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SCHOOL LAWS

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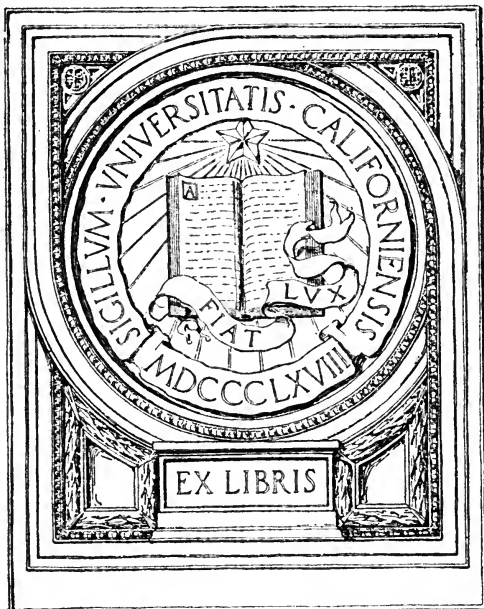
STATE OF WYOMING

... 1901 ...



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SCHOOL LAWS

Compliments of

Thos. T. Tynan,

Superintendent of Public Instruction.

COMPILED BY
THOS. T. TYNAN
SUPERINTENDENT OF PUBLIC INSTRUCTION
CHEYENNE, WYOMING

LARAMIE, WYOMING:
CHAPLIN, SPAFFORD & MATHISON, PRINTERS.

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SCHOOL LAWS

... OF THE ...

STATE OF WYOMING

In Force June 30, 1901

COMPILED BY
THOS. T. TYNAN
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TO THE
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SCHOOL LAWS OF WYOMING.

Superintendent of Public Instruction.

GENERAL DUTIES.

SEC. 91. The duties of superintendent of public instruction shall be as follows: He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties, each year, separately, and hold the same in readiness to be exhibited to the governor, or to any committees of either house of the legislature, and shall keep a fair record of all matter pertaining to the business of his office. He shall have a general supervision of all the district schools of the state, and shall see that the school system is, as early as practicable, put into uniform operation. He shall prepare and have printed suitable forms for all reports required by law, and shall transmit the same, with such instructions in reference to the course of studies as he may judge advisable, to the several officers entrusted with their management and care. He shall make all further rules and regulations that may be necessary to carry the law into full effect, according to its spirit and intent, which shall have the same force and effect as though contained herein. [R. S. 1887, Sec. 3906].

DISPOSITION OF DONATED BOOKS, MAPS AND SCHOOL APPARATUS.

SEC. 92. One copy of all books, maps, charts or school apparatus, which may be received by the superintendent of public instruction, from publishers, inventors or manufacturers, shall be placed by him in the public library of this state. [R. S. 1887, Sec. 3907].

the first class nine hundred dollars, in counties of the second class seven hundred and fifty dollars, in counties of the third class, six hundred dollars, and in counties of the fourth class 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. [S. L. 1901, Chap. 18].

DUTIES.

SEC. 1192. The duties of the county superintendent of schools shall be as follows: He shall on the first Monday of October in each year, transmit to the superintendent of public instruction a report, containing an abstract of the several particulars set forth in the reports 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. 1895, Ch. 44, Sec. 1].

APPORTIONMENT OF TAXES—DISTRICT TREASURER'S BOND.

SEC. 1193. On the first Monday of December, annually, he shall apportion the county school tax and all money in the county treasury, belonging to the school fund, in the following manner: Each school district in his county shall be apportioned the sum of one hundred and fifty dollars for the payment of teachers in such district, and all moneys remaining after such apportionment shall be apportioned to each district pro rata, in accordance with the number of pupils in attendance at the schools of said district, reported to him by the several district clerks; *Provided, always,* That each, every and all poll taxes, levied and collected for school pur-

poses, in each school district in this state, shall, when collected by the county treasurer, be paid over to the treasurer of the school district in which the persons respectively reside, who paid such poll tax, and the said poll taxes shall not be divided among the school districts of the county pro rata to the number of scholars in such school district, but the poll taxes so collected from the inhabitants of each school district shall be paid to the treasurer of the district in which they severally reside, for the support of the schools of such district; no district shall be entitled to the amount of one hundred and fifty dollars, for the payment of teachers, besides the pro rata apportionment as provided in this section, when there are less than eight scholars of school age in said district; he shall record a statement of such apportionment in his office, and he shall also notify the county treasurer of the same; he shall immediately draw an order on the county treasurer, in favor of the treasurer of each district for the amount of its proportion, and transmit the same to the treasurer of the district; *Provided*, Such district treasurer shall have given his official bond, which draft the county treasurer shall pay to the district treasurer on presentation of the draft properly endorsed. [S. L. 1895, Ch. 44, Sec. 1].

