

and after its publication in the Iowa Citizen and Waver-Take effect.
ly Republican, without expense to the State.

Approved March 12th, 1858.

I hereby certify that the foregoing Act was published in the Iowa Citizen on the 24th day of March, 1858, and in the Waverly Republican on the — day of — 1858.

ELIJAH SELLS,

Secretary of State.

CHAPTER 52.

AN ACT for the Public Instruction of the State of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That each civil township in the several counties of this State is hereby declared a School District for all the purposes of this act, the boundaries of said township being the boundaries of said School District, and every township hereafter laid out and organized, a school district, and such district as at present organized, shall become a sub-district for the purpose hereinafter provided. *Provided,* That each incorporated city or town including the territory annexed thereto for school purposes and which contains not less than one thousand inhabitants, shall be and is hereby created a separate school district, which shall elect its officers in the same manner that officers are elected in other school districts, and the electors and officers of said district, shall possess and exercise the same powers, and perform the same duties as are by this act required of like officers in other school districts, and said district shall be in all respects subject to the provisions of this act so far as the same are applicable, and the remaining part of such township or townships shall each be considered as a separate township as provided in this act.

Tp. dist's may be divided into sub districts.

Cities and towns separate dist.

SEC. 2. In each sub-district there shall be taught one or more Schools for the instruction of the youth between five and twenty-one years of age, residing therein for at least sixteen weeks of five school days each, in each year, and in case of failure so to keep up such school unless

Sub-dist. required to keep up school sixteen weeks each year or forfeit fund.

the County Superintendent shall be satisfied that there was good and sufficient cause for such failure, or in case of failure or neglect to make the proper returns to the County Superintendent, as provided in this act, such district shall receive no part of the school money which shall be apportioned among the other districts of the same county for that year.

Persons transferred from one dist. to another.

SEC. 3. Whenever persons can be better accommodated at the school of an adjoining district township, the board of directors of the one in which such persons reside, with the concurrence of the board of the district to which it is proposed to attach them, shall transfer them for educational purposes to such adjoining district township, and when persons have been so transferred, the board of directors of the district in which they reside, shall pay to the Treasurer of the district township to which they have been transferred, the proportional of the public school money to which they may be entitled for their use.

Township dist's may be organized in unorganized counties.

SEC. 4. In case any township shall become organized in a county not organized, it shall be attached to the county which lies contiguous to it, and whose county seat is nearest to said township, and it shall be included as a part of said county, and be subject to taxation for school purposes, and shall receive its proportion of school money, in the same manner as if it formed a part of said county, until the county in which said township is situated shall become organized under the laws of this State, at which time it shall, for all school purposes, form a district in the county in which it is situated.

Dist's body corporate.

SEC. 5. Every school district now or which may be hereafter organized in this State, is hereby made a body corporate by the name of District Township of _____, in the county of _____, and State of Iowa, and in that name may hold property, become a party to suits and contracts and do other corporate acts.

Notice of first meeting to be held 1st Monday of May, also succeeding meetings.

SEC. 6. It shall be the duty of the trustees of the several townships in the State to give ten days previous notice of the first meeting of their respective district townships herein authorized, to be held on the first Mon-

day of May next, by posting a written notice specifying the time and place of meeting, in five different conspicuous places therein, and when a new township is organized, or in case a district should at any time be left without officers, it shall be the duty of the trustees thereof, immediately to give the like notice of the first meeting of the school district.

SEC. 7. The electors of the district township, when assembled in accordance with the notice required in the foregoing section, for the purpose of electing district officers shall organize by appointing a President and Secretary, who shall act as judges of the election.

Organisation of districts.

SEC. 8. The qualified voters at such meeting, and annually thereafter at the regular meeting on the second Monday of March, shall elect by ballot one President, one Vice President, and one Secretary of the District, who, together with one director from each sub-district, to be elected as hereinafter provided, shall constitute a board of directors for the district, and shall hold their offices for one year and until their successors are elected and qualified; they shall also at the same time and place elect one Treasurer of the district, who shall hold his office for the term above provided, and shall perform the duties hereinafter specified.

Annual meeting for the election of officers.

SEC. 9. The regular meetings of each district shall be held on the second Monday in March in each year.

Time of regular meetings.

SEC. 10. The electors of the district, when legally assembled at a district school meeting, shall have the following powers, viz:

Powers of electors, when assembled.

First: To appoint a Chairman and Secretary in the absence of the regular officers.

Appoint Chairman and Sec'y.

Second: To adjourn from time to time as occasion may require.

Adjourn.

Third: To levy such tax, not exceeding one per cent. in any one year, on the taxable property of the district as the meetings shall deem sufficient to purchase or lease a suitable site for a school house or school houses, and to build, rent or purchase a school house or school houses, and to keep in repair and furnish the same with the necessary fuel and appendages, and for compensa-

Levy tax for sundry purposes.

tion of teachers, and for procuring district libraries and apparatus for the schools, books and stationery for the board and district meetings, and defray all other contingent expenses of the district. *Provided*, no tax shall be levied for building school houses, excepting at the regular meetings in March, and the first Monday in September.

May direct sale
of property.

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

May borrow
money from S.
fund (Co. Judge
shall give pref-
erence)

Fifth : To authorize the board of directors to borrow money for procuring sites and erecting school houses, to be re-paid in such installments as may tend to apportion such re-payments among those who enjoy the benefits of the loan, and it shall be the duty of the County Judge in loaning the school fund to give preference to the application of school districts, and in case any school districts shall borrow any portion of the school fund it shall be the duty of the County Judge each and every year to determine the per centum of taxation on the taxable property of such school district, that will produce in money the amount of ten per cent. on the amount of such loan, and certify such per centum to the County Treasurer, who shall enter the same on the tax list for such township and collect the same as other taxes, and the same shall be part of the annual school fund.

May establish
high school.

Sixth : To determine whether a school or schools of a higher grade shall be established in the district.

May delegate
powers to the
board.

Seventh : To delegate any or all of the powers contained in the foregoing specifications to the district board of directors, or to any committee whom the meeting may choose to appoint.

May adopt rules.

Eighth : They may adopt rules of order not inconsistent with the provisions of this act and the instructions of the Superintendent of Public Instruction for the government of the 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*, however, the district board of directors shall be elected by ballot.

SEC. 11. It shall be the duty of the Secretaries of the several school districts as now organized, to call a meeting of the electors of their respective districts on the first Saturday after the first Monday of May next, at the usual place of holding school meetings, for the purpose of electing one member of the district board of directors, notice of which meeting shall be given as now required by law.

