

EDUCATIONAL LAWS

OF THE

STATE OF IOWA,

PASSED BY THE

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Board of Education

AT ITS FIRST AND SECOND SESSIONS,

AND BY THE

GENERAL ASSEMBLY,

AT ITS EIGHTH REGULAR SESSION.

DES MOINES, IOWA.
JOHN TEESDALE, STATE PRINTER.

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SCHOOL LAWS.

PART I.

AN ACT to provide for the authentication and taking effect of the laws passed by the Board of Education.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa,* That all Acts passed by this Board shall, before they become laws, be correctly enrolled and signed by the presiding officer of this body.

SEC. 2. That a printed certificate of the Secretary of this Board shall be appended to the pamphlet containing a copy of the laws of any session, stating that the Acts therein contained have been by him compared with the original statutes as passed by this Board, and such certificate shall be sufficient evidence of the correctness of those laws to render them receivable as genuine in all cases whatever.

SEC. 3. That when not otherwise expressly provided, the laws passed at any general session of this Board shall take effect on the first day of March next after the date of their enactment.

ORAN FAVILLE,

President of the Board of Education.

December 15th, 1858.

PART II.

AN ACT to legalize elections, acts and contracts under an act of the General Assembly, entitled "an act for the Public Instruction of the State of Iowa," approved March 12th, 1852.

WHEREAS, Elections have been held, contracts made, acts done and taxes levied, schools taught, and teachers employed, in many, if

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not all, the school districts in this State, in consequence and by reason of an act of the last General Assembly of this Saate, commonly called the act for the Public Instruction of the State of Iowa; and

WHEREAS, The Supreme Court of the State have recently decided said act to be unconstitutional and void in many of its provisions; and as great confusion is about to result in consequence of such a state of facts, unless a curative act be passed; therefore,

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That all elections which have been held, or have taken place, all acts done, and contracts made, and any tax which may have been levied by any person, school district or corporation, and any rights which any person, school district, or corporation may have acquired under and in pursuance of an act of the General Assembly, entitled "an act for the Public Instruction of the State of Iowa," approved March 12th, 1858, be and the same are hereby legalized and confirmed as tully and effectually as though the same had taken place in pursuance of legal enactment: *Provided*, That nothing in this act shall be construed to impair the right of the Board of Education to fix the term of office of any officer elected under said act, or to abolish any office created by said act.

SEC. 2. This act to take effect and be in force from and after its publication in the Iowa Weekly Citizen, the State Journal and the Iowa Statesman.

ORAN FAVILLE,

President of the Board of Education.

December 15th, 1858.

PART III.

AN ACT to provide for the purchase of School District Libraries.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That the temporary School Funds belonging to each county in this State shall be apportioned separately by the County Judge at the time of apportioning other School Funds among the several districts in each county, in proportion to the number of persons residing in such district between the ages of five and twenty-one years.

SEC. 2. The Board of Directors shall, at their regular meeting in April of each year, determine whether the amount so received shall be appropriated to the purchase of a District Library, and if not so appropriated, the same shall form a part of the Teacher's Fund of said District.

SEC. 3. The Secretary of each District shall be ex-officio Librarian, and shall purchase books and perform all other duties pertaining to that office, under the direction of the Township Board.

ORAN FAVILLE,

President of the Board of Education.

December 18th, 1858.

PART IV.

AN ACT providing for the publication of the laws of the Board of Education in the several Counties of the State.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa,* That the Secretary of the Board of Education shall, as soon as possible after the adjournment of the present session of this Board, and within thirty days from date, forward to each County Judge in the State a copy of all the laws passed at said session. It shall be a sufficient compliance with the provisions of this section, if the Secretary of the Board of Education shall forward to each County Judge duplicate copies of newspapers, or slips containing said laws.

SEC. 2. It shall be the duty of the County Judge of each county, to cause said laws to be published in two weekly newspapers of his county, if as many are published therein; and if but one weekly newspaper be published in his county, then the said laws shall be published in such newspaper. *Provided,* That not more than thirty-five cents per thousand ems shall, in any case, be allowed for publishing the said laws.

SEC. 3. The accounts for such printing shall be audited and allowed the same as other accounts against the county, after having first been sworn to by some one acquainted with the correctness thereof.

SEC. 4. It shall be the duty of the County Judge of such county to keep and preserve at least one number of each newspaper of his

county in which the laws of the Board of Education may be published under the provisions of this act, and place the same in his office, where it shall remain for future reference.

SEC. 5. This act shall be in force from and after its publication in the Iowa Weekly Citizen and Iowa Weekly Statesman.

ORAN FAVILLE,

President of the Board of Education.

December 21, 1858.

PART V.

AN ACT to amend an Act providing for the publication of the Laws of the Board of Education in the several Counties of the State.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That act number four, passed at the session of this Board in December, 1858, entitled "An act providing for the publication of the laws of the Board of Education in the several counties of the State," be amended as follows:

In the third line of the first section substitute "any" for "the present." In the fourth line of same section, strike out "from date."

SEC. 2. This act shall take effect on and after its publication in the Daily Iowa School Journal.

ORAN FAVILLE,

President of the Board of Education.

December 24th, 1859.

PART VI.

AN ACT legalizing the election and acts of certain School Officers.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That whenever any township in this State has been organized since the first Monday in May, one thousand eight hundred and fifty-eight, and has since elected the school district offi-

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cers provided for in the act of March 12th, 1858, entitled "An act for the Public Instruction of the State of Iowa," such election is hereby legalized and made valid; and all said officers so elected, are hereby continued in office until their successors shall be elected and qualified according to law; and all acts done by, or contracts made by or with said officers, and all rights accruing to said officers, under, by virtue, or in pursuance of said act of the General Assembly, are hereby ratified and confirmed, as fully as though said elections had been held in pursuance of legal enactment.

SEC. 2. This act to take effect and be in force from and after its publication in the Iowa Citizen and the Iowa Statesman.

ORAN FAVILLE,
President of the Board of Education.

December 21st, 1858.

PART VII.

AN ACT prohibiting the exclusion of the Bible from the Schools of the State.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That the Bible shall not be excluded from any school or institution in this State, under the control of the Board, nor shall any pupil be required to read it contrary to the wishes of his parent or guardian.

ORAN FAVILLE,
President of the Board of Education.

December 22d, 1858.

PART VIII.

AN ACT to amend an act entitled "An Act to provide a system of Common Schools."

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That the act of the Board of Education, passed December, 1858, entitled "An Act to provide a system of common schools," be amended so as to read as follows:

Each civil township that is now or may be hereafter organized in the several counties of this State, is hereby declared a School District for all the purposes of this act, and each sub-district, as now organized under an act entitled "An Act for the Public Instruction of the State of Iowa," approved March 12th, 1858, shall continue such, subject to provisions hereinafter made:

SEC. 2. In each sub-district there shall be taught one or more schools for the instruction of youth between the ages of five and twenty-one years for at least twenty-four weeks, of five school days each, in each year, unless the County Superintendent shall be satisfied that there is good and sufficient cause for failure so to do.

SEC. 3. Scholars residing in one district may attend school in another, in the same or adjoining county, with the concurrence of the directors of both districts, and in such case, their proportion of the school money of the district to which they belong shall be paid to the Treasurer of the district in which they attend school; and scholars may attend school in any sub-district of the township in which they reside, with the consent of the District Board.

SEC. 4. Any township in an unorganized county shall be for the purposes of this act regarded as a portion of the county to which its county is attached for revenue purposes.

SEC. 5. Every school district which is now, or may hereafter be organized in this State, is hereby made a body corporate, by the name of the "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.

DISTRICT TOWNSHIP MEETINGS.

SEC. 6. *First*—Each Township district shall hold regular meetings annually, on the second Monday in March.

Second—When a new township has been organized, or a district left without officers, the Trustees of the township shall post written notices specifying the time and place of the aforesaid meeting, in five conspicuous places in the township; provided, that when any district township shall be divided into two or more entire townships for civil purposes, the existing Board of Directors shall continue to act for both or all the new districts, till the time of the next election of officers.

SEC. 7. The electors of a district, when legally assembled at a district school meeting, shall have the following powers, viz :

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

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

Third—To levy such tax, not exceeding one per cent in any one year, on the taxable property of the district, as the meeting 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 compensation 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*, That no tax shall be levied for building school houses excepting at the regular meeting in March; and provided further, that no more than five mills on the dollar shall be levied in any one year for school house purposes.

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.

Fifth—To provide for the payment of any debts contracted for school houses or school purposes.

Sixth—To delegate all the powers contained in the foregoing specifications to the district board of directors.

SEC. 8. At the meeting of the township districts, the chairman shall submit the questions coming before the electors, in the following order: 1st. The levy of a tax for the payment of debts for school house purposes. 2d. For payment of officers and miscellaneous contingent expenses. 3. For paying amounts asked for by the several sub-districts, for each purpose separately. 4th. For payment of teachers. 5th. For purchase of libraries, fuel, apparatus, &c. 6th. For the delegation of power to the Board of Directors. 7th. Other matters necessary or proper to be acted upon.

SEC. 9. The several sub-district shall annually, on the first Monday in March, hold a meeting for the election of a Director, five days notice of which meeting shall be given by the then resi-

dent Director, or if there is none, by the District Secretary posting a written notice in three public places therein.

SEC. 10. At the meeting of the sub-districts, a Chairman and Secretary shall be appointed, who shall act as judges of the election, and give a certificate of election to the Director elect.

SEC. 11. Each Director shall, within ten days after his election, appear before some 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 so to qualify, he shall forfeit ten dollars, to be recovered against him for the use of the district.

SEC. 12. The electors of said sub-district shall also, at the regular meeting in March, determine whether they desire any funds raised by tax to erect, repair, lease or furnish a school house in said sub-district, or for the lease or purchase of grounds for the same, and the amount for each purpose.

SEC. 13. Whenever any sub-district, at a regular meeting, shall determine that they desire a tax levied for any of the purposes mentioned in the foregoing section, the director for said sub-district shall, within five days thereafter, certify the same to the township clerk, stating the amount of money desired for each purpose separately.

SEC. 14. The directors of the several sub-districts shall constitute a Board of Directors for the township district, of which Board the township clerk shall be Secretary, but shall have no vote therein.

SEC. 15. The District Board shall hold their regular meetings on the first Saturday after the first Monday in April and October in each year and may hold such special and adjourned meetings as occasion may require. They shall organize by electing from their own number, a President and Treasurer. In the absence of the President the Secretary shall preside.

SEC. 16. The duties of the District Board of Directors shall be as follows:

First—To make all contracts, purchases, payments and sales, necessary to carry out any vote of the district; *Provided*, That before erecting any school house, they shall consult with the County Superintendent as to the most approved plan for such building.

Second—To admit pupils not belonging to the district, and not provided for in section three of this act, to their schools, on such terms as they may agree upon.

Third—To determine the number of schools which shall be established, and the length of time each shall be taught, subject to the provisions of section two of this act.

Fourth—To fix the site for each school house, taking into consideration the wants and necessities of the people of each portion of the district.

Fifth—To establish graded or union schools wherever they may be necessary, and they may, as occasion requires, select a person who shall have the general supervision of the schools in their district, subject to rules and regulations of the board.

Sixth—To determine what branches shall be taught in the schools of their district.

Seventh—To require the Secretary and Treasurer each to give bond to the district in such penalty and with such sureties as they may determine upon, conditioned for the faithful performance of their duties under this act. The bond shall be filed with the President of the Board, and in case of breach of condition thereof, he shall bring suit thereon in the name of the district.

Eighth—To fill any vacancy, that may occur in the Board, until the next regular sub-district meeting.

Ninth—They shall, from time to time, examine the accounts of the Treasurer and make settlement with him, and present at each regular meeting of the electors a full statement of the receipts and expenditures of the district, and all matters delegated to them to perform, and all such other matters as may be deemed important.

Tenth—To audit and allow all just claims against the District, and to fix the compensation of the Secretary and Treasurer.

Eleventh—To visit the schools in their district, and aid the Teachers in establishing and enforcing rules for the government of the schools, and see that they keep a correct list of the pupils, embracing the periods of time during which they attend School, the branches taught, and such other matters as may be required by the County Superintendent.

Twelfth—They shall at their first regular meeting after the taking effect of this act, divide their district into sub-districts, such as justice, equity and the interests of the people require, and shall

designate said sub-districts plainly upon a plat of the district provided for that purpose, and record the same in the district records, and they may at any regular meeting, or at any meeting called for that purpose, change the boundaries of sub-districts as circumstances may require, notice of the same having been given at any previous meeting. They shall cause all such changes to be marked on said map or plat and recorded in the proper book, and in the office of the County Judge, and they shall cause new maps to be made from time to time; *Provided*, That the boundaries of sub-districts shall conform to the lines of Congressional divisions of land.

Thirteenth—They shall apportion any tax for school house purposes, in such manner that the rate per cent. levied upon any sub-district which has built a school house unaided by other portions of the district, shall be so much less than the per cent. levied in other sub-districts, as justice may require, but the per cent. of tax shall be equal on all sub-districts owning no school house property, *Provided*, That the rate shall not exceed five mills on the dollar in any sub district; and the Board may lessen the amount voted, if necessary, sufficiently to reduce it to that rate.

Fourteenth—They shall, at their regular meeting in April of each year, estimate the per centum of tax on the taxable property of the district, necessary to raise a fund which, with the Teachers' Fund from the County Treasury, as shown by notice from the County Judge, shall be sufficient to support 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 upon the property of the district, which shall be collected and paid over as other school district taxes are.

SEC. 17. A majority of the Board shall be a quorum to transact business, but a less number may adjourn from time to time, and no tax for school house purposes shall be levied by the Board unless by a vote of a majority of all the members, nor after the 1st Monday in June, nor shall the boundaries of sub-districts be changed except by a vote of a majority of the Board.

DUTIES OF DISTRICT OFFICERS.

SEC. 18. The President, or in his absence, the Secretary shall

preside in all meetings of the Board and of the District, shall draw all drafts on the County Treasurer, for money apportioned to his district, sign all orders on the District Treasury, specifying in the orders the fund on which they are drawn, and the use for which the money is assigned ; and he shall sign all contracts.

SEC. 19. The President shall appear in behalf of his district in all suits brought by or against the same, but when he is individually a party, this duty shall be performed by the Secretary ; and in all cases where suits may be instituted by or against any of the school officers, to enforce any of the provisions herein contained, counsel may be employed by the Board of Directors.

SEC. 20. The Secretary shall record all the proceedings of the Board and district meetings, in separate books, kept for that purpose, shall preserve copies of all reports made to the County Superintendent, shall file all papers transmitted to him pertaining to the business of the district, and shall countersign all drafts, warrants and orders drawn by the President.

SEC. 21. 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.

SEC. 22. He shall give ten days previous notice of all regular and special meetings of the district, by posting a written notice in five different conspicuous places therein, one of which shall be at or near the last place of meeting, and shall furnish a copy of the same to the teacher of the school, (if in session,) of each sub-district, to be read in the presence of the pupils thereof, and such notice shall in all cases, state the hour of meeting.

SEC. 23. Whenever a tax has been voted by any district for purposes in this act specified, the Secretary shall immediately certify the per centum 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. 24. The collector shall, on the 1st Monday of April 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.

SEC. 25. On or before the 20th day of September in each year, the Secretary of each school district shall file with the County Superintendent a report of the affairs of the district, which shall contain the following items, viz :

First—The number of persons, male and female, each, in his district, between the ages of five and twenty one years.

Second—The number of schools and the branches taught.

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

Fourth—The number of teachers employed, and the average compensation paid per week, distinguishing males from females.

Fifth—The length of school in days, and the average cost of tuition per week for each scholar.

Sixth—The aggregate amount paid teachers during the year, and the balance of teachers fund in the Treasury.

Seventh—The text books used, and the number of volumes in the District Library, and the value of apparatus belonging to the district.

Eighth—The number of School Houses and their estimated value.

Ninth—The amount raised within the year by tax for the erection of school houses, the amount for teachers fund and for other purposes of this act, stating separately the amount for each.

Tenth—The amount of public fund received from the County Treasury, and if any, from other sources, stating what, and how much from each, and such other information as he may deem useful.

SEC. 26. Should the Secretary fail to file his report as above directed, he shall forfeit the sum of twenty-five dollars, and shall make good all losses resulting from such failure, and suit shall be brought, in both cases, by the district, on his official bond.

SEC. 27. The Treasurer shall hold all moneys belonging to the district, and pay out the same on the order of the President, countersigned by the Secretary, and shall keep a correct account of all expenses and receipts, in a book provided for the purpose.

SEC. 28. The money collected by district tax for school house purposes, and all contingent expenses, shall be called the "school house fund," and that received for the support of teachers, shall

be called the "teachers' fund," and the Treasurer shall keep with each fund a separate account, and shall pay no order which does not specify the fund on which it is drawn, and the specific use to which it is applied. If he have not sufficient funds in his hands to pay in full the warrant drawn on the fund specified, he shall make partial payment thereon, paying as near as may be, an equal proportion of each warrant.

