

CHAPTER 116.

COUNTY HIGH SCHOOLS.

APRIL 13. AN ACT to Authorize Counties to Establish and Maintain High Schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That each county in this State having a population of two thousand inhabitants, or over, as shown by the last State or federal census, may establish a high school, on the conditions and in the manner hereinafter prescribed, for the purpose of affording better educational facilities for pupils more advanced than those attending district schools, and for persons desiring to fit themselves for the vocation of teaching.

Counties of 2,000 people may establish high schools.

Purpose.

SEC. 2. When one third of the electors of a county, as shown by the returns of the last preceding election, shall petition the board of supervisors, requesting that a county high school be established in their county at the place in said petition named, then said board shall give twenty days' notice previous to the next general election, or previous to a special election duly called for that purpose, that they will submit the question to the electors of said county whether such high school shall be established; at which election said electors shall vote, by ballot, for or against establishing such county high school. The notice contemplated in this section shall be given through one or more newspapers published in said county, if any be published therein, and by at least one written or printed notice to be posted in each township.

On petition of $\frac{1}{3}$ the electors, the board of supervisors to submit question to people at general or special election.

Notice of elect'n.

SEC. 3. After said election, the ballots on said question shall be canvassed in the same manner as in the election for county officers; and if a majority of all the votes cast on said question shall be in favor of establishing said school, the board of supervisors shall immediately proceed to appoint six persons, who shall be residents of the county, but not more than two of whom shall be residents of the same township, who shall, with the county superintendent of common schools, constitute a board of trustees for said high school. Each of said trustees, appointed as aforesaid, shall hold his office until his successor is elected and qualified; and shall be required, within ten days after appointment, to qualify, by taking the oath of office, and giving such bond

Canvass of election.

Board of supervisors to appoint trustees.

Co. supt. to be one.

Term, oath, and bond.

as may be required by the said board of supervisors, for the faithful discharge of his duties.

SEC. 4. At the next general election after said appointment, there shall be elected in such county six high school trustees, who shall be divided into three classes of two each; and each class to hold their office one, two, and three years respectively, and their respective terms to be decided by lot. And each year thereafter there shall be two such trustees elected to succeed those whose term is about to expire. And said trustees shall qualify and enter upon the duties of their office in the same manner, and at the same time, as other county officers.

Election of trustees; classification and terms.

Qualification of same.

SEC. 5. The county superintendent shall be *ex-officio* president of said board of *directors* [trustees]; and, at their first meeting in each year, they shall appoint, from their own number, a secretary and treasurer, who shall perform the usual duties devolving upon such officers, for the term of one year, or until their successors are appointed to take their places.

Co. Supt. to be president; board to appoint secretary and treasurer.

SEC. 6. At said meeting, or at some succeeding meeting called for such purpose, said trustees shall make an estimate of the amount of funds needed for building purposes, for payment of teachers' wages, and for contingent expenses, and they shall present to the board of supervisors, a certified estimate of the per centum of tax required to raise the amount desired for such purposes: *Provided, however,* that in no case shall the tax for such purposes exceed, in any one year, the amount of five mills on the dollar on the taxable property of the county, and, when the tax is levied for the payment of teachers' wages and contingent expenses only, shall not exceed two mills on the dollar.

Trustees to make estimate of funds and per centum of tax required.

Proviso: maximum levy for this purpose.

SEC. 7. The said tax shall be levied and collected in the same manner as other county taxes, and when collected the county treasurer shall pay the same to the treasurer of the county high school, in the same manner that school funds are paid to the district treasurers as required by law.

Collection of tax; disposition by co. treasurer.

SEC. 8. The said treasurer of the high school shall give such additional bond as the board of trustees may deem sufficient, and receive all moneys from the county treasurer, and from other parties, that belong to the funds of said school, and pay the same out only by direction of the board of trustees, upon orders duly executed by the president, countersigned by the secretary thereof, stating the purpose for which they were drawn. Both the secretary and treasurer shall keep an accurate account of all moneys received

Treasurer to give additional bond, and receive and pay out moneys.

Secretary and treasurer to keep accounts;

and expended for said school; and at the close of each year, and as much oftener as required by the board, they shall make a full statement of the financial affairs of the school.

and to make statement.
 Selection of site; to be without expense to county.
 Purchases and contracts;
 maximum of same.

SEC. 9. The said board of trustees shall proceed as soon as practicable, after their appointment as aforesaid, to select the best site, in accordance with the vote of the county, that can be obtained without expense to the same; and the title thereof shall be vested in said county. They shall then proceed to make such purchases of material, and to let such contracts for their necessary school-buildings, as they may deem proper: *Provided, however,* That they shall not make any purchase or contract in any year to exceed the amount on hand, and to be raised by the levy of tax that year.

Employment and pay of teachers.
 Model schools.
 Students may teach.