SUPPLEMENTAL APPORTIONMENT.

SEC. 1194. Should no apportionment of the school funds be made on the first Monday in December, as required in this chapter, he may make an apportionment as soon thereafter as practicable, in the same manner as hereinbefore provided. He may also make a supplementary apportionment of the money in the county school fund at any time after the first Monday in December, prior to the first of the following June, and such supplementary apportionment shall be pro rata, according to the number of pupils in attendance in any and all schools in each district, as reported to him by the several district clerks in their last annual reports. [S. L. 1895, Ch. 44, Sec. 1.]

BOUNDARIES OF DISTRICTS WHEN CHANGED—NUMBER.

SEC. 1195. The county superintendent of schools shall divide the county into school districts, and may alter and change the boundaries of districts thus formed, from time to time as the convenience of the inhabitants of the aforesaid district may require, and shall proceed to make such change at any time, when petitioned by two-thirds of the legal voters of any district: And the county superintendent of schools 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 so construed as to prevent the county superintendent of schools from joining any school district (having less than eight pupils) to any other school district lying contiguous thereto, if, in the judgment of said superintendent, it will be for the benefit of the public schools, so to join such districts. [S. L. 1901, Ch. 20.]

EXAMINATION OF TEACHERS—VISITS.

SEC. 1196. He shall examine every person offering himself or herself as a teacher of public schools under the provisions of section six hundred and thirty-one, and if in his opinion such person is qualified to teach a public school, shall give him or her a certificate as provided for in sections six hundred and twenty-seven and six hundred and twenty-eight, authorizing him or her to teach a public school in his county. He shall have the general superintendence of the schools of his 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. [S. L. 1901, Ch. 56.]

FAILURE TO MAKE REPORT—PENALTY.

SEC. 1197. 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. [R. S. 1887, Sec. 3915.]

SUPERVISORY AND APPELLATE AUTHORITY.

SEC. 1198. 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. [R. S. 1887, Sec. 3917.]

COUNTY TEACHERS' INSTITUTE.

SEC. 1199. The county superintendent of public schools shall hold annually, at some convenient place, a county teachers' institute for the instruction and advancement of teachers. Said institute shall continue not less than four days nor more than five days. The county superintendent shall preside at all meetings, and determine the time and place for holding such institute. It shall be the duty of all teachers actually engaged in teaching in such county to attend such institute unless they shall have a written excuse, signed by the county superintendent. It shall be the duty of each district board to pay all teachers who attend such institute, the same salary per day they would have paid had the same amount of time been spent in teaching. It shall be the duty of the county board of commissioners in each county, to appropriate annually the sum of one hundred dollars for the payment of such instructors or lecturers as the county superintendent may employ to assist him in holding the county institute. [S. L. 1888, Ch. 72, Sub-Div. 4, Sec. 1.]

School Districts—Organization and Powers.

NOTICE OF FORMATION OF NEW DISTRICT.

SEC. 523. 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 numbered by the superintendent of the county having the highest number of districts. [R. S. 1887, Sec. 3918.]

APPEAL FROM SUPERINTENDENT ON FORMATION OF DISTRICT.

SEC. 524. A majority of the voters in any school district, being dissatisfied with the formation of any school district, shall have the right to appeal from the superintendent to the board of county commissioners, and from the board of county commissioners to the superintendent of public instruction. [R. S. 1887, Sec. 3919.]

FIRST ELECTION OF TRUSTEES—OFFICERS OF DISTRICT.

SEC. 525. The qualified electors of a school district when assembled in accordance with the notice required in section five hundred and twenty-three, 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. [S. L. 1890, Ch. 77, Sec. 1.]

ELECTION OF TRUSTEES WHERE NUMBER INCREASED TO SIX.

SEC. 526. 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. [S.L. 1897, Ch. 38.]

SCHOOL DISTRICT SEAL.

SEC. 527. 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. [R. S. 1887, Sec. 3923.]

OATH OF DIRECTORS.

SEC. 528. 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, with-

out delay, transmit a copy of said oath in writing to the county superintendent of schools. [S. L. 1890. Ch. 77, Sec. 2.]

SCHOOL DISTRICT TO BE BODY CORPORATE.

SEC. 529. 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. [R. S. 1887, Sec. 3925.]

REGULAR MEETINGS OF DISTRICT.

SEC. 530. The regular meeting of each school district shall be held on the first Monday of May of each year. And, when present, the director and clerk shall preside as chairman and secretary of such meeting. [R. S. 1887, Sec. 3926.]