SEC. 29. He shall receive all money apportioned to the district by the County Judge, and also all money in the County Treasury collected on the district tax, for his district.

SEC. 30. He shall render a statement of the finances of the district from time to time, as may be required by the board, and his books shall always be open for inspection.

SEC. 31. It shall be the duty of the director in each sub-district, between the first day of August and the fifteenth day of September of each year, to make and keep on record a list of the names of all heads of families in the sub-district, and the number of children in each family between the ages of five and twenty-one years, distinguishing males from females, and to report the same to the Secretary of the township district, on or before the said fifteenth day of September, in each year. He shall further report the number of schools in his sub-district, and the branches taught, the number of pupils and average attendance of the same in each school, the number of teachers and the compensation of each, the text books used, the number of school houses, and the estimated value of each.

SEC. 32. He shall, under such rules and restrictions as the township board may prescribe, negotiate and make in his sub-district all necessary contracts for providing fuel for schools, employing teachers, repairing, building and furnishing school houses, and making all other provisions necessary for the convenience and prosperity of the schools within his sub-district. All contracts made in conformity with the provisions of this section, shall be reported to the township board of directors; and said board, in their corporate capacity, shall be responsible for the performance thereof on the part of the district.

SEC. 33. He shall have power to dismiss any pupils from the schools in his district for gross immorality, or for persistent violation of the regulations of the school, and to re-admit them if he deems it proper so to do, and shall visit the schools in his sub-district at least twice during each term of said school.

SEC. 34. All contracts with teachers shall be in writing, specifying the length of time the school is to be taught, in weeks, the compensation per week, or per month of four weeks, and such other matters as may be agreed upon, and shall be signed by the sub-director and teacher, and be approved by and filed with the President before any teacher shall be entitled to a warrant for services.

SEC. 35. He shall collect all taxes and debts due his sub-district, and settle any other business remaining unfinished at the time of organizing under the act entitled "An act for the Public Instruction of the State of Iowa," approved March 12th, 1858, and shall apply all funds that may thus come into his hands, to the specific purpose for which they were designed; but before entering upon the said duties, he shall file with the President of the board of directors, a bond such as is required of the Secretary and Treasurer under this act; but the District Treasurer shall settle with the County Treasurer, and receive from him all moneys due and unpaid, to any sub-district of his district, applying said funds as in this section provided.

SEC. 36. When any tax heretofore levied is still unpaid, the director may, at his option, report the amount due from any individual, or upon any tract of land, to the County Judge, who shall cause the amounts so due, to be added to the amount standing on the tax list against such individual or tract of land, for the current year. These taxes shall then be collected in the same manner as is pursued in the collection of other county taxes.

SEC. 37. The sub-district may act independent of the district board in the expenditure of any funds belonging to such sub-district, derived from any debts due or tax levied by it previous to its organization under the "Act for the Public Instruction of the State of Iowa," approved March 2th, 1858.

SEC. 38. 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 time and in the same manner as State and county taxes are collected, except that it shall be receivable only in cash.

SEC. 39. On the first Monday of April annually, the County

Judge of each county shall apportion 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 fifth day of October, annually, the number of such persons in each school district in his county.

SEC. 40. 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 hands, keeping separate accounts with each fund.

QUALIFICATIONS AND DUTIES OF TEACHERS.

SEC. 41. *First*—No person shall be employed to teach a common school which is to receive its distributive share of the school fund, unless he shall have a certificate of qualification signed by the County Superintendent of the county in which the school is situated; and no certificate shall be valid more than one year from the date thereof; and any teacher who commences teaching without such certificate, shall forfeit all claim to compensation for the time during which he teaches without such certificate.

Second—The teacher shall keep a correct register of the school, which shall exhibit the sub-district, township, county and State in which the school is kept, the day of the week, the month and year; the name and age, and attendance of each scholar, and the branches taught, the register to be as near as practicable after the form appended to this act.

Third—When scholars reside in different districts, a register shall be kept for each district.

Fourth—The teacher shall, immediately after the close of his school, file in the office of the Secretary of the Board a certified copy of the register aforesaid.

OF THE COUNTY SUPERINTENDENT.

SEC. 42. A County Superintendent of common schools shall be elected in each organized county of this State, whose term of service shall be two years.

SEC. 43. The first election of that officer shall take place on the second Tuesday of October, 1859, at the time and several places of electing the township boards, and at the general election on every two years thereafter; and the election returns to be made in the same manner as for other county officers. The present incumbents who have been elected under the act of March 12th, 1858, shall serve in that capacity until their successors are elected and qualified; but the rate of their compensation after the taking effect of this act, shall be as hereinafter provided.

SEC. 44. Within twenty days after his election, he shall take and subscribe his oath of office. On his failure to do so, or if for any other cause there be a vacancy in said office, the County Judge shall appoint a person to fill such vacancy, who shall qualify in like manner, and who shall hold his office till the first general election thereafter.

SEC. 45. The County Superintendent shall examine all persons who shall present themselves at the proper time and place, as to their competency and ability to teach orthography, reading, writing, arithmetic, geography and English grammar, and such other branches as may be required hereafter. In making this examination he may, at his option, call to his aid one or more assistants.

SEC. 46. If the examination is satisfactory, and if the applicant is shown to be of good moral character, he shall receive a certificate accordingly. The names of all those receiving such certificates, and of all those rejected, shall be entered on a register kept by the County Superintendent at the date at which they were given.

SEC. 47. The County Superintendent shall, on the last Saturday of every month, meet all those who are desirous of passing

an examination, and for the transaction of all other business within his jurisdiction, in some suitable room at the seat of justice of the county, or at any other place, as occasion may require, and shall notify the County Judge of the place of meeting. If an applicant desire an examination at any other time, he shall be required to pay the Superintendent one dollar, before the examination is commenced, unless he presented himself at the regular day fixed in this section, and was unable, from no fault of his own, to obtain an examination, in which case no fee shall be required of him.

SEC. 48. If for any cause the County Superintendent cannot be present at the regular day thus fixed, he shall appoint one or more deputies to make the examination in his stead. He shall afterwards issue certificates to those who receive the recommendation of his deputies as aforesaid.

SEC. 49. The Superintendent may revoke the certificate of any teacher in the county, which was given by the Superintendent thereof, for any reasons which would have justified the withholding thereof when the same was given. And the Board of Directors upon sufficient cause shown, may expel any teacher from school in the district.

SEC. 50. On or before the 5th day of October in each year, he shall make a report to the Secretary of the Board of Education containing a digest of the reports made to him by the Secretaries of the several township boards, and such other matters as he shall be directed to report by the said Secretary, and such as he himself may think pertinent and material, and especially such as will show the condition of the schools under his charge. He shall also suggest such improvements in the system as he may think judicious. He shall also, by the fifth day of October in each year, file with the County Judge an abstract of the number of youths between the ages of five and twenty-one years residing in each township and school district within his county.

SEC. 51. Should he fail to make either of the reports required in the last section, he shall forfeit to the school fund of his county the sum of fifty dollars, and shall besides, be liable for all damages caused by such neglect.

SEC. 52. He shall at all times conform to the instructions of the Secretary of the Board of Education, as to matters within the jurisdiction of the said Secretary. He shall serve as the organ of communication between the Secretary and township or district

authorities. He shall transmit to the townships, districts or teachers, all blanks, circulars and other communications which are to them directed, and he shall entertain and decide all appeals taken from decisions of district boards.

SEC. 53. The County Superintendent shall receive from the County Treasury the sum of two dollars for every day necessarily engaged in official services; but before he shall be entitled to receive such compensation, he shall file in the office of the County Judge a sworn statement of the correctness of his account together with the account itself; *Provided*, That he shall not receive a greater compensation than one-half the salary, fixed by law, of the clerk of the District Court of the County in which the Superintendent resides.

GENERAL PROVISIONS.

SEC. 54. In townships comprising but one sub-district, three members of the District Board of Directors shall be elected in manner as provided in section nine of this act for the election of one member. The persons elected, together with the township clerk, shall constitute the township board, with like powers and duties as herein provided for the board of other townships.

SEC. 55. If at any time the office of Secretary becomes vacant by resignation or otherwise, the Board shall appoint one of their own number to fill such vacancy.

SEC. 56. A school month shall consist of four weeks, of five school days each.

SEC. 57. Any officer whose term of office is prescribed by this act, shall continue in office until his successor is elected and qualified.

SEC. 58. Every person elected or appointed to any office, pursuant to the provisions of this act, shall, before entering upon the discharge of the duties thereof, take an oath to support the constitution of the United States, and of this State, and faithfully to discharge the duties of his office according to the best of his abilities. In case such officer has a written appointment or commission, his oath shall be endorsed thereon. In other cases it may be taken orally. In either case it may be sworn to before any officer authorized to administer oaths.

SEC. 59. When any officer is superseded by election, or other-

wise, he shall immediately deliver to his successor in office, all books, papers, and moneys pertaining to his office, taking a receipt therefor; and every such officer who shall refuse to do so, or who shall wilfully mutilate or destroy any such books or papers, or any part thereof, shall be liable to a fine of not less than fifty, nor more than two hundred and fifty dollars, at the discretion of the court.

SEC. 60. All fines and penalties collected from a district officer, by virtue of any of the provisions of this act, shall enure to the benefit of that particular district. Those collected from any member of the township board, shall belong to the township, and those collected from county officers, to the county. In the two former cases, suit shall be brought in the name of the township board; in the latter, in the name of the county, and by the district prosecutor. The amount in each case, shall be added to the fund next to be applied by the recipient, for the use of common schools.

SEC. 61. Unorganized counties shall be regarded for the purposes of this act, the same as though they formed a part of the organized counties to which they are respectively attached.

SEC. 62. The Secretary of the Board of Education may make all needful rules and regulations to give efficiency to this law. And should any defect be discovered therein while this Board is not in session, which is evidently the result of oversight, and which in his opinion is detrimental to the efficiency of the law, he may supply such defect by a regulation having the force of law, until the matter can be acted on by this Board. In such cases he must report the fact and the reasons thereof to the Board at its next meeting. He may also make regulations fixing the powers and duties of any subordinate officer or board, when those duties are not sufficiently defined herein, making a like report thereof as is above required.

SEC. 63. In all cases where a school district, as constituted at the time of the taking effect of an act entitled "An act for the Public Instruction of the State of Iowa," approved March 12th, 1858, and formed of a part of two or more civil townships in the same or adjoining counties, had a school house erected, which said house had not been destroyed, removed or abandoned, said district, as at that time constituted, shall be and remain a sub-district in, and form a part of the township district in which such school house is

situated, for voting, taxation, enumeration of children, distribution of money, and all other school purposes, as fully as though said sub-district were all included within the township in which the school house is situated, and the boundaries of such sub-district shall not be changed except with the concurrence of the boards of directors of the townships interested; provided, that the provisions of this section shall not apply to incorporated cities and villages containing one thousand inhabitants, or more; and the board of directors shall, at their regular meeting in April next after the passage of this act, divide their districts in accordance with the provisions of this section, and should a vacancy be caused thereby in the office of director in any such sub-district, the Secretary shall, as soon as practicable, call a special meeting of the electors therein, to fill such vacancy.

SEC. 64. Nothing in this act shall be so construed as to give the township board of directors jurisdiction over any territory included within the limits of any city or incorporated village, with the territory annexed thereto for school purposes, which has organized separately as a school district under any other act of this Board.

SEC. 65. If adequate provision has not been made by the township district for school house purposes, or the payment of debts in any sub-district, the sub-director may, and shall, at the written request of one-fourth of the electors in his sub-district, call a meeting of the electors of his sub-district; said meeting to be held on the second Monday in July, and to be organized as at the regular meeting in March.

SEC. 66. He shall give at least ten days notice of any meeting so called, by causing said notice to be read in the presence of each school taught in his sub-district, if during term time, or if no school be in operation, then by posting written notices of said meeting in at least three conspicuous public places in his sub-district.

SEC. 67. The electors of such sub-district, when assembled at such called meeting, may determine whether they desire a tax levied upon the property of said sub-district.

First—For the payment of debts against said sub-district contracted before the organization under an act "for the Public Instruction of the State of Iowa," approved March 12th, 1858, or

Second—For the erection, completion, repairing or furnishing a school house or houses in said sub-district, or for purchasing, leas-

ing, enclosing or improving grounds for the same, provided that no tax shall be voted of more than one per cent on the taxable property of the district in any one year, nor shall any tax for school house purposes be voted, unless the electors and board of directors of the township district have refused or neglected to vote a tax for said purpose, after being requested by the sub-district at its regular meeting in March so to do, as provided in section thirteen of this act. Nor shall any tax be voted except by a vote of two-thirds of the electors present, or a majority of all the electors of the sub-district.

SEC. 68. Whenever any tax has been voted by a sub-district, as provided for in the preceding section of this act, the sub-director shall, within ten days thereafter, certify the same to the Secretary of the township district, together with a list of all property owners, residents of his sub-district, and the Secretary shall, within twenty days thereafter, estimate the tax upon the taxable property of said sub-district, as shown by the last assessment previous to that time, and shall make a list of such tax and certify the same to the proper authority for levying county taxes; and for such services he shall receive the sum of two dollars per day, which shall be paid out of the proceeds of said tax.

SEC. 69. No action shall be obligatory under the provisions of sections sixty-five, sixty-six, sixty-seven and sixty-eight of this act, until the General Assembly shall provide for and authorize the collection of the taxes therein mentioned.

SEC. 70. All money arising from taxes voted by a sub-district, shall, when collected, be paid over to the Treasurer of the township district on the order of the sub-director of the district voting the same, and shall be paid out only on the order of the President, countersigned by the Secretary and sub-director of said district.

ORAN FAVILLE,

President of the Board of Education.

December 24th, 1859.

PART IX.

CHAPTER 112.

AN ACT to amend an act passed by the Board of Education December 24th, 1859, entitled "an act to amend an act entitled an act to provide a system of Common Schools."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That whenever any tax has been voted by a sub-district and certified to the Secretary of the township district, as contemplated in sections sixty-seven and sixty eight of the act of which this is amendatory, the said Secretary shall within ten days thereafter certify the same to the County Judge, who shall, at the time of levying a tax for county purposes, levy a tax of the amount thus certified upon the assessed value of all real and personal property in the sub-district by which it was voted, and the same shall be collected and paid over in the manner provided in sections twenty-four and seventy of the act of which this is amendatory.

SEC. 2. In any case where it may be incompatible with the provisions of the act of which this is amendatory, for the township clerk to perform the duties of Secretary, the Board of Directors may appoint a Secretary from the district at large, but the person so appointed shall have no vote in the proceedings of said Board, except as herein provided. He shall qualify within ten days after his appointment, and a failure to do so shall create a vacancy. In all township districts where there are but two sub-districts, the Secretary shall give the casting vote on all questions upon which the two sub-districts cannot agree.

SEC. 3. From and after the first day of January, one thousand eight hundred and sixty one, the words, "Board of Supervisors" shall be substituted for the words "County Judge" in the latter part of the fourteenth specification of section sixteen; and also in sections twenty-three, thirty-six, thirty-eight and forty-four of the act of which this is amendatory, and in section one of this act, and the words "Clerk of the Board of Supervisors" shall be substituted for the words "County Judge" in the twelfth, and first part of the fourth specification of section sixteen, and also in sections twenty-nine, thirty-nine, forty, forty-seven, fifty and fifty-three of the act of which this is amendatory, and the words "first Monday in May" shall be substituted for the words "first Monday in June," in sec-

tion seventeen, and for the words "second Monday in July" in section sixty-five of the act of which this is amendatory.

SEC. 4. The provisions of section twenty-one of the Code shall not apply to this act.

SEC. 5. This act shall take effect and be in force from and after its publication in the Daily Iowa State Register and the Daily Iowa State Journal, newspapers published at Des Moines.

Approved April 2d, 1860.

NOTE.—The foregoing act gives vitality to sections sixty-five, sixty-six, sixty-seven, sixty-eight and seventy of Part 8, to which it is amendatory. This will enable sub-districts to vote a tax for the payment of debts and for school house purposes, independent of the District Township. In voting a tax for *school house purposes*, the conditions of the second specification of section sixty-seven, must be strictly adhered to—that is, it can only be voted in case of the neglect or refusal of the electors of the District Township and Board of Directors to comply with the request of the sub-district made at its regular meeting in March. The first meeting under the above sections may be held on the second Monday in July 1860, but all subsequent meetings are to be held on the first Monday in May of each year, in order that the tax may be certified to the Board of Supervisors in time for their meeting on the first Monday in June.

PART X.

CHAPTER 139.

AN ACT to amend an act passed by the Board of Education December 24th, 1859, entitled an act to provide a system of common schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That the seventh section of the act to which this is amendatory, be amended by adding to said section the following words as the seventh sub-division: *Seventh*, To determine the branches to be taught, and the text books to be used in the schools of their district, which power they may also delegate to the district Board of Directors.

SEC. 2. This act to take effect and be in force from and after its publication according to law.