Sec'y call meeting to elect director.

SEC. 12. The several sub-districts shall annually thereafter on the first Saturday after the second Monday in March, hold a meeting for the election of their member of the district board of directors, five days notice of which meeting shall be given by the resident director, or if from any cause there be no resident director, by some other elector of said sub-district, posting a written notice in three public places therein.

Annual meeting of the sub-dist.

SEC. 13. At all meetings of sub-districts they shall appoint a President and Secretary who shall act as judges of the election, and who shall give a certificate of election to the directors elect.

Judges of election.

SEC. 14. Each member elect of the district board of directors shall, within ten days after his election, appear before some justice of the peace or other officer qualified to administer oaths, and take an oath to support the Constitution of the United States and that of the State of Iowa, and that he will faithfully discharge the duties of his office, and in case of failure to do so shall forfeit ten dollars, to be recovered against him for the use of the district.

Director shall qualify.

SEC. 15. The President, or in his absence the Vice President, shall preside at all meetings of the board and of the district, sign all orders on the Treasurer for the payment of money, and shall draw all drafts on the County Treasurer for money apportioned to his district, and all drafts and orders drawn on the district Treasurer as herein required, shall specify the fund on which they are drawn, and the use for which the money is designed.

Pres't. shall preside, sign order.

SEC. 16. The President shall appear in behalf of his

Appear in behalf of his district in suits. district in all suits brought by or against the same, but when he is individually a party, this duty shall be performed by the Vice President or Secretary. And in all cases where suits may be instituted by or against any of the school officers, contemplated or created by this act

Counsel may be employed by directors. to enforce any of the provisions herein contained, counsel may be employed by the board of directors of the district, and the expense of suit shall be borne by the district, county or State in whose name or against whom the same may be instituted.

Duties of Sec'y. SEC. 17. The Secretary shall record all the proceedings of the board and of the district meetings in separate books to be kept for that purpose, and shall preserve copies of all reports made to the County Superintendent, and shall file all papers transmitted to him by other school officers pertaining to the business of the district, and shall countersign all drafts, warrants and orders drawn by the President.

Same. SEC. 18. He shall between the first day of August and the fifteenth day of September of each year, take and keep on record a list of the names of all heads of families in the district, with the number of children in each family between the ages of five and twenty-one years.

Same. SEC. 19. He shall keep an accurate account of all the expenses incurred by the district, and shall present the same to the board of directors to be audited and paid as herein provided.

Same. SEC. 20. He shall give ten days previous notice of regular and special meetings of the district as herein authorized, by posting up a written notice in five different conspicuous places therein, one which shall be at or near where the last meeting was held, and shall furnish a copy of the same to the teacher of the school in each district, to be read at least once in the presence of the pupils thereof, provided any school be at the time in session, and such notice shall in all cases state the hour of meeting.

Same. SEC. 21. Whenever tax has been voted by any district for any of the purposes in this act specified, the

Secretary shall immediately certify the amount to the County Judge, who shall at the time of levying the tax for county purposes, levy a tax of the amount thus certified to him, upon the assessed value of all the real and personal property in the district, which shall be collected by the county Collector at the same time and in the same manner as State and county taxes are collected, provided it shall be receivable only in cash.

SEC. 22. The Collector shall on the first Monday of March and September, in each year, pay over to the Treasurer of the district, the amount of said tax which shall have been collected, and shall render him a statement of the amount uncollected; and the amount unpaid shall be collected at any subsequent time as delinquent county taxes are collected, and shall be paid over when collected, to the Treasurer aforesaid.

Collector pay
over tax to dist.

SEC. 23. On or before the fifteenth day of September, in each year, the Secretary of each school district shall file in the office of County Superintendent, a report of the affairs of the district, which shall contain the following items, viz:

Sec'y report to
Co. Sup't.

First: The number of males and females each, in his district between the ages of five and twenty-one years.

Second: The number of schools and the branches taught in each.

Third: The number of pupils in each school, and the average attendance of the same.

Fourth: The number of teachers employed in each school, distinguishing male teachers from female, and the average compensation paid to males and to females per week.

Fifth: The length of each school in weeks and days, distinguishing summer from winter schools.

Sixth: The average cost of tuition per week for each school, distinguishing summer from winter schools.

Seventh: The aggregate amount paid teachers during the year, and the amount of teachers' fund in the hands of the Treasurer.

Eighth: The text books used in the schools.

Ninth: The number of volumes in the district Libra-

ry, and the value of apparatus belonging to the district.

Tenth : The number of school houses in the district, and the estimated value of each.

Eleventh : The amount raised within the year in the district by tax, for the erection of school houses; the amount raised for tuition, for school libraries and apparatus, for fuel and other purposes of this act, stating separately the amount of each.

Twelfth : The amount of public money received from the county Treasury, and the amount, if any, received from other sources, stating what, and how much from each, and such other information as he may deem useful.

Penalty for neglecting to report SEC. 24. Should the Secretary fail to file his report as above directed, he shall forfeit the sum of twenty-five dollars, and shall be also liable to make good all losses resulting to the district from such failure. Suit shall be brought in both cases by the President, in the name of the district, on his official bond.

Duties of Treasurer SEC. 25. The Treasurer shall have the custody of all moneys belonging to the district, and shall pay out the same upon the order of the President, countersigned by the Secretary, and shall keep an account of the receipts and expenses thereof, in a book provided for the purpose.

Same. SEC. 26. The moneys collected by district tax for school house purposes, shall be called the "School House Fund," and those received from the county Treasury, whether apportioned to the district from the School Fund, or raised by county or district tax for the support of schools shall be called the "Teachers' Fund;" and the Treasurer shall keep with each a separate account, 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.

Same. SEC. 27. The Treasurer shall apply for and receive all money apportioned to the district by the County Judge, when notified of said apportionment, and also money in the County Treasury collected on the district tax for his district.

SEC. 28. He shall render a statement of the finances Same. of the district, as shown by the records of his office, at any time when required by the district board, and his books shall be always open for the inspection of said board.

SEC. 29. The regular meetings of the district board of directors shall be held on the third Saturday in April and October in each year, and they may hold such special or adjourned meetings as they may from time to time determine. Meeting of the directors.