SEC. 10. When said board of trustees shall have furnished a suitable building for the school, they shall employ some competent teacher to take charge of the same, and furnish such assistant teachers as they deem necessary, and provide for the payment of their salaries. As far as practicable, model schools shall be encouraged; and advanced students and those preparing to become teachers may be employed a portion of their time in teaching the younger pupils, in order that they may become familiar with the practice as well as theory of successful school teaching, and also avoid as far as practicable the expense of employing other assistant teachers.

Tuition free.
 Regulations as to qualifications.
 Apportionment of pupils;
 designation of same.

SEC. 11. Tuition shall be free to all pupils of such school residing in the county where the same is located. The board of trustees, however, 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 in the school. If there should be more applicants than can be accommodated at any time, each district shall be entitled to send its equal proportion of pupils, according to the number of scholars it may have, as shown by the last report to the county superintendent of common schools. And the boards of the respective school-districts shall designate such pupils as may attend.

Pupils from other counties.

SEC. 12. If, at any time, the school can accommodate more pupils than apply for admission from that county, the vacancies may be filled by applicants from other counties, upon the payment of such tuition as the board of trustees may prescribe; but at no time shall such pupils continue in said school to the exclusion of pupils belonging in the county in which such high school is situated.

SEC. 13. In any county where there is no county high school, it shall be lawful for the board of supervisors thereof, upon the presentation of a petition signed by a majority of the qualified electors of the county, to levy a tax, not exceeding one mill on the dollar in any one year, sufficient to pay the tuition of those scholars who desire to attend the county high school of some other county, or a high school or high school department established in the county, and, when they do attend such high school, this tuition may be paid out of the funds levied for that purpose.

Tax where there is no high school

SEC. 14. The principal of any such high school, with the approval of the board of trustees, shall make such rules and regulations as he deems proper, in regard to the studies, conduct, and government of the pupils under his charge, and, if any such pupils will not conform to, and obey, the rules of the school, they may be suspended or expelled therefrom by the board of trustees.

Rules and regulations for school ;

penalty for violation

SEC. 15. The said board[s] of trustees shall annually make a report to the board[s] of supervisors of their respective county[ies], which shall specify, the number of students, both male and female, who have been in attendance at the county high school during the year, the branches of learning taught, the text-books used, the number of teachers employed, the amount of salary paid to them, the amount expended for library and apparatus and for buildings and all other expenses; also the amount of funds on hand, debts unpaid, and other information deemed important or expedient to report. Said report shall be printed in at least one newspaper in the county, if any is published therein, and a copy of the report shall be forwarded to the State Superintendent of Public Instruction.

Trustees to make annual report ; what to contain.

Report to be published, and copy sent to Supt. of Public Inst.

SEC. 16. The board of supervisors shall have power to fill any vacancy that may occur in the board of trustees of that county, by appointment, until the next general election, and a majority of any such board of trustees shall be a quorum for the transaction of business.

Vacancies.

Quorum of board.

SEC. 17. The board of supervisors may allow each member of the board of trustees the sum of two dollars per day for the time actually employed in the discharge of his official duties, and when such accounts are presented for payment, they shall be audited and paid out of the county treasury, in the same manner as other accounts against the county, and said trustees shall not be entitled to any further remuneration for services or expenses.

Pay of trustees.

SEC. 18. This act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register and Des Moines evening Statesman, newspapers published in Des Moines, Iowa.

Approved, April 13, 1870.

I hereby certify that the foregoing act was published in the *The Des Moines Daily Statesman*, April 31, and in the *Daily Iowa State Register*, April 24, 1870.

ED WRIGHT, *Secretary of State.*

CHAPTER 117.

SPECIAL APPROPRIATION ACT.

APRIL 13. AN ACT making appropriations for the per diem and expenses of the Thirteenth General Assembly, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the following sums of money are hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, to the persons and for the purposes herein named:—

SEC. 2. For the payment of the *per diem* of the members, officers, and employees of the House of Representatives, the sum of fifty-seven thousand one hundred dollars, or so much thereof as may be necessary, the amount to be paid upon a general certificate showing the amount due each member, officer, and employee respectively, which certificate shall be signed by the Speaker and chief clerk of the House of Representatives and the President and secretary of the Senate, and the Auditor of State shall issue a warrant for the amount so paid.

SEC. 3. For the payment of the *per diem* of the members, officers, and employees of the Senate, the sum of thirty-three thousand one hundred and eighty-one dollars, or so much thereof as may be necessary, to be audited and paid as provided in section two of this act.

SEC. 4. To I. W. Keller, W. W. Merritt, and J. W. Satterthwaite, for expenses incurred as a legislative committee to visit and report upon the condition of the Orphans' Home at Davenport, sixty-five dollars.

SEC. 5. To J. F. Lacey, Wm. Butler, and George E. Griffith, for expenses incurred as a legislative committee to visit and report upon the condition of the Orphans'

Pay of members,
etc., of H. R.,
\$57,100.

How paid.

Pay of members,
etc., of Senate,
\$33,181.

Expenses of com-
mittee to visit
Home at Daven-
port, \$65;

of do Home at
Glenwood, \$75;