Approved April 2d 1860.

PART XI.

CHAPTER 149.

AN ACT to amend an act passed by the Board of Education December 24th, 1853, entitled "an act to amend an act entitled an act to provide a system of common schools."

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That when a judgment has been obtained against a school district, it shall be the duty of the Board of Directors to pay off and satisfy the same from the proper fund by an order on the Treasurer of the district; and it shall be the duty of the district meeting at the time for voting a tax for the payment of other liabilities of the district, to provide for the payment of such order or orders.

SEC. 2. In case a district has borrowed money of the school fund as contemplated in section eight of "an act to establish a system of common schools," passed by the Board of Education December 24th, 1858, it shall be the duty of the Board of Supervisors to levy such tax not exceeding five mills on the dollar in any one year on the taxable property of the district as constituted at the time of making such loan, as may be necessary to pay the annual interest on said loan, and the principal when the same falls due, unless the Board of Supervisors shall see proper to extend the time of said loan.

Approved April 3d, 1860.

PART XII.

AN ACT providing for the boundaries of Districts in certain cases.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That in all cases where that portion of any sub-district lying in a different civil township from the one in which the school house of such sub-district is situated shall be entirely uninhabited, then and in that case said uninhabited portion of such sub-district shall make and constitute a part of the school district of the civil township in which it is situated.

SEC. 2. This act to take effect from and after its publication.
ORAN FAVILLE,
President of the Board of Education.
December 24th, 1859.

PART XIII.

AN ACT to provide for Appeals.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa,* That any person aggrieved by any decision or order of the district board of directors, in matter of law or of fact, may within thirty days after the rendition of such decision, or the making of such order, appeal therefrom to the County Superintendent of the proper county.

SEC. 2. The basis of the proceeding shall be an affidavit, filed by the party aggrieved with the County Superintendent, within the time allowed for taking the appeal.

SEC. 3. The affidavit shall set forth the errors complained of in a plain and concise manner.

SEC. 4. The County Superintendent shall, within five days after the filing of such affidavit in his office, notify the Secretary of the proper district in writing, of the taking of such appeal. And the latter shall, within ten days after being thus notified, file in the office of the County Superintendent a complete transcript of the record and proceedings relating to the decision complained of, which transcript shall be certified to be correct by the Secretary.

SEC. 5. After the filing of the transcript aforesaid in his office, he shall notify in writing all persons adversely interested, of the time and place where the matter of the appeal will be heard by him.

SEC. 6. At the time thus fixed for hearing, he shall hear testimony for either party, and for that purpose may administer oaths if necessary, and he shall make such decision as may be just and equitable, which shall be final, unless appealed from as hereinafter provided.

SEC. 7. An appeal may be taken from the decision of the County Superintendent to the Secretary of the Board of Education,

in the same manner as provided in this act for taking appeals from the decision of the district board to the County Superintendent, as nearly as applicable, except that he shall give thirty days notice of the appeal to the County Superintendent, and the like notice shall be given the adverse party. And the decision, when made, shall be final.

SEC. 8. Nothing in this act shall be so construed as to authorize either the County Superintendent or Secretary of the Board of Education to render a judgment for money, neither shall they be allowed any other compensation than is now allowed by law; *Provided*, that all necessary postage must first be paid by the party aggrieved.

ORAN FAVILLE,
President of the Board of Education.

December 24th, 1859.

PART XIV.

AN ACT to provide for the Election and to define the duties of the Secretary of the Board of Education.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That at each regular meeting of the Board, there shall be elected a Secretary of said Board, who shall hold his office until his successor is elected and qualified.

SEC. 2. He shall, before entering upon the duties of his office, and as soon as may be after his election, give bond for the use of the State of Iowa, in the penal sum of one 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, as Secretary of the Board of Education.

SEC. 3. He shall also, at the time of giving bond, take and subscribe an oath, or make affirmation to the effect 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 Secretary, which oath shall be endorsed upon the back of said bond, which shall be filed with, and preserved by the Secretary of State.

SEC. 4. It shall be the duty of the Secretary to keep an accurate journal of the proceedings of the Board, and to perform all other duties required of him by the Board, or by the laws of this State.

SEC. 5. Immediately after the adjournment of the Board of Education, he shall furnish the printer authorized to print the laws, with copies of the acts and resolutions passed at the session, and cause them to be printed in a plain manner in the form of a pamphlet.

SEC. 6. He shall make his certificate that the acts and resolutions therein contained are truly copied from the original rolls, and cause the same to be printed at the end of each volume, which shall be *prima facie* evidence of their correctness.

SEC. 7. He shall, as near as may be, in the same manner as provided in the two preceding sections of this act, have the journals printed.

SEC. 8. He shall, on or before the first day of March, after the acts, resolutions and journals, and such documents as may be required by law, are printed, after the adjournment of any session of the Board, transmit to each Superintendent of common schools in each organized county in this State, one copy of the laws for every school officer in the county.

SEC. 9. He shall preserve in his office one hundred copies of the acts and resolutions, and twenty-five copies each of the journals, and distribute ten copies to each member of the Board of Education, and such other documents as may have been published by order of the Board of Education, and shall hold the same subject to the order of the Board.

SEC. 10. He shall transmit one copy of the journals to each Superintendent of common schools and County Judge, in every organized county in this State, within the time fixed for the distribution of the acts of the Board of Education.

SEC. 11. After the distribution of the acts and resolutions and journals, as provided in the two preceding sections, should there be any number of the same remaining undistributed, he shall distribute the same in every organized county in this State, pro rata, in proportion to the population of each county.

SEC. 12. 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 of

the several counties, each year separately, and hold the same in readiness to be exhibited to the Governor, or to a committee from either house of the General Assembly, or to the State Board of Education, at any time when required, and shall keep a fair record of all matters pertaining to his office.

SEC. 13. The Secretary of the Board of Education shall be charged with the general supervision of all the County Superintendents, and all the common schools of the State, and he shall see that the school system is as early as practicable, carried into effect, and put in uniform operation.

SEC. 14. With a general view to these special duties, he shall meet the County Superintendents of each Judicial District, at least once in each year, at such time and place as he may appoint, giving due notice of such meeting; and it is hereby made the duty of the said County Superintendents to attend each meeting, the object of which shall be to accumulate valuable facts relative to common schools, to compare views, discuss principles, and in general to listen to all communications and suggestions, and enter into all discussions relative to the compensation of teachers, their qualifications, branches taught, method of instruction, text books, district libraries, apparatus, and all other matters embraced in the common school system.

SEC. 15. He shall visit such schools as he may have it in his power to do, and witness the manner in which they are conducted.

SEC. 16. It shall be his duty to recommend, from time to time, to County Superintendents, such books as he shall think advisable for text-books and for district school libraries, a list of which the County Superintendents shall immediately transmit to the several Presidents of the district boards of directors in their respective counties.

SEC. 17. The Secretary of the Board of Education shall cause as 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 school districts of the State. 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 this act and all other acts.

SEC. 18. 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.

SEC. 19. He shall make a report to the General Assembly and the Board of Education, at each session thereof, which shall embrace,

First—A statement of the condition of the common schools of the State, and shall contain the number of common school districts therein, the number of schools in the State, the number of scholars between five and twenty-one years of age, and also the number in each county who 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.

Second—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 common schools.

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

Fourth—He shall cause his report to be printed, and shall present five hundred copies thereof to each body, on or before the second day of their session, for distribution.

SEC. 20. He shall receive annually, the sum of one thousand five hundred dollars, as compensation for the duties required under this act, and also all necessary contingent expenses for traveling, and clerk hire, pertaining to his office, to be audited and paid as the salaries and contingent expenses of other State Officers; provided that his contingent expenses for these purposes shall not exceed the sum of seven hundred and fifty dollars in any one year. And he shall, within twenty days after his election take possession of the books, papers, and effects belonging to the department of the Superintendent of Public Instruction, which office is hereby abolished.

SEC. 21. Whenever reasonable assurance shall be given to the Secretary of the Board of Education 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, he shall appoint such time and place for said meeting and such lecturers 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 Secretary 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, in accordance with the provisions of an act of the General Assembly, approved March 12th, 1858, which appropriates one thousand dollars for that purpose.

SEC. 22. Should any vacancy occur at any time in the office of the Secretary of the Board of Education while the Board is not in session, the Governor shall, by appointment, fill such vacancy until the next session of the Board.

SEC. 23. This act to take effect from and after its publication in the Iowa Citizen and the Iowa Statesman.

ORAN FAVILLE,

President of the Board of Education.

December 4th, 1858.

PART 15.

CHAPTER 66.

AN ACT for the encouragment of Teacher's Institutes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That section twenty-one of an act passed by the Board of Education, December 24th, 1858, entitled "an act to provide for the election and to define the duties of the Secretary of the Board of Education," be amended as follows: Whenever reasonable assurance shall be given by the County Superintendent of any county, to the Secretary of the Board of Education, that a number of not less than thirty teachers desire to assemble for the purpose of holding a Teacher's Institute in said county, to remain in session for a period of not less than six working days, he shall appoint such time and place for said meeting, and such lectures as the said teachers shall suggest, and shall give due notice thereof, and for the purpose of defraying the expenses of said Institutes 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 Secretary shall immediately transmit to the County Superintendent in whose county the Institute shall be held, who shall pay out the same as the Institute shall direct.

SEC. 2. Section fifty-six of chapter fifty-two of the acts of the Seventh General Assembly is hereby repealed.

SEC. 3. This act shall take effect from and after its publication in the Daily Iowa State Register, and the Daily State Journal.

This bill having remained with the Governor three days, (Sundays excepted,) the General Assembly being in session, has become a law this 28th day of March, 1860.

ELIJAH SELLS,
Secretary of State.

PART XVI.

AN ACT for the government and regulation of the State University of Iowa.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa,* That the object of the State University of Iowa, established by the Constitution at Iowa City, shall be to provide the best and most efficient means of imparting to the youth of the State, of both sexes, upon equal terms, a thorough education and a perfect knowledge of the different branches of literature, the arts and sciences, with their various applications.

SEC. 2. There shall be attached to the University a Collegiate Department, in which, as soon as may be deemed expedient by the Board of Trustees hereinafter provided, regular College classes shall be formed or provided for, and a President and the necessary professors and tutors elected. There shall also 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.

SEC. 3. The University shall be governed and managed by a Board of Trustees consisting of seven persons, to be elected at the first meeting of the Board of Education, three of whom shall hold

their offices for one year, and four for three years, and whenever the terms of any trustees expire, their places shall be supplied by new elections.

SEC. 4. The members of the Board of Trustees shall each receive the same per diem during the time of their session, and mileage going to and returning therefrom, as members of the General Assembly.

SEC. 5. The University shall never be under the exclusive control of any religious denomination whatever.

SEC. 6. In all cases where specimens of natural history, and geological and mineralogical specimens which are or may be hereafter collected by the State Geologist of Iowa, or by any others appointed by the State to investigate its natural history and physical resources, are found, they shall belong to and be the property of the State University, and shall form a part of its cabinet of natural history.

SEC. 7. The Board of Trustees shall appoint a Secretary, a Treasurer and Librarian, and a Curator of the Cabinet of Natural History, who shall hold their respective offices during the pleasure of the Board of Trustees. 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 duties of his office, 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 discharge 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 the Auditor 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.

SEC. 8. 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 they may pre-

scribe. The immediate government of the several departments shall be intrusted to the faculty. The method and course of instruction in each department shall be prescribed 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 they may think proper.

SEC. 9. 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 President and the requisite number of professors and tutors, also such other officers as they may deem expedient, and to determine the amount of their respective salaries, also the compensation of the officers mentioned in section seven of this act. They shall have power to remove any officer connected with the institution, when in their judgment the good of the institution requires, and to determine the amount of fees to be paid for tuition.

SEC. 10. 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.

SEC. 11. The first meeting of the Board of Trustees shall be held on the first Wednesday of February, in the year one thousand eight hundred and fifty-nine, at Iowa City; the annual meetings of the Board shall be held on the last Tuesday of June of each year. The President of the Board of Education may call special meetings when he deems it expedient. The Board of Trustees shall have power to fill all vacancies occurring therein, except when the Board of Education is in session; and the person so appointed shall hold his office until the next session of the Board of Education.

SEC. 12. The Treasurer of the University shall have 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 books shall exhibit what parts and portions of land have been sold, at what prices, and to whom, and how the proceeds have been invested, and on what securities; and what land still remains unsold, where situated and of what value respectively.

SEC. 13. 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 of Trustees, 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 sale, and it shall be lawful for the Board to invest any such surplus income which is not immediately required for the purposes of instruction, in the United States or in 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 of Trustees may deem expedient.

SEC. 14. The Board of Trustees shall make a report to the General Assembly and to the Board of Education at each of their respective 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, with the compensation of each, and the number of students, with their names, ages, studies, sex and residence, the situation and condition of the University Fund, the income derived therefrom, the amount of expenditures, and such other matters as said Board of Trustees may deem proper to communicate.

SEC. 15. This act shall take effect from and after its publication in the Iowa Statesman and the Iowa Citizen.

ORAN FAVILLE,
President of the Board of Education.

December 25th, 1858.

PART XVII.

CHAPTER 105.

[AN ACT appropriating the Saline Lands and funds to the State University of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Saline Lands and funds are hereby appropriated to the State University to become a part of the perma-

ment fund of said institution ; *Provided*, That the Board of Trustees of said University be, and they are hereby authorized to expend out of the proceeds of said Lands, a sum not exceeding five thousand dollars in completing and furnishing for use, the building erected for a "boarding hall," under the provisions of Chapter 41 of the acts of the Seventh General Assembly ; and a further sum not exceeding five thousand dollars in repairing and refitting the main building of said University, and in the purchase of the necessary apparatus for instruction in said institution.

SEC. 2. That it is hereby made the duty of any officer who may now or hereafter have charge of any funds heretofore or hereafter arising from the sale of the Saline Lands, to pay the same over from time to time without delay, to the Treasurer of said University, who shall invest the same in the manner prescribed for the investment of the University Fund.

SEC. 3. This act to take effect and be in force from and after its publication in the Iowa State Register and Iowa State Journal.
Approved April 2d, 1860.

PART XVIII.

CITY DISTRICTS.

AN ACT to confer certain powers on towns and cities for school purposes.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa*, That any city or incorporated town in this State, including the territory annexed thereto for school purposes, may constitute a separate school district.

SEC. 2. At the written request of any ten voters of such city or town, the municipal authorities thereof shall provide for taking the sense of the people residing within the limits of the contemplated district, by means of a public vote by ballot.

SEC. 3. Should the majority of the votes cast at any such election be in favor of a separate organization, an early day shall be fixed for electing by ballot, a President, Vice President, Secretary, Treasurer and three Directors, all of whom shall constitute a District Board, having the same general powers, duties and obli-

gations as attach to the like Board in the township districts, except as herein provided. The said President, Vice President, Secretary and Treasurer, shall hold their offices for the same time, and after the first election their successors shall be elected upon the same day and shall conform in other respects to the same rules and requirements as are provided by law for the same officers in the township districts.

SEC. 4. After the first election, the directors shall, by lot, determine the length of their respective terms of office; one shall serve till the second Monday in March next after his election; another till one year after the said second Monday in March; and a third till two years thereafter. At the end of each such term, a successor shall be elected who shall hold his office for three years, and until his successor is elected and qualified. Should a vacancy occur in respect to either of said directors, it may be filled by the remainder of the Board until the day of the next election, when a successor shall be elected to fill out the remainder of his term.

SEC. 5. The said district may have as many school houses, and their schools may be regulated in such a manner as the said Board may direct, subject to the general laws of the State. They may distribute the executive duties of their Board among the three directors in such manner as they shall think expedient.

SEC. 6. Should any portion of said city or town lie in a different township from that in which the principal portion thereof is situated, the inhabitants of such fraction may organize with the remaining portion of their own township at any time that they may think proper so to do; or should their population exceed five hundred in number, they may organize in the same manner as is provided for the main portion of the city or town as herein before provided.

SEC. 7. At the written request of any ten voters residing within such fractional portion of any town or city, the municipal authorities thereof shall provide for taking a vote by ballot to determine whether they will remain attached to the main body of the city or town. And should their number exceed five hundred inhabitants, there shall be provision made at the same time or afterwards for ascertaining whether the fraction so cut off will organize by itself, or will unite with the remaining portion of its own township.

SEC. 8. Where a town or city is carved out of a civil township

as contemplated in this act, the remainder of such township shall constitute a separate school district, the boundaries between which and the said city or town district may at any time be changed with the consent of both their respective Boards of directors.

SEC. 9. This act shall take effect and be in force from and after its publication in the Iowa Statesman and Iowa Citizen.

ORAN FAVILLE,
President of the Board of Education.

December 24th, 1858.

PART XIX.

CHAPTER 20.

