

UNITED STATES BUREAU OF EDUCATION
BULLETIN, 1913, NO. 55 WHOLE NUMBER 566

LEGISLATION AND
JUDICIAL DECISIONS RELATING
TO EDUCATION

OCTOBER 1, 1909, TO OCTOBER 1, 1912

By

JAMES C. BOYKIN

AND

WILLIAM R. HOOD



WASHINGTON
GOVERNMENT PRINTING OFFICE
1913

200586
JAN 11 1916

~~IK32~~
U773
B
1913

55-60

111
AG
1913
55-60

CONTENTS

	Page.
Explanatory note.....	5
Plan of classification.....	6
Legislation and judicial decisions relating to education:	
A. General administrative control and supervision of elementary and secondary education.....	9
B. State finance and support.....	72
C. Local (county, district, municipal) finance and support.....	92
D. Buildings and sites.....	108
E. Teachers in elementary and secondary schools.....	120
F. Teachers: Employment; contract; appointment; dismissal.....	133
G. Teachers: Professional training and education.....	154
H. School population and attendance.....	162
I. School discipline.....	186
J. Health regulations.....	188
K. Textbooks and supplies.....	193
L. Subject matter of instruction.....	198
M. Special types of school.....	205
N. Secondary education: High schools and academies.....	214
O. Technical, industrial, and vocational education: Elementary and secondary.....	225
P. Higher educational institutions.....	241
Q. Professional and higher technical education.....	247
R. Private and endowed higher institutions—State control.....	254
S. Librarians and museums.....	259
T. Education of special classes.....	267
U. Welfare of dependents and delinquents.....	271
Bibliography.....	287
Index.....	295

[List of bulletins of Bureau of Education follows index.]

LEGISLATION AND JUDICIAL DECISIONS RELATING TO EDUCATION, OCTOBER 1, 1909, TO OCTOBER 1, 1912.

EXPLANATORY NOTE.

The following pages present a summary of the laws relating to education enacted by the following legislative sessions:

1910: Georgia, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, New Jersey, New York, Ohio, Rhode Island, South Carolina, Virginia—12.

1911: Alabama, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Porto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, West Virginia, Wisconsin, Wyoming—43.

1912: Arizona, Georgia, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, New Jersey, New Mexico, New York, Rhode Island, South Carolina, Virginia—18.

It is intended to include all enactments excepting those of distinctly local character and excepting ordinary appropriations. The method of presentation is self-explanatory. Important laws are quoted with considerable fullness and some of them are reprinted verbatim. As a rule legal verbiage and details of temporary or local significance are omitted when they do not seem to be necessary to a clear understanding of an act. In many instances essential paragraphs are reproduced without change, while other paragraphs of the same act are presented only in substance. Such treatment is required by obvious limitations of space. The reader will not, therefore, suppose that he is handling the full text of any law, unless quotation marks are used.

Digests of judicial decisions are indicated by asterisks. They cover the period between October 1, 1909, and July 1, 1912. Practically all the digests were taken from the publications of the West Publishing Co., and the courtesy of that company in permitting the use of copyrighted material is cordially acknowledged.

PLAN OF CLASSIFICATION.

- A. GENERAL ADMINISTRATIVE CONTROL AND SUPERVISION OF ELEMENTARY AND SECONDARY EDUCATION.**
- a. General.
 - b. State boards and officers.
 - c. County boards and officers.
 - d. District, township, and municipal boards and officers.
 - e. School meetings; elections; qualifications for voters.
 - f. Administrative units: Districts, townships, municipalities, etc.; formation; divisions; consolidation.
- B. STATE FINANCE AND SUPPORT.**
- a. General.
 - b. State school lands.
 - c. Permanent state school funds: Composition and investment.
 - d. State taxation for school purposes.
 - e. General apportionment of state school funds; special state aid for elementary education.
 - f. Special state aid for secondary education.
- C. LOCAL (COUNTY, DISTRICT, MUNICIPAL) FINANCE AND SUPPORT.**
- a. General.
 - b. Local (county, district, municipal) bonds and indebtedness.
 - c. Local (county, district, municipal) taxation for school purposes.
- D. BUILDINGS AND SITES.**
- a. General.
 - b. State aid; approval of plans.
 - c. Decoration; care; sanitation; inspection.
 - d. Prohibition districts.
 - e. U. S. flag in schools.
- E. TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS.**
- a. Teachers: Qualifications; general.
 - b. Teachers' examinations and certificates: General.
 - c. Teachers' examinations and certificates: Special.
 - d. Teachers' certificates; validity; indorsement; registration; revocation.
 - e. Teachers' certificates; recognition of normal school and college or university diplomas.
 - f. Teachers' associations.
- F. TEACHERS: EMPLOYMENT; CONTRACT; APPOINTMENT; DISMISSAL.**
- a. General.
 - b. Teachers' salaries.
 - c. Teachers' pensions.
- G. TEACHERS: PROFESSIONAL TRAINING AND EDUCATION.**
- a. University departments and schools of education.
 - b. State normal schools.
 - c. County and local normal and training schools.
 - d. Teachers' institutes and summer schools.
- H. SCHOOL POPULATION AND ATTENDANCE.**
- a. General.
 - b. School census.
 - c. School year; month; day.
 - d. School holidays.
 - e. Place of attendance; transportation of pupils; consolidation of schools.

PLAN OF CLASSIFICATION.

7

H. SCHOOL POPULATION AND ATTENDANCE—Continued.

- f. Compulsory attendance; truancy; truant officers.
- g. Child labor.
- h. Separation of races.

I. SCHOOL DISCIPLINE.

- a. General.
- b. Corporal punishment.
- c. Suspension and expulsion.
- d. Fire drills.
- e. School fraternities.

J. HEALTH REGULATIONS.

- a. General.
- b. Physical examination and medical inspection.

K. TEXTBOOKS AND SUPPLIES.

- a. General.
- b. Free textbooks.
- c. Uniformity of textbooks.

L. SUBJECT MATTER OF INSTRUCTION.

- a. General.
- b. History, civics, and patriotism.
- c. Physical education.
- d. Physiology; hygiene; alcohol; narcotics; other health instruction.
- e. Moral and ethical education.
- f. Humane treatment of animals.
- g. Music.
- h. Drawing.
- i. Technical, manual, and industrial education.
- j. Agriculture.
- k. Days of special observance.
- l. Other special subjects.

M. SPECIAL TYPES OF SCHOOL.

- a. General.
- b. Kindergartens.
- c. Evening schools.
- d. Vacation schools; playgrounds; social centers.
- e. University and school extension; public lectures.
- f. Farmers' institutes, etc.
- g. Private and endowed schools; parochial schools.

N. SECONDARY EDUCATION: HIGH SCHOOLS AND ACADEMIES.

- a. General.
- b. High school inspection.

O. TECHNICAL, INDUSTRIAL, AND VOCATIONAL EDUCATION: ELEMENTARY AND SECONDARY.

- a. General.
- b. Agriculture.
- c. Trade.
- d. Continuation.

P. HIGHER EDUCATIONAL INSTITUTIONS.

- a. General.
- b. Finance, lands; support.
- c. State universities and colleges.
- d. Carnegie fund.

Q. PROFESSIONAL AND HIGHER TECHNICAL EDUCATION.

- a. Teachers' colleges and normal schools.
- b. Agricultural colleges.
- c. United States grant.
- d. Mining schools.
- e. Military schools.
- f. Other technical and professional.

R. PRIVATE AND ENDOWED HIGHER INSTITUTIONS: STATE CONTROL.

- a. Higher institutions.
- b. Corporations of an educational character.

S. LIBRARIES AND MUSEUMS.

- a. General.
- b. Public-school libraries.

T. EDUCATION OF SPECIAL CLASSES.

- a. General.
- b. Deaf and dumb.
- c. Blind.
- d. Crippled and deformed.
- e. Feeble-minded.
- f. Tuberculous children.

U. WELFARE OF DEPENDENTS AND DELINQUENTS.

- a. General.
- b. Wrongs to children.
- c. Juvenile courts.
- d. Conduct of children.
- e. Truant, detention, reform schools, and schools for dependents.

LEGISLATION AND JUDICIAL DECISIONS RELATING TO EDUCATION, 1910-1912.¹

[Citations to and digests of judicial decisions are distinguished from legislative enactments by an asterisk (*).]

A. GENERAL ADMINISTRATIVE CONTROL AND SUPERVISION OF ELEMENTARY AND SECONDARY EDUCATION.

(a) General.

Arizona: Providing for the establishment and maintenance of a general and uniform public-school system.

State board of education composed of governor, superintendent of public instruction, president of the State university, principals of the State normal schools, a city superintendent, a high-school principal, and a county superintendent appointed by the governor. No salary, but expenses paid.

State superintendent is secretary of the State board and a member of all boards in control of public instruction in State institutions.

The board meets at least once a quarter.

Duties of the board:

1. To keep a record of proceedings, which shall be open to the public.
2. To have official seal.
3. To make rules and regulations for public schools and school libraries.
4. Devise plans for the investment and management of public-school fund.
5. Prescribe and enforce uniform series of textbooks. No change shall be considered or made except after 60 days' notice of intention to each county superintendent. Adoption for five years.
6. Prescribe and enforce course of study; determine number of credits for graduation from high school, and prescribe regulations for admission to university and normal schools.
7. Have charge of the education of deaf, dumb, and blind.
8. Issue life certificates to teach.
9. Revoke all certificates or life diplomas for cause.

State board of examiners composed of superintendent of public instruction and two persons, appointed by him.

Powers:

1. Make rules and regulations for examination for State certificates and for county superintendents in conducting examinations.
2. Prepare questions and forward same to county superintendents.
3. Make recommendations for life certificates.
4. Grant all certificates except life certificates.

Salary of members of board of examiners \$300 per annum and expenses.
Certificates: Second grade, valid two years; first grade, valid four years;
life certificates; special certificates.

Duties of State superintendent:

1. To superintend all public schools.
2. Investigate school accounts.
3. Apportion school money to counties on basis of population 6-21.
4. Prepare and distribute blanks, etc. Prepare pamphlets for special days on sanitation, architecture, etc.
5. Allowance for expenses, \$1,000.
6. Make report.

¹ For a general treatment of the legislation of this period, see Annual Report of the Commissioner of Education, 1910, Ch. II; 1911, Ch. III; 1912, Ch. II.

7. Print school laws.

8. Distribute same.

9. Authenticate papers.

10. Call annual meetings of county superintendents.

Salary of State superintendent, \$3,000 annually. May appoint an assistant at \$2,000, and other assistants authorized by State board.

Three district trustees; terms, three years; one elected each year; women eligible. Women may vote.

Powers:

1. Elect officers.

2. Make rules and regulations. Shall segregate negro pupils and make necessary provisions.

3. Manage school property.

4. Purchase equipment and supplies.

5. Rent, repair, and insure school property.

6. When directed by vote of district, build schoolhouses or buy or sell sites.

7. Convey property sold by them.

8. Employ teachers, principals, janitors, attendance officers, district physicians, etc. Shall employ no relative, except by unanimous consent.

In districts of 500 or more daily attendance may employ city superintendent or principal; two or more districts may employ principal jointly. Must hold first-grade State or life certificate. May employ principals or city superintendents for not over two years. May employ special teachers.

9. Expel pupils for cause and exclude children under 6.

10. Enforce course of study and textbooks prescribed by State board.

11. Appoint district librarian and enforce rules and regulations for school libraries.

12. Exclude unfit publications.

13. May admit pupils of other districts on agreement.

14. Appoint census marshal.

15. Make annual reports.

16. Make other reports when required.

17. Examine every school of district.

18. Call meetings of electors for consultation.

Trustees may, on petition of 15 per cent of electors, call election to determine—

1. Location of site.

2. Purchase or sale of building.

3. Transportation of pupils over a mile from school. Necessary funds to be raised by tax.

4. Issue of bonds and tax therefor.

Trustees shall maintain school eight months; may maintain longer if funds are sufficient. May maintain vacation schools.