SEC. 30. The duties of the district board of directors Directors. shall be as follows:

1. In each organized district to act as judges of all Judge of election district elections.

2. To make all contracts, purchases, payments and sales necessary to carry out any vote of the district for Contract for building School Houses. procuring any site for a school house, for building any school house, for renting, repairing or furnishing the same, or disposing thereof, or for keeping a school therein, and to perform all such other duties as may be delegated to them by the district meeting; *Provided*, That it shall be the duty of said board before erecting any school house, to consult with the county superintendent, as to the most approved plan for such building.

3. To employ all teachers necessary for the schools Employ teachers. of the district, specifying the term of time for which they are employed, and the amount of compensation, the contract to be reduced to writing and signed by the parties thereto.

4. They may admit pupils not belonging to the district and not provided for in section three, to the privileges of their schools on such terms of tuition as may be agreed upon. And they shall provide for the education of the colored youth, in separate schools, except in cases where by the unanimous consent of the persons sending to the school in the sub-district, they may be permitted to attend with the white youth. Education of colored children.

5. To determine the number of schools which shall Length of time No. of school. be established in the district, and the length of time that

each shall be taught, subject to the provisions of section two of this act.

Site for school house.

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

Branches taught.

7. To determine what branches of learning shall be taught in the schools of their district.

Sec'y and Treas'r give bond.

8. They shall require the Secretary and Treasurer each to give bond to the district in such penalty and with such sureties as in their opinion will secure the district against any loss, conditioned for the faithful performance of his duties under this act, and the correct application of all moneys that may come into his hands by virtue of his office. Said penalty may be increased from time to time, as the interests of the district may require. The bond shall be filed with the President of the Board, and in case of a breach of the condition thereof, he shall bring suit thereon in the name of the district,

Examine acct's of Treasurer.

9. They shall from time to time examine the books and accounts of the Treasurer, and make settlements 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 all such other matters as may be deemed important, or which the district may require them to present, and of all matters which may have been delegated to them by the district to perform, they shall render at such meeting a full and perfect account.

Visit schools and aid in establishing and enforcing rules.

10. The said board shall be charged with the duty of visiting the schools in their district. One member of the board, together with a committee whom the board shall appoint for that purpose, shall visit each school monthly, and shall aid the teachers in establishing and enforcing rules for the government of the schools, and shall see that the teachers keep a correct list of the pupils, embracing the periods of time during which they attend school, the branches of learning which each pupil pursues, and all such other matters as may be required by the County Superintendent, and which, in the opin

ion of the board. tend to promote the welfare of the school.

11. The board shall employ no teacher to teach in any school of the district, unless he shall first present to them a certificate of his qualification to teach all the branches required to be taught in such school, which certificate shall be duly signed by the County Superintendent of the county in which he seeks to be employed, which shall have been given him not more than one year previous to the commencement of his school; and in case any teacher is employed and commences teaching school without such certificate, he shall forfeit all claim for wages for instructing, for the time thus employed without such certificate.

Employ teachers only who have certificates.

12. The said board shall audit and allow all just claims against the district, and the President may draw orders on the district Treasurer for all demands thus audited.

Audit claims against the dist.

13. The said board may whenever they deem it expedient, and shall upon the written request of one-fifth of the legal voters of the district, call special meetings thereof, but in all such cases the notice for such meeting shall clearly state the precise object for which it is called, and the time and place at which it is to be held, and no other business shall be transacted at such meeting, except what shall have been specified in said notice.

Call special meetings.

14. All vacancies that may occur in the board shall be filled by an appointment made by the remaining member or members, which appointment shall remain good until the next regular meeting of the district, or sub-district, and until a new election to the office so vacant shall be had. Nothing herein contained shall be construed to prevent the other member or members of the board from calling a special meeting of the district or sub-district to fill such vacancy, or for any other purpose.

Fill vacancies.

15. The members of the board shall conform to all the instructions of the County and State Superintendents within the limits of their powers respectively.

Conform to instructions of state and county Superintendents.

16. It shall be the duty of the director in each sub-

Director of sub-district to have charge of sub-district School House.

district to see that the school house is kept in repair and supplied with fuel and to have the general supervision of the school and school house, under the board of directors, and with the approbation of the board, he may employ a teacher. He shall also settle the business of the sub-district remaining unfinished at the time of the organization under this act, and shall apply all funds belonging thereto, to the specific purpose for which the same were raised or received.

May expel unruly pupils.

17. The board of directors may suspend during pleasure, or expel during the school term all pupils found guilty of incorrigibly bad conduct, or violation of the school regulations, and re-admit them on satisfactory evidence of amendment.

Sec'y to transcribe record of School Fund Com'r.

18. They shall cause the Secretary to transcribe into a book to be kept for that purpose so much of the records of the School Fund Commissioner of the county as applies to the boundaries of the sub-districts in their district township.

May change the boundaries of sub-districts.

19. They shall within twenty days after the first election under this act, hold a meeting of the board, to be called by the President and Secretary, at which they shall provide for the preparation of a map or plat of the district, on which shall be designated the sub-districts, and their boundaries, and in case no such sub-districts exist, shall establish the same, and shall have power at any regular meeting to change the boundaries of said sub-districts, as circumstances may require, notice of the same having been given at the previous meeting; they shall cause all such changes or establishment of boundaries to be marked upon said map or plat, and recorded in the proper book, and may from time to time, as occasion may require, cause new maps to be made.

May equalize the tax for building school houses.

20. They shall vary the per centum of tax voted by the district meeting for school house purposes, when justice and equity require, making such discrimination as they shall deem just. They may, if necessary, appoint three disinterested householders of the county to examine and report to them the amount, value and condition of the property and reliable funds belonging and

coming to each district, organized under the law now in force, in its corporate capacity, and appropriated to school house purposes, which report shall be sworn to and entered by the Secretary upon the records of the board, and such report together with the total amount of taxable property in, and the necessities of each sub-district in the township in regard to school house accommodations for the pupils therein, shall constitute the basis of action of the board in determining the per centum of tax to be levied upon each sub-district.

21. They shall, at their regular meeting in April of each year, estimate the per centum of tax on the taxable property in the district, necessary to raise a fund which, with the addition of the amount of Teachers Fund due from the county Treasurer as shown by notice from the county Judge, shall be sufficient to pay the entire tuition of the several schools of the district for at least the time required by this act, for the current year, which per centum they shall certify to the county Judge, who shall, at the time of levying the taxes for county purposes, levy the per centum of tax thus certified to him, upon the property of said district, which shall be collected and paid over in the same manner in all respects as other school district taxes.

May cause additional tax for the support schools.