AN ACT to amend an Act to confer certain powers on towns and cities for School purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the provisions of an act to confer certain powers on towns and cities for school purposes, passed by the Board of Education, December 24th, 1858, be and hereby are extended to unincorporated towns and villages containing not less than three hundred inhabitants, and the duties required of municipal authorities of cities and incorporated towns by said act, shall, in the case of an unincorporated town or village as aforesaid, and upon the written request of ten legal voters thereof, be performed by the trustees of the civil township in which such unincorporated town or village may be situated; and in case such unincorporated town or village shall embrace parts of two or more adjoining civil townships or counties, then the aforesaid duties shall devolve on the trustees of the civil township in which a majority of the legal voters of the contemplated school district reside.

SEC. 2. The regular meeting of all school districts heretofore or hereafter organized under the act to which this is amendatory, shall be held on the second Monday in March of each year, at which time the qualified electors shall elect a President, Vice President, Secretary and Treasurer of the district, who shall hold their offices for one year and until their successors are elected and qualified, and also one director in the manner prescribed in section four of said act; and the President, Vice President and Secretary of the district then in office shall act as judges of the election, and

shall issue certificates of election to the persons elected for the ensuing term. Should a vacancy occur in the district board, they may fill the same by appointment until the next regular district election thereafter, or may call a special meeting of the district for that purpose.

SEC. 3. The provisions of section twenty-one of the Code shall not apply to this act.

SEC. 4. This act to be in force from and after the day of its publication in the Iowa State Register and the Iowa State Journal, published at Des Moines.

Approved February 26th, 1860.

NOTE.—The words “shall hold their offices for the same time, and after the first election their successors shall be elected upon the same day and,” of section three of Part 18, are annulled by the provisions of Part 8, which designate the *first* instead of the second Monday in March as the time for the election of the District Township Board, and dispense with the office of Vice President; leaving still in force the words, “The said President, Secretary and Treasurer shall conform in other respects (*that is, in anything except the time and manner of their election*) to the same rules and requirements as are provided by law for the same officers in the township districts.” The deficiency, as to the time and manner of the election of President, Vice President, Secretary and Treasurer, is supplied by section two of the above amendment.

As a matter of convenience in correspondence, all districts organized under the provisions of Parts 18 and 19, will be termed “City Districts.” The law, as amended, applies to both incorporated and unincorporated towns and cities of not less than three hundred inhabitants.

PART XX.

AN ACT relative to the Introduction of Webster's Dictionary into the Common Schools of this State.

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa,* That the Board of Directors of each school district in this State may, at any regular or special meeting of said Board, determine whether they will purchase for the use of the schools in their district, copies of Webster's Unabridged Dictionary.

SEC. 2. Whenever the sub-director of any sub-district shall determine to purchase a copy of said Dictionary for said sub-district, the Secretary of the district shall immediately certify the same, specifying the number of copies determined upon, to the

County Superintendent, who shall certify the same to the Auditor of State and to the County Judge.

SEC. 3. At the time of each annual apportionment by the County Judge, of school funds among the several districts, he shall deduct from the amount of funds derived from county tax apportioned to each district, one-half of the cost of all such Dictionaries ordered by said district that or the preceding year, and the amount so deducted shall be returned to the State Treasury as provided for surplus interest in section eight, Chapter 158, laws of 1858.

SEC. 4. The Auditor of State is hereby authorized and directed to purchase of the publishers, from time to time, as they are ordered for the several counties, the number of such books necessary to supply all orders so received, provided that they shall be purchased at a cost not exceeding four dollars per copy, on such terms of payment as are specified in section three of this act, shall be the latest edition of Webster's Quarto Unabridged, printed on superior paper, well bound in leather, perfect in all respects, and shall be delivered free of charges at any points in this State not exceeding four, one of which shall be Council Bluffs, and the other three not farther west than Des Moines City, which may be designated by the Auditor, and the Auditor shall notify the State Treasurer of the number of books so purchased for each county.

SEC. 5. The Secretary of the Board of Education shall receipt to the publishers for such books on their arrival in good order at the place or places designated by the Auditor, and shall immediately distribute them to the several County Superintendents by whom they were ordered, in the same manner as laws of the General Assembly are distributed.

SEC. 6. The County Superintendents shall, on receipt of such books, at once distribute them to the proper districts.

SEC. 7. Such Dictionaries shall be kept in the schools during the term time, and under the control of the teacher thereof, and when not in school, shall be placed in the district library, subject to the rules established for the government of district libraries.

SEC. 8. The Auditor of State, or any other officer, shall not receive any compensation for the services which they may render under this act.

ORAN FAVILLE,
President of the Board of Education.

December 24th, 1858.

P A R T X X I .

AN ACT to amend an act entitled "an act relative to the introduction of Webster's Dictionary into the Common Schools of this State."

SECTION 1. *Be it enacted by the Board of Education of the State of Iowa,* That an act relative to the introduction of Webster's Dictionary into the Common Schools of this State, passed at its session in December, 1858, be amended as follows :

Strike out the word "one," in the fourth line of section three, and the words "half of," in the fifth line of the same section. Strike out in the sixth line of the same section the words, "or the preceding." In seventh line of section four, insert "and" before "shall." Strike out all after "State," in the eleventh line of same section, all of the twelfth line, and as far as the word "which," in the thirteenth line.

SEC. 2. All contracts made under the provisions of the act to which this is amendatory, shall be performed as provided in said act.

ORAN FAVILLE,
President of the Board of Education.

December 24th, 1859.

NOTE.—The effect of the foregoing amendment is, that the County Judge (or Clerk of the Board of Supervisors) shall deduct the *whole cost* of the Dictionary out of the first apportionment made after it is ordered, and that the books shall be delivered at such points as the Auditor may designate.

FROM THE
CONSTITUTION OF THE STATE OF IOWA.

ARTICLE IX—EDUCATION AND SCHOOL LANDS.

First—EDUCATION.

SECTION 1. The educational interests of the State, including Common Schools and other educational institutions, shall be under the management of a Board of Education, which shall consist of the Lieutenant Governor, who shall be the presiding officer of the Board, and have the casting vote in case of a tie, and one member to be elected from each judicial district in the State.

SEC. 2. No person shall be eligible as a member of said Board who shall not have attained the age of twenty-five years, and shall have been one year a citizen of the State.

SEC. 3. One member of said Board shall be chosen by the qualified electors of each district, and shall hold the office for the term of four years, and until his successor is elected and qualified. After the first election under this Constitution, the Board shall be divided, as nearly as practicable, into two equal classes, and the seats of the first class shall be vacated after the expiration of two years; and one half of the Board shall be chosen every two years thereafter.

SEC. 4. The first session of the Board of Education shall be held at the seat of Government on the first Monday of December, after their election; after which the General Assembly may fix the time and place of meeting.

SEC. 5. The session of the Board shall be limited to twenty days, and but one session shall be held in any one year, except

upon extraordinary occasions, when, upon the recommendation of two-thirds of the Board, the Governor may order a special session.

SEC. 6. The Board of Education shall appoint a Secretary, who shall be the executive officer of the Board, and perform such duties as may be imposed upon him by the Board and the laws of the State. They shall keep a journal of their proceedings, which shall be published and distributed in the same manner as the journals of the General Assembly.

SEC. 7. All rules and regulations made by the Board shall be published and distributed to the several counties, townships and school districts, as may be provided for by the Board, and when so made, published and distributed, they shall have the force and effect of law.

SEC. 8. The Board of Education shall have full power and authority to legislate and make all needful rules and regulations in relation to Common Schools, and other educational institutions, that are instituted, to receive aid from the School or University fund of this State; but all acts, rules and regulations of said Board may be altered, amended or repealed by the General Assembly; and when so altered, amended or repealed, they shall not be re-enacted by the Board of Education.

SEC. 9. The Governor of the State shall be, *ex-officio*, a member of said Board.

SEC. 10. The Board shall have no power to levy taxes, or make appropriations of money. Their contingent expenses shall be provided for by the General Assembly.

SEC. 11. The State University shall be established at one place without branches at any other place, and the University fund shall be applied to that institution, and no other.

SEC. 12. The Board of Education shall provide for the education of all the youths of the State, through a system of Common Schools, and such schools shall be organized and kept in each school district at least three months in each year. Any district failing, for two consecutive years, to organize and keep up a school, as aforesaid, may be deprived of their portion of the school fund.

SEC. 13. The members of the Board of Education shall each receive the same per diem during the time of their session, and mileage going to and returning therefrom, as members of the General Assembly.

SEC. 14. A majority of the Board shall constitute a quorum for the transaction of business; but no rule, regulation or law for the government of Common Schools or other educational institutions shall pass without the concurrence of a majority of all the members of the Board, which shall be expressed by the yeas and nays on the final passage. The style of all acts of the Board shall be, "Be it enacted by the Board of Education of the State of Iowa."

SEC. 15. At any time after the year one thousand eight hundred and sixty-three, the General Assembly shall have power to abolish or re-organize said Board of Education, and provide for the educational interests of the State in any other manner that to them shall seem best and proper.

Second—SCHOOL FUNDS AND SCHOOL LANDS.

SECTION 1. The educational and school funds and lands, shall be under the control and management of the General Assembly of this State.

SEC. 2. The University lands, and the proceeds thereof, and all moneys belonging to said fund, shall be a permanent fund for the sole use of the State University. The interest arising from the same shall be annually appropriated for the support and benefit of said University.

SEC. 3. The General Assembly shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement. The proceeds of all lands that have been, or hereafter may be, granted by the United States to this State, for the support of schools, which may have been or shall hereafter be sold, or disposed of, and the five hundred thousand acres of land granted to the new States, under an act of Congress, distributing the proceeds of the public lands among the several States of the Union, approved in the year of our Lord one thousand eight hundred and forty-one, and all estates of deceased persons who may have died without leaving a will or heir, and also such per cent as has been or may hereafter be granted by Congress, on the sale of lands in this State, shall be, and remain a perpetual fund, the interest of which, together with all rents of the unsold lands, and such other means as the General Assembly may provide, shall be inviolably appropriated to the support of common schools throughout the State.

SEC. 4. The money which may have been or shall be paid by persons as an equivalent for exemption from military duty, and the

clear proceeds of all fines collected in the several counties for any breach of the penal laws, shall be exclusively applied, in the several counties in which such money is paid, or fine collected, among the several school districts of said counties, in proportion to the number of youths subject to enumeration in such districts, to the support of common schools, or the establishment of libraries, as the Board of Education shall from time to time provide.

SEC. 5. The General Assembly shall take measures for the protection, improvement, or other disposition of such lands as have been or may hereafter be reserved, or granted by the United States, or any person or persons, to this State, for the use of the University, and the funds accruing from the rents or sale of such lands, or from any other source for the purpose aforesaid, shall be, and remain a permanent fund, the interest of which shall be applied to the support of said University, for the promotion of literature, the arts and sciences, as may be authorized by the terms of such grant. And it shall be the duty of the General Assembly as soon as may be, to provide effectual means for the improvement and permanent security of the funds of said University.

SEC. 6. The financial agents of the school fund shall be the same, that by law, receive and control the State and County revenue, for other civil purposes, under such regulations as may be provided by law.

SEC. 7. The money subject to the support and maintenance of common schools shall be distributed to the districts in proportion to the number of youths between the ages of five and twenty-one years, in such manner as may be provided by the General Assembly.

STATE OF IOWA—SS.

I, THOMAS H. BENTON, Jr., Secretary of the Board of Education of the State of Iowa, do hereby certify that the foregoing acts, passed by the said Board, are truly copied from the original rolls on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, at the City of Des Moines, this eleventh day of April, A. D., 1860.

THOMAS H. BENTON, Jr.,
Sec'y of the Board of Education.

STATE OF IOWA—SS.

I, ELIJAH SELLS, Secretary of State, hereby certify, that the foregoing acts of the General Assembly, and Article IX of the Constitution, are truly copied from the original rolls on file in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, at the City of Des Moines, this eleventh day of April, A. D., 1860.

ELIJAH SELLS, Secretary of State.

Office of Secretary of the Board of Education, }
DES MOINES, IOWA, APRIL 11, 1860. }

In order to avoid the frequent repetition of long titles, I have divided the various acts, which compose the educational laws of the State now in force, into *parts*, and shall observe this order in my correspondence with school officers and others.

I would respectfully request those who address this office for information involving the interests of others, to state the case *fully* and *fairly*—without bias on either side. It should be remembered that my answer is necessarily based upon *the statement of facts received*, and hence if the statement is only partial—that is, presents the truth, but not the *whole* truth,—the answer may unintentionally prejudice the rights of other parties. I should much prefer in all cases of dispute, that the parties in interest present a *joint statement* of the facts in as concise a manner as possible, and if it relates to district boundaries, let a plat of the districts interested accompany it. It would be infinitely better, however, for all such disputes to be settled by the mutual agreement of the parties themselves. It is earnestly hoped therefore, that a spirit of conciliation will prevail among the people, and that the education of the youth of the country will not be neglected in consequence of petty dissensions and personal piques among their parents and guardians. Where the law is defective let the principles of equity mutually govern contending parties, and the ends of justice will most assuredly be attained.

It will be observed that the General Assembly has made no material change in the school law. It is now definitely settled that we are to continue under the present system for the next two years at least. In the meantime the people will have an opportunity of becoming thoroughly acquainted with it, and if, after a fair experiment, they become satisfied that it will not answer their purpose,

they can petition the Board of Education at its next regular session for such changes as they may desire; and I have no doubt but that body will cheerfully grant them. The sub-districts now possess nearly all the powers of an independent district; and if they avail themselves of the provisions of the law enacted for their benefit, their rights cannot be materially infringed by the exercise of arbitrary power on the part of the District township. The duty of the Board of Directors to establish schools in the sub-districts, is *plain* and *imperative*, and can neither be disregarded nor evaded without a palpable violation of the law, and their official obligations.

In the administration of the law, it will be my chief desire to promote the best interests of all concerned, and any official duty through which this end may be attained, will be cheerfully performed. I am well aware how exceedingly difficult it is for our people to meet the numerous and urgent demands against them at the present time, but I have an abiding confidence, that He without whose notice not even the sparrow shall fall to the ground, will so order events as to enable us, amid the most pressing necessities, to keep the fire brightly burning upon our educational altars.

TO THE RESPECTIVE COUNTY JUDGES.

It is made your duty to fill by appointment any vacancy that may occur in the office of County Superintendent. Will you have the kindness, whenever a change of officers occurs in said office, to forward to this office a certificate of the election or appointment and qualification of the person elected or appointed, together with his post-office address? It is essential that I should have *official* information of such change; otherwise the rights and educational interests of the county might suffer in consequence of the recognition of some person not authorized to act. It is also your prerogative to form and change the boundaries of civil townships. In doing so, I trust you will consult as far as possible the convenience of school districts, *and especially that you will not interfere with the boundaries of sub-districts in which school houses have been built.*

The foregoing notice is also designed for the respective Boards of County Supervisors, when they shall have assumed the duties referred to.

TO COUNTY SUPERINTENDENTS.

You are required, within twenty days after your election or ap-

pointment, to qualify and enter upon your official duties, and a failure to do so creates a vacancy. The provisions of Chapter 159, of the acts of the Seventh General Assembly, for county officers to enter upon their official duties on the first Monday in January next after their election, are not applicable to the office of County Superintendent. In this position, I am sustained by the official opinion of the Attorney General. You will please have your certificate of election or appointment and qualification, and post-office address, forwarded with as little delay as possible after you have entered upon your official duties.

The law is a little defective in requiring the bond of a sub-director to be filed with the President, as he himself is a sub-director. You will therefore require any sub-director who has been elected President of the Board, to file his bond with the Secretary of the District Township. The provision of section two of Part IX, for the Secretary to give the casting vote in case of a tie, is intended to apply to all cases where the Board is composed of an even number.

Many inquiries have been made about the manner of distributing the school money among the sub-districts. The law leaves the matter entirely to the discretion of the Board of Directors. It is their duty to establish a school in each of the sub-districts, and to expend the money for that purpose in such manner as they may think proper, subject to the provisions of the law.

It will afford me great pleasure at any time to confer with you fully and freely, and to render you any assistance in my power in the discharge of your official duties.

TO BOARDS OF SCHOOL DIRECTORS.

You are sworn officers, and as such it becomes your duty to administer the law according to its spirit and intent. To enable you to do so *faithfully* and *impartially*, it is essential that you should keep aloof from all disputes and dissensions connected with the affairs of the district. *Let all your official acts have for their aim the welfare of the educational interests of the district, and not the gratification of personal animosities or sectional prejudices.*

Numerous complaints have been made as to the time and manner of holding district meetings—that is, that the hour fixed for the meeting is an unusual and inconvenient one—that a few persons assemble, elect officers, transact the business and adjourn be-

fore many of the electors have had an opportunity of being present. In order to prevent any irregularity of this kind, I hereby ordain and establish as a regulation, that no meeting of a District township, sub-district, or city district shall assemble at an earlier hour than nine o'clock, A. M., nor adjourn, except for recess at noon, before 3 o'clock P. M., and you are strictly enjoined to see that the respective officers conform to this rule in giving notice of district and sub-district meetings. See that the records of your district are accurately kept and carefully preserved, and that all moneys are applied to the use for which they are intended. Make no contracts for the erection of school houses or the employment of teachers unless you have the funds at your disposal for the purpose, or will realize the necessary amount from taxes previously levied, before it will be needed by the terms of the contract.