County and State money for salaries and contingent expenses only; balances may be used for repairs and equipment.

Duties of county superintendents:

1. Apportion school money to districts.

2. Draw warrants for all expenses of the several districts.

3. Conduct teachers' institutes, enforce course of study, use of adopted textbooks, and rules and regulations of State board.

4. Conduct examinations for teachers' certificates.

5. Distribute documents and blanks.

6. Keep records.

7. Appoint trustees to fill vacancies.

8. Make reports.

9. Notify district trustees of meeting by State board of education to consider changes of textbooks.

10. Visit all schools at least twice a year; not required to visit schools that have a principal or city superintendent, but may do so. Traveling expenses shall be paid.

11. Attend annual meeting of county superintendents.

May continue schools of any district for eight months when trustees fail to do so if there is money in district fund.

May appoint deputy with consent of county board of supervisors.

May require trustees to repair schoolhouses, abate nuisances, provide out-houses, etc.

Term, two years.

Must hold teachers' institutes every year, and all teachers must attend; two or more counties may unite. Institutes first week in September. All schools shall close at least three days. Teachers shall be paid by districts. Teacher's Institute fund one-half of 1 per cent of State fund applied to county.

New districts formed by county superintendent, on petition of parents or guardians of ten or more children to superintendent.

Two or more districts may be consolidated if approved by majority of voters at election.

Census marshal to take census of children from 6 to 21 and report to county superintendent. May take complete census of a chartered municipal district at expense of said district, if so requested by proper officers.

If county superintendent considers census erroneous, he may appoint marshal and have census taken. Compensation of marshal not over 15 cents per capita of enumeration; minimum \$5 for job.

School year, July 1 to June 30. School months, 20 days. Holidays: Jan. 1, Feb. 14, May 30, July 4, Dec. 25, Thanksgiving. Feb. 22 not a holiday—special program.

All schools shall be taught in English language.

Ch. 77, May 20, 1912.

Hawaii: Providing for the maintenance of the public schools.

The department of public instruction shall prepare a schedule of salaries for teachers, principals, and supervisors; schedule based on classification of schools, classification of teachers' certificates, and length of service, except that salaries of principals and supervisors shall also be based on number of teachers under their direction; the department of public instruction shall prepare a budget for the legislature school tax provided in the revised statutes and such appropriations as the legislature may make shall constitute the school fund for the support of schools.

Act 88, Apr. 13, 1911.

Idaho: Providing a code of laws for the public-school system of the State.

Digest of provisions:

ARTICLE I. State board of education.—Composed of superintendent of public instruction, secretary of state, and attorney general. Has general supervision of institutions supported wholly, or in part by the State; has supervision over county and city superintendents; prescribes rules for sanitation, etc., of schoolhouses; prepares papers and provides for the examination of teachers; prescribes rules for holding teachers' institutes; holds semiannual meetings at State capital and may hold special meetings; may employ assistants. Some of the former powers of the State superintendent are transferred to the State board.

ART. II. Superintendent of public instruction.—Elected biennially by popular vote; must hold a life certificate to teach and be actively engaged in educational work at the time of election; must have office at State capitol and keep the seal of the State board of education; he shall file all reports made to him and shall make such reports as are required by the governor or legislature; authorized to hold meetings of county and city superintendents and district principals; he shall be the general executive officer of the State board of education; shall furnish such blanks as are necessary for making reports to the State office and shall have the school laws printed and distributed; shall visit annually such counties as need his attention, and all counties if practicable.

ART. III. State textbook commission.—State superintendent and six members appointed by the State board of education; meetings held upon call of State superintendent; commission shall adopt a uniform system of textbooks, except, upon petition from independent districts, special adoptions may be made for such districts; all adoptions for a period of six years; commission shall advertise for bids and contracts shall be made; publishers must keep books on hand at depositories; district board shall make requisition upon the county superintendent, who shall order the requisite books from the depository.

ART. IV. County superintendent.—Elected for term of two years; must be over 25 years of age and a teacher with a certificate not lower than a first-grade county certificate; supervises schools of county except in Class A independent districts; he shall organize the teachers under his supervision.

for professional betterment; he may employ assistants; he shall be in his office five days each month; shall keep records and make reports as required by law; shall enforce the rules of the State board of education regarding the construction, sanitation, etc., of schoolhouses; shall hold annual examinations of applicants for teachers' certificates; shall appoint trustees of new districts to hold office until regular election.

ART. V. School districts. (See Art. XIII for independent districts.)—On petition, county commissioners may create new districts; two or more districts, on petition of a majority of the heads of families, may be consolidated; joint districts may be formed from territory belonging to two or more contiguous counties; new districts shall have their pro rata of money apportioned; districts failing to keep up organization and maintain a school or failing to show an average attendance of more than five shall lapse.

ART. VI. District trustees (common schools).—Composed of three members, one elected each year for a term of three years; annual school meeting on the third Monday in April; business proposed for such meeting to be previously published; trustees to be elected by ballot at such meeting; a special school levy, not to exceed 15 mills, may be determined; meeting shall determine length of school term, which shall not be less than four months in districts having 20 pupils or fewer, six months in districts having 20 to 75 pupils, nine months in districts having more than 75 pupils; trustees shall qualify within 15 days after election; on notice from trustees, assessor must assess taxes determined upon; regular trustees' meetings held on last Monday in March; trustees' duties are to employ teachers, fix salaries and non-resident tuition fees, discharge teachers for cause, have custody of school property, furnish necessary supplies and equipment, devote 3 per cent of school moneys appropriated to libraries, make an annual report in writing.

ART. VII. School funds and finances.—State public school fund consists of proceeds of school lands and moneys accruing from estates of deceased persons; county commissioners shall levy a county school tax of not less than 5 nor more than 10 mills; moneys arising from fines and forfeitures or penal offenses are added to county school fund. Income from State school fund and State taxes are distributed to counties on the basis of school population. County superintendent apportions State and county funds as follows: Two-thirds on basis of school population; 5 per cent, or so much of 5 per cent as necessary, of remaining one-third to rural high schools on a basis of number of teachers employed; 50 per cent, or so much of 50 per cent as necessary, of remaining one-third to weak districts which have levied their maximum limit of 10 mills; all the remainder to districts on basis of school population.

ART. VIII. School-district bonds.—Question of issuance to be submitted by trustees to qualified voters; amount of bond issue not to exceed 12 per cent of property valuation and interest not to exceed 6 per cent; tax levy for interest and sinking fund.

ART. IX. Teachers.—Trustees must furnish necessary blanks, and teachers must make reports; for failure to make report, one-tenth of salary may be withheld; may suspend pupil pending action of trustees.

ART. X. Certification of teachers.—Examinations for State and for State life certificates held on fourth Thursday in February and August; for county certificates examinations held on fourth Thursday in February, May, August, and November; State board of education issues State certificates, specialists' State certificates, each valid for eight years, and a State life certificate; State certificates may be issued to graduates of approved institutions outside the State; graduates of University of Idaho are entitled to State certificates; life certificates to persons holding life certificates in other States may be granted by inforsement; after teaching five years teachers may be granted life certificates after successful examination; certificates may be revoked by State board for cause.

County certificates issued by county superintendents on authority of State board; three grades—first grade, five years; second grade, three years; third grade, one year; examination for each grade in prescribed studies; upon exhaustion of supply of legally qualified teachers, special third-grade certificates and permits to teach may be issued; county superintendent may revoke county certificate for cause.

ART. XI. Teachers' institutes.—Held annually by county superintendent, and to continue not less than 5 nor more than 15 days; two or more counties may unite; teachers must attend at least 5 days and may draw salary as when teaching; superintendent shall employ director, and may incur expenses not exceeding \$150, exclusive of fees of applicants for teachers' certificates.

ART. XII. Summer normal schools.—A commission of summer normal schools is created; commission shall establish three such schools; session shall continue not less than six weeks; funds appropriated by State and tuition fees constitute "summer normal-school fund."

ART. XIII. Independent school districts.—Composed of districts having property valuation of \$150,000 or more; establishment determined by qualified voters; six trustees, two elected annually for terms of three years each; vacancies filled for unexpired term by remaining trustees; no trustee shall be interested in a school contract; meetings held on second Monday of each month. Duties of trustees: To make necessary rules and by-laws, to employ and discharge teachers and other employees, to levy a special tax sufficient to run schools nine months, but not to exceed 20 mills; to build necessary buildings and to provide equipment and supplies, to expel unruly pupils, to determine the number and qualifications of teachers, to require pupils to be furnished with proper books and supplies, to exclude sectarian literature from schools and school libraries, to protect the morals and health of pupils.

Independent districts, Class A, are districts having 35 or more teachers. Additional powers: To adopt a course of study, to adopt textbooks, to employ a superintendent.

ART. XIV. Rural high schools.—Sections 134-136 amend sections 1-3 of an act to create rural high-school districts. Changed constitution of boards of trustees of rural high schools and requirement that manual training, agriculture, and household economy be taught. Sections 137-140 are identical with sections 4-7 of the act to create rural high-school districts.

ART. XV. Prevention of disease.—Owner of house and attending physician shall give notice of contagious disease, and affected persons shall be kept apart from other persons; members of affected families shall be barred from schools; exposed textbooks shall be disinfected.

ART. XVI. Compulsory education.—The compulsory education law shall be the provisions of section 160 of this act; county superintendent shall publish compulsory education law in two newspapers; district clerk shall furnish head teacher with list of children between 8 and 13 years of age; head teacher shall check enrollment against list furnished, and make monthly report to county superintendent.

ART. XVII. Proceedings for the correction of delinquent children.—This article incorporates sections 8329-8337 of the revised codes.

ART. XVIII. Child labor.—This article incorporates sections 1496-1473 of the revised codes.

ART. XIX. State library commission.—Composed of attorney general, secretary of state, State superintendent of public instruction, and president of State university; has charge of traveling libraries; State superintendent as secretary shall keep proper records and accounts.

ART. XX. Public libraries.—This article incorporates sections 685-692 of the revised codes.

ART. XXI. Miscellaneous provisions.—Sectarian or partisan instruction forbidden; State superintendent shall furnish questions to county superintendents for eighth-grade examinations, and all pupils shall pass such examinations before receiving eighth-grade diploma; county superintendent shall set apart one day in April as Arbor Day; district school boards may establish kindergartens for children between 3 and 6 years of age, and such kindergartens shall be supported out of the district special tax.

ART. XXII. Repealing conflicting laws.

Ch. 159, Mar. 7, 1911.

* Idaho (1912): Act of March 7, 1911 (Laws 1911, ch. 159), is a complete code and system for the government and regulation of common schools, and classifies school districts as "school districts" in article 5, and "independent school districts" in article 18.—Wood v. Independent Sch. Dist. No. 2, 124 Pac. 750.

Illinois: Creating a commission to procure plans and specifications for a State educational building, and to select a site for the same.

Said building is expected to house a scientific museum, the State Historical Society, Memorial Hall for historical relics, and the department of public instruction. Appropriation for the commission, \$5,000.

S. B. 465, p. 63, May 26, 1911.

Indiana: Providing for an investigation of the needs for and methods of industrial and agricultural education.

The governor shall appoint a commission of seven on industrial and agricultural education; no compensation except to secretary; appropriation for expenses, \$1,000.