POWERS OF DISTRICT MEETING.

SEC. 531. 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; *Provided*, That the sum of money so voted shall not exceed ten mills on the dollar of all taxable property in each school district; *Provided, further*, That the tax to be levied and collected, as authorized by this section, shall not exceed five mills on the dollar of the assessed valuation of the taxable property in any one year in all school districts having a total valuation of property exceeding three millions of dollars, or a valuation thereof of less than two hundred thousand dollars.

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 subdivisions to the district board; *Provided*, that the district board shall not have power to vote or raise money as provided in subdivision five.

9. To transact generally such business as may tend to promote the cause of education in accordance with the provisions of this title. [R. S. 1887, Sec. 3927; S. L. 1888, Ch. 72, Sec. 12; S. L. 1890, Ch. 77, Sec. 5.]

OBJECTS IN VOTING MONEY TO BE DESIGNATED.

SEC. 532. 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 in this title. [R. S. 1887, Sec. 3928.]

MEETING MAY ADOPT RULES OF ORDER.

SEC. 533. 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. [R. S. 1887, Sec. 3929.]

TRANSFER OF SCHOOL FUNDS.

SEC. 534. 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. [R. S. 1887, Sec. 3930.]

MANNER OF CONDUCTING ELECTION OF TRUSTEES.

SEC. 535. 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.

[S. L. 1888, Ch. 73, Sec. 1.]

QUALIFICATIONS OF ELECTORS.

SEC. 536. 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. [S. L. 1890, Ch. 80, Sec. 179.]

ANNUAL ELECTION OF TRUSTEES—DISTRICT OFFICERS.

SEC. 537. Except as otherwise provided by law there shall be elected in each organized school district

at the regular annual 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 out-going 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. [S. L. 1890, Ch. 77, Sec. 3.]

DIRECTORS SHALL QUALIFY.

SEC. 538. 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 so to do, they shall be subject to the same penalty. [R. S. 1887, Sec. 3934.]

MEETINGS OF BOARD.

SEC. 539. The board of directors may hold such regular, special or adjourned meetings as they may from time to time determine. [R. S. 1887, Sec. 3935.]

POWERS AND DUTIES OF DISTRICT BOARD.

SEC. 540. The district board shall make all contracts, purchases, payments and sales, necessary to car-

ry 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. [R. S. 1887, Sec. 3936.]

MEMBERS OF BOARD MAY ADMINISTER OATHS.

SEC. 541. 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. [S. L. 1897, Ch. 4.]

AUTHORITY OF BOARD TO REMOVE SCHOLARS.

SEC. 542. 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. [R. S. 1887, Sec. 3937.]

WHEN BOARD TO ADVERTISE FOR BIDS.

SEC. 543. 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. [R. S. 1887, Sec. 3938.]

SETTLEMENT WITH TREASURER—REPORT TO DISTRICT MEETING.

SEC. 544. 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. [R. S. 1887, Sec. 3939.]

VISITING COMMITTEE.

SEC. 545. 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. [R. S. 1887, Sec. 3940.]

AUDITING AND PAYMENT OF CLAIMS.

SEC. 546. 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. [R. S. 1887, Sec. 3941.]

SPECIAL DISTRICT MEETINGS—REQUISITES OF NOTICE.

SEC. 547. 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. [R. S. 1887, Sec. 3942.]

TERM OF EXISTING APPOINTEES TO FILL VACANCIES.

SEC. 548. 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. [S. L. 1901, Ch. 58.]

BOND OF DISTRICT TREASURER.

SEC. 550. 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 such 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 the county commissioners of the county in which the district is situated, for the benefit of said district. [R. S. 1887, Sec. 3945.]

ESTABLISHMENT OF HIGH SCHOOLS.

SEC. 551. 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. [R. S. 1887, Sec. 3946.]

SEPARATE SCHOOL FOR COLORED CHILDREN.

SEC. 552. 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. [R. S. 1887, Sec. 3947.]

EMPLOYMENT AND PAYMENT OF TEACHERS.

SEC. 553. The district board shall employ all teachers necessary for the schools of the district, and pay them by draft on the treasurer. [R. S. 1887, Sec. 3948.]

SCHOOL AGE—COMPULSORY EDUCATION.

SEC. 554. The district schools established under the provisions of this title 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. And it shall be the duty of all parents and guardians or other persons having the control of children between the ages above mentioned, to send such children to some school, at least three months in each and every year, except in case of invalids, and others to whom the school room would be injurious. In such cases the district board shall, upon receipt of a physician's certificate, excuse such children; and the district board may, in its discretion, excuse children from attendance when a compliance with this title would work great hardship. In all such cases the clerk of the board shall state the reason for excuse; and the name of the child or person excused, and the length of time for which excused, at large in the minutes of the proceedings of the board. *Provided*, That in all cases the applicant may appeal from the decision of the board to the county superintendent, whose decision shall be final. [R. S. 1887, Sec. 3949.]