System and organization are just as essential in the government of a school district, as in the government of a State or County. Permit no person to be employed as a teacher, unless he possesses those qualities of head and heart, which will enable him to govern and instruct the children efficiently and successfully. No director can be a teacher in any of the schools of his own district, because it is made his duty to employ and contract with the teacher. For the same reason a director should not be a contractor with the Board for the construction of a school house. If he desires to become a contractor, let him resign, and the vacancy be filled by appointment.

A P P E A L S .

The present law, Part 13, provides for an appeal from any decision of the Board of directors, to the County Superintendent and from the County Superintendent to the undersigned. I trust however, that the affairs of the districts will be so managed as to render it unnecessary to institute proceedings under it. It is difficult to prescribe any particular forms for the proceedings contemplated under it. Indeed the law itself is sufficiently explicit. In case of an appeal from the County Superintendent to the undersigned, I wish the party making it to state distinctly the grounds upon which it is based. I will then give the County Superintendent 30 days notice of the fact, within which time, he should prepare and transmit to this office, a full and certified transcript of all proceedings

in the case, including the affidavit presented to him, the testimony, his opinion and decision; and a plat of the respective districts in case it relates to district boundaries. A written argument from each of the parties may also accompany the transcript, if they desire.

It should be borne in mind that the object of this law is to prevent, not to create strife. It is designed to settle district controversies without litigation and costs. Hence it is hoped that no one will avail himself of its provisions, unless the case is of sufficient importance to justify it.

TO PARENTS AND GUARDIANS.

The success of our schools depends much upon the interest manifested by you in their behalf. Nothing exerts a more salutary influence upon both teacher and scholars than the frequent presence of parents and guardians in the school room. It is a duty that you owe to them and to yourself to see that ample provision has been made for their instruction. Your visits will create an emulation among the children, which the teacher, though faithful and diligent, cannot inspire. You complain that the schools are inefficient and badly conducted. This may be true, but the fault is yours. Next then to the essential comforts of the family circle under the paternal roof, let it be your chief care to see that your children are properly trained and instructed in the school room. Instead of sending your children to distant Institutions, at great risk and expense, make your schools at home what they should be, and educate your sons and daughters under your own personal and daily supervision. See that competent teachers are employed, and then extend to them your constant co-operation and support, and thus induce them to become permanent residents among you. One such teacher is worth a half dozen of those who teach a term here and a term there, as a mere matter of convenience when not otherwise employed.

TO TEACHERS.

You come last, though not by any means least, on the list. A responsible duty devolves upon you, and if you fail to discharge it, the deficiency cannot be supplied. For the time being, you become both parent and teacher to the children under your care.

Their instruction, their government, their morals, their health, and the formation of their manners and habits are all entrusted to you; and you are solely responsible for the fulfillment of this sacred trust during school hours. The institution of good government is one of your most important duties. It is not difficult to instruct the child who is well governed, but if he is not properly governed, all efforts to develop the mind will be fruitless. The government of children requires patience and reflection, but after all is not so difficult as many imagine. I have always observed that the most fussy (the only word in the language which fully expresses the idea) teachers, are not the most successful in government. It is not essential to keep up a perpetual storm and whirlwind in order to govern a school. Neither is it necessary to assume a reserved, *forbidding* dignity. Either extreme fails to command the respect and confidence of the child. I am more than half inclined to the opinion, that in childhood we discern character more readily and decide more promptly, than in any other period of life. The moment the pupil enters the school room, he commences the study, not of his letters, but of *the teacher*; and a very large proportion of his time is devoted to this branch of juvenile investigation. If a command is given, or any thing unusual transpires, his eye immediately turns to the countenance of the teacher, and his obedience or disobedience is the result of his observation. Let then the demeanor of the teacher be kind and affable, but decisive; and when he speaks, the child determines at a glance, that he dare not disobey. After thorough discipline is fully established, the way is then fairly open for the inculcation of knowledge, and to the faithful teacher the instruction of his pupils will become a pleasure, instead of a wearisome duty.

THOMAS H. BENTON, JR.,
Secretary of the Board.

TEXT BOOKS.

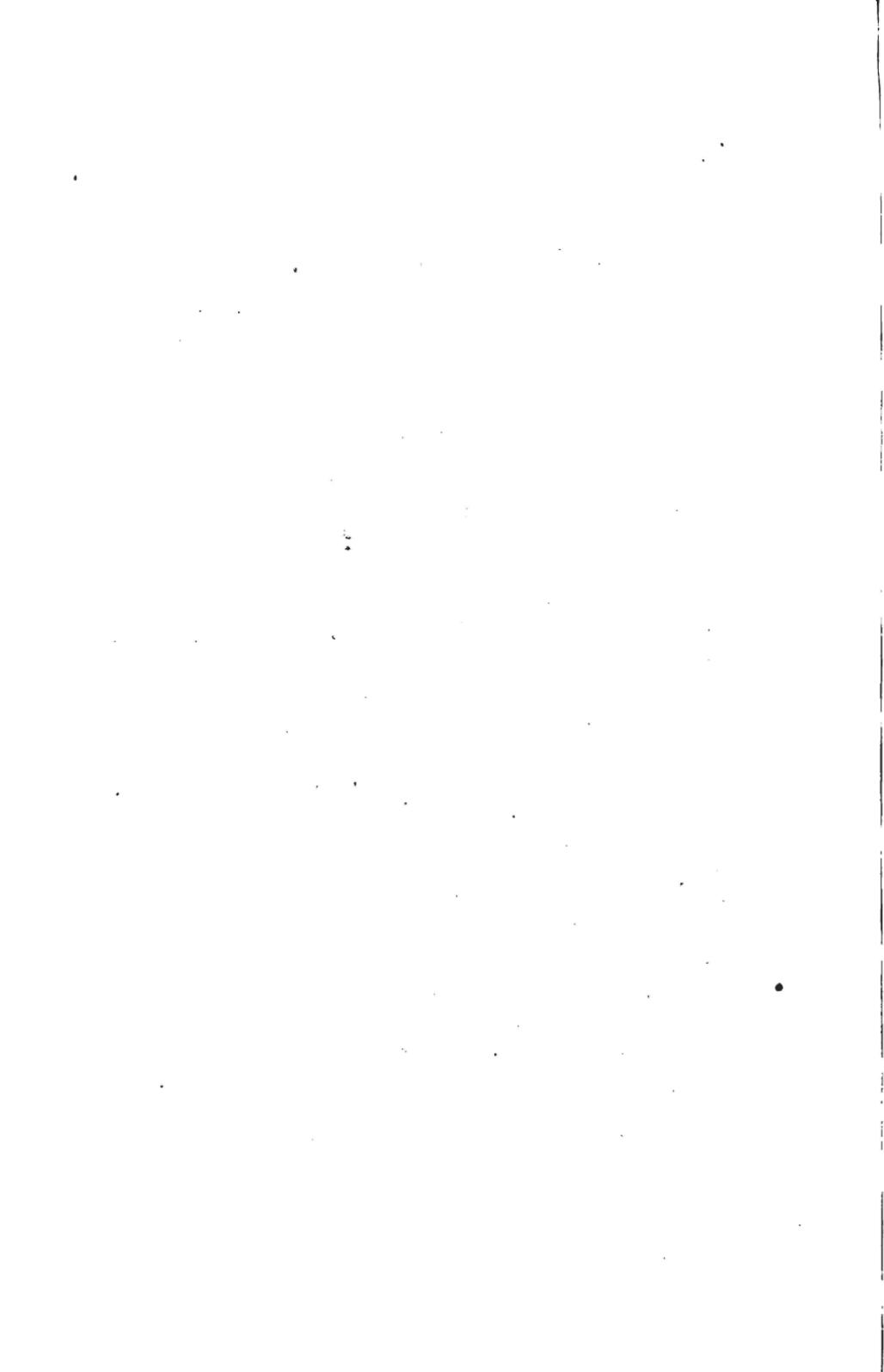
The following list of Text Books is recommended by the committee of the Board of Education appointed specially for the purpose:

SPELLERS.....	McGuffey's.
READERS.....	do or Sanders' series.
WRITING.....	Spencerian System.
ARITHMETIC.....	Ray's series.
ALGEBRA.....	do
GRAMMARS.....	Bullion's.
MUSIC.....	Bradbury's School Music.
HISTORY.....	Wilson's.
DICTIONARY.....	Webster's.
BOOK KEEPING.....	Palmer's.
NATURAL PHILOSOPHY.....	Wells'.
do do	do Science of common things.
CHEMISTRY.....	do
BOTANY.....	Gray's.
GEOMETRY.....	Robinson's.
SURVEYING.....	do
PHYSIOLOGY.....	Hooker's.
ASTRONOMY... ..	Brocklesby's.
METEOROLOGY.....	do
GEOLOGY.....	Hitchcock.
TRIGONOMETRY.....	Robinson's.

The following by the Secretary of the Board of Education:

GEOGRAPHY..... Monteith & McNally's—Latest edition.

NOTE.—See part 10.



BLANK FORMS.

NUMBER 1.

Form for notice of an election in new Townships or where a District is left without officers.

(SEE 2D CLAUSE OF SECTION 6, PART 8.)

Notice is hereby given to the qualified electors of District township of, in the county of, and State of Iowa, that an election, for one sub-director in each of the sub-districts of said District township, will be held on the day of 18. . . . , at o'clock, as follows:

In sub-district No. 1, at
In " " 2, at
In " " 3, at
. 18. . . .

A. B.,

C. D.,

E. F.,

Trustees of township.

NOTE.—At least three of the above notices should be posted in each sub-district, at least five days previous to the election, and such hour should be designated for the meeting, (not earlier than 9 o'clock, A. M.) as will best suit the convenience of the people. In case there is but one sub-district, give the notice for the election of *three* sub-directors instead of one; and in case of a city district, give the notice for the election of a President, Vice President, Secretary, and Treasurer and three Directors, at one place, instead of in each sub-district. The meeting in each sub-district should organize as provided in section 10, of Part 8.

NUMBER 2.

Form for proceedings of District township meeting.

(SEE SECTION 7, OF PART 8.)

March, 18.....

The electors of District township of, in the county of and State of Iowa, assembled pursuant to previous notice. The meeting was called to order by the President. The Secretary being absent, A. B., was appointed Secretary *pro tem*.

The order of business was stated by the President.

On motion of Mr. E., a tax of one half mill on the dollar, was voted for the payment of debts for school house purposes.

On motion of Mr. F., a tax of one fourth of one mill on the dollar was voted for payment of officers and contingent expenses.

Mr. G. moved that a tax of three mills on the dollar be voted for the purpose of raising the respective amounts asked for by the sub-districts for school house purposes. Mr. H. moved to amend by striking out three and inserting four, which was agreed to, and the motion as amended was decided in the affirmative.

On motion of Mr. E., a tax of one mill on the dollar was voted for the payment of teachers.

Mr. K. moved that a tax of one eighth of one mill on the dollar be voted for purchase of library, fuel and apparatus. Mr. F. moved to amend by striking out one eighth, and inserting one half, which motion was lost.

Mr. L. then moved to strike out one eighth, and insert one fourth, which was agreed to, and the original motion as amended, was decided in the affirmative.

Mr. H. moved that the various powers conferred by law on the district meeting, be delegated to the Board of Directors. After a lengthy discussion, the vote was taken, and the motion was lost.

On motion of Mr. E., the meeting adjourned *sine die*.

C. D.,

President.

Attest:

A. B.,

Secretary.

NOTE.—The foregoing form is presented with the hope of aiding the inexperienced. Those who are familiar with such duties, may

adopt or vary it as may seem best. The essential point is, to have the proceedings of the district *accurately recorded*. Much depends upon the minutes of the district meeting, and hence they should be *correctly kept, and carefully preserved*. It will be seen in the foregoing proceedings that the district has voted for the "school house fund" five mills on the dollar, and for the "teachers' fund" one mill on the dollar, and the Secretary should certify to the County Judge accordingly.

N U M B E R 3 .

Form of notice of annual meeting in sub-districts.

(SEE SECTION 9, OF PART 8.)

Notice is hereby given, that a meeting of the qualified electors of sub-district No., of District township of, in the county of and State of Iowa, will be held at, on the first Monday in March, 18. . . ., at o'clock, for the election of one sub-director, and the transaction of such other business as may legally come before it.

. 18. . . .

A. B.,

Sub-Director of Sub-District No.

NOTE. In case there is no sub director, the above notice must be given by the Secretary of the District township. It must be given five days previous to the meeting, and posted in at least three public places in the sub-district. The notice should designate the hour of meeting, (which should not be earlier than 9 o'clock, A. M.,) distinguishing between forenoon and afternoon.

N U M B E R 4 .

Form for proceedings of annual sub district meeting.

(SEE SECTIONS 9, 10, AND 12, OF PART 8.)

March, 18. . . .

The electors of sub-district No., of District Township of

....., in the county of, and State of Iowa, met pursuant to previous notice; A. B. was appointed Chairman, and C. D. was appointed Secretary of the meeting.

On motion of Mr. E., the meeting proceeded to elect one sub-director by ballot. Mr. F. H. having received a majority of all the votes cast, was declared duly elected sub-director for the ensuing year.

Mr. G. offered the following resolution:

Resolved, That the District township be requested to levy a tax on the taxable property of the District township sufficient to raise the sum of five hundred dollars for the erection of a school house in this sub-district, and the further sum of forty dollars for the rent of a school house for the present year, and twenty dollars for furnishing same with the necessary appendages, and the sum of twenty-five dollars for fuel.

After some discussion the resolution was adopted.

On motion of Mr. R. the meeting adjourned *sine die*.

A. B.,
Chairman.

Attest:

C. D.,
Secretary.

NOTE.—The amounts voted by the sub-district, must within five days thereafter be certified to the township Clerk, (Secretary of the District township) by the sub-director, in order that they may be presented to the electors of the District township at its next regular meeting thereafter.

N U M B E R 5 .

Form of certificate of election to sub-director.

(SEE SECTION 10 OF PART 8.)

We hereby certify that, at the annual meeting of sub-district No., of District township of, in the county of, and State of Iowa, held on the first Monday in March,

18. . . . , A. B. was duly elected sub-director for said sub-district for the ensuing year.

Attest :

E. F.,

Secretary.

C. D.,
Chairman.

NOTE.—This certificate slightly varied, will answer in case of the election of a sub-director at a called meeting, as per notice in form number 1. In both cases, it should be presented by the sub-director elect, to the Board of Directors of the District township, and filed with the President of said district.

N U M B E R 6.

Form of Oath of Sub-Director.

(SEE SECTION 11 OF PART 8.)

You do solemnly swear (*or affirm, as the case may be,*) that you will support the Constitution of the United States, and the Constitution of the State of Iowa, and that you will faithfully and impartially discharge the duties of Sub-Director of Sub-District number of District Township of in the County of and State of Iowa, according to law and the best of your abilities.

NOTE.—The above is the form of the oath when taken orally. Section 58 of Part 8 requires, in case the officer has a written appointment or commission, that the oath shall be endorsed thereon. See form for section above referred to.

N U M B E R 7.

Form of Certificate of Sub-Director to District Secretary.

(SEE SECTION 13 OF PART 8.)

To A. B.,

Secretary of District Township of

I hereby certify that the electors of Sub-District No. of District Township of in the County of and State

of Iowa, at the annual meeting, held on the first Monday in March, 18... , voted the sum of five hundred dollars for the erection of a school house, and the further sum of forty dollars for the rent of a school house for the present year, and the sum of twenty dollars for furnishing the same with the necessary appendages, and the sum of twenty-five dollars for fuel.

C. D.,

Sub-Director of Sub-District No.....

..... 18..

NOTE.—The Township *Clerk* is the person designated to whom the above notice is to be given, but it should be addressed to him as *Secretary* of the District Township, or to the Secretary, in case one should be appointed by the Board of Directors. The form of the certificate is not essential, so it sets forth the facts.

NUMBER 8.

Form for proceedings of Meeting of the Board of Directors for Division of District Township into Sub-Districts.

(SEE 12TH SPECIFICATION OF SEC. 16 OF PART 8.)

..... 18...

At a meeting of the Board of Directors of District Township ofin the county of... ..and State of Iowa, held this day, said District Township was divided into Sub-Districts as follows:

Sub District No. 1, to consist of sections one, two, three, ten, eleven and twelve; and the north-east quarter of the north-east quarter, and fractional lots one and two of section four; and fractional lots one and two of section nine, in township 82 N. of range 6 West.

Sub-District No. 2, to consist of the west half, and the south-east quarter, and the west half of the north-east quarter, and fractional lots one and two of section five; and fractional lot three of section four; and sections six, seven and eight; and fractional lots three, four and five of section nine, in township 82 N. of range 6 W.