The said commission shall investigate the needs of education in the different industries of Indiana, and how far the needs are met by existing institutions, and shall consider what new forms of educational effort may be advisable, and shall make such investigations as may be practicable through printed reports and the testimony of experts as to similar educational work done by other States, by the United States Government, and by foreign Governments. The commission shall hold hearings in at least five different communities of the State and invite the testimony of interested parties and experts, and shall make a report to the governor for transmission to the legislature not later than January 1, 1913.

Ch. 152, Mar. 4, 1911.

Indiana: Submitting to the voters of the State at the general election in November, 1912, a new constitution to supersede the constitution of 1851.

Provisions relating to education:

ARTICLE IV.

Sec. 22. The general assembly shall not pass local or special laws providing for supporting common schools and for the preservation of school funds.

Sec. 22. In all the cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State.

ARTICLE VIII.

Sec. 1. Knowledge and learning, generally diffused throughout a community, being essential to the preservation of a free government, it shall be the duty of the general assembly to encourage by all suitable means moral, intellectual, scientific, and agricultural improvement, and to provide by law for a general and uniform system of common schools wherein tuition shall be without charge and equally open to all.

Sec. 2. The common-school fund shall consist of the congressional township fund and the lands belonging thereto;

The surplus revenue fund;

The saline fund and the lands belonging thereto;

The bank-tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State bank of Indiana;

The fund to be derived from the sale of county seminaries and the moneys and property heretofore held for such seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue;

All lands and other estate which shall escheat to the State for want of heirs or kindred entitled to the inheritance;

All lands that have been or may hereafter be granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sale thereof, including the proceeds of the sales of swamp lands granted to the State of Indiana by the act of Congress of the 23th of September, 1850, and deducting the expense of selecting and draining the same;

Taxes on property of corporations that may be assessed by the general assembly for common-school purposes.

Sec. 3. The principal of the common-school fund shall remain a perpetual fund which may be increased, but shall never be diminished; and the income thereof shall be inviolably appropriated to the support of common schools and to no other purpose whatever.

Sec. 4. The general assembly shall invest in some safe and profitable manner all such portions of the common-school fund as have not heretofore been intrusted to the several counties, and shall make provision by law for the distribution among the several counties of the interest thereof.

Sec. 5. If any county shall fail to demand its proportion of such interest for common-school purposes, the same shall be reinvested for the benefit of such county.

Sec. 6. The several counties shall be held liable for the preservation of so much of the said fund as may be intrusted to them, and for the payment of the annual interest thereon.

Sec. 7. All trust funds held by the State shall remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created.

Sec. 8. The general assembly shall provide for the election by the voters of the State of a State superintendent of public instruction, who shall hold his office for four years and whose duties and compensation shall be prescribed by law.

ARTICLE IX.

Sec. 1. It shall be the duty of the general assembly to provide by law for the support of institutions for the education of the deaf and dumb and of the blind and also for the treatment of the insane.

Sec. 2. The general assembly shall provide houses of refuge for the correction and reformation of juvenile offenders.

ARTICLE X.

Sec. 1. The general assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only, for municipal, educational, literary, scientific, religious or charitable purposes, as may be specially exempted by law.

Ch. 118, Mar. 4, 1911.

NOTE.—The only change in the above sections is the extension of the term of the State superintendent of public instruction from two to four years.

Indiana: Creating the Indiana centennial commission to formulate plans for the celebration of the admission of Indiana into the Union by the erection of a building to be known as the Indiana educational building, for the use of the State Library and Museum, public library commission, and the educational and scientific offices of the State.

Ch. 65, Mar. 1, 1911.

Kansas: Relating to equal suffrage.

Proposing an amendment to the State constitution as follows: "The rights of citizens of the State of Kansas to vote and hold office shall not be denied or abridged on account of sex." Said amendment shall be submitted to the electors in 1912.

Ch. 337, Feb. 9, 1911.

Missouri (1912): Statutes relating to schools held to be liberally construed, so as to open the schools to children of the State, in view of Const., art. 11, sec. 1.—State ex rel. Halbert v. Clymer et al., 147 S. W., 1119.

Nevada: An act concerning public schools, and repealing certain acts relating thereto.

A general revision of the school laws. The following changes are noted:

Ch. 1. *State board of education*.—Schools of the first class may use modified courses of study in lieu of the regular State course, subject to the approval of the State board. Trustees in districts of the first class may adopt lists of books for the libraries of their respective districts and are not restricted to the lists adopted by the State board. Power of said board to revoke or suspend State teachers' diplomas and State certificates is extended. Said board may designate some monthly journal as the official organ of the department of education. One copy of each issue of the same shall be sent to the clerk of each school district, and the cost thereof shall be paid from the State distributive fund.

Ch. 2. *Superintendent of public instruction*.—Allows \$1,000 per annum to the said superintendent for traveling expenses. Increases appropriation for State institute from \$200 to \$500 annually, and for each of the five district institutes from \$100 to \$200. State superintendent shall require written re-

ports from each deputy superintendent, and shall supply blank forms to school trustees and teachers.

Ch. 3. *Deputy superintendents of public instruction.*—Powers increased and duties more distinctly specified. No teacher shall draw salary from State or county funds until such payment is sanctioned by deputy superintendent. Said superintendent shall investigate protested claims against the school fund, and no warrant shall be drawn to pay such claim if found by said superintendent to be illegal or excessive. He may suspend the certificate of any teacher for cause, and shall inspect school records and accounts. He shall grade schools, designate which are high and which are elementary schools, and shall (instead of State superintendent as formerly) appoint school trustees in all districts in which the qualified voters fail to elect.

Ch. 4. *Teachers' certificates.*—All certificates shall be issued by the State board of education, except that deputy superintendents of public instruction may issue temporary certificates without examination. Dates for holding regular semiannual examinations shall be regular throughout the State. Traffic in examination questions or unauthorized possession of same shall constitute a misdemeanor punishable by fine or imprisonment.

Teachers' certificates shall be high school, elementary (replacing primary certificate and grammar certificate), special, and temporary. High-school certificates shall be valid four years, and shall be issued upon successful examination to persons not under 20 years of age; they are renewable.

First-grade elementary certificates shall be valid three years, and shall be issued upon successful examination to persons not under 20 years of age; renewable. Second-grade elementary certificates valid two years issued upon same examination upon a lower rating; not renewable. A third-grade elementary certificate may be issued by the State board of education to applicants who have taken a regular examination and who were actually teaching at the time; valid only until the next regular examination; not renewable. The requirements for life certificates are changed by adding that 36 of the 72 months' required experience shall be in Nevada. Graduation from approved institutions supported by State appropriations shall be accepted in lieu of examination, but no elementary certificate shall be granted on any credential not equivalent to a diploma from the Nevada State Normal School, and no high-school certificate shall be granted on any credential not equivalent to a diploma of the University of Nevada. No certificate shall be granted to any person under 18 years of age (instead of 16).

Ch. 5. *Powers and duties of teachers.*—The oath required of teachers omits previous provisions relating to dueling. Their duties are more specifically stated. They must file their certificates, make reports, keep records, observe the State (or city) course of study, and control pupils. No pupil under 14 shall be suspended or expelled without the consent of the proper deputy superintendent of public instruction.

Ch. 6. *School trustees.*—Certain provisions relating to elections are modified. Deputy superintendent of public instruction (instead of superintendent) shall fill vacancies if voters fail to elect. In districts having a school population of 1,000 or more the clerk of the board shall receive not over \$50 (instead of \$25) per month. Trustees shall buy, sell, build, or rent schoolhouses when so directed by vote of heads of families of the district. In districts in which there are fewer than 10 heads of families no schoolhouse or site shall be sold without approval of deputy superintendent of public instruction. Plans of new schoolhouses shall be subject to approval of deputy superintendent of public instruction (instead of superintendent). All school moneys shall be paid into the county treasury to the credit of the proper district. Trustees shall provide at least two suitable privies for each school; if they fail to do so deputy superintendent shall provide same at expense of district. Trustees shall keep school buildings in proper repair; if they fail to do so deputy superintendent may order repairs costing not over \$50. Trustees shall insure buildings and contents. It shall be unlawful for trustees to employ any teacher not legally qualified to teach all grades for which such teacher is engaged to teach.

Trustees shall provide at least six months of free school. If deputy superintendent shall find that State and county moneys are not sufficient for six months school he shall notify trustees, and they shall levy a district tax sufficient to raise an amount of money that will insure at least six months of school. County commissioners shall collect such tax. Deputy superin-

tendent shall act if trustees fail. At least eight months of school shall be provided if money available is sufficient. Kindergartens may be established in districts having a school population of over 100 (instead of 300).

Arrangements between districts for attendance of children at a nearer school in another district must be approved by the deputy superintendent; provisions relating to corresponding transfer of school moneys are modified. Each and every member of board of trustees [instead of at least one member] shall visit and examine schools. Reports shall be made to deputy superintendent. Trustees shall maintain all schools established by them for an equal length of time and, as far as practicable, with equal rights and privileges. [Formerly money was apportioned between schools.] If convenience of residents so requires a school may be held in one portion of a district a part of the year and in another portion during another part of the year. In districts having fewer than five trustees no warrant for payment of money for construction, repairs, or furniture in excess of \$500 shall be issued without the approval of the proper deputy superintendent of public instruction.

Ch. 7. *School districts.*—But one district shall be created in any community containing not over 20 school census children in which a schoolhouse may be so located that no child resides over 3 (instead of 5) miles from the schoolhouse. Districts not in conformity with this provision shall be consolidated. The county school fund shall not be apportioned to any district containing less than five census children, and the State school fund shall not be apportioned to any district containing less than three census children.

Except when newly organized, no public money shall be apportioned to any district in which a public school was not taught during the previous year by a legally qualified teacher for at least six school months with at least three children of school age in actual attendance for 80 days, 60 days of which were consecutive. The duties formerly assigned to the State superintendent relating to consolidation of districts, changes of boundary lines, etc., are transferred to the deputy superintendents.

Ch. 8. *General provisions.*—The school year shall begin on the first day in July (instead of September) and shall end on the last day of June (instead of August). Schools shall be kept open and shall observe with appropriate exercises Feb. 12, Feb. 22, Arbor Day, and Oct. 31, if such days occur on regular school days.

If trustees fail to provide a suitable United States flag for any school the proper deputy superintendent shall provide and install such flag at the expense of the district.

County auditors and county treasurers shall keep separate accounts for the library fund, the county school fund, and the State school fund of each district. The State school fund shall be used only for teachers' salaries.

Any teacher who leaves school before the expiration of his contract without the written consent of the trustees shall be guilty of unprofessional conduct, and his certificate shall be suspended for one year by the deputy superintendent.

An appeal may be taken to the State superintendent of public instruction from any decision by a deputy superintendent.

Ch. 9. *Census marshals.*—Many of the former duties of the State superintendent in connection with the school census are transferred to the deputy superintendents.

Ch. 10. *School funds.*—State school tax raised from 0.6 to 1 mill. County tax for schools shall be not less than 2 mills (instead of 1.5 mills) and not over 5 mills. District trustees may levy district school tax not exceeding 2.5 mills. [Omits former provision requiring 30 days' notice and the submission of the matter to popular vote on demand of 10 per cent of the voters of the district.] District trustees may use county school fund to provide transportation of pupils.

Seventy per cent of State distributive fund (i. e., receipts from interest on permanent fund and from State school tax) shall be distributed by the State superintendent to the several school districts on basis of teachers, calculating 1 teacher to each 30 census children or fraction thereof; the remaining 30 per cent shall be apportioned to the several school districts in proportion to the number of children therein between 6 and 18, inclusive, years of age.

The superintendent of public instruction shall apportion to the school districts of each county 40 per cent of the school fund of such county upon the

basis of teachers, calculating 1 teacher to each 75 census children or fraction thereof in each district; he shall distribute the remaining 60 per cent to the several districts in proportion to the number of census children therein.