22. They shall make such classification of the pupils in the high school or schools as they may deem necessary, fix the compensation of the Secretary and Treasurer of the district, and transact generally such business as may tend to promote the cause of education in accordance with the provisions of this act, and shall exercise all powers contemplated therein.

Fix the compensation of Sec'y and Treas'r.

SEC. 31. The county Judge of each county, shall at the time of levying the tax for county purposes, levy a tax for the support of schools within the county, of not less than one mill, nor more than two and a half mills on the dollar, on the assessed value of all real and personal property within the county, which shall be collected by the county Collector at the same time and in the same manner as State and county taxes are collected, except that it shall be receivable only in cash.

Co. Judge to levy tax for school purposes.

Co. Judge to apportion school money.

SEC. 32. On the first Monday of April annually, the county Judge of each county shall divide one half of the proceeds of said tax among the several school districts of his county, and apportion the same sum to each district. And at the same time he shall apportion the remainder of said tax, together with the interest of the permanent school fund to which his county is entitled, and all other money in the hands of the county Treasurer belonging in common to the schools of his county, among the several school districts therein, in proportion to the number of persons between five and twenty-one years of age, subject to the provisions of section two of this act. And in order to enable him to make such apportionment, it is hereby made the duty of the several County Superintendents to report to their respective county Judges on the first day of November annually, the number of such persons in each school district in his county.

Co. Judge to give notice to the district Pres't of the apportionment.

SEC. 33. The county Judge shall immediately notify the President of each school district of the sum to which his district is entitled by said apportionment, and shall issue his warrant for the same to accompany said notice, which warrant shall be also signed by the President and countersigned by the Secretary of the district in whose favor the same is drawn, and shall authorize the district Treasurer to draw the amount due said district from the county Treasurer, and the Secretary shall charge the Treasurer of the district with all warrants drawn in his favor, and credit him with all warrants drawn on the funds in his hand, keeping separate accounts for each fund.

Scholarship established.

SEC. 34. For training and educating young men to become teachers in the common schools of the State, there shall be established in every county of the State, having a high school established therein, as many scholarships as there are school districts therein, and one scholarship shall be assigned to each district.

Scholar selected.

SEC. 35. It shall be the duty of the board of directors in each school district in such county, with the principal teachers in each school, sometime in the month of

January next after the passage of this act, to select the best scholar in the district, not less than fifteen years of age, for ability, attainments, and capacity for teaching, for the scholarship of said district; and the board shall grant the scholar so selected a certificate of scholarship.

SEC. 36. Any scholar so selected shall be educated free of charge in the High School of the county, and shall be entitled to receive from the county Treasury, at the end of each year, for a period not exceeding three years, fifty dollars, upon his producing from the principal professor of such High School, a certificate that he has been during the year faithful in his studies, exemplary in his deportment, and that he ranks in scholarship among the first half of his class. *Provided*, that any such scholar may receive his education, with the consent of the County Superintendent, at any other literary institution established in this State, and receive the same sum from the county Treasury on his producing a like certificate from the principal professor of said institution.

Scholar educated
free of charge.

SEC. 37. Every person, who shall have enjoyed a scholarship in the manner provided in section 36, shall teach in such common school in the county as shall be assigned to him by the County Superintendent, a term of time equal to that for which he shall have enjoyed such scholarship; and there shall be deducted from his compensation fifty dollars each year for the same term, and the money thus deducted shall be paid into the county Treasury; and in case he shall refuse so to teach, if in competent health, he shall pay into the county Treasury at the rate of fifty dollars each year, for the time he shall refuse to teach, with interest from the time he received the money, by virtue of his scholarship,—which may be recovered by the Treasurer in an action at law.

Scholar request-
ed to teach or
refund.

SEC. 38. When any scholarship shall become vacant during the term for which its scholar was elected, or by the expiration of the term, the vacancy may be filled in the manner provided in section 32, for the original selection, and the board of directors of the district where

Vacant scholar-
ship to be filled.

such vacancy occurs, shall take all necessary measures for filling such vacancy in the manner therein provided.

By males and females alternately.

SEC. 39. The scholarships herein established shall be filled by males and females alternately.

Co. Sup't to be elected.

SEC. 40. On the first Monday of April next, and biennially thereafter, on the second Monday of March, in each organized county in this State there shall be elected one County Superintendent of Common Schools, who shall hold his office for two years, and until his successor is elected and qualified.

To take the oath of office.

SEC. 41. Within twenty days after his election, he shall take and subscribe an oath as prescribed by the Constitution of the State of Iowa. Should he fail to be qualified as required, or if for any cause there be a vacancy in the office, the county Judge shall appoint said officer, who shall qualify in like manner, but whose term of office shall expire at the next election thereafter, or when his successor shall be elected and qualified. But the County Superintendent so selected shall only be such for the unexpired term of the vacancy, which he was selected to fill.

Vacancy fill'd by Co. Judge.

SEC. 42. It shall be the duty of the County Superintendent, with two competent Assistants, whom he shall select, to examine all such persons as shall present themselves, at the proper time and place, as to their ability to teach Orthography, Reading, Writing, Arithmetic, Geography, and English Grammar, and such other branches as may in special cases be required, and if the examination be satisfactory, and if he is satisfied that the applicant is of good moral character, he shall issue a certificate in duplicate that the bearer of the same is qualified to teach the branches above specified, and such others as the case may require, one copy of which shall be filed with the Secretary of the district in which he is employed to teach. The County Superintendent shall enter upon a register to be kept for that purpose, the names of the teachers receiving the certificates, and the date of the same. He shall also give public notice of the time and place of holding such examinations. A certificate from the Professor of the Normal

Examination of teachers.

Department of the State University shall give to its possessor all the legal rights, powers, and privileges of a certificate from any school officer providing the person receiving such certificate has completed a course in the State University, satisfactory to the Professor of the Normal Department of the State University.

SEC. 43. The County Superintendent of Common Schools is hereby declared to be a body corporate, by the name and style of "The County Superintendent of Common Schools of the County of —, State of Iowa," and in said corporate name the books shall be kept, investments made, property held, and all actions at law or equity in his official character shall be brought and defended.

Co. Supt. a body corporate.

SEC. 44. The County Superintendent may remove any teacher from his school for immorality or incompetency, and annul his certificate, provided that such teacher may be entitled to receive his wages for the time he has taught.

Remov'l of teacher.