Sub-District No. 3, to consist of the west half, and the south-east quarter, and fractional lots one and two of section sixteen; and sections seventeen, eighteen, nineteen, twenty, twenty one, and fractional lots two, three, four and five of section twenty-two, in township 82 N. of range 6 W.

Sub-District No. 4, to consist of sections thirteen and fourteen; and the east half, and east half of the north-west quarter, and lots one, two and three of section fifteen; and fractional lot one of section twenty-two; and the east half, and the north-west quarter, and fractional lots three and four of section twenty three; and section twenty-four, and the east half and the north-west quarter, and fractional lots three, four and five of section twenty-five; and fractional lot one of section twenty-six, in township 82 N. of range 6 W.

Sub District No. 5, to consist of the west half, and the south east quarter, and fractional lots two and three of section twenty-six; and sections twenty-seven, thirty four, thirty-five and thirty six, in township 82 N. of range 6 W.

Sub District No. 6, to consist of sections twenty-eight, twenty-nine, thirty, thirty one, thirty-two and thirty-three, in township 82 N. of range 6 W.

A. B.,
President.

Attest: C. D.,
Secretary.

NOTE.—In the foregoing sketch I have imagined a District Township composed of a Congressional Township, which is divided by a stream that has been regularly *meandered by the Government Surveyors*, and thus the township is rendered partially *fractional*. The stream forms the boundary line of one side of all the sub districts but one. This may be done in all cases of meandered streams, but where they have not been meandered, the government lines cross them, and the sub district lines must conform accordingly. The phrase "Congressional divisions of land," I understand to mean any tract of land which the Government of the United States will sell separate and apart from an adjoining tract. Hence an eighty or forty acre tract, or any *irregular* tract of three, five, or of a quarter or less number of acres, which appears on the Government plats as a *separate and distinct* tract, may be included or excluded from a sub-district, as the Board of Directors, in their discretion, may deem best. There must also be a plat made of the

sub-districts, in accordance with the division made by the Board. The plan of division must be recorded in the district records, and an attested copy of the record and plat should be filed with the County Judge, or Clerk of the Board of Supervisors, as the case may be.

N U M B E R 9 .

Form for certificate of Secretary to the County Judge, of per centum of tax voted by the Board of Directors.

(SEE 14TH SPECIFICATION OF SEC. 16, OF PART 8.

To the County Judge of — County, Iowa :

I hereby certify that a tax of two mills on the dollar, was this day levied by the Board of Directors, on the taxable property of District township of in the county of and State of Iowa for the use of the "Teachers' Fund," as provided in the fourteenth specification of section 16, of Part 8, of the School Laws.

A. B.,

Sec'y of District township of

..... 18....

NOTE.—In case a sufficient tax has previously been voted by the district meeting for this purpose, and certified to the County Judge as provided in section 23 of Part 8, it will not be necessary for the Board of Directors to certify any additional per cent; or if the tax has been voted by the district meeting and not certified, then it will be proper for the Board to cause the Secretary to certify it, if considered sufficient; and if not deemed sufficient, to make such addition to it as may be necessary. Tax levied for teachers fund is to be *uniform throughout the District township*. The above certificate should be directed to the Board of Supervisors after the first Monday in January, 1861.

N U M B E R 10.

Form of draft of District President on County Treasurer.

(SEE SECTION 18 AND 24 OF PART 8.)

..... 18.....

To A. B., County Treasurer :

Please pay to C. D., Treasurer of District township of,
in the County of, and State of Iowa, the amount of
taxes levied and collected on account of said district for teachers'
fund and school house fund, up to the first Monday of, 18...

E. F.,
President.

Attest:

G. H.,
Secretary.

NOTE.—The District Treasurer should present this draft in person, and note carefully the amount of money drawn on account of each fund, and charge himself accordingly.

N U M B E R 11.

Form of order of District President on District Treasurer.

(SEE SECTION 18, 27 AND 28 OF PART 8.)

No..... 18....

Pay A. B., or order, the sum of dollars out of the
school house fund, for labor performed and materials furnished in
the erection of a school house (or for fuel, repairs, or rent of a
school house, as the case may be,) in sub-district number, of
District township of, in the county of, and
State of Iowa, as per contract made with the sub-director of said
sub-district, on the day of, 18....

E. F.,
President.

Attest:

G. H.,
Secretary.

NOTE.—Whenever an order is drawn, it should be registered, as per form number 12, and the number, date, in whose favor drawn, on what fund, for what purpose, and the amount, should *immediately* be certified by the Secretary to the Treasurer of the district. The above form will answer for an order on the teachers' fund by substituting the words "out of the Teachers' fund for services as school teacher in sub-district, &c."

NUMBER 12.

Form of Order Register of Secretary and Treasurer.

Number.	Date.	On whom drawn.	Fund.	For what purpose.	Am't.
No. 1	April 7, 1890	John Smith.	Teachers.	Teaching School.	\$45 00
No. 2	" " "	A. J. Adams.	School house.	Repairs on school house.	15 00
No. 3	" " "	Joel B. Young.	" "	Fuel.	5 00
No. 4	May 10, "	Thomas Harrison.	" "	Erection of school house.	125 00
No. 5	" 14, "	Sarah Johnson.	Teachers.	Teaching School.	63 74

NOTE.—The above form is presented with the view of systemizing the matter of drawing and paying school orders. It is impossible to keep a correct account of orders without some such method, and it is particularly essential under the present law, which requires the Treasurer to make pro rata payments, when he has not sufficient funds to pay in full. - This register should be kept by both the Secretary and Treasurer; the one kept by the latter being an exact copy of that kept by the former, and this may be easily done if each order, when drawn, is promptly certified by the Secretary to the Treasurer. Thus each officer will at all times be advised of the exact number and amount of outstanding orders. When an order is paid in full, cause the person presenting it, *in all cases*, to indorse it; and if an order is drawn in favor of one person and presented by another, *refuse payment unless it is properly indorsed*. In making partial payments, indorse the amount paid with the date of payment on the back of the order, and take a receipt for the amount paid, which will be your voucher in a settlement with the Board. I deem this receipt essential—otherwise the Treasurer has nothing to show what disposition he has made of the money.

NUMBER 13.

Form of notice for regular District Meeting.

(SEE SECTIONS 6 AND 22 OF PART 8.)

Notice is hereby given to the qualified electors of District township of, in the county of, and State of Iowa, that the regular meeting of said district will be held at, on the second Monday in March, 18. . . ., at o'clock, for the transaction of such business as may legally come before it.

A. B.,

Secretary of District township of

. 18. . . .

NOTE.—The above notice must be posted in five different conspicuous places in the district. In city districts, insert immediately after the word "for" in the concluding part of the notice, the words "the election of officers and," in accordance with the provisions of section 2 of Part 19. The law only provides for one regular meeting in the district each year, and no authority is given for calling a special meeting in an organized district, except in city districts, and then only for the election of officers.

See concluding paragraph of section 2 of Part 19. In all cases the meeting should be called at such hour as will best suit the convenience of the people, and not earlier than 9 o'clock A. M., and should not be permanently adjourned before 3 o'clock, P. M.

NUMBER 14.

Form of certificate of Secretary to County Judge of the per centum of tax voted by the District township.

(SEE SECTION 6, THIRTEENTH SPECIFICATION OF SECTION 16, AND SECTION 23 OF PART 8.)

. 18. . . .

To the County Judge of ——— County, Iowa :

I hereby certify that, at a meeting of the qualified electors of District township of in the county of and State of Iowa, held on the second Monday in March, 18. . . ., a tax was

voted on the taxable property of said district of five mills on the dollar on account of school house fund, and one mill on the dollar on account of teacher's fund, and that the tax on account of school house fund has been apportioned by the Board of Directors among the sub-districts of said District township as follows:

In sub-district No. 1—Five mills on the dollar.

“	“	2—Three	“	“
“	“	3—One	“	“
“	“	4—One and a half	“	“
“	“	5—One half	“	“

A. B.,

Sec'y of District township of

NOTE.—The law only requires that the school house tax shall be apportioned. The tax levied for teachers fund is *in all cases a uniform tax over the entire District township*. The above notice after the first Monday in January, 1861, should be directed to the Board of Supervisors. The law requires the County Treasurer to pay over the amount of the tax, which has been collected, on the first Monday of April and September of each year. The construction placed upon this provision by some County Treasurers is, that if the money is not paid on the *very day* specified, it is their duty to hold it till the time fixed for the next semi-annual payment thereafter. This is a forced construction of the law, and defeats its spirit and intent. The provision simply means that the Treasurer shall only be compelled to make semi-annual payments. It is proper that the District Treasurer should make application on the particular days named, but if for any cause he should fail to do so, it is the duty of the County Treasurer to pay over the amount then due, at any subsequent period when called for.

NUMBER 15.

Form for Annual Report of Secretary.

(SEE SECTION 25 OF PART 8.)

Report of the Secretary of District Township of in the County of and State of Iowa, for the period commencing September 20th, 18.., and ending September 19th, 18.....

Number of Sub-District or School.		
Male	No. of persons between	
Female	five and twenty-one years	
Number of Schools.		
Number of pupils in each School.		
Average attendance.		
Number of Teachers.		
Male	Average compensation of	
Female		Teachers per week.
Days	Summer	Length of Schools in days.
	Winter	
Summer	Average cost of Tuition	
Winter	per week for each pupil.	
Aggregate amount paid Teachers during the year.		
Amount of Teachers' fund in hands of District Treasurer.		
Brick	No. of School Houses, and of what material construct'd	
Stone		
Frame		
Log		
Value of School Houses.		
For building, repairing and furnishing School Houses.		Amount rec'd from District tax, and how appropriated.
For dist. library & ap'ratus.		
For rent of School House.		
For Fuel.		
For comp'nsat'n Sec'y & Tr		
For Teachers' Fund.		
Amount of annual apportionment received from County Treasury.		
Money rec'd from other sources.		
No. of Vols. in District Library.		
Value of Apparatus.		
Text Books used in each School.		
Branches taught in each School.		

See note on next page.

NOTE.—The foregoing report should be accurately made and promptly filed with the Co. Superintendent; otherwise the Secretary is to forfeit for the use of the district the sum of *twenty-five dollars*, and to make good *all losses* resulting from such failure. By his neglect to file it as required, the district may lose its distributive share of school money. To ascertain the average compensation paid *male* teachers per week, divide the aggregate amount paid them (male teachers) for teaching during the year in the District Township, as shown by the reports of the sub-directors, by the whole number of male teachers, and the result by the average number of weeks the schools have been taught. For instance, 6 male teachers have been paid the aggregate sum of \$1200 00, for teaching 24 weeks, being an average of \$200 00 each, which divide by the number of weeks, and we have \$8 33 $\frac{1}{3}$ as the average per week. Make a similar computation for female teachers. To ascertain the average cost of tuition for each pupil per week in the District Township, divide the sum of the average amounts paid per week, as reported by the sub-directors, by the number of schools, and the result will be the average per week for the district.

N U M B E R 16.

Form for the Treasurer's account with the Teachers' Fund.

(SEE SECTIONS 27, 28 AND 29 OF PART 8.)

1860.		DR.
April 10	To cash recv'd of Co. Treas'r on apportionment,	\$263 50
April 10	“ “ “ “ “ district tax....	385 00
Sept. 3	“ “ “ “ “ fines, &c.....	25 00
Sept. 3	“ “ “ “ “ district tax	174 00
1860.		CR.
April 13	By cash paid James Hogan, on order No. 1....	\$136 00
April 13	“ Sarah Smith, “ 3....	89 00
April 14	“ Nicholas Hoover, “ 4....	135 00
May 3	“ Louisa Martin, “ 7....	82 00
“ 4	“ Jas. M. Higgins, “ 10....	115 00
“ 4	“ Stephen Phelps, “ 11....	175 00
“ 5	“ Amelia Mason, “ 13....	95 00

NOTE.—A similar account is to be kept with the school house fund, and a statement of the condition of either fund is to be rendered at any time when required by the Board. By keeping a correct account of the orders, as per form No. 12, the Treasurer will know the amount outstanding, and can readily determine what per cent on each he can pay with the funds on hand. The above form is intended for separate pages opposite each other.

NUMBER 17.

Form for list of heads of families and children, to be kept by sub-Directors.

(SEE SECTION 31 OF PART 8.)

PARENTS OR GUARDIANS.	NAMES OF CHILDREN.	SEX.	AGE.
John Smith.	Peter Smith.	Male.	12 yrs.
John Smith.	Eliza Smith.	Female.	10 "
James Jones.	William Jones.	Male.	15 " " "
James Jones.	Charles Peters, (ward)	Male.	13 " "
Anna Byron.	James Byron.	Male.	10 "

NOTE.—The above list should be recorded in a book, and carefully preserved with the records of the sub-district.

NUMBER 18.

Form for Annual Report of Sub-Director.

(SEE SECTION 31 OF PART 8.)

Report of Sub-Director of Sub-District No..... of District Township of....., for the period commencing September 15th, 18.., and ending September 14th, 18....

Number of Sub-District or School.			
Male	No. of persons between five and twenty-one years.		
Female			
Number of Schools.			
Number of pupils in each School.			
Average attendance of scholars.			
Male	Number of Teachers.		
Female			
Male	Compensation of Teachers per week.		
Female			
days	Summer	in days.	Length of School
days				Winter.
Summer	Average cost of Tuition per week for each pupil.		
Winter			
Aggregate amount paid Teachers during the year.			
Brick	No. of School Houses, and of what material construct'd		
Stone			
Frame			
Log			
Value of School Houses.			
No. of Vols. in District Library.			
Value of Apparatus.			
Text Books used in each School.			
Branches taught in each School.			

 See Note on next page.

NOTE.—The foregoing report should be promptly filed with the Secretary of the District Township by the *fifteenth day of September*. There will then be only five days for the Secretary to prepare and file his report with the County Superintendent. To ascertain the *average* attendance of scholars, divide the sum of the days they have been present, by the number of days the school has been taught. For instance, a school of 14 scholars has been taught 6 days. They have been present, as shown by the teacher's register, from 2 to 6 days each, and the sum total of the days they have been present is 54, (instead of 84, as it would have been if they had *all attended regularly*,) which divide by 6, the number of days the school has been taught, and the result is 9 as the *average attendance*, 14 being the *regular* attendance. To ascertain the *average cost of tuition per week* for each pupil, divide the whole amount paid for teaching the school, by the whole number of scholars, and the result by the number of weeks the school has been taught. For instance, a school of 60 scholars has been taught 24 weeks for \$144 00. Divide the amount by the number of scholars, and we have \$2 40 as the average cost of tuition for each pupil *for the term*, which divide by the number of weeks, and we have *ten cents* as the average per week.

NUMBER 19.

Form of Contract for building a school house.

(SEE SECTION 32 OF PART 8.)

Contract made and entered into between A. B., of the county of, and State of Iowa, and C. D., as sub-director of sub-district number, of District township of, in the county of, and State of Iowa, and his successors in office.

In consideration of the sum of one dollar in hand paid, the receipt whereof is hereby acknowledged, and of the further sum of five hundred dollars, to be paid as hereinafter specified, the said A. B., hereby agrees to build a brick school house and to furnish the material therefor, according to the plan and specifications for the erection of said house hereto appended, at such point in said sub-district as the Board of Directors of said District township may designate. The said house is to be built of the best material,

in a substantial, workmanlike manner; and is to be completed and delivered to the said C. D., or his successors in office, free from any lien for work done or material furnished, by the day of 18. . . . ; and in case the said house is not finished by the time herein specified, the said A. B. shall forfeit and pay to the said C. D., or his successors in office, for the use of said District township (*or sub-district, where the tax has been levied exclusively within its limits,*) the sum of one hundred dollars, and shall also be liable for all damages that may result to said District township (*or sub-district, as the case may be,*) in consequence of such failure.

The said C. D., or his successors in office, in behalf of said District township, hereby agrees to pay the said A. B. the sum of fifty dollars when the foundation of said house is finished; and the further sum of two hundred and fifty dollars when the walls are up to the square and ready for the roof; and the remaining sum of two hundred dollars when the said house is finished and delivered as herein stipulated.

It is further agreed that this contract shall not be sub-let, transferred or assigned without the mutual consent of both parties.

Witness our hands this day of, 18.

A. B.,
Contractor.
C. D.,
Sub-Director.

This is to certify that the foregoing contract was approved by the Board of Directors of District township of, in the county of, of the State of Iowa, this day of 18. . . .

Attest :

G. H.,
Secretary.

E. F.,
President.

NOTE.—The law authorizes a sub-director to make contracts under such rules and restrictions as the township board may prescribe. Hence *in all cases* where it becomes his duty to make a contract, I consider it proper, in order to avoid all subsequent dispute, that the approval of the Board of Directors should be en-

dorsed on the contract before any work is done under it. In building a permanent school house, it is all-important to secure a plan of the building, with full specifications as to its dimensions, style of architecture, number and size of windows and doors, quality of materials to be used; what kind of roof; number of coats of paint; of what material the foundation shall be constructed; its depth below, and its height above the surface of the ground; the number and style of chimneys and flues; the provisions for ventilation; the number of coats of plastering and style of finish; and all other items in detail that may be deemed necessary. The plan and specifications should be attached to the contract, and the whole filed with the Secretary of the District township.