Balances remaining on the first Tuesday in July to the credit of any district in excess of an amount equal to \$250 for each teacher therein (allowing one teacher to every 30 census children or fraction thereof) shall be added to the county school fund and reapportioned. But if the trustees of any school district shall certify that such balances are needed for building, repairs, or maintenance, then the excess shall not be withdrawn or reapportioned.

[NOTE.—Formerly the State distributive fund was apportioned to the several counties in proportion to school population, and was distributed within the counties in the same manner prescribed for the county school funds. It happened in consequence that serious inequalities resulted in the amounts received by districts of equal population in different counties.]

Ch. 11. *District school libraries.*—Duties relating to apportionment of moneys, preparation of book lists, and of rules and regulations, formerly assigned to the State board of education, are transferred to the superintendent of public instruction.

Ch. 12. *School books.*—State textbook commission may continue in session for the adoption of books not longer than 10 (instead of 6) actual days. A penalty is provided for selling adopted books at more than the contract price.

Ch. 13. *County high schools.*—Minor changes.

Ch. 14. *Normal training schools.*—Certificates of graduation from county normal school shall entitle holder to a second-grade elementary certificate, valid two years in rural schools employing one teacher (instead of rural grammar certificate, valid three years).

Ch. 15. *School district bonds.*—Minor changes.

Ch. 16. *Compulsory education.*—Certain duties are transferred from the State superintendent of public instruction to the deputy superintendents. Any taxpayer or school officer may file a criminal complaint in the proper court against any person for violating compulsory attendance law.

Ch. 17. *Protection of school children.*—No change.

Ch. 18. *Protection of school property.*—No change.

Ch. 19. *Location of houses of ill fame.* No such house shall be located within 800 (instead of 400) yards of any public schoolhouse or schoolroom.

Ch. 133, Mar. 20, 1911.

New York: Authorizing the trustees of public buildings to expend an additional \$75,000 (original appropriation, \$825,000) for furniture, equipment, and decoration for the State education building. Ch. 233, June 2, 1911.

North Dakota: Providing a system of free schools for the State. Codification of school laws. Changes noted:

In specifying the qualifications of the superintendent of public instruction the alternative of college graduation is omitted, and the requirement remains alone that he shall hold a teacher's certificate of the highest grade issued in the State. His salary is raised from \$2,000 to \$3,000 and his allowance for travelling expenses is increased from \$1,000 to \$1,200 annually. Minor changes are made in his duties, and his office force is enlarged.

Districts employing a city superintendent are withdrawn from the supervision of the county superintendents. Each county superintendent shall [instead of "may"] annually convene members and clerks of the school boards in his county. The plan of determining the compensation of such superintendents is made to depend upon the assessed valuation of the several counties, instead of the number of teachers therein. The minimum in counties having less than \$500,000 valuation is \$500 per annum, and the maximum in counties with a valuation of over \$9,000,000 is \$2,000 per annum. County superintendents are no longer forbidden to teach.

Certain changes appear in the provisions relating to the organization of school districts, the tendency being to constitute districts with reference to the needs of the schools rather than to existing civil township lines.

District school boards are specifically required to provide janitor service. In the construction of schoolhouses complete specifications and plans shall be secured at cost not to exceed \$25 for a one-room house and \$40 for a two-room house.

Every common school shall be kept in session seven [instead of six] months each year. District high schools shall be kept in session at least four [instead of three] months. The county superintendent shall withhold the apportionment of the county tuition fund from any district which has not maintained school for at least five [instead of four] months. The school census age, as well as the age for free attendance, is changed from 6 to 20 years to 6 to 21 years.

The board of education of any special district may employ a superintendent of schools for a period of not over three years. Bonds issued by such boards shall bear interest at not over 5 [instead of 7] per cent.

The term of office of members of boards of education of cities organized as independent school districts shall be three [instead of two] years. Every such board shall contract with and employ a superintendent and all teachers for a period not to exceed three years, and remove them at pleasure.

Interest on bonds issued by such districts shall not exceed 5 [instead of 7] per cent. Moneys raised by sinking funds shall be invested in State or National bonds or deposited in bonded banks at interest after competitive bidding.

The compulsory school attendance period is fixed at 8 to 15 [instead of 8 to 14] years of age. Children living more than 2½ [instead of 3] miles from school are exempt from compulsory law unless transportation is provided, but in such case those living within a radius of 5 [instead of 4] miles shall attend.

The board of any school corporation may employ one or more physicians as medical inspectors, who shall examine all pupils at least once annually. Notice of defects shall be sent to parents, with recommendations.

A new system of certification of teachers is provided. A State board of examiners is created, consisting of the State superintendent, who shall act as secretary, and four persons actively engaged in educational work, to be appointed by the governor for terms of four years each, two terms expiring every alternate year; compensation, \$5 per day each when actually employed. Said board shall prepare all questions for examinations for all certificates to teach, shall prescribe the rules and regulations governing the same, shall examine, mark, and file all answer papers, and shall issue all certificates to teach in the public schools of the State. Such certificates shall be of four grades, namely, (1) second-grade elementary certificate, valid for two years; (2) first-grade elementary certificate, valid for three years; (3) second-grade professional certificate, valid for five years or for life in any school except four-year high schools; and (4) first-grade professional certificate, valid for five years or for life in any school. The board may grant to qualified applicants special certificates in drawing, music, kindergarten, or primary subjects, to teachers holding at least a second-grade elementary certificate. Special certificates to teach agriculture, commercial subjects, domestic science, or manual and industrial training may be issued to applicants possessing the qualifications required for a second-grade professional certificate in addition to proficiency in the proper special subject. Diplomas of normal schools and of higher institutions within or without the State shall be accredited as certificates of the proper grade. Temporary permits to teach may be issued under certain conditions. The board of examiners may give appropriate credit for standings received in high schools, normal schools, summer schools, and other institutions in the State. Under the direction of the board of examiners, each county superintendent shall hold four public examinations every year. Certificates may be revoked for cause by the board of examiners.

The superintendent of schools in all districts employing such officer shall, subject to the final authority of the board, supervise the administration of the course of study, visit schools, examine classes, and have general supervision of the professional work of the school, including the holding of teachers' meetings and the classification of teachers. The superintendent, from time to time, shall make reports to the board of education embodying recommendations relative to the employment of teachers and janitors, adoption of textbooks, changes in the course of study, enforcement of discipline, and general school matters; and shall also make such other reports and perform such other duties as the board of education may direct and delegate.

The required branches of study are amended to include lessons in nature study and elements of agriculture, and simple lessons in the nature, treatment, and prevention of contagious and infectious diseases [in addition to tuberculosis].

The annual appropriation by the State for teachers' institutes in each county is increased from \$50 to \$100.

The State board of examiners shall be the State reading circle board and shall prescribe courses and make rules and regulations [formerly duty of State superintendent].

Textbooks shall be adopted by each district school board for a period not to exceed three years [instead of not less than three nor more than five years].

Children under 14 years of age shall not be employed in specified occupations during the hours when the public schools of the district are in session [instead of during any part of the public-school term].

Ch. 286 (date of approval not stated).

Ohio: Providing for the election of delegates to, and the assembling of, a convention to revise the constitution of the State.

Said convention shall meet on the second Tuesday of January, 1912.

S. B. No. 15, p. 298, June 6, 1911.

* **Oklahoma (1910):** The free public-school system directed to be established by the legislature by Const. art. 13 is a matter of general State concern and not a municipal affair.

City charters adopted under Const. art. 18, sec. 3, can not run counter to the general laws of the State touching the free public-school system.

The acts of a board of education leading up to an election called to decide whether a school district shall become indebted to an amount exceeding its income for the year held but preliminary to the exercise of the referendum provided by Const. art. 10, sec. 26.

Comp. Laws, 1909, sec. 1021, providing that elections on school questions shall be held "as above provided" held to refer to section 1018 of the same article and not section 1002a.

Right of cities of the Indian Territory to reimbursement from the boards of education of the State for the improvements made by such cities exclusively for school purposes stated.—Bd. of Ed. of city of Ardmore et al. v. State ex rel. Best, 109 Pac., 563.

Pennsylvania: Enacting a school code.

ARTICLE I. School districts.—Each city, incorporated town, borough, or township shall constitute a separate district. Four classes: First, containing 500,000 or more inhabitants; second, 30,000 to 500,000; third, 5,000 to 30,000; fourth, less than 5,000; United States census basis of classification. All existing independent districts abolished, but new independent districts may be created by county court of common pleas on petition of majority of taxable inhabitants.

ART. II. School directors.—In first-class districts there shall be 15 directors appointed by court of common pleas; in second class, 9 elected at large by people; in third class, 7 elected; in fourth class, 5 elected. Terms, six years in all districts, about one-third expiring every two years.

ART. III. Organization, meetings, etc., of directors.—In first-class districts school year shall begin January 1; in other districts, first Monday in July. Duties of officers prescribed.

ART. IV. Duties and powers of directors.—Boards of directors shall maintain elementary schools sufficient for all pupils 6 to 21, and maintain other schools and agencies for education and recreation.

ART. V. School finances.—All taxes for schools in addition to State appropriation shall be levied by school directors; they may issue bonds and certificates of indebtedness within specified limits. School directors in first-class districts may levy school tax of not less than 5 nor more than 6 mills; in second-class districts such tax shall not exceed 20 mills or in other districts 25 mills. In all districts of the second, third, and fourth classes the board shall levy an occupation tax of at least \$1 on each adult male.

ART. VI. Grounds and buildings.—The school directors shall provide and equip buildings; each new building shall have proper playgrounds; plans and specifications for buildings in second, third, and fourth class districts shall be

inspected by State board of education, which board shall prepare and distribute suitable plans as suggestions. Minimum requirements for new buildings: Light area, 20 per cent of floor space; 15 square feet floor and 200 cubic feet air space per pupil; no stoves without jackets; ample ventilation; thermometer in each room; in buildings costing over \$4,000 or more than one story high, 30 cubic feet fresh air for each pupil per minute and temperature of 70° in zero weather; fireproof construction in large buildings; doors open outward; fire escapes.

School buildings may be used for social, recreation, and other proper purposes. Injury to school property punishable. Flag shall be displayed. Two closets required, well separated; shall be properly cleaned and disinfected.

ART. VII. Books, furniture, and supplies.—School directors shall provide all necessary furniture, textbooks, and supplies. No employee shall act as agent. Bribery forbidden.

ART. VIII. School directors' association.—School directors of each county shall form an association and meet periodically. Each director in attendance paid \$2 per diem and 3 cents per mile traveled. Superintendent shall assist.

ART. IX. State board of education.—Governor shall appoint, with consent of two-thirds of the senate, a State board of education; six appointed members, including three successful educators, with superintendent of public instruction ex officio member and president; terms, six years. Duties: (1) Recommend legislation; (2) equalize educational advantages; (3) inspect educational work in State institutions; (4) promote agricultural and industrial education; (5) prescribe sanitary regulations; (6) elect officers and employ assistants.

ART. X. Superintendent of public instruction.—Superintendent of public instruction shall have general supervision of public schools; distribute State appropriations; prepare and distribute blank forms and instructions; make report to legislature; give advice and information; classify high schools; have custody of seal; appoint deputies and assistants; issue commissions to superintendents and assistant superintendents; fill vacancies in office of county superintendent; validate life certificates of other States and condemn insanitary school premises.

ART. XI. County, district, and assistant superintendents.—Qualifications: (1) Good character; (2) graduation from college, university, or normal school, or possession of State teacher's certificate; (3) experience as teacher or superintendent.

