in all cases be required to do so. The said State Board shall assume the care for such children only in cases where the Board of Education of the school district in which such pupils reside shall approve such action. [L. 1919, Chap. 41, Sec. 4.]

Sec. 360. The sum of Ten Thousand Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the purpose of defraying the expenses incurred under this Act for the two years ending March 1, 1921. [L. 1919, Chap. 41, Sec. 5.]

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