LIABILITY OF PARENTS AND GUARDIANS—AUTHORITY OF POLICE OFFICERS.

SEC. 555. Any parent or guardian, or other person, having children in their charge between the ages of seven and sixteen years, who shall neglect or refuse to comply with the provisions of this chapter, shall, on conviction, be punished by a fine not exceeding twenty-five dollars, for each and every offense, and it shall be the duty of all sheriffs, constables or police officers, at all times, whenever it comes to their knowledge that any child is living idly and loitering about the streets or thorough-

fares and spending its time in an idle and dissolute manner, to notify some member of the school board of the district in which such child is living, whose duty it shall be to immediately make all the proper inquiries to ascertain the reasons for the non-attendance of said child in some school of the county in which such child may be found by said board. If any such child or ward is wilfully violating the conditions of this law, it shall become the duty of the county superintendent of schools, on written notice from the board, to make complaint before some justice of the peace against the parent or guardian of said child or ward, or to make complaint against such child or ward, as provided in cases of vagrancy, under the laws of this state. [R. S. 1887, Sec. 3950.]

District Officers and Their Duties.

DIRECTOR TO PRESIDE AT MEETINGS AND COUNTER-SIGN ORDERS.

SEC. 556. The director, when present, shall preside at all meetings of the board of the district, and counter-sign all orders on the treasury for the payment of money. [R. S. 1887, Sec. 3951.]

HOW DRAFTS AND ORDERS DRAWN.

SEC. 557. All drafts and orders drawn on the district treasurer, as required in the foregoing section, shall specify the fund on which they are drawn, and the use for which the money is designed, and shall be signed by the district clerk. [R. S. 1887, Sec. 3952.]

BY WHOM DISTRICT TO APPEAR IN ACTIONS.

SEC. 558. 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. [R. S. 1887, Sec. 3953.]

DUTIES OF CLERK.

SEC. 559. 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. [S. L. 1890, Ch. 77, Sec. 4.]

CLERK TO CERTIFY DEBT LIMIT.

SEC. 560. 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. [S. L. 1890-91, Ch. 43, Sec. 2.]

CLERKS SHALL KEEP ACCOUNTS.

SEC. 561. 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. [R. S. 1887, Sec. 3955.]

NOTICE OF DISTRICT MEETINGS.

SEC. 562. 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. [R. S. 1887, Sec. 3956.]

ANNUAL REPORT OF CLERK TO COUNTY SUPERINTENDENT.

SEC. 563. The district clerk shall, on the first Monday of September in each year, submit a report to the county superintendent, for the year past, then ending:

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 respectively, 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 each school.

9. The aggregate amount paid teachers during the year, the source from which the same was received, and the amount of the 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 in this title, and such other information as he may deem useful. [R. S. 1887, Sec. 3957.]

FAILURE TO MAKE REPORT—PENALTY.

SEC. 564. 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 all loss resulting to the district from such failure, suit to be brought in both cases by the director, in the name of the district, on his official bond. [R. S. 1887, Sec. 3958.]

DUTIES OF TREASURER—PUBLICATION OF REPORT.

SEC. 565. 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 next preceding such report. [R. S. 1887, Sec. 3959.]

TEACHERS' FUND.

SEC. 566. 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. [R. S. 1887, Sec. 3960.]

SCHOOL HOUSE FUND.

SEC. 567. The school house fund shall consist only of taxes collected in the district; and all 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. [R. S. 1887, Sec. 3961.]

TREASURER TO RECEIVE DISTRICT MONEY.

SEC. 568. The district treasurer shall apply for, and receive all money apportioned to the district, by the county superintendent, when notified of said apportionment. [R. S. 1887, Sec. 3962.]

TREASURER TO RENDER STATEMENT ON REQUEST.

SEC. 569. 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. [R. S. 1887, Sec. 3963.]

School District Bonds.

AUTHORITY TO CALL ELECTION TO DETERMINE ISSUE.

SEC. 570. 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 cou-

pon 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. [S. L. 1897, Ch. 41.]

BOND ELECTION—ISSUE OF BONDS.

SEC. 571. 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 five hundred and seventy-two. [S. L. 1888, Ch. 72, Sec. 2.]

SALE OF BONDS—APPLICATION OF PROCEEDS.

SEC. 572. 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. [S. L. 1888, Ch. 72, Sec. 3.]