A county superintendent shall be elected in each county by convention of school directors; term, four years. Superintendent of public instruction may, upon complaint and after notice and hearing, withhold commission and fill vacancy by appointment or may remove for cause. Salary of county superintendent, \$15 for each for first 100 schools and \$5 for each additional; maximum, \$2,000; minimum, \$1,500; paid from State funds. Convention of directors may vote larger salary from funds of the districts in the county.

Assistant county superintendents: In counties having 201 to 400 teachers, one; 401 to 600, two; 601 to 800, three; for each additional 400 or fraction thereof, one additional assistant. County superintendent shall nominate assistants subject to approval of executive committee of directors' convention and commission of State superintendent. Salary from State funds, \$1,200, which may be increased by directors' convention.

The board of directors of every first and second class district shall, and of any third-class district may, elect a district superintendent. Directors electing a district superintendent shall not participate in the election of the county superintendent and the county superintendent shall have no jurisdiction over districts having district superintendents. Term of district superintendent, four years; salary fixed by proper board of directors and payable from district funds. If assistant district superintendents are employed, same shall be nominated by district superintendent.

ART. XII. Teachers and supervising principals.—Teachers shall be of good moral character and at least 18 years old. Except in first-class districts, contracts with teachers shall be in writing. Teachers holding State life certificates may be elected for not over three years. Dismissal for cause after notice and hearing. Minimum salary for holder of a professional or State certificate with two years' experience, \$50; of all other teachers, \$40. Five dollars shall be added to these minimum sums if the appropriation is increased therefor.

by the general assembly. Supervising principals may be employed in districts having no superintendent. Two or more districts may join to employ a supervising principal.

ART. XIII. *Certification of teachers.*—Every teacher shall hold a provisional, professional, or State certificate, and no teacher shall teach any branch for which he holds no certificate. Provisional certificates may be issued by county or district superintendents after examination in 12 branches; good for one year in county or district of issue only.

Professional certificates may be issued by county or district superintendents after two terms' experience upon examination upon same subjects with two of nine additional subjects; may be validated for other jurisdictions.

State certificates shall include permanent State certificates, State normal-school certificates, State normal-school diplomas, and professional and permanent college certificates, and shall be valid in any part of the State.

The superintendent of public instruction may validate certificates of other States. He may provide for certificates for teachers of special subjects. Every applicant for a teacher's certificate shall present a certificate from a physician certifying that applicant is neither mentally nor physically disqualified by tuberculosis or any other chronic or acute defect.

ART. XIV. *Pupils and attendance.*—Every child between 6 and 21 may attend the public school of the proper district. The admission of beginners may be limited to the first two weeks of the annual school term and the first two weeks in January.

Pupils may attend a nearer school in another district under certain conditions, and the district of residence shall pay the cost of tuition, etc. Any board of school directors may provide free transportation for any pupil. Such boards may close and consolidate schools, but in a fourth-class district pupils of a closed school shall be provided with transportation if living more than 1½ miles from the school to which they are assigned.

Proper training shall be secured for all blind, deaf, and mentally deficient children between 8 and 16, who are fit for training, and the parents shall pay the expense thereof if able to do so.

Every child between 8 and 16 shall attend school continuously during the entire time the elementary public schools of the district are in session. School board may reduce the required time to 70 per cent of the session and may excuse attendance for mental, physical, or other urgent reasons.

This act shall not apply to any child over 14 who can read and write intelligently and is regularly employed, holding a proper employment certificate, or to children living 2 miles or more from school, unless free transportation is provided.

Boards of first, second, or third class districts shall, and of fourth-class districts may, employ attendance officers. Two or more districts may join for that purpose.

ART. XV. *Medical inspection and hygiene.*—Each district of the first or second class shall, and of the third class may, provide medical inspection of all pupils. Parent or guardian shall be present, if he so requests. In fourth-class districts medical inspection shall be provided by the State department of health at State expense. In any district of the first class in which the board of health is now providing medical inspection such inspection may continue. Medical inspectors shall examine sanitary conditions of buildings. No person having tuberculosis of the lungs shall be a teacher, pupil, or janitor of any school, except a special school, and under regulations of the commissioner of health.

ART. XVI. *Terms and courses of study.*—Elementary and high schools shall be kept open in districts of the first and second classes at least nine months; third class, at least eight months; fourth class, at least seven months. Schools shall be closed July 4, Christmas, and during district teachers' institute. Each board shall decide whether to close the schools or to have special exercises on other holidays.

In elementary schools the common English branches shall be taught in the English language. Other subjects may be taught at option of directors. Physiology and hygiene required in all schools and physical training in first-class districts. Directors arrange course of study with assistance of superintendent, conforming as nearly as may be to course prepared by State superintendent.

ART. XVII. *High schools.*—Three classes: First, four-year courses, nine months minimum term, at least three teachers; second, three-year courses,

eight months minimum term, at least two teachers; third, two-year courses. Pupils may attend high school in another district if full facilities are not offered in their own, and cost shall be paid by district of residence. Maximum State aid to high schools, first-class, \$800; second-class, \$600; third-class, \$400. Agriculture shall be taught in township high schools. Two or more districts may join for high-school purposes.

ART. XVIII. *Joint schools.*—The boards of school directors of two or more adjoining districts may by proper contract establish and maintain joint elementary schools, high schools, or any other kind of school or department provided for in this act.

ART. XIX. *Vocational and other special schools.*—Any second, third, or fourth class district shall maintain evening schools on application of parents of 25 pupils, and any second or third class district shall maintain evening manual training schools on application of 75 taxpayers.

ART. XX. *State normal schools.*—Thirteen State normal schools shall form a part of public-school system, and each shall be managed by 18 trustees, 9 elected by stockholders and 9 appointed by State superintendent. Each school shall maintain a practice school. Courses of study and qualifications for admission and graduation shall be determined by principals in conference, subject to approval of State superintendent. Tuition of pupils in pedagogy who agree to teach two years shall be paid by the State. State superintendent shall appoint a board of examiners for each State normal school, and may prepare questions for final examinations. Graduates receive State normal-school certificate, and after two years' experience, State normal-school diploma. State board of education may acquire the property of any State normal school, and after such acquisition shall appoint a board of nine trustees to conduct said school as a State institution.

ART. XXI. *Teachers' institutes.*—Each county superintendent shall hold an annual teachers' institute, to continue five days. For instructors and other expenses county shall pay \$1 for every three days of aggregate attendance by teachers; maximum, \$200; minimum, \$100 if required. Any district employing a superintendent and at least 40 teachers may hold separate institute. School directors shall pay to each teacher attending institute \$3 per day in addition to salary, and each teacher failing to attend shall forfeit from his salary the amount he would have received for attendance. Time spent at institutes not considered days taught.

ART. XXII. *Districts of the first class.*—Additional provisions relating to first-class districts: Board of school directors shall be known as the board of public education. Each such district shall be subdivided into ward districts, in each of which a board of seven school visitors shall be elected; shall inspect public elementary schools and report matters requiring attention.

Controller of city shall be controller of school district and shall receive \$4,000 annually therefor. No order shall be paid without his approval.

The board of public education shall define policies, direct expenditures, appoint officers and teachers, and in general legislate on all educational matters of the district. Shall appoint a superintendent of schools, and may appoint a superintendent of buildings and a superintendent of supplies. Associate and assistant district superintendents shall be nominated by the superintendent of schools, and shall be under his direction.

Qualifications of teachers shall be determined by the board of public education. Board of examiners shall consist of superintendent and others nominated by him. Eligible lists shall be prepared in order of standing and new appointments in elementary schools shall be made from three highest names on proper list.

Janitors shall be under direction of superintendent of buildings, and for elementary schools may be named by boards of school visitors. Superintendent of buildings may nominate other janitors.

ART. XXIII. *State appropriations.*—State appropriations for public schools shall be distributed by State superintendent. After making required deductions, he shall divide one-half on basis of number of regular teachers, and one-half in proportion to population 6 to 16. Apportionment direct to the districts.

ART. XXIV. *Teachers' retirement funds.*—The directors of any district may establish such fund; may appropriate money thereto, and may provide in contracts with teachers for reasonable salary deductions therefor.

ART. XXV. Public-school libraries.—In each second, third, or fourth class district in which there is or may be a public-school library, such library shall be under the control of the school directors, and may be managed directly by them or by a board of seven library trustees appointed by the directors. The directors may appropriate for such library sums not exceeding 1 mill per dollar of valuation. Two or more districts may join to maintain such a library.

ART. XXVI. Auditing school finances.—The finances of every school district and of every agency connected with the public-school system shall be properly and periodically audited by designated officers.

ART. XXVII. State school fund.—A State school fund shall be established, consisting of 80 per cent of the net proceeds from forest reservations, together with all water powers and water rights belonging to the Commonwealth, all real estate owned by the Commonwealth and not used for State purposes, escheats, donations, etc., and appropriations therefor by the general assembly, shall be managed by the State board of education, and income may be used by said board to equalize school privileges, or to promote education in conservation, forestry, and agricultural and industrial pursuits.

ART. XXVIII. Miscellaneous.—No religious or political test shall be applied. Fines under this act shall be applied to the school purposes in the proper district. Giving or promising a bribe shall constitute a misdemeanor. Additional compensation may be given for additional services imposed upon public officers. Due provision is made for the transition from former conditions to the new. Conflicting laws are repealed. School Code, May 18, 1911.

Pennsylvania: Authorizing the superintendent of public instruction to have 17,000 additional copies of the school laws printed.

No. 232, June 1, 1911.

Wisconsin: Repealing sections 513 and 926-16 of the statutes and creating a new section 513 of the statutes, relating to the eligibility of women to school offices.

Ch. 536, July 3, 1911.

Wisconsin: Repealing section 31 of the statutes and creating a new section to be designated section 31, relating to nomination and election of judicial and school officers.

"SECTION 31. No candidate for any judicial or school office shall be nominated or elected upon any party ticket, nor shall any designation of party or principles represented be used in the nomination or election of any such candidate."

Ch. 333, June 14, 1911.

A. (b) State Boards and Officers

Alabama: Amending Sec. 1730 of the Code of 1907.

Appropriates \$3,000 annually as a contingent fund for the State department of education. Act 280, p. 329, Apr. 8, 1911.

Arizona: Prescribing official bonds for State officers.

The bond of the superintendent of public instruction, \$5,000. The premium shall be paid by the State. Ch. 86, May 24, 1912.

Arkansas: Creating a State high-school board; providing for State aid to high schools, and for other purposes.

Provides that upon the creation of a State board of education the duties hereby conferred shall devolve upon said State board. (State board of education created by act 481, June 1, 1911.) Act 328, p. 299, May 30, 1911.

Arkansas: Authorizing the State superintendent of public instruction to employ an assistant deputy superintendent. Act 46, p. 22, Feb. 24, 1911.

Delaware: Relating to the State board of education.

Abolishes present board, and creates a board of seven members; appointed by the governor; full terms, seven years, one expiring annually; no compensation, but actual expenses shall be paid. Said board shall have

general supervision and control of the free public schools of the State; shall prescribe textbooks and make contracts relating to prices of same; regulate curricula in the schools; determine upon what conditions county superintendents shall issue certificates to teach; prescribe rules for the sanitary equipment and inspection of buildings, and take such other action as it may deem necessary to promote the physical and moral welfare of the children; make investigations; require reports; employ for a limited period a trained educational expert for advice and assistance if necessary; determine appeals; make rules and regulations which shall have the force of law; and report to the general assembly and recommend legislation.

Ch. 94, Mar. 14, 1911.

Georgia: Revising the school laws of the State: Substituting "State superintendent of schools" for "State school commissioner"; "County superintendents of schools" for "County school commissioners"; providing for appointment of a State board of education, three supervisors of schools and institutes, and an auditor, and prescribing their qualifications, powers, and duties; providing for a secretary and executive agent of the State board of education.