SEC. 45. The County Superintendent and the President of the Board of Directors of each district in the county shall meet together at some convenient place at the County Seat, to be designated by the County Superintendent, on the second Monday of April of each year, or at such other time or place as the Superintendent of Public Instruction shall direct: *Provided*, he shall give at least fifteen days previous notice thereof to said County Superintendent, and the latter shall give at least eight days previous notice to the Presidents of the different districts. The County Superintendent shall preside at such meeting, and a Secretary shall be appointed, who shall keep a faithful record of the proceedings in a book to be provided for that purpose, which book shall be kept in the office of the County Superintendent.

Meeting of Presidents of school dist's.

SEC. 46. The said meeting, when organized, shall constitute a board, that shall take into consideration and recommend the various branches of instruction that should be introduced and taught in the different schools, the process and methods of teaching the same, the qualifications of teachers, the various kinds of school gov-

Objects of the meeting.

ernment, the kind of books that should be purchased to make up the district libraries, and also what kinds of apparatus are desirable, and what kinds of seats and desks are the most eligible, and all other such matters and things as are of general interest and importance in the common school system. The Presidents of the several boards of directors of the districts are to receive no compensation for their services, but their actual expenses in attending these meetings are to be paid from the county Treasury.

Co. Sup't to visit
school.

SEC. 47. The County Superintendent shall, at least twice in each year, visit personally and inspect each school in his county, and examine into the branches taught therein, the mode of instruction pursued, the text books used, the competency of the teachers to instruct, their general system of discipline, their compensation, the books contained in the district Library and the regulations adopted and in force relating to the same. It shall be also his duty in case a new school house is to be built in any district, to examine the site and plan thereof, and if they are satisfactory, to give them his approbation, and to make such suggestions to the board of directors, teachers and schools, as may seem to him to be improvements in relation to any of the particulars just enumerated, and also as to any and all other matters connected with the general school system. He may also, at any and at all times, make such personal inspection of the different schools as he may deem proper, and he may also, at any time he thinks necessary, appoint a special committee to make such inspection as he may require, and report to him such facts and results as said committee have arrived at, and he shall entertain and decide all appeals taken from the district boards of directors—no such appeal to embrace any adjudication relative to the payment of money.

Conform to the
Instruction
State Sup't. of

SEC. 48. The County Superintendent shall at all times conform to the instructions and directions of the Superintendent of Public Instruction, as to all matters within his jurisdiction, and shall see that in the several districts in the county both teachers and district boards

of directors also conform to all such orders and directions as shall be transmitted to them, the said County Superintendents being hereby made and constituted the several organs of communication between the Superintendent of Public Instruction and the several district boards of directors, teachers and schools.

SEC. 49. Every County Superintendent shall annually on the fifteenth day of October, forward to the Superintendent of Public Instruction an extended report of the condition of the schools under his charge, suggesting such improvements in the school system as he may deem useful, and giving such other information in regard to the practical operation of common schools and the laws relating thereto as may be deemed of Public interest, to be accompanied by an abstract containing the items of the several particulars contained in the reports of the district Secretaries.

Report to State
Supt.

SEC. 50. Should he fail to make his report as required in the foregoing section, he shall forfeit the sum of fifty dollars, and shall besides be subjected to pay all the damages which shall be occasioned thereby, and suit shall be brought for the collection of the same by the District Attorney.

Penalty for neg-
lect to report.

SEC. 51. He shall transmit to the President of each school district in his county, on the requisition of the Superintendent of Public Instruction, all such blank forms, circulars and other communications, as the latter may transmit to him for that purpose, and also all such as he may himself deem necessary and proper, to advance the general interest of education.

Transmit docu-
ments to direc-
tors.

SEC. 52. The County Superintendent shall receive from the county Treasury as a compensation for his services, to be paid quarterly, a sum equal to one half the amount paid the Clerk of the District Court, and such further sum as shall be allowed him by the meeting of the district Presidents, provided for in section forty-five, to be paid at the end of the year; but in no case shall his salary be more than one eighth greater than the salary of said Clerk, nor less than fifty dollars, and it is hereby made the duty of the Secretary of said

Salary.

meeting to certify the amount of such further allowan to the County Judge, who shall issue a county warra in favor of the County Superintendent for such sum.

SEC. 53. On the first Monday of April, A. D., 186 and triennially thereafter, there shall be elected a S perintendent of Public Instruction, who before enterin upon his duties shall take and subscribe the usual oa of office, which shall be deposited with the Secretary State, and shall hold his office for three years, and un his successor is elected and qualified. *Provided*, th the board of education may at any time abolish the c fice of Superintendent of Public Instruction, and tran fer all the duties required by law of that office to th Secretary of the board of education.

SEC. 54. An office shall be provided for him at th seat of government, in which he shall file all paper reports and public documents transmitted to him by th County Superintendents of the several counties eac year, separately, and hold the same in readiness to b exhibited to the Governor, or to any committee of eithe House of the General Assembly, or to the State Boar of Education, at any time when required, and shall kee a fair record of all matters pertaining to the business o his office.

SEC. 55. The Superintendent of Public Instructio shall be charged with the general supervision of all the County Superintendents, and all the common schools o the State, and he shall see that the school system is a early as practicable carried fully into effect and put into uniform operation. With a special view to these gener al duties he shall, during each year of his term, appoint some suitable time and place, at which he will meet the several County Superintendents, of which time and place he shall give due and sufficient notice to each County Superintendent, and it is hereby made the duty of the several County Superintendents to attend such meeting, the object of which shall be to accumulate val uable facts relative to common schools, to compare views, discuss principles, and in general to listen to all com munications and suggestions, and enter into all discus-

Election of Sup't
of Pub. Inst.

To keep an office
at the Capitol.

Duties—To ap-
point a time and
place for meet-
ing the County
Sup'ts.

sions relative to compensation and qualifications of teachers, branches taught, methods of instruction, text books, district libraries, apparatus, and all other matters and things embraced in the common school system.

2. To be present each year at as many of the meetings in the counties at which the several district Presidents meet together, as is practicable for him to attend. And with that view he may direct the times and places of said meetings to suit his convenience; provided he gives sufficient previous notice to the County Superintendents to enable them to give notice to the respective Presidents of the district boards of directors in their counties.

To be present at meetings of dist. Presidents.

3. To appoint such and so many persons as he shall from time to time deem necessary to visit and examine into the condition of the common schools in the county where such persons may reside, and report to him on all such matters relating to the condition of such schools and the means of improving them, as he shall prescribe, but no allowance or compensation shall be made to the said visitors for such services.