PLEDGE FOR PAYMENT.

SEC. 573. 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. [S. L. 1888, Ch. 72, Sec. 4.]

TAX LEVY TO REDEEM AND PAY INTEREST.

SEC. 574. 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." [S. L. 1888, Ch. 72, Sec. 5.]

REDEMPTION.

SEC. 575. 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. [S. L. 1888, Ch. 72, Sec. 6.]

PAYMENT OF INTEREST.

SEC. 576. 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. [S. L. 1888, Ch. 72, Sec. 7.]

PREPARATION OF BONDS.

SEC. 577. 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. [S. L. 1888, Ch. 72, Sec. 8.]

PENALTY FOR MISAPPLICATION OF FUNDS BY TRUSTEES.

SEC. 578. 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. [S. L. 1888, Ch. 72, Sec. 9.]

COUNTY TREASURER SHALL HAVE CUSTODY OF FUNDS.

SEC. 579. 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 district. [S. L. 1888, Ch. 72, Sec. 10.]

ADDITIONAL BOND OF COUNTY TREASURER.

SEC. 580. 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 act, 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. [S. L. 1888, Ch. 72, Sec. 11.]

Refunding School District Bonds.

POWER OF BOARD TO ISSUE REFUNDING BONDS.

SEC. 581. 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. [S. L. 1893, Ch. 10, Sec. 1.]

FORM OF BOND, TIME AND INTEREST.

SEC. 582. 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 number, 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. [S. L. 1893, Ch. 10, Sec. 2.]

REGISTRATION OF BOND.

SEC. 583. 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. [S. L. 1893, Ch. 10, Sec. 3.]

BY WHOM SIGNED AND SALE THEREOF.

SEC. 584. 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. [S. L. 1893, Ch. 10, Sec. 4.]

COUPONS—WHERE PAID.

SEC. 585. 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. [S. L. 1893, Ch. 10, Sec. 5.]

TAX TO PAY INTEREST AND PRINCIPAL.

SEC. 586. There shall be annually levied by the board of county commissioners of the county, within which is situate 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 No....." 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. [S. L. 1893, Ch. 10, Sec. 6.]

DUTY OF SCHOOL DIRECTORS AS TO REDEMPTION.

SEC. 587. The board of school directors of any school district, which may issue bonds, as provided in this article, 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. [S. L. 1893, Ch. 10, Sec. 7.]

PROPERTY IN DISTRICT PLEDGED FOR PAYMENT.

SEC. 588. 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. [S. L. 1893, Ch. 10, Sec. 8.]

DUTY OF COUNTY TREASURER.

SEC. 589. 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 article provides, may have been issued. Such bonds so redeemed shall be cancelled by the county treasurer and turned over to the board of school direct-

ors 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. [S. L. 1893, Ch. 10, Sec. 9.]

FUNDS REALIZED FROM SALE OF REFUNDING BONDS.

SEC. 590. 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 expense 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 five hundred and eighty-six. [S. L. 1895, Ch. 10, Sec. 1.]

BALANCE IN THE HANDS OF COUNTY TREASURER—HOW USED.

SEC. 591. 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 re-

maining 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 five hundred and eighty-six. [S. L. 1895, Ch. 10, Sec. 2.]

SURPLUS—HOW USED.

SEC. 592. 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. [S. L. 1895, Ch. 10, Sec. 3.]

Public Kindergarten.

POWER OF TRUSTEES TO ESTABLISH KINDERGARTEN.

SEC. 593. 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. [S. L. 1895, Ch. 50, Sec. 1.]

SHALL BE PART OF SCHOOL SYSTEM—TEACHERS.

SEC. 594. 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 other 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. [S. L. 1895, Ch. 50, Sec. 1.]

LAW NOT CHANGED IN REFERENCE TO APPORTIONMENT.

SEC. 595. Nothing in this article 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. [S. L. 1895, Ch. 50, Sec. 1.]

HOW CARRIED INTO EFFECT.

SEC. 596. That for the purpose of carrying into effect the provisions of this article, 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. [S. L. 1895, Ch. 50, Sec. 2.]

Free Text Books.

DUTY OF SCHOOL DIRECTORS.

SEC. 597. 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. [S. L. 1891, Ch. 38.]

PUBLISHERS MUST FILE BOND.

