

SEC. 2. Section 3363, of the Revision of 1860, be so amended as follows, to-wit: Section 3363. If the execution debtor, his agent or attorney, or the officer issuing the writ, or the Clerk of the District Court, shall fail to choose an appraiser as provided in the above Section within three days after notice of such levy served on him, his agent or attorney, or the officer issuing the writ, or the Clerk of District Court, as the case may be, by copy or reading, the officer having the writ shall choose an appraiser for him, who shall proceed in all respects as if he had been otherwise chosen according to law.

SEC. 3. This Act being deemed by the General Assembly of immediate importance, shall be in force from and after its publication in the State Register and the Iowa Homestead, newspapers published at Des Moines, Iowa.

Approved March 18th, 1864.

I here by certify that the foregoing act was published in the State Register and Iowa Homestead on the 30th day of March, A. D. 1864.  
JAMES WRIGHT, Secretary of State.

## CHAPTER 52.

### SUPERINTENDENT OF PUBLIC INSTRUCTION.

AN ACT to abolish the Board of Education of the State of Iowa; to provide for the election of a Superintendent of Public Instruction, prescribing his duties, and for other purposes connected therewith.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Board of Education of the State of Iowa is hereby abolished.

SEC. 2. A Superintendent of Public Instruction shall be elected by the present General Assembly, who shall hold his office until the first day of January, 1866. At the General Election in 1865, and every two years thereafter, a Superintendent of Public Instruction shall be elected in the same manner as other State officers, who shall enter upon the duties of his office on the first day of January succeeding his election, and shall hold his office for two years, and until his successor is elected and qualified.

SEC. 3. He shall before entering upon the duties of

Officer to  
choose ap-  
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Board Educa-  
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Term.

Bond.

Oath. his office give Bond for the use of the State of Iowa, in the penal sum of two thousand dollars, with sufficient sureties to be approved by the Secretary of State, conditioned for the faithful and impartial performance of the duties of his office ; and he shall also, at the time of giving Bond, take and subscribe an oath, or make affirmation that he will support the Constitution of the United States, and of the State of Iowa, and, to the best of his ability, faithfully and impartially perform the duties of his office, which oath shall be endorsed upon the back of said bond, and the bond shall be filed with and preserved by the Secretary of State.

Office. SEC. 4. An office shall be provided for him at the Seat of Government, in which he shall file all papers, reports, and public documents, transmitted to him by the County Superintendents, each year separately, and hold the same in readiness to be exhibited to the Governor, or to a Committee of either House of the General Assembly, at any time when required ; and he shall keep a fair record of all matters pertaining to his office.

Record. SEC. 5. He shall be charged with the general supervision of all the County Superintendents, and all the Common Schools of the State ; and shall render a written opinion to any school officer asking it, touching the exposition or administration of any school law ; and shall determine all cases appealed from the decision of the County Superintendents.

Supervision. SEC. 6. He shall recommend from time to time, to Give opinion County Superintendents, such books as he may think advisable for text books and for district school libraries.

Recommend text-books. SEC. 7. He may, if he deem it expedient, subscribe for a sufficient number of copies of the "Iowa Instructor and School Journal," or of such other Educational Journal published in the State, as he may select, and furnish each County Superintendent with one copy, and his certificate of having thus subscribed, shall be authority for the Auditor of State to issue his warrant for the amount of said subscriptions : *Provided*, That he shall cause to be inserted in the Journal he may so select, a correct copy of any decision he may deem it necessary to make for the efficient carrying out of the School Law.

Subscribe for Iowa Instructor. SEC. 8. He shall cause as many copies of the School Laws 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, and shall furnish each County Superintendent with a sufficient

Publish his decisions.

Publish and distribute school law.

number to supply each school officer in his county with one copy, to be handed to his successor in office. He shall also prepare and cause to be distributed to the several County Superintendents, a form of certificate in blank to be granted to teachers, also all other blank forms necessary to be used in carrying out the School Laws. Distribute blanks.

SEC. 9. 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. Report No. of children to Auditor.

SEC. 10. He shall make a report to the General Assembly, at each regular session thereof, which shall embrace, First, a statement of the condition of the common schools of the State; the number of district townships and sub-districts therein; the number of teachers; the number of schools; the number of school houses, and the value thereof; the number of persons between five and twenty-one years of age; the number of scholars in each county that have attended school the previous year, as returned by the several County Superintendents; the number of books in the district libraries, and the value of all apparatus in the schools, and such other statistical information as he may deem important. Second, Such plans as he may have matured for the management and improvement of the School Fund, and for the more perfect organization and efficiency of common schools. Third, He shall cause one thousand copies of his report to be printed, and shall present it to the General Assembly on the second day of its session. Report to General Assembly.

SEC. 11. Whenever reasonable assurances shall be given by the County Superintendent of any county, to the Superintendent of Public Instruction, that not less than twenty teachers desire to assemble for the purpose of holding a Teachers' Institute in said county, to remain in session not less than six working days, he shall appoint the time and place for said meeting, and give due notice thereof to the County Superintendent; and for the purpose of defraying the expenses of said Institute, there is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, a sum not exceeding fifty dollars annually for one such Institute in each county held as aforesaid, which the said Superintendent shall immediately transmit to the County Superintendent in whose county the Institute shall be held, who shall therewith defray the necessary expenses of the Institute, and if any balance remains he shall Report to be printed.  
Teachers' Institute.

pay the same into the county Treasury, and the same shall be credited to the Teachers' Fund.

Salary. SEC. 12. The Superintendent of Public Instruction shall receive annually the sum of thirteen hundred dollars as compensation for the duties required of him by law.

Rec'v'e books, papers, &c. SEC. 13. The Superintendent of Public Instruction, elected by the General Assembly under the provisions of this Act, shall within ten days after his election and qualification, take possession of all books, papers, and effects heretofore belonging or in any wise appertaining to the office of the Secretary of the Board of Education, whose office is hereby abolished.

Secretary's office abolished. Repealed. SEC. 14. An Act to provide for the election and to define the duties of the Secretary of the Board of Education, passed by the Board of Education, December 24th, 1858, also Chapter 66, Laws of the Eighth General Assembly, passed March 28th, 1860, and all other Acts and parts of Acts, inconsistent with this Act, are hereby repealed.

SEC. 15. This Act shall take effect from and after its publication in the Iowa State Register, the Iowa Homestead, and the Iowa Instructor and School Journal, or any two of them.

Approved March 19th, 1864.

I hereby certify that the foregoing Act was published in the Iowa State Register and Iowa Homestead on the 23d day of March, A. D. 1864.

JAMES WRIGHT, Secretary of State.

## CHAPTER 53.

### FOREIGN BANK NOTES.

AN ACT to prohibit the circulation of foreign bank notes in this State.

Circulation of foreign notes prohibited. SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whoever shall within this State, after the fourth day of July next, pay out, or offer to pay, or in any manner put in circulation or offer to put in circulation, any bank note, bill or other instrument intended to circulate as money, issued or purporting to be issued by any bank, individual or corporation