To appoint Commissioners to visit schools.

4. To visit personally such schools as he may have it in his power to do, and witness the manner in which they are conducted.

To visit schools.

5. To entertain and decide all appeals relative to district schools that are taken before him from the decisions of the County Superintendents.

To decide appeals.

6. After examination, to recommend to the several County Superintendents a uniform series of text books.

To recommend text books.

7. To recommend from time to time to the County Superintendents such books as he shall think advisable to be purchased for the district school libraries, a list of which the said County Superintendents shall immediately transmit to the respective Presidents of the district boards of directors in their respective counties.

To recommend books for libraries.

8. To prepare and cause to be printed suitable forms for all reports required by this act, and all other school laws in force at the time, to be made by the district board of directors to the County Superintendents, and by the latter to the State Superintendent of Public In-

To prepare forms and instructions for school officers

struction, and to transmit the same, with such instructions as he may deem proper in reference to filling up the same, and accompanied also, with such remarks and suggestions relative to the organization and government of the common schools, the courses of study to be pursued therein, and such other matters and things as he may deem advisable, to the several County Superintendents.

To make rules and regulations 9. To make all further rules and regulations not inconsistent with any herein contained, that may be necessary to carry this act into full effect, according to its spirit and intent, which shall have the same force and effect as though the same were contained herein.

To cause to be distributed copies of the school laws and report to the Auditor the number of children. 10. He shall cause so many copies of this act, and all other school acts in force, with the forms, regulations and instructions herein contemplated, thereto annexed to be from time to time printed and distributed among the County Superintendents, as he shall deem expedient, directing the latter to distribute the same among the several district boards of directors in each county.— He shall annually, on the first day of January, report to the Auditor of State the number of persons in each county of the State between the ages of five and twenty-one years.

Teachers Institutes. SEC. 56. Whenever reasonable assurance shall be given to the Superintendent of Public Instruction, that a number of not less than thirty teachers desire to assemble for the purpose of holding a teachers' institute and to remain in session for a period of not less than six working days, the said Superintendent shall appoint such time and place for said meeting as the said teachers shall suggest and give due notice thereof, and for the purpose of defraying the charges for procuring teachers and lecturers for said institute, the said Superintendent may receive from the State Treasury a sum not exceeding one hundred dollars for any one institute, which he shall immediately transmit to the County Superintendent in whose county the institute may be held, who shall pay out the same as the institute may direct, and for meeting the expense of teachers' institutes, one

thousand dollars per annum is hereby appropriated. The Superintendent of Public Instruction shall, if practicable, attend these institutes.

SEC. 57. He shall make a report to the General Assembly and the Board of Education at each session thereof, which shall embrace:—

To report to the Board of Education.

1. A statement of the condition of the common schools of the State, and shall contain the number of school districts therein, the number of schools in the State, the number of scholars between five and twenty-one years of age, as returned by the several county Superintendents, the number of books in the district libraries, and the value of all apparatus in the schools.

1, condition of common schools

2. Such plans as he may have matured for the management and improvement of the common school fund, and for the better and more perfect organization and efficiency of the common schools.

2, plans for their improvement.

3. All such matters and things relating to his office, and to the common schools, as he shall deem expedient to communicate.

Anything he may think expedient to communicate.

SEC. 58. He shall receive annually the sum of one thousand five hundred dollars as a salary for the services required under the provisions of this act, and also all necessary contingent expenses for traveling, postage, books and stationery, pertaining to his office, to be audited and paid as the salaries and contingent expenses of other State officers are audited and paid. *Provided*, that the salary and traveling expenses shall not exceed seventeen hundred and fifty dollars.

Salary and contingent expenses.

SEC. 59. The Board of Presidents of school districts in any county may, at any regular meeting immediately following their election, determine whether a High School shall be established in such county, and in case they shall determine to establish such High School they shall elect by ballot nine trustees, residents of the county, who shall be divided into classes numbered one, two, three; class numbered "one" shall hold their office for one year; class numbered "two" for two years; class numbered "three" for three years, from the time of their election; the terms of service of those first elected to be

Board of Pres'ts may establish high schools and elect trustees for the government of the same.

determined by lot, and thereafter, at every annual meeting of said board of Presidents, there shall be elected three trustees for the term of three years from such election.

Sup't and Trustees a body corporate. SEC. 60. The persons so elected, together with the County Superintendent, shall be trustees of the High School of said county, and shall be and constitute a body corporate under the name and style of "The High School of the County of _____, State of Iowa," and as such shall have power to take, hold and dispose of property, make contracts, and do other corporate acts.

Organize a board SEC. 61. The said Trustees, upon receiving notice of their election, shall immediately organize themselves into a board, electing a President, Secretary and Treasurer; the President to preside at its meetings, the Secretary to keep a record of its proceedings, and the Treasurer to have charge of its funds and investments, and to give a bond for the faithful performance of his duties, and to invest, account for, and when required to pay over, all moneys he may receive for such corporation—the same to be in such form, with such penalties and and such sureties as the board shall direct.

Elect officers.

Duties of trustees SEC. 62. The said board of trustees shall be charged with the following duties :

To provide a building for a high school. 1. To lease, or erect or furnish a suitable building or buildings for a High School.

To provide libraries. 2. To provide suitable libraries and apparatus for the same.

To prescribe the branches to be taught. 3. To prescribe the branches of science and learning to be taught therein, subject, however, in this particular, to the recommendation of the State Board of Education, in all cases where it may be given.

To employ teachers and fix their salaries. 4. To employ all teachers it shall deem necessary or proper, at the salaries they may agree upon respectively. The said teacher to recommend the text books to be used. But the State Board of Education may recommend all such text books.

To make by-laws 5. To make such by-laws for the government of the board as it may deem necessary, and to alter or change the same at pleasure.

6. To make such regulations as it may deem proper in regard to age, grade of attainment, and amount of knowledge of the students who may be admitted into such school and instructed therein, provided neither sex be excluded therefrom, and provided the instruction therein be free to all within such regulations as can be accommodated in said school.

To make rules admitting pupils

7. To be charged with the funds belonging to said institution, and to cause all such investments of the same to be made as the good of the institution may require.

To have charge of the funds of the Institution.

8. To do all other acts and things not inconsistent with this act, which the good of the said school may require. Five of the trustees being sufficient to constitute a quorum for all ordinary business.

Five members to constitute a quorum.