No. 307, Aug. 21, 1911.

Indiana: *See D(a).*

Iowa: Relating to the powers and duties of the State board of education.

The said board may publish and distribute circulars, bulletins, etc., if approved by the executive council; may hire necessary employees.

Ch. 132, Apr. 15, 1911.

Iowa: Relating to the term of office of the members of the board of control of State institutions.

Extends the terms of said members for one year.

Ch. 140, Apr. 7, 1911.

Iowa: Transferring the control and management of the college for the blind at Vinton from the board of control of State institutions to the State board of education.

Ch. 141, Apr. 6, 1911.

Kansas: Increasing the salary of the assistant secretary of the State traveling libraries commission from \$600 to \$900 per annum.

Ch. 309, Mar. 8, 1911.

Kentucky: To provide for inspection of schools and school funds and to increase the efficiency of the department of education.

State superintendent of public instruction shall act as special State inspector and examiner of all schools in cities, towns, and counties in State which receive public funds. He shall receive \$1,500 per annum for such special duty. He shall appoint two assistants at \$1,000 per annum each, including traveling expenses. He shall also be allowed \$2,000 for hire of additional clerks. The State superintendent and his assistants shall inspect the fiscal affairs and the conduct of the offices of all school officials who handle public school money and shall see that all laws and regulations are enforced. He shall have access to all papers, books, and records of all teachers and school officers, and may issue process to compel attendance of witnesses before him. He may administer oaths and compel witnesses to testify. Failure to testify shall be a misdemeanor; fine, \$25. The superintendent may clothe his assistants with full power of attorney to act for him as inspector. Misconduct, violation of law, and malfeasance shall be reported to the county attorney or commonwealth attorney for prosecution.

Ch. 13, 1912.

Louisiana: Providing legal services for public corporations.

The attorney general and the district attorney for the several judicial circuits shall be the regular attorney and counsel for the police juries and school boards within their respective districts and for all State boards, commissions, educational boards, etc. No parish school board shall employ any special attorney except under special conditions specified.

Act 125, 1912.

Maine: Relating to the powers and duties of the Maine library commission.

"The commission shall give advice to all school, State institutional, free and public libraries, and to all communities in the State which may propose to establish libraries, as to the best means of establishing and administering them; selecting and cataloging books and other details of library management; and may send any of its members to aid in organizing such libraries or assist in the improvement of those already established. It may also receive gifts of money, books, or other property which may be used or held in trust for the purpose or purposes given. It may publish lists and circulars of information and may cooperate with other State library commissions and libraries in the publication of documents in order to secure the most economical administration of the work for which it was formed. It may conduct courses or schools of library instruction and hold librarians' institutes in various parts of the State, and cooperate with others in such schools or institutes. It shall select the books to be purchased for traveling libraries and advise the librarian of the State library in reference thereto. Said commission shall perform such other service in behalf of public libraries as it may consider for the best interests of the State."

Ch. 37, Mar. 16, 1911.

Maine: Relating to compensation of agents of schools in unorganized townships.

State superintendent of public schools is authorized to expend annually for such compensation not exceeding \$2,200. (Formerly \$2 per day was allowed to each agent.)

Ch. 24, Mar. 9, 1911.

Maine: See A(d) and O(a).

Massachusetts: An act relative to the appointees of the board of education.

The allowance for rent, traveling, and other necessary expenses of the commissioner, the deputies, and agents of the board shall be fixed by annual appropriations. (Was limited to \$5,000 per annum previously.)

Ch. 282, Mar. 25, 1910.

Massachusetts: Relating to expenditure by the State board of education.

When so authorized by the State board of education, the commissioner of education may approve bills for expenses from funds placed under the direction of the board.

Ch. 80, Feb. 9, 1912.

Michigan: Relating to the powers and duties of the superintendent of public instruction.

The superintendent of public instruction shall remove from office any member of any school board, except in city school districts, who is guilty of dishonesty or neglect of duty. No officer thus removed shall be elected or appointed to said office for at least five years thereafter.

The course of study prepared by the said superintendent shall not apply to city school districts. (A clause in another section granting to district boards the authority to specify studies is omitted.)

The said superintendent shall apportion the State distribution fund ("primary school interest fund") annually, instead of semiannually.

No. 217, May 1, 1911.

Michigan: Authorizing proceedings by the State to condemn private property for public use.

Applies to any board of regents, board of control, or other governing body of any State educational, penal, or reformatory institution.

No. 236, May 1, 1911.

Michigan: See I(d).

Montana: Authorizing the governor to appoint an educational commission for the purpose of amending, revising, and collating the laws touching upon the public schools of the State, and for the further purpose of suggesting new legislation for the welfare of said schools, and appropriating to meet the expenses of said commission.

Ch. 128, Mar. 8, 1911.

Nevada: Reorganizing the five educational (supervision) districts of the State.

Ch. 174, Mar. 24, 1911.

Nevada: See A (c).

New Hampshire: Relating to the salary of the State superintendent of public instruction.

Raises salary from \$2,500 to \$3,000 per annum. Ch. 186, Apr. 15, 1911.

New Jersey: Supplementing an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support, and management thereof."

"1. The term of office of all members of the State board of education shall expire on the 30th day of June, 1911.

"2. The general supervision of public instruction shall be vested in a State board of education which shall consist of eight members, not more than four of whom shall be members of the same political party, and not more than one of whom shall be residents of any one county. Said members shall be male citizens who have resided within the State for not less than five years immediately preceding the date of their appointment. They shall be appointed by the governor, by and with the advice and consent of the Senate, for the following terms, to commence on the 1st day of July, 1911: One for one year, one for two years, one for three years, one for four years, one for five years, one for six years, one for seven years, and one for eight years. Annually thereafter one member shall be appointed by the governor for a term of eight years. Vacancies shall be filled for the unexpired term. A suitable room in the Statehouse at Trenton shall be provided for the use of the board.

"Said board shall meet in the Statehouse in Trenton at such times as their rules may prescribe in each and every month, and at such times and places within the State as in its judgment may be necessary. Its meetings, as well as those of every board of education in the State, shall be public and shall commence not later than 8 p. m.

"In addition to the powers now conferred by law upon the State board of education it shall—

"I. Appoint an inspector of buildings at a salary not to exceed \$2,000 per annum, who shall devote his time during the entire 12 months in the year to visiting the schools in the State, and to making a thorough report with regard to each.

"II. Appoint an inspector of accounts at a salary not to exceed \$2,000 per annum, who shall devote his time during the entire 12 months in the year to the examination of the accounts of the several school districts.

"III. Prescribe a uniform and simple system of bookkeeping for use in all school districts, and compel all school districts to use the same.

"IV. Appoint, upon application, a supervising principal over the schools in two or more districts whenever in its opinion it is advisable so to do, and apportion the expense equitably among the districts.

"V. Withhold or withdraw its approval of any secondary school whenever in its opinion its academic work, location, or enrollment and per capita cost of maintenance shall not warrant its establishment or continuance.

"VI. Fix rates to be paid by a district for the tuition of children sent from it to the schools of other districts, when the districts can not agree among themselves as to the proper rate, and require any district having the necessary accommodations to receive pupils from other districts at rates agreed upon or which it may fix in the event of disagreement.

"VII. Compel the production at such time and place within the State as it may designate of any and all books, papers, and vouchers in any way relating to schools or to the receipt or disbursement of school moneys; compel the attendance before it or before any of its committees or before the commissioner of education or one of his assistants or before the inspector of accounts or the inspector of buildings at such time and place as it may designate of any member of a board of education or of any person in the employ of a board of education, and suspend from office any person refusing to attend or to submit such books, papers, and vouchers as he may have been directed to produce.

"VIII. Issue subpoenas signed by its president and secretary compelling the attendance of witnesses and the production of books and papers in any part of the State before it or before any of its committees or before the commissioner of education or one of his assistants or before the inspector of accounts or the inspector of buildings.

"3. The office of State superintendent of public instruction is hereby abolished.

"4. A commissioner of education shall be appointed by the governor, by and with the advice and consent of the Senate, for a term of five years, commencing July 1, 1911, and until his successor shall be appointed, at an annual salary of \$10,000 per annum, payable in equal monthly installments. Such commissioner shall be selected without regard to whether his place of residence is within or without the State of New Jersey.

"5. The commissioner of education shall, with the advice and consent of the State board of education—

"I. Designate one of the clerks of the department of public instruction to act as secretary of the State board of education and to perform such services as it may require.

"II. Appoint four assistant commissioners of education, each at an annual salary of \$4,500, and designate one of them to act in his place during his absence.

"III. Designate one of such assistants to act as supervisor of secondary education and define his duties, cause him to devote his entire time during school hours to personal inspection and to conduct tests of at least one-half hour each in at least three classes on each visit to a high school or to a high-school department.

"IV. Designate one of such assistants to act as supervisor of elementary education and define his duties, and cause him to devote his entire time during school hours to personal inspection.

"V. Designate one of such assistants to act as supervisor of industrial education, including agriculture, and to cause him to devote his entire time during school hours to personal inspection.

"VI. Designate one of such assistants to hear all controversies and disputes which may arise under the school laws or the rules and regulations of the State board of education or of the commissioner of education, subject, however, to a right of appeal to the State board of education.

"VII. Prescribe minimum examinations throughout the State for graduation from grammar schools and for admission to high schools and high-school departments; confine such examinations to arithmetic, writing, spelling, English grammar and composition, history, and geography; prepare, or cause to be prepared, questions for the examinations; prescribe the times and places for holding them and the rules governing them; designate the persons to conduct them, and if admissible, direct superintendents, principals, and teachers of one district to conduct them in any other. Such examinations shall be open to all children of the State whether they attend public or private schools.

"VIII. Prescribe a minimum course of study for the elementary schools and for the high schools or for either, if, in his opinion, it is advisable so to do.

"IX. Prescribe such method as to him may seem best for use in ascertaining what children are three years or more below the normal.

"X. Hold meetings of city and county superintendents at least once in each year for the discussion of school affairs and ways and means of promoting a thorough and efficient system of education.

"XI. Direct the county collector to withhold funds received by him from the State from any district that refuses or neglects to obey the law or the rules or directions of the State board of education or the commissioner of education.

"XII. Report to the State board of education once a month and at such times as it may designate such information as it may prescribe.

"6. The commissioner of education shall be one of the trustees of the school fund.

"7. The State board of education, by its presiding officer, each of its committees, by their chairmen, the commissioner of education and each of his assistants shall have authority to administer oaths and to examine under oath in any part of the State witnesses in regard to any matter pertaining to the schools and to cause the examination to be reduced to writing. Any person, having been sworn or affirmed by the presiding officer of the State board or by the chairman of any of its committees or by the commissioner or by any one of his assistants to tell the truth, who wilfully gives false testimony shall be guilty of perjury.

"8. Whenever, in the act to which this is a supplement or in any act amendatory thereof or supplemental thereto or in any other act of the legis-

lature, the words 'State Superintendent of Public Instruction' are used, the same shall be taken to be and to mean 'Commissioner of Education.'

"9. All appeals to the State board of education shall be taken within 30 days after the commissioner of education has filed his decision and in such manner as the said board may prescribe.

"10. This act shall take effect June 30, 1911." Ch. 231, Apr. 27, 1911.

New Jersey: Omits provision for uniform examinations for graduation from grammar schools and for admission to high schools.

The State commissioner shall ascertain the thoroughness and efficiency of any and all public schools by tests or examinations as seems to him proper, and he shall prescribe an examination for pupils of the highest grade of each elementary school. But if in any school any of the subjects of the examination is not taught in the highest grade, the examination shall be confined to the subjects taught and nothing in the law shall impair the right of each district to prescribe its own rules of promotion.