N U M B E R 20.

Form of Bond for performance of Contract.

Know all men by these presents, that we, A. B. as principal, L. M., J. H. and R. S., as securities of the county of, and State of Iowa, are held and firmly bound unto District township of, in the county of, and State of Iowa, in the penal sum of one thousand dollars, for the payment of which well and truly to be made, we bind ourselves, our heirs, administrators and assigns jointly, severally and firmly by these presents.

The condition of the above obligation is such, that whereas the said A. B. has this day entered into a written contract with C. D., as sub-director of sub-district number, of District township of, in the county of, and State of Iowa, and his successors in office, for the erection and completion of a school house in said sub-district, by the day of, 18. . . ., according to the plan and specifications for the construction of said house appended to said contract.

Now therefore if the said A. B. shall faithfully and fully comply with all the stipulations of said contract, then this obligation shall be void—otherwise remain in full force and virtue in law.

In testimony whereof we have hereunto subscribed our names
this day of, 18....

A. B.,
As principal.
L. M.,
J. H.,
R. S.,
Securities.

N U M B E R 2 1 .

Form for Contract between sub-director and teacher.

(SEE SECTIONS 32, 34 AND 41 OF PART 8.)

Article of agreement made and entered into between A. B., a school teacher, of the county of , and State of Iowa, and C. D., sub-director of sub-district number , of District township of , in the county of , and State of Iowa, and his successors in office.

The said A. B., hereby agrees to teach the public school in said sub-district, for the term of weeks, commencing on the day of , 18. . . . , and that he will faithfully and impartially govern and instruct the children and youth who may attend the same—that he will refrain from every species of profanity and improper conduct while in their presence—will institute no cruel or unusual mode of punishment in the administration of discipline, and will promptly report to the said C. D., sub-director aforesaid or his successors in office, the names of all scholars who may be guilty of gross immorality or a persistent violation of the regulations of said school. The said A. B., further agrees that he will strictly conform to the rules and regulations established by the Board of Directors of the District township aforesaid, for the government of said school, and will faithfully perform all the duties required of him by the provisions of section forty-one, of Part 8, of the school laws of the State of Iowa.

The said C. D., sub director, as aforesaid, or his successors in

office, in the name and in behalf of the District township afore-said, hereby agrees to keep the school house in which said school is to be taught, in good repair, and to see that it is furnished with the necessary fuel and appendages for the comfort and convenience of the pupils, and to pay the said A. B. for his services as teacher, the sum of dollars per month of four weeks of five school days each, (or per week, as the case may be,) provided, that in case the said A. B. should be dismissed from said school, by the said C. D., or his successors in office, for gross immorality or a violation of any of the stipulations of this contract, or in case his certificate should be revoked by the County Superintendent, he shall not be entitled to compensation from and after such revocation or dismissal.

IN TESTIMONY WHEREOF, We have hereunto subscribed our names this day of 18. . . .

A. B.,
Teacher.

C. D.,
Sub-Director.

It is hereby certified that the within contract was approved by the Board of Directors of District township of in the County of and State of Iowa, this day of 18. . . .

E. F.,
President.

Attest:

G. H.,
Secretary.

NOTE.—With a little variation the above form will also answer for city districts. Let the contract be duly executed and filed with the President before the teacher enters upon his duties. Give the teacher a certified copy of the contract if he desires it.

NUMBER 22.

Form of Lease.

(SEE SECTION 32 OF PART 8.)

Know all men by these presents: That A. B., of the County of and State of Iowa, for the consideration hereinafter men-

tioned, does hereby lease unto C. D., sub-director of sub-district number of District township of in the County of and State of Iowa, or his successors in office, for the use of said District township for school purposes, the following described premises, situate in the County and State aforesaid, to wit: (here describe the house and lot or parcel of ground) together with all the privileges thereto belonging, for the term of months from the day of 18....

The said C. D., sub-director as aforesaid, or his successor in office, hereby agrees to pay the said A. B., for the use of said premises the monthly rent of dollars, to be paid at the expiration of this lease.

IN TESTIMONY WHEREOF, We have hereunto subscribed our names this day of 18....

Signed in Duplicate.

A. B.,
Teacher.

C. D.,
Sub-Director of Sub-District No.

NOTE.—As a matter of safety, the above lease should be executed in duplicate, one to be held by the sub-director and the other by the lessor. The lease should be approved by the Board of Directors, as in case of a contract, and the duplicate filed with the President.

N U M B E R 23.

Form of Deed.

(SEE SECTION 32 OF PART 8.)

Know all men by these presents: That we, James L. Smither and Mary E. Smither, his wife, of the County of and State of Iowa, in consideration of the sum of dollars in hand paid, do hereby sell and convey unto District Township of in the County of and State of Iowa, the following described premises situate in the County and State aforesaid, to wit: (here describe the premises.)

And we do hereby covenant with the said District township that

we are lawfully seized of said premises; that they are free from encumbrance; that we have good right and lawful authority to sell the same; and we do hereby covenant to warrant and defend the title to the said premises against the lawful claims of all persons whomsoever.

Signed this day of 18.....

In presence of } JAMES L. SMITHER.
MARY E. SMITHER.

STATE OF IOWA, }
..... COUNTY. }

On this day of A. D., 18..... before me, a Notary Public in and for said county, personally came James L. Smither and Mary E. Smither, his wife, personally to me known to be the identical persons whose names are affixed to the above deed as grantors and acknowledged the same to be their voluntary act and deed.

{ L. S. } Witness my hand and seal Notarial this
day of 18.....

A. B.,
Notary Public.

NOTE.—In purchasing grounds for school house purposes, the sub-director should examine the title carefully, and be satisfied that it is not defective, and that the property is free from encumbrance. Under the laws of our State, the joining of the wife with her husband in the conveyance passes her right of dower, and hence no further relinquishment of dower is necessary. Let the property in all cases be conveyed to the district in its *corporate name*. The deed should be filed with the President.

NUMBER 24.

Form of Bond of Sub-Director.

(SEE SECTION 35 OF PART 8.)

Know all men by these presents, that we, A. B. as principal, and C. D., E. F. and L. M. as securities, of the county of and State of Iowa, are held and firmly bound unto District Township

of.....in the county of.....and State of Iowa, in the penal sum of.....dollars, for which payment well and truly to be made, we bind ourselves, our heirs, administrators and assigns, jointly, severally and firmly by these presents.

The condition of the above obligation is such, that whereas the said A. B. was, on the first Monday in March, 18..., duly elected Sub-Director of Sub-District number.....of said District Township.

Now, therefore, if the said A. B., as Sub-Director as aforesaid, shall faithfully and impartially discharge the duties of his office as required by law, then this obligation shall be null and void—otherwise remain in full force and virtue in law.

A. B.,
As Principal.
C. D.,
E. F.,
L. M.,
As Securities.

NOTE.—The foregoing bond should be filed with the President, unless given by the President himself *as Sub-Director*, in which case it should be filed with the Secretary of the District Township.

N U M B E R 25.

Form for notice from County Judge to the President of the District.

(SEE SECTION 40 OF PART 8.)

OFFICE OF COUNTY JUDGE, }
.....County,, 18... }

To C. D.,

President of District Township of.....

SIR :—You are hereby notified that, according to the apportionment of the school money made by the undersigned this day, the sum of.....dollars is due District Township of.....in the county of.....and State of Iowa, from this office, for which I hand you herewith my warrant on the County Treasurer.

A. B.,
County Judge of.....County.

NUMBER 26.

Form for Teacher's Daily Register.

(SEE SECTION 41 OF PART 8.)

TEACHER'S DAILY REGISTER, FOR THE WEEK COMMENCING MONDAY,
.....18....

Number of Scholars.	Names of Scholars.	MONDAY.	TUESDAY.	WEDNESDAY.	THURSDAY.	FRIDAY.	No. of days present.	Branches pursued by each Scholar.
1	A. B.	1	1	1	1	1	5	
2	C. D.	1	1	p. f.	1	p. a.	4	
3	E. F.	1	1	—	1	p. f.	3½	
4	G. H.	1	1	1	p. a.	1	4½	
5	I. J.	1	p. f.	—	p. a.	1	3	
6	K. L.	1	1	1	—	1	4	

NOTE.—This register may be kept in a temporary blotter, and should be posted weekly into the Teachers' General Register, for which see form number 27. The blotter should, however, be carefully preserved for reference, in case any inaccuracy should subsequently be discovered in the general register. The dash, thus —, signifies absent; 1, present; p. f., present forenoon; and p. a., present afternoon.

NUMBER 27.

Form for Teachers' General Register.

(SEE SECTION 41 OF PART 8.)

Register of School taught in sub-district number, of District township of, in the county of, and State of Iowa, for the term commencing on the day of, 18....

Names of pupils.	Age	Date of commencement.	Attendance in days for weeks commencing							Total attendance in days.	Branches pursued by each Scholar.																
			January 3.	" 10.	" 17.	" 24.	" 31.								Orthography.	Reading.	Writing.	Arithmetic.	Grammar.	Geography.	Algebra.	Geometry.	Surveying.	Philosophy.	Chemistry.	Physiology.	Astronomy.	Botany.
A. B.	13	January 3, 1-59.	5	3	4	5	8				20	*	*	*	*	*											*
C. D.	15	" 3, 1859.	4	5	4	5	4				22				*	*									*	*	

I hereby certify that the above is a faithful and correct Register of said school.

A. B.,
Teacher.

NOTE.—The above register, properly certified by the teacher, should be filed with the Secretary of the Board of Directors immediately after the close of the school. Each column, under the head of "attendance in days," is designed to embrace the number of days *present*, as shown by the ninth column to the right, of the Daily Register. The words "for weeks commencing" (in the above form,) refer to "January 3d," in the left hand column, under the head of "attendance in days," &c., the star, thus * denotes the branches pursued by each pupil. To ascertain the number of scholars in daily attendance, divide the sum of all the days *present*, as shown by the column under the head of "total attendance in days," by the number of days the school has been taught.

TEACHERS' GENERAL REGISTER FOR SALE.—Messrs. Mills Brothers, of Des Moines, Iowa, have prepared a Register after the above form, and will send it to any district in the State by mail, pre-paid, for the sum of one dollar. It is sufficiently large to answer the purposes of a school of sixty or seventy pupils for eight or ten years. The Board of Directors should provide one for every sub-district.

NUMBER 28.

Form of Teacher's Certificate.

(SEE SECTIONS 41, 45, 46, 47 AND 48 OF PART 8.)

Office of County Superintendent of Common Schools. }
 County of and State of Iowa. }

I hereby certify that I have this day examined the bearer, A. B., in Orthography, Reading, Writing, Mental Arithmetic, Written Arithmetic, Geography and English Grammar, and also in (other branches if any), and find (him or her) competent to teach the same, and being fully satisfied that (he or she) possesses a good moral character, and the essential qualifications for the government and instruction of children and youth, I hereby authorize (him or her) to teach in the Public Schools of this County, for the period of from the date of this certificate.

In testimony whereof, I have hereunto subscribed my name this
 day of A. D., 18.....

C. D.,

Co. Supt. of Common Schools.

NOTE.—The subject of *graded certificates* was presented to the Board of Education at its last session, but as that body did not think proper to provide for them by law, I have omitted that particular feature in the above form. I have no doubt however, but a *graded certificate* is perfectly valid if competency to teach the branches specified in the law is made the *minimum*. The only objection urged by the committee to whom the subject was referred, was, that “such an enactment would be adding machinery to a school system already sufficiently complex.” They say further: “Your committee can see no objection to the County Superintendents noting the comparative qualifications of teachers on the certificates given by them, under the law as it now stands, and are of opinion that the whole matter may be safely left to the school officers, without further legislation on the part of the Board.”

It is essential in the examination of a teacher, that he should possess first, a good moral character—second, a thorough knowledge of the branches named in the law—and third, the ability to govern a school and the faculty of imparting knowledge. With-

out these qualifications, I should not consider an applicant entitled to a certificate. A certificate is not valid out of the county in which it is given.

N U M B E R 29.

Form for revocation of Teachers Certificate

(SEE SECTION 49 OF PART 8.)

Office of County Superintendent of Common Schools, }
 County of and State of Iowa. }

To the Several Boards of School Directors in the County of ..
 and State of Iowa.

Whereas, the undersigned did on the day of
 18..... execute and deliver to A. B., a certificate, authorizing him
 to teach in the Public Schools of this County;

And whereas, upon due examination it has been made to appear
 that the said A. B., in consequence of (here state the offence—
 gross immorality, for exam; le), is unworthy longer to retain the
 same;

Now, therefore, in pursuance of the provisions of section 49 of
 Part 8, of the school laws of the State of Iowa, the said certificate
 is hereby revoked.

In testimony whereof, I have hereunto subscribed my name this
 day of A. D., 18.....

C. D.,
 County Superintendent.

NOTE.—A copy of the above revocation should be transmitted to
 the Secretary of each School District, and the Secretary should im-
 mediately notify each sub-director in his district of the fact.

N U M B E R 30.

Form of Oath of School Officers.

(SEE SECTION 58 OF PART 8.)

STATE OF IOWA, }
 COUNTY. } SS.

I, A. B., do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Iowa, and that I will faithfully and impartially discharge the duties of (President, Secretary or Treasurer, as the case may be,) of District township of in the County of and State of Iowa, according to law and to the best of my abilities.

A. B.

Subscribed and sworn to before me this day of
 A. D., 18.....

C. D.,
 Justice of the Peace.

N U M B E R 31.

Form of notice for a Special Meeting of the Electors of a sub-District.

(SEE SECTIONS 65 AND 66 OF PART 8.)

Notice is hereby given, that a special meeting of the qualified electors of sub-district number, of District township of, in the County of and State of Iowa, will be held at, on the second Monday in July 18....., at o'clock, for the purpose of determining whether a tax shall be levied on the taxable property of said sub-district, for the payment of debts and the erection of a school house therein.

A. B.,

Sub-Director of Sub-District No.

..... 18.....

NOTE.—The above notice must be given at least *ten days* previous to the meeting, and must be posted in at least three conspicuous public places in the sub-district, and should state the hour of meeting (which shall not be earlier than 9 o'clock, A. M.,) distinguishing between forenoon and afternoon.

N U M B E R 3 2 .

Form for proceedings of a Special Sub-District meeting.

(SEE SECTION 67 OF PART 8.)

.....18.....

The qualified electors of sub-district number.....of District Township of..... in the county of..... and State of Iowa, met agreeable to previous notice at.....

The meeting was called to order by A. B., Sub-Director, and on his motion C. D. was appointed Chairman and E. F. Secretary.

Mr. H. offered the following preamble and resolution :

WHEREAS, District Township of.....in the county of..... and State of Iowa, has neglected (or refused as the case may be,) to make adequate provision for school house purposes in this sub-district, after being requested by a vote of the electors of this sub-district, at its annual meeting in March, 18....., so to do ; therefore,

Resolved, That a tax of five mills on the dollar for the erection of a school house, and one mill on the dollar on account of the teachers fund for the payment of debts contracted prior to the organization under " An Act for the Public Instruction of the State of Iowa," approved March 12th, 1858, be voted on the taxable property of this sub-district.

On motion of Mr. B. said resolution was adopted.

On motion of Mr. C. the meeting adjourned *sine die*.

C. D.,

Chairman.

Attest :

E. F.,

Secretary.

NOTE.—Each sub-district should be provided with a record book, which should be preserved by the sub-director, and the proceedings of all meetings, both regular and special, should be carefully recorded in it. Sub-districts are only allowed to hold two meetings in any one year—the annual meeting on the first Monday in March, and the special meeting on the second Monday in July. After the first Monday in January, 1861, the special meeting will be held on the first Monday in May. See section 3 of Part 9. In case

any portion of the tax for payment of debts, is on account of the school house fund, the amount should be specified in the resolution before the vote is taken.

N U M B E R 3 3 .

Form for notice of per centum of tax from the Sub-Director to the Secretary.

(SEE SECTION 68 OF PART 8.)

.....18....

To the Secretary of District Township of.....

I hereby certify, that at a meeting of the electors of sub-district number....., of District Township of....., in the county of....., and State of Iowa, held on the.....day of..... 18...., a tax of five mills on the dollar for the erection of a school house, and of one mill on the dollar on account of teachers' fund, for payment of debts, as provided in section 67 of Part 8, of the school laws, was voted on the taxable property of said sub district.

A. B.,

Sub-Director of Sub-District No.....

NOTE.—The above certificate must be made within ten days after the tax is voted. If any portion of the tax voted for the payment of debts, is on account of school house fund, the notice should specify the amount.

N U M B E R 3 4 .

Form for certificate of Secretary of per centum of tax voted by a Sub-District.

(SEE SECTION 68 OF PART 8, AND SECTION 1 OF PART 9.)