SEC. 63. The said board of trustees, through its Secretary, shall make its annual report to the County Superintendent at the same time that the Secretaries of the several districts are required to make theirs, which report shall specify the sums expended in buildings, libraries and apparatus, respectively, the number of teachers employed, the average expense per month of the instruction given, the branches of learning or science taught, the text books made use of, the number of students attending, and between what ages and what average age, and what portion of males and females, what debts, if any, remain unpaid, what sums are invested, and how, and what is the interest or income from the same, and also all other matters and things which may be required by the County Superintendent, of which said board may deem proper or expedient to report. The said High School shall be subject to the visitation of the County Superintendent and the Superintendent of Public Instruction.

Sec'y to make an annual report to the Co. Sup't.

SEC. 64. In each county in which a High School shall be established, there shall be paid from the county Treasury to the said board of trustees, for the purpose of erecting buildings for and sustaining such school, the sum of three thousand dollars per year, for the six next succeeding years, and one thousand dollars annually thereafter, and it shall be the duty of the County Judge

Money to be raised by the county for the support high school

to include these sums in levying the tax for ordinary county revenue.

Co. Judge may borrow money for the establishment of high school.

SEC. 65. In order to insure an early completion of buildings necessary for the establishment of said High Schools, the County Judge of every such county is hereby authorized to borrow a sum of money not exceeding seven thousand dollars, at a rate of interest not exceeding ten per cent., to be paid to said trustees of the High School; but in case such sum shall be borrowed and paid to the trustees, the County Judge shall deduct from the sums of three thousand dollars provided to be paid by section 61, to the trustees, each year, a sum sufficient to pay the annual interest on the loan, and to liquidate the whole debt in five years from the time it was contracted.

Scholarships in the University established.

SEC. 66. For training and educating young men to become Professors in the High Schools herein established, there shall be constituted thirty-six scholarships in the State University, and these scholarships shall be distributed by the Superintendent of Public Instruction, to the different High Schools of the State, but not more than four scholarships shall be assigned to any one school.

Selection of scholars.

SEC. 67. It shall be the duty of the trustees of each High School, together with the Professors thereof, at such times as they may judge expedient, to fill the scholarships assigned thereto, by selecting the best male students therein, of not less than sixteen years of age, for behavior, scholarship, attainments and capacity to teach, and grant to them certificates of scholarship.

Scholars entitled to receive money from the State.

SEC. 68. Any student thus selected shall be educated free of charge for tuition in the State University, and shall be entitled to receive from the State Treasury at the end of each year for a period of not exceeding three years, seventy-five dollars, upon his producing from the Chancellor of the University, a certificate that he has been, during the year, faithful in his studies, exemplary in his department, and that he ranks in scholarship among the first half of his class.

SEC. 69. Every person who shall have enjoyed a scholarship in the manner provided in section 67, shall

teach in some high or other school, for a term of time equal to that for which he shall have enjoyed such scholarship, and there shall be deducted from his compensation, seventy-five dollars each year for the same term, and the money thus deducted shall be paid into the State Treasury; and in case he shall refuse so to teach, if in competent health, he shall pay into the State Treasury at the rate of seventy-five dollars each year, for the time he shall refuse to teach, with interest from the time he received the money by virtue of his scholarship, which may be recovered by the Treasurer in action at law.

Scholars to become teachers.

SEC. 70. When any University scholarship shall become vacant during the term for which its scholar was selected, or by the expiration thereof, the vacancy may be filled in the same manner provided in section 66, for the original selection, and the board of trustees of the High School in which such vacancy shall occur, together with the Professors thereof, shall take all necessary measures for filling such vacancy in the manner therein provided.

Vacancies to be filled.

SEC. 71. The State University established at Iowa City, is hereby constituted a corporation under that name, possessing all the common law corporate powers, and also those conferred upon it by this act.

University;

SEC. 72. The public buildings at Iowa City, together with the ten acres of land on which the same are situated, are granted to the "State University of Iowa," to be used and appropriated only to University purposes, and to revert to the State whenever the same shall cease to be used for such purposes.

Building and lot granted to the University.

SEC. 73. The two townships of land granted by act of Congress of July 20th, 1840, for the support of a University, and all proceeds and investments derived from the same, are hereby donated to the said State University, to be and constitute a perpetual fund, the interest and income of which shall be applied exclusively to the support of said University.

Two Townships of land appropriated to the University.

SEC. 74. The object of the University shall be to provide the best and most effectual means of acquiring a thorough education, and a perfect knowledge of the

Objects of the University.

different branches of literature, the arts and the sciences, with their various applications.

Government of the University SEC. 75. The government of the University shall be vested exclusively in a board of trustees, to consist of the Chancellor of the University, who shall be President of the Board, the Governor, the Superintendent of Public Instruction, and twelve trustees, who shall be elected as hereinafter provided.

Terms of first Trustees. SEC. 76. The trustees shall be divided into classes, numbered "one," "two," and "three." Class numbered "one" shall hold their offices for two years; class numbered "two" for four years, and, class numbered "three" for six years, from the first Monday of January, 1858; and every two years thereafter there shall be elected by the General Assembly, four trustees to supply the vacancies made by the provisions of this section, and who shall hold their offices for six years respectively—Lauren Dewey, of Henry County; Edgar Wright, of Cedar County; Wm. Burris, of Scott County; **First Trustees.** W. F. Brannan, of Muscatine County; E. C. Lyon, Morgan Reno, H. D. Downey, W. H. Barris, of Johnson County; Lincoln Clarke, of Dubuque County; J. B. Grinnell, of Poweshiek County; Geo. W. Drake, of Mahaska County and W. P. Davis, of Polk County—be and they are hereby appointed the first twelve trustees under this act, four of whom shall hold their offices for two years, four for four years, and four for six years, their several terms of office to be determined by lot, at the time of the first organization of the board under this act.

Vacancies in the Board of Trustees to be filled. SEC. 77. Whenever there shall be a vacancy in the office of trustee of the University, except in that of Governor, Superintendent of Public Instruction, and Chancellor of the University, the board shall have the power, at any regular meeting, or at a special meeting called for that purpose, to fill any such vacancy for the unexpired term thereof.

Trustees to receive mileage—no other compensation. SEC. 78. The trustees of the University shall receive no compensation for their services as such trustees, but they shall be entitled to receive from the income of the

University fund, mileage at the rate of ten cents per mile for the distance necessarily traveled in attending any general or special meeting of the board.

SEC. 79. The University shall never be under the exclusive control of any religious denomination whatever. University not to be Sectarian.