Ch. 365, Apr. 2, 1912.

New Mexico: No person who has been convicted of a felonious or infamous crime shall be elected or appointed to any public office, or as assistant in any public office. Does not apply if the person has been pardoned or restored to his political rights.

Ch. 44, June 8, 1912.

New York: Amending the education law.

By section 43 the commissioner of education is authorized, equally with the chancellor of the university, to call special meetings of the regents at any time, and to fix the time and place therefor.

By section 94 the commissioner of education is no longer required to act as secretary of the board of regents; he is designated chief executive officer of the State system of education and of the board of regents, and is charged with the duty of enforcing all general and special laws relating to the educational system of the State and of executing all educational policies determined upon by the board of regents. His supervision is extended over all institutions of the university (colleges, technical, and professional schools were formerly excepted). Schools of agriculture, mechanic arts, and home-making established under section 800 of this chapter are subject to his supervision in the same manner as industrial and trade schools. He is authorized to furnish illustrative material in geography, history, science, etc., to schools and institutions under the supervision of the regents. His authority over schools of cities is strengthened.

Section 491 authorizes the State commissioner of education in his discretion to legalize the employment of a teacher not legally qualified, and to permit the payment of salary to such teacher.

By section 816 the commissioner of education shall prescribe the courses of study of State normal schools (instead of the local boards, subject to the commissioner's approval).

Section 880 authorizes the commissioner of education to institute proceedings, render decisions, and make and enforce orders in relation to any official act of any school officer, authority, or meeting, said action not to be subject to question or review in any other place or court whatever.

Section 940, et seq., places the education of Indians more directly under the control of the commissioner. Eliminates the provisions for superintendents of Indian schools.

Ch. 140, Apr. 22, 1910.

New York: Amending the public-health law relative to the practice of pharmacy.

Members of the State board of pharmacy shall be appointed by the regents of the university from lists nominated by the State pharmaceutical association. The rules and examinations of the said board shall be subject to the approval of the regents, and the employees of the board are transferred to the department of education.

Ch. 422, June 8, 1910. (Aug. 1, 1910.)

New York: Relating to public records and historical documents, creating the office of supervisor of public records and transferring said office and the office of State historian to the State education department.

Ch. 880, June 21, 1911.

New York: *See A (d).*

North Carolina: Amending the laws relating to the textbook commission.

Provides a subcommission of six [instead of 5 to 10] persons actually engaged in school work, which shall act jointly with the textbook commission [the State board of education] in the selection and adoption of textbooks. Members shall be appointed by governor and State superintendent [instead of governor]. Advertisement for bids shall be published and contracts shall be let at any time within six months before [instead of after] the expiration of existing contracts. Limit of annual service [30 days] of subcommission repealed. Contractors shall maintain joint State depositories.

Ch. 118, Mar. 7, 1911.

North Carolina: *See G (b).*

North Dakota: Relating to the State high-school board.

Said board shall consist of the superintendent of public instruction, the president of the State university, the president of the State agricultural college, one superintendent of city schools, and one man not connected with the educational system of the State, the last two to be appointed by the governor; full terms, four years. [Formerly the governor, the superintendent of public instruction, and the president of the State university constituted the board.] The said board shall appoint a high-school inspector; term, two years; salary, \$2,000 per annum, payable from the general fund of the State. Annual State aid to approved high schools; \$900 to four-year schools; \$500 [instead of \$600] to three-year schools, and \$300 to two-year schools [new provision]. Not less than 40 per cent of said amounts shall be used for libraries, apparatus, and equipment. Total appropriation \$45,000 [instead of \$25,000] annually, not including the salary of the high-school inspector and the expenses of the board, which shall be paid from the general fund of the State. [Formerly such expenses were paid from the appropriation for high schools.] Not more than five [instead of three] schools shall be aided in any one county until all other eligible schools shall have received their share; but a school once accepted shall be aided at least three years.

Ch. 267, Mar. 17, 1911.

North Dakota: *See A (c).*

North Dakota: Creating a State board of control for the management and control of the charitable, reformatory, and penal institutions of the State.

Said board shall consist of three members appointed by the governor with the consent of two-thirds the members of the Senate. Salaries, \$3,000 per annum each. Shall govern the State hospital for the insane; State penitentiary, blind asylum, school for the deaf and dumb, school for the feeble-minded, State reform school, and such other like institutions as may be established by law.

Ch. 62, Mar. 17, 1911.

North Dakota: Establishing a temporary educational commission.

Shall consist of the president of the university, president of the agricultural college, president of the Valley City Normal School, superintendent of public instruction, lieutenant governor, speaker of the House of Representatives, and one other to be appointed by the governor; for the purpose of studying educational systems both in the United States and elsewhere, with a view to unifying and systematizing the educational system of this State. Said commission shall receive no compensation.

\$1,000 appropriated for the actual and necessary expenses.

Ch. 9, Mar. 17, 1911.

Ohio: Creating a single board of administration for State institutions.

Said board shall consist of four persons appointed by the governor; full terms, four years, one expiring annually; salaries, \$5,000 per annum each; each member being required to devote his entire time to the duties of his position. Said board shall manage and govern the State hospitals, reformatories, charitable institutions, and the institution for feeble-minded, the State School for the Deaf, the State School for the Blind, the Boys' Industrial Schools, the Girls' Industrial School. Existing boards governing said institutions are abolished.

H. B. No. 146, p. 211, May 17, 1911.

Oklahoma: Providing for a State board of education and prescribing its powers and duties.

Said board shall consist of seven members, namely, the State superintendent, who shall be president, and six members (including two practical school men) appointed by governor for six-year terms; terms of two shall expire every two years. Appointed members shall receive \$6 per day and actual expenses. The president shall appoint, with the approval of board, a secretary at \$2,000 and a stenographer at \$1,200.

The State board of education shall be legal successor to the present State board of education, the State textbook commission, and the boards of regents, etc., of the several State educational institutions. Said board shall have the following additional powers and duties: (a) General supervision of the public schools; (b) formulate courses of study for common schools, county normal institutes, and higher educational institutions; (c) formulate rules and regulations concerning teachers' certificates; (d) prepare questions for the same; (e) examine applicants for the same; (f) prepare questions for examination of eighth-grade graduates; (g) classify public high schools and accredit same; (h) formulate courses of study for reading circles for pupils and for teachers; (i) make reports to governor and legislature and prepare estimates for appropriations; (j) upon written application of association of business schools, said board shall formulate regulations to govern such schools.

Ch. 47, Mar. 6, 1911.

Oklahoma: Requiring the State board of education to submit to the legislature at each regular session an estimate of the amounts necessary for the support of the several institutions under its control.

Ch. 95, Mar. 16, 1911.

Oklahoma: Empowering the State superintendent of public instruction to appoint a State inspector of schools.

Said inspector shall be under the direction of the State superintendent, and shall receive \$1,800 per annum and expenses of travel.

Ch. 131, Mar. 22, 1911.

Oregon: Relating to the funds of the Oregon library commission.

The State treasurer shall be custodian. Purposes of expenditures and methods of payment.

Ch. 55, Feb. 14, 1911.

Oregon: Authorizing the superintendent of public instruction to annotate and compile the school laws of Oregon, authorizing the State board of education to order and distribute 16,000 copies of same.

H. Jt. Res. No. 12, Feb. 15, 1911.

Pennsylvania: *See A (c).*

Rhode Island: An act in amendment to chapter 64 of the General Laws, e

The commissioner of public schools, with the approval of the board of education, is authorized to employ an assistant commissioner of public schools at a salary of \$2,000 per annum.

Ch. 567, Apr. 27, 1910. (July 1, 1910.)

Rhode Island: Authorizing additional clerical assistance for the commissioner of public schools.

Ch. 726, May 17, 1911.

Rhode Island: The members of the State board of education shall be elected for five-year terms, one-fifth changing every other year.

The board of education shall fix the salaries of the commissioner of public schools and the assistant commissioner; \$7,000 appropriated for both salaries.

Ch. 828, Apr. 29, 1912.

South Carolina: A joint resolution to provide for a commission to examine and revise the school law of the State and recommend changes in the same.

The State superintendent of education, the inspector of high schools, the president of one of the State institutions for higher education, one person familiar with graded and common school systems, and one person learned in the law shall constitute the commission, and the governor shall name the

members not specifically designated. No compensation, but actual and necessary expenses. Report shall be made to the next session of the general assembly. Act 585, Feb. 23, 1910.

South Carolina: Terms of appointed members of State board of education shall be four years (instead of five). Ch. 37, June 8, 1912.

Utah: Enlarging the duties of the State board of education.

Requires the said board to promote the establishment of libraries and gymnasiums and authorizes the appointment of a secretary to work under the direction of the superintendent of public instruction. The State library-gymnasium commission is abolished. Ch. 67, Mar. 18, 1911.

Utah: Increasing the salary of the State superintendent of public instruction from \$2,400 to \$3,000. Ch. 91, Mar. 18, 1911. (Jan., 1913.)

Vermont: Authorizing and instructing the attorney general and the superintendent of education to compile the school laws of the State and to procure 3,000 printed copies of same for distribution.

Jt. Res. No. 469, Dec. 10, 1910.

Virginia: An act to provide for the continuance of the commission to devise a stable method for the maintenance, management, and expansion of the educational institutions of the State.

Provides that the said commission shall report to the general assembly at its next session. This commission was established by act of March 13, 1908. Ch. 221, Mar. 15, 1910.

• **Wisconsin (1910):** The provision in Stat. 1898, sec. 497, as to the time within which the State superintendent shall make and file his decision on appeal from a decision by a town board in forming or altering a school district held mandatory.

Under Stat. 1898, sec. 497, the hearing before the State superintendent on appeal from the proceedings of a town board in forming or altering a school district held to be closed when the last step has been taken in submitting the controversy to the superintendent.

Whether a town board has jurisdiction in proceedings to alter a school district held not reviewable on certiorari from the decision of the superintendent on appeal from the action of the board.

The authority of the State superintendent to review proceedings of the town board in altering a school district under Stat. 1898, sec. 497, stated.—State ex rel. Schuette v. Cary, 126 N. W., 562.

A. (c) County Boards and Officers.

Alabama: Prescribing the powers and duties and fixing the compensation of county superintendents of education.

Permits county boards to employ superintendents for their entire time, in which case salary shall not be less than \$1,000 per annum. Assistant county superintendent may also be employed. Act 269, p. 325, Apr. 8, 1911.

Alabama: Providing for the office of county treasurer of public-school funds in the several counties and prescribing the duties of such officer.

Authorizes county board of education to select a treasurer of public-school funds. Act 487, p. 493, Apr. 18, 1911.

• **Arizona (1911):** The office of a county superintendent held to be vacated by change in classification of the county.—Bunch, Probate Judge, v. Woods, Co. Supt., 115 Pac., 76.

California: Amending section 4249 of the Political Code, relating to the compensation of county officers, township officers, and jurors in counties of the 20th class. Fixes salary of county superintendent at \$2,100.

Ch. 481, Apr. 19, 1911.

• **California (1909)**: Pol. Code, sec. 1617, subd. 4, empowering the school board to rent school property, does not mean to rent property for use of schools. Board of education of the city and county of San Francisco held to have power to lease land held by them in trust for the use of the public schools.—*Mahoney v. Bd. of Ed. et al.*, 107 Pac., 584.

Georgia: An act to amend an act approved August 16, 1900, providing for the election of county school commissioners by the people, etc.

Authorizes the county boards of education to fill vacancies in said office for the unexpired term. Persons so chosen need not be subjected to examination. Acts, 511, Act. 15, 1910.