SEC. 598. Before any publisher of school books shall be permitted to enter into contract with any school district under the provisions of this article, he shall file with the state superintendent of public instruction, to be approved by him, a good and sufficient bond in the sum of two thousand to twenty thousand dollars, which amount shall be fixed by the state superintendent of public instruction, for the faithful performance of the conditions of such contracts, and the observance of the requirements of this article; and such publisher shall also file with the state superintendent of public instruction, a sworn statement of the lowest prices for which his series of text books are sold anywhere in the United States; and a failure to file such bond and sworn statement of prices shall be a good and valid defense on the part of the district against payment for any books that may be sold by such publisher prior to the date of filing such bond and sworn statement of prices; and all such contracts to which such publisher is a party made prior to filing such bond and sworn statement of prices, shall be null and void. [S. L. 1899, Ch. 29, Sec. 2.]

BOOKS—PAID FOR FROM PUBLIC SCHOOL LAND INCOME FUND.

SEC. 599. The books to be purchased under the provisions of this article shall be paid for by the directors of the different school districts of the state, out of the public school land income fund, when the same shall be distributed to such districts annually. [S. L. 1899, Ch. 29, Sec. 11.]

BOOKS PAID FOR BY ORDER ON DISTRICT TREASURER.

SEC. 600. 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. [S. L. 1899, Ch. 29, Sec. 3.]

ORDERS—FROM WHAT FUNDS PAID.

SEC. 601. 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. [S. L. 1899, Ch. 29, Sec. 4.]

PUBLISHER BECOMING MEMBER OF TRUST NULLIFIES CONTRACT.

SEC. 602. Any contract entered into under the provisions of this article 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. [S. L. 1899, Ch. 29, Sec. 5.]

DUTY SUPERINTENDENT OF PUBLIC INSTRUCTION.

SEC. 603. The state superintendent of public instruction shall, within thirty days after the filing of the hereinbefore mentioned sworn statement of prices of text books, have the same printed and forward a sufficient number of certified copies of the same to each of the county superintendents of the state to furnish all the school districts of such county with one copy each; and the county superintendent shall immediately after receiving said certified copies of prices of books send or deliver one of such certified copies to the directors or secretary of each school district or board of education in such county, to be filed as a part of the records of such district; and he shall also file one of said certified copies of prices in his office as a part of the records of said office. [S. L. 1899, Ch. 29, Sec. 6.]

SUPERINTENDENT MUST FURNISH FORM OF CONTRACT.

SEC. 604. It shall be the duty of the state superintendent of public instruction to prepare and have printed a form of contract between district boards and publishers of school books and to furnish the same through the county superintendent to the several district boards of the state; and no other form of contract shall be used by such district boards and publishers. [S. L. 1899, Ch. 29, Sec. 7.]

ATTORNEY GENERAL MUST INVESTIGATE VIOLATION OF CONTRACTS.

SEC. 605. 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. [S. L. 1899, Ch. 29, Sec. 8.]

BOOKS PROPERTY OF DISTRICT.

SEC. 606. 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 boards 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. [S. L. 1899, Ch. 29, Sec. 9.]

PUPILS MAY PURCHASE BOOKS.

SEC. 607. The provisions of this article shall include all school supplies; *Provided*, That nothing in this article 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. [S. L. 1899, Ch. 29, Sec. 10.]

Miscellaneous Provisions.

OFFENSES DEFINED—PENALTY.

SEC. 608. 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. [S. L. 1888, Ch. 72, Sub-Div. 2, Secs. 1-2.]

SCHOOL WEEK AND MONTH DEFINED.

SEC. 609. For the purposes of this chapter, a school week shall consist of five days; and a school month shall consist of all the days of a calendar month except Saturdays and Sundays, and legal holidays. [S. L. 1888, Ch. 72, Sub-Div. 3, Sec. 1.]

SCHOOL OFFICERS SHALL NOT BE AGENTS FOR SCHOOL SUPPLIES—PENALTY.

SEC. 610. 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 furniture, 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. [S. L. 1888, Ch. 72, Sub-Div. 3, Sec. 2.]

STATE TREASURER SHALL KEEP SCHOOL FUND.

SEC 611. 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. [S. L. 1888, Ch. 72, Sub-Div. 3, Sec. 3.]

PHYSIOLOGY AND HYGIENE SHALL BE TAUGHT.

SEC. 612. Physiology and hygiene, which shall include in each division of the subject special reference to the effects of alcohol and narcotics upon the human system, shall be included in the branches taught in the common schools of the state, and shall be introduced and taught, either orally or by text book, in all departments of the public schools above the second primary grade, and in all educational institutions supported wholly or in part by the state. [R. S. 1887, Sec. 3969.]

FAILURE TO COMPLY WITH LAST SECTION—PENALTY.

