

School fund
in control.
5 per cent.

SEC. 3. After July 1, A. D. 1890, the counties having permanent school funds in control shall be charged only five per cent, instead of six per cent.

Secs. of Chap.
12, Acts 18 G.
A. repealed.

SEC. 4. That sections one, two, three of chapter twelve of the Acts of the Eighteenth General Assembly and all laws inconsistent with this act are hereby repealed.

Publication.

SEC. 5. This act being deemed of immediate importance shall be in force from and after its publication in the Iowa State Register and in the Des Moines Leader, newspapers published in Des Moines, Iowa.

Approved April 1st, 1890.

I hereby certify that the foregoing act was published in the *Iowa State Register* and *Des Moines Leader* April 4, 1890.

FRANK D. JACKSON, *Secretary of State.*

CHAPTER 24.

EMPOWERING DIRECTORS TO PURCHASE TEXT-BOOKS.

H. F. 279.

AN ACT Authorizing and Empowering the Boards of Directors of School Districts to Purchase Text Books, and Allowing the Electors of Districts and Counties to Decide the Question of Uniformity, and to provide means and Authority for Purchase of School Books and Supplies.

Be it enacted by the General Assembly of the State of Iowa:

Board of
directors to
adopt text-
books and
supplies.

SECTION 1. That the board of directors of each and every district, Township and Independent District in the state of Iowa is hereby authorized and empowered to adopt text-books for the teaching of all branches that are now or may hereafter be authorized to be taught in the public schools of the state, and to contract for and buy said books and any and all other necessary school supplies at said contract prices and to sell the same to the pupils of their respective districts at cost, and said money so received shall be returned to the contingent fund. That the books and supplies which are purchased under the provisions of this section shall be under the charge of the president of each Board of Directors, that he shall care therefor and receive all moneys for books sold, and he shall be responsible for all such books and moneys, and he shall give a bond in the sum of five hundred dollars with sureties to be approved by the County Board of Supervisors, to insure the faithful performance of such duties.

President of
board to have
charge of
books.

Shall give
bond.

Books paid
for out of
contingent
fund.

SEC. 2. All the books and other supplies, purchased under the provisions of this act, shall be paid for out of the contingent fund, and the Board of Directors shall annually certify to

the Board of Supervisors the additional amount necessary to levy for the contingent fund of said district to pay for such books and supplies; but such additional amount shall not exceed, in any one year, the sum of one dollar for each pupil residing in the district, Township or Independent School District, and the amount so levied shall be paid out on warrants drawn for the payment of books and supplies only; but the District shall contract no debt for that purpose.

SEC. 3. In the purchasing of text-books, it shall be the duty of the Board of Directors or the County Board of Education to take into consideration the books then in use in the respective districts, and they may buy such additional number of said books as may, from time to time, become necessary to supply their schools, and they may arrange on equitable terms for exchange of books in use for new books adopted.

Considerations in the purchase of books.

SEC. 4. If at any time the publishers of such books as shall have been adopted by any Board of Directors or County Board of Education, shall neglect or refuse to furnish such books when ordered by said Board in accordance with the provisions of this act, at the very lowest price, either contract or wholesale, that such books are furnished any other district or state board, or were furnished to any other district or state board in the year 1889, then said Board of Directors or County Board of Education may, and it is hereby made their duty to bring suit upon the bond given them by the contracting publisher.

Duty of board in case of failure of publishers to furnish.

SEC. 5. Before purchasing text-books under the provisions of this act, it shall be the duty of the Board of Directors, or County Board of Education, to advertise, by publishing a notice for three consecutive weeks in one or more newspapers published in the county; Said Notice shall state the time up to which all bids will be received, the classes and grades for which text-books and other necessary supplies are to be bought, and the approximate quantity needed; and said board shall award the contract for said text-books and supplies to any responsible bidder or bidders offering suitable text-books and supplies at the lowest prices, taking into consideration the quality of material used, illustrations, binding and all other other things that go to make up a desirable text-book; and may to the end that they may be fully advised, consult the County Superintendent; or, in case of City Independent Districts, with City Superintendent or other competent persons, with reference to the selection of text-books; provided, that the board may reject any and all bids, or any part thereof, and re-advertise therefor as above provided.

Bids taken for furnishing.

Consultation as to books selected.