SEC. 80. In all cases where duplicates of specimens of Natural History, and Geological and Mineralogical specimens which are, or may hereafter be collected by the State Geologist of Iowa, or by any others appointed by the State to investigate its natural history, and physical resources are procured, one shall belong to and be the property of the State University, and shall form a part of its Cabinet of Natural History, and its means of giving instruction in that department. Cabinet.

SEC. 81. The board of trustees shall appoint a Secretary, a Treasurer and Librarian, and Curator of the Cabinet of Natural History, who shall hold their respective offices during the pleasure of the board. It shall be the duty of the Secretary to record all the proceedings of the board, and carefully to preserve all its books and papers. It shall be the duty of the Treasurer to keep a true and faithful account of all moneys received and paid out by him, and before entering upon the discharge of any of his duties, he shall take and subscribe an oath that he will faithfully perform the duties of Treasurer, and he shall also give a bond in the penalty of twenty-five thousand dollars, conditioned for the faithful performance of his duties as Treasurer, and that he will at all times keep and render a true account of all moneys received by him as such Treasurer, and of the disposition he has made of the same, and that he will at all times be ready to discharge himself of the trust, and to pay over when required; which bond shall have two good sureties, and shall be approved, as to its form and the sufficiency of its sureties, by the board of trustees, and also by the Governor and Secretary of State, and shall be filed in the office of the latter. The Librarian and Curator shall have charge of the Library and Cabinet of Natural History. Trustees to appoint Secretary, Treas'r and Librarian.

Enact laws for the government of the University. SEC. 82. The board of trustees shall have power and it shall be their duty to enact laws for the government of the University, to elect a Chancellor, and shall also appoint, on the nomination of the Chancellor, the requisite number of Professors and tutors, and also such other officers as they may deem expedient, also to determine the amount of their respective salaries.

Departments.
Faculty. SEC. 83. The University shall consist of such departments as the board of trustees shall determine, subject to the provisions of this act, and the same may be altered or changed, as the board may prescribe. The immediate government of the several departments shall be entrusted to the faculty. The method and manner of instruction in each department shall be provided by the board of trustees, who shall also confer such degrees and grant such diplomas as are usually conferred and granted by other Universities, or such others as it may think right and fitting.

Power of removal. SEC. 84. The board of trustees shall have power to remove any officer connected with the institution, when in their judgment the interests of the institution require it.

Fees for tuition. SEC. 85. The board of trustees shall determine the amount of fees to be paid for tuition, subject to the provisions of this act.

Library and apparatus. SEC. 86. The board of trustees are authorized to expend such portion of the income of the University fund as it may deem expedient in the purchase of Apparatus, Library, and Cabinets of Natural History, in providing suitable means to keep and preserve the same, and in the procurement of all other means and facilities for giving instruction.

Meeting of the Trustees. SEC. 87. Meetings of the board may be called in such manner and at such times as the board shall prescribe, and any seven of them, at any meeting regularly called, shall be a quorum for the transaction of business.

Duties of Treasurer. SEC. 88. The Treasurer of the University shall keep a set of books, in which he shall keep an accurate account of all transactions relative to the sale and disposition of the University lands and the management of

the fund arising therefrom, which said books shall exhibit what parts and portions of land have been sold, and at what prices, and to whom, and how the proceeds have been invested, and on what securities, and what land still remains unsold, and where situated, and of what value, respectively.

Sec. 89. The Secretary shall keep a book or books Duties of Sec'y. in which shall be entered all minutes of meetings, and all proceedings of the board, which shall always be open for inspection by all the trustees, at any time.

Sec. 90. No sales of lands belonging to the University shall hereafter take place, unless the same shall be decided upon at a regular meeting of the board, or at one called for that particular purpose, and then only in the manner, upon the notice and on the terms which the board shall prescribe, and no member of the board shall be either directly or indirectly interested in any purchase of such lands upon such sale. And it shall be lawful for the board to invest any surplus income which is not immediately required for the purposes of instruction, in the United States, or other interest paying State Stocks, and to hold the same for the University, either as a perpetual fund, or as an income to defray current expenses, as said board may deem expedient. Sale of land and investment of funds.

Sec. 91. There shall be a Normal Department to the University, in which shall be taught the theory and practice of teaching, and everything which enters into it as an art, including all the most approved methods and processes now in use in all the varieties of teaching. Normal Department.

Sec. 92. The board of Trustees shall make a report to the General Assembly, and Board of Education at their sessions, which shall exhibit the State, condition and progress of the University in its several departments, the different courses of study pursued therein, the branches taught, the means and methods of instruction adopted, the number of Professors and students, the situation and condition of the University fund, the income derived from the same, the amount of expenditures, and such other matters and things as the said board may deem proper to communicate. Trustees to report to the Gen'l Assembly and Board of Education the condition of the University.

SEC. 93. Each and every officer created by the provisions of this act, who shall receive by virtue of his office, any books or papers, and shall refuse to deliver the same to his successor in office, or shall wilfully mutilate or destroy the same, or any part thereof, shall be liable to a fine of not less than fifty, nor more than two hundred and fifty dollars, to be recovered, with all damages occasioned thereby, by an action at law.

SEC. 94. When any school officer is superceded by election or otherwise, he shall immediately deliver to his successor, all books, papers and moneys, pertaining to his office, taking a receipt therefor, which shall specify the particular class of books, papers and moneys thus transferred.

SEC. 95. All acts and parts of acts which have heretofore constituted the school laws of the State of Iowa, except those relating to school lands and the school fund, and all acts and parts of acts heretofore in force, relative to the State University, are hereby repealed, except that the officers created under those acts, and the power and authority under which they act, shall continue in force until the officers created by this act are filled, and the respective officers become qualified and enter upon the discharge of their respective duties, and all rights and liabilities, civil or criminal, which have accrued or been incurred under the act or acts hereby repealed, shall be in force in the same manner as if said act or acts were still in force.

SEC. 96. This act to be in force from and after its publication in the Iowa State Journal, and the Iowa Weekly Citizen; and any newspaper in this State publishing this act, and forwarding to the Auditor of State a copy or copies containing the same, on or before the first Monday of April next, shall be entitled to receive from the State Treasury, the sum of five dollars.

Approved March 12th, 1858.

I hereby certify that the foregoing Act was published in the Iowa State Journal on the 20th day of March 1858, and in the Iowa Weekly Citizen, March 17th, 1858.

ELIJAH BELLS,
Secretary of State.