SEC. 613. It shall be the duty of the several county and city superintendents of schools in the state, and of the secretary of the board of directors of all other educational institutions receiving aid from the state, to report to the state superintendent of public instruction 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 the branches mentioned in the last preceding section in any or all of the schools or other educational institutions under their charge, or over which they have jurisdiction, and such failure on the part of the above mentioned officers, so reported and satisfactorily proved, shall be deemed sufficient cause for withholding the warrant for the district appropriation of school money to which such school district or educational institution would otherwise be entitled. [R. S. 1887, Sec. 3970.]

DISCRIMINATION ON ACCOUNT OF SEX OR RELIGIOUS BELIEF PROHIBITED.

SEC. 614. 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. [S. L. 1890-91, Ch. 21.]

EXAMINATIONS REQUIRED.

SEC. 615. 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. [R. S. 1887, Sec. 3972.]

TEACHER'S REPORT.

SEC. 616. 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. [R. S. 1887, Sec. 3973.]

REFUSAL TO DELIVER RECORDS TO SUCCESSOR—PENALTY.

SEC. 617. 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. [R. S. 1887, Sec. 3974.]

EMPLOYMENT OF COUNSEL.

SEC. 618. In all cases where suits may be instituted, by, or against, any of the school officers contemplated or created by this title, 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. [R. S. 1887, Sec. 3975.]

COLLECTION AND DISPOSITION OF FINES.

SEC. 619. All fines, penalties and forfeitures provided by this title 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 have 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 forfeitures as the interest of the permanent fund is now, or may hereafter be, applied. [R. S. 1887, Sec. 3976.]

OFFICER FAILING TO PAY OVER MONEY—PENALTY.

SEC. 620. 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. [R. S. 1887, Sec. 3977.]

EFFECT OF CHANGE IN COUNTY BOUNDARIES ON SCHOOL DISTRICTS.

SEC. 621. 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. [R. S. 1887, Sec. 3978.]

STATE TREASURER AUTHORIZED TO RECEIVE DONATIONS FOR SCHOOLS.

SEC. 622. 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. [R. S. 1887, Sec. 3981.]

LIABILITY OF TREASURER FOR SCHOOL MONEY.

SEC. 623. 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. [R. S. 1887, Sec. 3982.]

SCHOOL BOARD MAY ESTABLISH MANUAL TRAINING SCHOOLS.

SEC. 624. 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. [S. L. 1895, Ch. 88.]

LAND INCOME FUNDS AVAILABLE—WHEN.

SEC. 625. On the fifteenth day of January, eighteen hundred and ninety-nine, and on the fifteenth 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.

Fourth—The “Penitentiary in Albany County Land Income Fund,” for the support and maintenance of the penitentiary located in Albany 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 confined 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 Buildings 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 fifteenth 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.

[S. L. 1897, Ch. 30.]

TEACHERS' CERTIFICATES.

SEC. 626. There are hereby established four grades of teachers' certificates; one to be known as a state or professional certificate, and county certificates of the first, second and third grades, which certificates shall show the branches in which the holder has been examined, and his or her relative attainments in each branch. No person shall receive a certificate who is known to the examining officer, or board, to be of immoral character, who is deficient in learning or ability to teach, or who does not write and speak the English language with facility and correctness. [S. L. 1899, Ch. 70, Sec. 1.]

SUBJECTS OF EXAMINATION.

SEC. 627. Every applicant for a certificate shall be examined in the subjects hereinafter mentioned, for the several grades, respectively as follows: For the third grade, in orthography, reading, penmanship, arithmetic, English grammar, geography, civil government, the history and constitution of the United States, the constitution of the state of Wyoming, physiology and hygiene, and the theory and practice of teaching. If the applicants shall pass an examination in these branches with an average of seventy per cent. and not fall below fifty per cent. in any branch, they shall receive a third grade certificate. If the markings of said applicant shall average eighty-five per cent. and not fall below sixty per cent. in any branch, a second grade certificate shall be issued. For the first grade certificate, the applicant shall pass an examination in all of the foregoing branches required in examination for second and third grade certificates, with the same requirements in percentage as in second grade certificates, and also in rhetoric, algebra, physical geography, plane geometry, English literature, political economy, and in any two of the following branches selected by the applicant, to-wit: Elements of botany, zoology, natural philosophy, biology, chemistry, psychology and bookkeeping. [S. L. 1901, Ch. 57.]

TIME CERTIFICATE IS GOOD.

SEC. 628. The third grade certificate shall entitle

the holder to teach for the period of one year; the second grade certificate shall entitle the holder to teach for the period of three years; the first grade certificate shall entitle the holder to teach for a period of four years; and the state or professional certificate shall entitle the holder to teach in any school of the state for a period of ten years, at the end of which time, if the teacher has been actively engaged for two years prior thereto in educational work, the state superintendent, or the state board of examiners and the state superintendent, may endorse said certificate, and this endorsement shall entitle the holder to teach for another period of ten years. [S. L. 1901, Ch. 57.]