.....18....

To A. B.,

County Judge of.....County.

I hereby certify, that at a meeting of the electors of sub-district number....., of District Township of....., in the county

of....., and State of Iowa, held on the..... day of....., 18...., a tax of five mills on the dollar on account of the school house fund, and of one mill on the dollar on account of the teachers' fund, was voted on the taxable property of said sub-district, in conformity with the provisions of section 67 of Part 8, of the school laws.

A. B.,

Secretary of District Township of.....

NOTE.—The provision of section 68 of Part 8, requiring the above certificate to be rendered within *twenty* days, is repealed by the provision of section one of Part 9, requiring it to be done within *ten* days after the receipt of the notice from the Sub-Director. This change was made in order that the County Judge might, without failure, receive the notice in time to levy the tax this year, and also in view of the change in county government which is to take place in January, 1861. After the present year, the Board of Supervisors will meet on the *first Monday in June* to levy taxes, and the sub-district meeting will be held on the *first Monday in May*, and hence it would not be safe to allow more than ten days for the notice, which is applicable to the present, as well as any future year.

N U M B E R 3 5 .

Form for order of Sub-Director on County Treasurer.

(SEE SECTION 70, OF PART 8.)

To A. B.,

Treasurer of.....County.

Please pay to C. D., Treasurer of District Township of..... in the county of..... and State of Iowa, the amount of taxes levied and collected on account of sub district number....., of said District Township, for teachers' fund and school house fund, up to the first Monday of....., 18....

E. F.,

Sub-Director of Sub-District No.....

NOTE.—The District Treasurer should open a separate account with each sub-district, for all moneys received on the foregoing order. The funds belonging to any sub-district are to be paid out only upon the order of the President of the District Township countersigned by the sub-director, as per form 36.

NUMBER 36.

Form for order of President and Sub-Director on District Treasurer.

(SEE SECTION 70 OF PART 8.)

No..... 18....

To A. B.

Treasurer of District township of

Pay C. D., or order the sum of dollars out of the school house fund (or Teachers fund) belonging to sub district number of District township of in the County of and State of Iowa, for labor performed and materials furnished in the erection of a school house (or for wages of teacher, repairs, fuel or rent as the case may be,) in said sub-district, as per contract made with the sub-director thereof, on the day of 18.....

E. F.,
President.

Attest:

G. H.,
Sub-Director.

NOTE.—The above order should be registered by the Sub-Director (as per form number 12,) and immediately reported to the Treasurer, and by him registered in like manner. The address in the order in form number eleven was incidentally omitted. It should be the same as in form 36.

NUMBER 37.

Form for certificate of appointment of School District Officers.

(SEE THE EIGHTH SPECIFICATION OF SECTION 16, AND SECTION 85 OF PART 2, SECTION 2 OF PART 9, AND SECTION 2 OF PART 19.)

.....18....

To A. B.

You are hereby notified, that at a meeting of the Board of Directors of District Township of....., in the county of....., and State of Iowa, held on the..... day of....., 18., you

were duly appointed (here name the officer) in and for said District Township, to fill the vacancy occasioned by the (here state the cause of the vacancy) of L. M.

C. D.,

Secretary of District Township of.....

NOTE.—For the appointment of Sub-Director, insert in the above form the words “Sub-District number.....of” immediately after the word “for.” The oath of office of the person appointed must be endorsed upon the foregoing certificate.

NUMBER 38.

Form of application for a Teachers' Institute.

(SEE SECTION 1, OF PART 15.)

OFFICE OF CO. SUPERINTENDENT OF COMMON SCHOOLS, }
 County,, 18... }

To the Secretary of the Board of Education:

From satisfactory evidence on file in this office, I hereby certify, that not less than thirty teachers desire to assemble at..... in the county aforesaid, on the.....day of....., 18...., for the purpose of holding a Teachers' Institute, to remain in session for a period of not less than six working days; and that they suggest A. B., C. D. and E. F. as lecturers.

In testimony whereof I have hereunto subscribed my name the day and year first above written.

G. H.,

Co. Sup't of Common Schools.

NOTE.—I would suggest that the proper mode of procedure will be for the teachers to circulate a petition, and after they have procured the requisite number of signatures, let it be filed with the County Superintendent, as the basis of his application to this office. I do not conceive it to be necessary that all who sign the petition should be residents of the county—that they purpose attending the Institute, if in their power so to do, is sufficient, without any regard to residence, so it is within the State. The Institute, however, is designed *especially* for the benefit of the teachers of the

county in which it is held. The law appropriates the sum of *fifty dollars annually* to each county which can, in good faith, secure the requisite number of *teachers*.

I would embrace this opportunity of saying to County Superintendents, that in order to carry out the provisions of the present law, they should file with the County Judge and County Treasurer, on the first Monday of April and September of each year, a list of the names of all district and sub-district officers in the county, together with the post-office address of each of the Presidents; and to enable them to do so, they should require the respective district Secretaries to furnish them such information, and to notify them from time to time, of any change that may be made by resignation or otherwise.

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May abolish or reorganize Board of Education.....	14	45
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Shall encourage education.....	3	45
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To provide for security of University funds.....	5	46
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To continue in office until successors are elected.....	57	20
Shall take an oath of office.....	58	20
Shall deliver books, papers, money, &c., to successors..	59	21
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To preside at all meetings of Board and District.....	18	12
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Sign contracts and orders on District Treasurer.....	18	12
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Made a body corporate.....	5	8
May hold property.....	5	8
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May adjourn from time to time.....	7	9
May levy a tax not exceeding one per cent.....	7	9
Tax for building school houses to be levied at regular meeting in March.....	7	9
Not to exceed five mills for school house purposes.....	7	9
May direct the sale of property of the district.....	7	9
May provide for payment of debts.....	7	9
May delegate powers to Board of Directors.....	7	9
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Election and acts of legalized.....	1	6
SECRETARY OF THE BOARD OF EDUCATION—		
Certificate of appended to laws.....	2	3
Shall forward a copy of laws to County Judge.....	1	5
May make needful rules and regulations.....	62	21
Elected at each regular session of the Board.....	1	28
Shall give bond to State of Iowa.....	2	28
To take and subscribe oath of office.....	3	28
Shall keep journal of the Board.....	4	29
Shall cause acts of the Board to be printed.....	5	29

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Append certificate of authentication to laws.....	6	29
Shall have journal printed in like manner.....	7	29
Transmit laws to County Superintendents.....	8	29
Preserve copies of laws and journals in his office..	9	29
Forward journals to members of the Board.....	9	29
Also to Co. Supts. and County Judges.....	10	29
Distribute laws and journals to every organized county.	11	29
Office to be provided for at the Capitol.....	12	29
To file papers and public documents.....	12	29
To have supervision of school system.....	13	30
Shall meet Co. Supts. in Judicial Districts.....	14	30
Shall visit schools of the State.....	15	30
Recommend text books and books for district libraries.	16	30
Cause school laws to be printed when necessary.....	17	30
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Ex-officio librarian.....	3	5
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To perform duties of President in his absence.....	18	12
To appear in suits against President.....	19	13
Record all proceedings of Board and District.....	20	13
Preserve copy of reports to County Superintendent..	20	13
Shall file all official papers transmitted to him....	20	13
Countersign drafts, warrants and orders.....	20	13
✓ Keep an account of all expenses of the district... ..	21	13
Shall give ten days notice of all meetings... ..	22	13
Notice to state the hour of meeting.....	22	13
To certify the per centum of tax to Co. Judge.....	23	13
To file report with County Superintendent.....	25	14
Forfeit for failure so to do.....	26	14
To countersign warrants drawn by County Judge.....	40	17
✓ Keep separate accounts with respective funds.....	40	17
Shall charge Treasurer of district with warrants drawn in his favor.....	40	17
Credit Treasurer of dist. with warrants drawn on funds in his hands.....	40	17
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To qualify within ten days after appointment.....	2	24
To give casting vote in district Board.....	2	24
To file transcript with Co. Supt. in case of appeal.....	4	27
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Collegiate department attached.....	2	33
President, Professors and tutors, how elected.....	2	33
Normal department.....	2	33
Governed by Board of Trustees.....	3	33
Not controlled by any religious denomination.....	5	34
Specimens of natural history, &c., to belong to Cabinet of.....	6	34
Duties of Secretary of Board of Trustees.....	7	34
Duties of Treasurer.....	7	34
Treasurer to take oath and give bond.....	7	44
Librarian to have charge of Library.....	7	34
Immediate government intrusted to faculty.....	8	35
Treasurer to keep account of sales of land.....	12	35
Sales of land, when not to be made.....	13	35
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University lands and proceeds, permanent fund for use of	2	45
Interest arising from same to be annually appropriated to	2	45
SUB-DISTRICTS—		
Organized under former law continued.....	1	8
Schools to be taught in, 24 weeks each year.....	2	8
Scholars in one may attend school in another.....	3	8
Annual meeting of, when held.....	9	9
Five days notice of same to be given.....	9	9
Organized by appointment of chairman and Sec'y.....	10	10
Chairman and Secretary to act as judges of election...	10	10
To issue certificate to director elect.....	10	10
Electors to determine whether they desire a tax levied.	12	10
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Boundaries, how changed.....	17	12
May control funds belonging to.....	37	16
When but one in township, to elect three directors....	54	20
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May hold special meeting.....	65	22
May vote tax for school house purposes and debts.....	67	22
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SUB-DIRECTORS—		
When elected.....	9	9
Shall qualify within ten days.....	11	10

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·Certify tax desired by sub-district to Secretary.....	13	10
Member of the Board of Directors.....	14	10
Record list of heads of families, &c.....	31	15
Annual report to Secretary of the district.....	31	15
Make contracts and employ teachers in sub-districts...	32	15
Shall report contracts to Board of Directors.....	32	15
May dismiss pupils from school.....	33	15
Shall visit schools in sub-district.....	33	15
To sign contract with teacher.....	34	16
Collect taxes and debts due his sub-district.....	35	16
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Shall file bond with President.....	35	16
May certify taxes due sub-district to County Judge'...	36	16
Shall call meeting of electors of sub-districts..	65	22
To give ten days previous notice of same.....	66	22
Certify tax voted by sub-district to Secretary.....	68	23
To furnish Secretary with list of property owners.....	68	23
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Made Secretary of Board of Directors.....	14	10
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To give bond.....	16	11

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Hold moneys belonging to the district.....	27	14 ✓
Pay the same out on the order of the President.....	27	14
Keep separate accounts with school house and teacher's fund.....	28	14
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To receive all moneys belonging to the district.....	29	15
Render a statement of the finances of the district.....	30	15 ✓
His books shall always be open for inspection.....	30	15 ✓
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Shall draw money apportioned to dist. by Co. Judge...	40	17
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Board to consist of seven persons.....	3	33
Elected by Board of Education.....	3	33
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To appoint Secretary, Treasurer and Librarian.....	7	34
Determine the departments of the University.....	8	34
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Elect President, Professors and Tutors.....	9	35
Determine amount of their respective salaries.....	9	35
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First meeting of the Board when held.....	11	35
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**NAMES OF
COUNTY SUPERINTENDENTS OF COMMON SCHOOLS
ELECTED IN 1859, WITH THEIR POST-OFFICES.**

Adair.....	George W. White....	Fontenelle.
Adams.....	Reuben Aldridge....	.....
Alamakee.....	R. C. Armstrong....	Waukon.
Appanoose.....	.....	.....
Audubon.....	L. B. Montgomery....	Exira.
Benton.....	Amos Dean.....	Vinton.
Black Hawk.....	Truman Steed.....	Waterloo.
Boone.....	C. W. Williams.....	Boonsboro.
Bremar.....	G. T. Sayers.....	Fredrica.
Butler.....	Rev. J. R. Dean.....	Shell Rock.
Buchanan.....	Bennett Roberts....	Quasqueton.
Buena Vista.....	.....	.....
Calhoun.....	Charles Amy.....	Lake City.
Carroll.....	William H. Price....	Carrollton.
Cass.....	W. S. Newlon.....	Lewis.
Cedar.....	James McClung.....	Tipton.
Cerro Gordo.....	John M. Brainard ...	Clear Lake.
Cherokee.....	.....	.....
Chickasaw.....	G. J. Tisdale.....	Fredricksburgh.
Clay.....	.....	.....
Clarke.....	A. H. Burrows.....	Osceola.
Clayton.....	Horace Emery.....	Monona.
Clinton.....	Samuel S. Burdett...	DeWitt.
Crawford.....	H. C. Lamb.....	Dennison.
Dallas.....	Joseph R. Reed.....	Adel.
Davis.....	Amos Steckel.....	Bloomfield.
Decatur.....	J. W. Olfrey.....	.....
Delaware.....	.....	.....
Des Moines.....	William Harper.....	Kossuth.
Dickinson.....	J. Ball.....	Spirit Lake.
Dubuque.....	Dr. Timothy Mason..	Dubuque.
Emmett.....	Robert Ridley.....	Emmett City.
Fayette.....	.....	.....
Floyd.....	Rev. D. B. Mead....	Rock Grove.
Franklin.....	Wm. N. Davidson....	Hampton.

Fremont.....	Giles Cowles.....	McKissic's Grove.
Greene.....	George S. Walton...	New Jefferson.
Grundy.....	H. J. Wilson.....	Taylor Hill.
Guthrie.....	E. B. Fenn.....	Panora.
Hamilton.....	E. H. Blair.....	Webster City.
Hancock.....	.....	.....
Harrison.....	Rev. H. D. King....	Magnolia.
Hardin.....	J. M. Comstock....	Steamboat Rock.
Henry.....	E. W. Gray.....	Mt. Pleasant.
Howard.....	Rev. Charles E. Brown	Vernon Springs.
Humboldt.....	Geo. W. Hanchett...	Dacotah.
Ida.....	D. T. Hawthorne....	Ida.
Iowa.....	C. S. Jennis.....	Millersburg.
Jackson.....	.....	.....
Jasper.....	Albert Lufkin.....	Newton.
Jefferson.....	Robert S. Hughes...	Fairfield.
Johnson.....	Richard H. Sylvester	Iowa City.
Jones.....	B. F. Shaw.....	Anamosa.
Keokuk.....	James Frey.....	Sigourney.
Kossuth.....	J. R. Armstrong....	Irvington.
Lee.....	John A. Nunn.....	Fort Madison.
Linn.....	Ira G. Fairbanks....	Marion.
Louisa.....	Robert N. Fee.....	Grandview.
Lucas.....	John D. Sarver.....	Chariton.
Madison.....	Dr. Lewis Mayo... .	Winterset.
Mahaska.....	J. M. Loughridge....	Oskaloosa.
Marion.....	W. M. K. Cain.....	Newbern.
Marshall.....	S. W. Griffin.....	Marietta.
Mills.....	Rev. D. H. Petefish..	Glenwood.
Mitchell.....	E. G. Rice..	St. Ansgar.
Monona.....	Hugh Lytle.....	Belvidere.
Monroe.....	Edward M. Bill.....	Albia.
Montgomery.....	William T. Reed.....	.....
Muscatine.....	Charles Woodhouse..	Muscatine.
O'Brien.....	.....	.....
Osceola.....	.....	.....
Page.....	J. L. Anderson.....	.....
Palo Alto.....	.....	.....
Plymouth.....	Joseph V. Stafford..	Sioux City, <small>Woodbury Co.</small>
Pocahontas.....	.....	.....
Polk.....	C. C. Dawson.....	Des Moines.
Pottawattamie.....	J. B. Rue.....	Council Bluffs.
Poweshiek.....	Leonard F. Parker...	Grinnell.
Ringgold.....	A. G. Beall.....	Mount Ayr.
Scott.....	Dr. T. J. Saunders..	Davenport.
Sioux.....	.....	.....
Shelby.....	Samuel Dewell.....	Harlan.
Story.....	Ira H. Rees.....	Nevada.

Sac.....	G. F. Browning.....	Sac City.
Tama	John Ramsdell.....	Eureka.
Taylor.....	James M. Stockton..	.....
Union.....	.....	.....
Van Buren.....	M. H. Cooley.....	Farmington.
Wapello.....	G. D. Hackworth....	Ottumwa.
Warren.....	W. M. White.....	Indianola.
Washington.....	Dr. Joseph McKee...	Washington.
Wayne.....	George Wright	Clio.
Webster.....	Albert Morrison.....	Fort Dodge,
Winnesheik.....	.....	.....
Woodbury.....	.....	.....
Wright.....	Josiah Davidson.....	Goldfield.
Winnebago....	Martin Baumgardner
Worth.....	J. W. Jackson.....	Bristol.

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OFFICIAL OATHS.

School officers should appear before any one of the following officers, and take the oath of office prescribed in the present school law :

Judge of the Supreme Court, Judge of the District Court, County Judge, Clerk of the Supreme Court, Clerk of the District Court, Justice of the Peace and Notary Public. Township Clerks and Trustees are authorized to administer oaths only in *special* cases. School district officers are not township officers. See sections 221, 227, 250, 259 and 979 of the Code of 1851.