SEC. 6. It shall be unlawful for any board of Directors or County Board of Education, except as provided in Section 4, to displace or change any text-book that has been regularly adopted and introduced under the provisions of this act, before the expiration of five years from the date of such adop-

Books selected not to be displaced for five years; exception.

tion, unless authorized to do so by a majority of the electors present and voting at their regular annual meeting in March, due notice of said proposition to change or displace said text-books having been included in the Notice for the said regular meeting.

Samples to be deposited by bidders.

County auditor to safely keep samples for inspection.

SEC. 7. Any person or firm desiring to furnish books or supplies under this act, in any county, shall, at or before the time of filing his bid hereunder, deposit in the office of the County Auditor samples of all text-books included in his bid, accompanied with lists giving the lowest wholesale and contract price for the same. And said samples and lists shall remain in the County Auditor's office, and shall be delivered by him to his successor in office; and shall be kept by him in such safe and convenient manner as to be open at all times to the inspection of such school officers, school patrons and school teachers as may desire to examine the same and compare them with others, for the purpose of use in the public schools. The Board of Directors and County Board of Education mentioned, shall require of any person or persons with whom they contract for furnishing any books or supplies to enter into a good and sufficient bond in such sum and with such conditions and sureties as may be required by such Boards of Directors or County Board of Education for the faithful performance of any such contract.

Petition for uniform series.

Service of notice.

SEC. 8. When a petition shall have been signed by one-half the school Directors in any County, and the same shall have been filed in the office of the County Superintendent of said County, at least thirty (30) days before the annual school elections in March, asking for a uniform series of text-books in the County, then the said County Superintendent shall notify the County Auditor and the board of supervisors of such petition. Such notice shall be in writing and shall be served or delivered as soon as possible, and within fifteen (15) days after the filing of the petitions provided for herein the board of Education provided for in Section 9, shall meet and provide for the submission of the question of County uniformity.

Board of education; how constituted.

Election as to county uniformity.

SEC. 9. The County Superintendent, the county auditor and the county Board of Supervisors shall constitute a Board of Education, whose duty it shall be to arrange for a vote by the electors at the annual meeting in March, for or against county uniformity of school text-books under such rules and regulations as said Board of Education may determine. Should a majority of the electors, voting at such election; favor a uniform series of text-books for use in said County, then the County Board of Education shall meet and select the school-text-books for the entire County, and contract for the same under such rules and regulations as the said Board of Education may adopt. When a list has been so selected, they shall be used by all the public schools of said districts, and the

Board of Education may arrange for such depositories as they may deem best, and may pay for said school books out of the county funds and sell them to the school Districts at the same price as provided for in Section one (1) of this act, and the money received from said sales shall be returned to the County funds by said Board of Education monthly. The Boards of school officers who are made the judges of the school meetings, shall certify to the Board of Supervisors the full returns of the votes cast at said meetings the next day after the holding of said meetings, who shall, at their next regular meeting, proceed to canvass said votes and declare the result.

Depositories
for county
books.

Canvass of
votes.

SEC. 10. The County Superintendent shall, in all cases, be Chairman of the County Board of Education, and the county auditor shall be the Secretary, and a full and complete record shall be kept of their proceedings in a book kept for that purpose in the office of the County Superintendent. A list of text-books so selected, with their contract prices, shall be reported to the State Superintendent with the regular annual report of the County Superintendent.

Chairman
and secretary
of county
board of edu-
cation.

SEC. 11. It shall be unlawful for any school Director, Teacher or member of the County Board of Education to act as agent for any school text-books or school supplies during such term of office or employment, and any school Director, Officer, Teacher or member of the County Board of Education who shall act as agent or dealer in school text-books or school supplies, during the term of such office or employment, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), and pay the costs of prosecution.

Directors,
teachers or
member of
the board not
to act as
agents.

SEC. 12. The provisions of Sections eight (8) nine (9) and ten (10) of this act shall not apply to schools located within cities or towns, nor shall the Electors of said cities or towns vote upon the question of County Uniformity, but nothing herein shall be so construed as to prevent such schools in said cities and towns from adopting and buying the books adopted by the County Board of Education at the prices fixed by them, if by a vote of the Electors they shall so decide.

Provisions
not applic-
able to cities.

SEC. 13. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Repealing
clause.

Approved, May 7, 1890.