EXAMINING BOARD.

SEC. 629. There shall be established in the state of Wyoming a state board of examiners which shall be composed of three members to be selected and appointed by the superintendent of public instruction from the principals of high schools and city superintendents of schools in the state and the faculty of the state university. This board shall serve without compensation other than actual expenses and transportation. It shall be the duty of said board to meet at some convenient place and prepare, for the use of the county superintendents of the various counties, uniform examination questions and deliver them to the state superintendent to be printed and sent to the county superintendents, and they may prescribe rules and regulations for the taking of such examinations. They shall hold at least one regular examination each year, giving notice by publication for four weeks of the time and place where such examination will be held, have the power to hold examinations and on their recommendation, the superintendent of public instruction shall, within fifteen days thereafter, issue professional certificates as provided in this article. [S. L. 1901, Ch. 57.]

APPLICANTS FOR PROFESSIONAL CERTIFICATES.

SEC. 630. Applicants for professional certificates shall show themselves to be competent to teach all the

branches required for the issuing of a first grade certificate in the counties, and, in addition thereto, shall show that they are qualified to teach all the branches usually taught in the high schools and academic courses. [S. L. 1899, Ch. 70, Sec. 4.]

EXAMINATION BY COUNTY SUPERINTENDENTS.

SEC. 631. County superintendents shall hold regular examinations in their counties at least twice in each year, and one of such examinations shall be held at the close of the teachers' institute held in their respective counties; the county superintendent may, in his discretion, require all teachers to pass a written examination prepared by the state board of examiners, and, where such examination is in writing, shall mark and file said written examination papers in his office, there to be kept for the period of one year, where it may be seen by any school board desiring to examine the same. *Provided*, That where a teacher has had professional training in some reputable normal training school for teachers, has taught successfully, and presents a diploma or other sufficient evidence of his or her qualifications to teach, the county superintendent may issue a certificate to such person stating the facts and setting forth the qualifications of such teacher. *And Provided, further*, That all persons who are graduates of the university of Wyoming, and on whom have been conferred the degree of Bachelor of Arts, or the degree of Bachelor of Science, or the degree of Bachelor of Pedagogy or Didactics, shall be exempt from taking the teachers' examination for certificate of the first, second and third grades, as provided in this article, and upon the presentation of their diploma granted by the university of Wyoming to the county superintendent of schools, it shall be the duty of such county superintendents to issue to such person a first grade certificate. Providing that the grading of all teachers so examined and all scholars or pupils of any school, university, or institution of learning shall be graded in plain definite figures on the basis of one hundred according to their respective merits. [S. L. 1901, Ch. 57.]

INVESTMENT OF LAND FUNDS.

SEC. 88. All permanent funds arising from the sale of state lands and any permanent addition thereto may, and whenever practicable shall be invested by the treasurer of the state, with the approval of the governor and attorney general, in bonds of the United States or of the state of Wyoming, or in bonds issued by school districts within this state, or registered county bonds of the state, or interest bearing warrants of this state. The interest only shall be used for the purpose for which the grant of lands was made. [S. L. 1895, Ch. 67, Sec. 1.]

ENUMERATION OF LEGAL HOLIDAYS.

SEC. 2696. The first day of January, the twelfth day of February, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the day that may be appointed by the president of the United States as the annual Thanksgiving day, the twenty-fifth 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 first day of January, the twelfth day of February, the twenty-second day of February, the thirtieth day of May, the fourth day of July, or the twenty-fifth day of December, fall upon a Sunday, the Monday following shall be a legal holiday. [S. L. 1901, Ch. 93.]

Laws of 1901.

CHAPTER 8.

An Act providing that a system of humane treatment of animals shall be taught in the public schools of Wyoming.

SECTION 1. That 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 in-

struction 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.

SEC. 2. This act shall take effect and be in force from and after its passage.

[Approved Feb. 6, 1901.]

CHAPTER 37.

An Act to protect birds and their nests and eggs.

SECTION 1. 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 act the following only shall be considered game birds: The Anatidal, 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.

SEC. 2. 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 offence 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.

SEC. 3. Sections 1 and 2 of this act 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 4 of this act.

SEC. 4. 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 3 and 4 of this act, and shall be further subject for each offence to the penalties provided therefor in sections 1 and 2 of this act.

SEC. 5. 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.

SEC. 6. The English or European house sparrow (*Passer domesticus*) and magpies are not included among the birds protected by this act.

SEC. 7. All acts or parts of acts, inconsistent with this act are hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

[Approved Feb. 14th, 1901.]

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