Georgia: Examination of applicants for county school commissioners.

Provides that if no applicant makes less than the required 85 per cent other examinations shall be held. No. 225, Aug. 19, 1911.

Georgia: Makes the terms of county superintendents uniform. Four years, beginning Jan. 1, 1913, ending Jan. 1, 1917. P. 180, No. 603, Aug. 19, 1912.

Georgia: Establishing county board of education for Clark County, including Athens (described by population, not named). Permits the board to fix tax rate for schools, not to exceed 5 mills. Adoption subject to vote of the people. P. 162, No. 633, Aug. 19, 1912.

• **Georgia (1910)**: Where a board of education is discharged under act of Aug. 22, 1907 (Acts 1907, p. 100), amending act of Aug. 21, 1906 (Acts 1906, p. 61, by the judge of the superior court, it is not a judgment to which a bill of exceptions may be filed, bringing the action to the supreme court for review.—*Bd. of Ed. of Paulding Co. v. Paulding Co. Grand Jury*, 68 S. E., 552.

Idaho: See A (a).

Indiana: Concerning county superintendents, their qualifications and compensation, and providing for assistants.

No person shall be eligible to the office of county superintendent who has not been actively engaged in school work for not less than 2 years out of the 10 years next preceding his election, and who does not hold either a 3 years' State license, a 60 months' license, a life, or professional license, granted upon examination as provided by law. Fixed salaries of county superintendents at \$1,408.50 except in the following counties, namely, Brown County, \$900; Scott County, \$1,000; Union County, \$1,325; Carroll and Crawford Counties, \$1,400. [Formerly all county superintendents received \$4.50 for each day of actual service.] Allows to each county superintendent his actual traveling expenses, not exceeding \$100 annually, to be paid from county funds.

County commissioners may allow the county superintendent to appoint an assistant at not over \$3 per day for not exceeding 120 days per year.

Ch. 94, Mar. 2, 1911.

Indiana: Relating to the bond and election of the county school superintendent. Minor changes.

Ch. 16, Feb. 17, 1911.

• **Indiana (1910)**: While under Const. art. 8, sec. 6, and Burns's Ann. Stat., 1908, sec. 6184, a right of action for the loss of the State school fund intrusted to a county is in the State held that such action should be brought against the county and not against a county auditor, whose wrongful conduct caused its loss.—*Ness v. Bd. of Comrs. of Marshall Co.*, 91 N. E., 618.

Kansas: Fixing the salaries of county superintendents of public instruction.

SECTION 2. In counties having a school population of less than 500, the county superintendent shall receive for each day actually employed in the discharge of his duties in his office the sum of \$3 per day for a number of days not to exceed 180 in any one year. In counties having a school population of from 500 to 1,000, he shall receive the sum of \$3 per day for a number of days not to exceed 200 in any one year. In counties having a school population of 1,000 to 1,500, he shall receive the sum of \$750 per annum; in counties containing more than 1,500 persons of school age, exclusive of those in cities of

the first and second class, he shall receive \$800 and \$20 per annum for each 100 persons of school age in excess of said 1,500 up to the sum of \$1,200: *Provided*, That in each county the county commissioners shall add to the salary hereinbefore provided the sum of \$1 per annum for each teacher employed in the county, exclusive of those employed in cities of the first and second class: *Provided*, That in counties of 70,000 or more population the salary of the county superintendent shall be \$1,800 per annum: *Provided further*, That if the county superintendent shall fail to spend at least one hour in each school during the year, so as to observe for at least one hour the work of each teacher under his supervision, the county commissioners shall deduct from the last quarterly installment the sum of \$5 for each delinquency.

Ch. 279, Mar. 14, 1911.

(The maximum salary previously allowed under the general law was \$1,200.)

Kansas: Relating to vacancies in the office of county superintendent of public instruction.

If the county commissioners are unable to fill such vacancy from the residents of the county, the county clerk shall notify the State superintendent of public instruction, who shall appoint a legally qualified person, resident of Kansas, regardless of his place of residence.

Ch. 278, Feb. 23, 1911.

Kansas: Fixing the salaries of certain officers in counties having a population of over 90,000.

The county superintendent of public instruction shall receive \$1,800 per annum.

Ch. 190, Mar. 1, 1911.

Kentucky: To be eligible to office of county superintendent, candidates (unless they hold State diploma or certificate) shall be personally examined at the State capital before the election. The examination shall be equivalent to a State certificate and shall be conducted by the State board of examiners. Fee \$5. (Formerly the examination was held in applicant's county; questions furnished and papers marked by the State board; fee \$2.)

The county superintendent shall devote entire time and attention to the duties of his office.

The salary of county superintendent shall be fixed by the county; minimum, \$600; maximum, \$2,500. (Was \$400 and \$500.)

The county board of education may employ supervisors of rural schools under the supervision of the county superintendent; may pay expenses of county superintendent and supervisors. Supervisors may act as substitute teachers and as truant officers.

The county board of education may combine State and county funds. State funds for teachers only. Minimum salary for teachers in subdistricts in counties, \$35; maximum, \$70 (except high-school teachers). Salaries shall be based on and regulated by qualifications of teachers and the number of children in attendance in proportion to census, to be graduated according to regulations of State board.

The county board of education may consolidate districts and submit to voters thereof proposition to levy tax, to consolidate schools, and pay transportation of pupils. Any funds available for local expenses may be used for transportation of pupils whether specifically so expressed or not.

Ch. 117, Mar. 18, 1912.

Kentucky: See D (a).

• **Kentucky (1911):** An attorney for a county school superintendent having permitted his client to contract for satisfaction of a judgment recovered for a wholly inadequate sum, and the satisfaction having been set aside and the judgment collected by the client's successor in office, the attorney was not entitled to recover for his services in obtaining the judgment.—*Bd. of Ed. of Mercer Co. v. Rankin*, 124 S. W., 157.

• **Kentucky (1909):** County superintendent of public instruction held authorized to employ counsel to assist county attorney in prosecuting an action against publishing company for breach of bond and pay a reasonable fee for services.

County attorney bound to prosecute an action for breach of bond given by schoolbook publishers at request of county superintendent of common schools.—*Money, Supt. of Sch. v. Beard and Marshall*, 124 S. W., 232.

- **Kentucky (1910)**: The official duties of the county superintendent of schools held limited to his county.

A letter written by the county superintendent of schools of a county to the State superintendent as to an applicant for a State certificate held a qualifiedly privileged communication.—*Tanner v. Stevenson*, 128 S. W., 878.

- **Kentucky (1910)**: Ky Stat., sec. 4426a, held not to authorize school board to expend school moneys coming into its hands for the payment of indebtedness incurred prior to the enactment of such section, which must be paid according to the law in force at the time the debt was created.

The same held to authorize the county board of education in its discretion to expend school funds for all the educational needs of the county.

The fiscal court must levy a capitation tax within the statutory limit when requested by the board of education.

A citizen and taxpayer of a county may maintain proceedings to restrain the county board of education from illegally disbursing or misapplying school funds.—*Fiscal Court of Logan Co. et al. v. Bd. of Ed. of Logan Co.*, 127 S. W., 527.

- **Kentucky (1909)**: County board of education held the proper party to ask a rule requiring the county attorney to pay over money collected under a judgment in an action by the Commonwealth for the benefit of the common schools of the county.—*Bd. of Ed. of Mercer Co. v. Allin et al.*, 121 S. W., 676.

- **Kentucky (1910)**: Under Ky. Stat., secs. 1729, 4426a, the county revenue and the county school tax held one fund in estimating the sheriff's commissions for collections.—*Hall v. Ballard Co.*, 130 S. W., 975.

Louisiana: An act providing for the election or appointment of parish superintendents and their term of office.

The several parish school boards shall in July, after their election in 1912, meet and elect or appoint a superintendent of public schools for their parish, who shall hold his office for four years. Apparently the only effect of this enactment is to make the terms of all parish superintendents expire at the same time. Acts 117, July 5, 1910.

Louisiana: Annual reports of parish superintendents shall be made on or before July 10 of each year, and shall cover the previous session instead of the previous year. No. 53, June 29, 1910.

- **Louisiana (1909)**: Removal of school directors by State board of education not a removal by the governor.

Removal of members of the parish board of school directors for "the deplorable condition of school affairs of the parish" unauthorized.—*State ex rel. Muller, Dist. Atty., et al. v. Cyr et al.*, 50 So., 595.

Maryland: Authorizing the board of county school commissioners of any county to appoint a grade supervisor.

In counties where the number of teachers shall exceed 150 one additional supervisor may be appointed, and for every additional 100 teachers one additional supervisor may be appointed who, in each case, shall have had at least five years' experience as a teacher of elementary grades and such special preparation for this work as may be determined by the State board of education. Ch. 147, Apr. 7, 1910.

Michigan: Amending an act relating to county school commissioners.

Fixes minimum compensation of such officers as follows: Counties containing less than 50 schoolrooms, \$500; more than 70 schoolrooms, \$750; 100 schoolrooms, \$1,000; 125 schoolrooms, \$1,200; 150 schoolrooms, \$1,350; 175 schoolrooms, 1,500; over 300 schoolrooms, \$2,000. [Previously the maximum salary permitted was \$1,800.] Clerks [instead of assistant] are authorized for county school commissioners at a maximum annual cost as follows: In counties containing from 100 to 150 schoolrooms, \$300; more than 150 schoolrooms, \$400. The board of supervisors may, however, increase these amounts. The compensation named in this act shall be paid monthly.

The provision for traveling expenses of commissioner is omitted.

No. 144, Apr. 26, 1911.

Minnesota: Relating to the compensation of officers of county boards of education for unorganized territory.

Chairmen shall receive \$3 per day when actually employed and 10 cents per mile for distance traveled, the total not to exceed \$400 in one year for any such chairman. The treasurer shall receive 1½ per cent and the clerk 1 per cent of cash disbursements. Not applicable to counties containing over 100,000 inhabitants. Ch. 103, Apr. 10, 1911.

Minnesota: Proposing an amendment to the State constitution providing for an educational and professional qualification for county superintendent of schools.

Provides that such qualification shall be determined by the legislature. Said amendment shall be submitted to the people at the next general election. Ch. 304, Apr. 20, 1911.

Minnesota: Relating to the salaries of county superintendents and providing for assistants to county superintendents and their salaries.

Salaries of county superintendents shall be fixed by the county board and shall be not less than a sum equal to \$15 for each organized school in the county until the salary on that basis reaches \$1,000 per annum. If the salary should exceed \$1,000 on the said basis it shall be reckoned on the basis of \$12.50 for each school, with a minimum of \$1,000 and a maximum of \$2,000. But the proper county board may fix the salary of a county superintendent at a higher sum than \$2,000 if it shall so determine. Consolidation of schools shall not have the effect of reducing the superintendent's salary. [Rate of compensation was formerly \$10 for each school district, with a maximum of \$1,800.]

An assistant shall be allowed to the superintendent of each county in which there are from 75 to 124 schools, at a salary of \$3 per day for 40 days and one day additional for each school over 75 and up to 124. In counties having 125 or more schools, but less than 240, there shall be one assistant to serve full time, and in counties with 240 schools or more there shall be two such assistants. Their salaries shall be fixed by the county board at not less than \$800 nor more than \$1,500 per annum. Such assistants shall have had at least 18 months' experience in public schools and hold teachers' certificates equivalent to a diploma from a Minnesota normal school. In counties having two assistants it shall be sufficient if one possesses such qualifications.

Ch. 216, Apr. 18, 1911.

Minnesota: Fixing the salary and compensation of the superintendent of schools in counties having over 150,000 and less than 200,000 inhabitants.

Salary, \$2,500 per annum. Said superintendent may appoint an assistant superintendent at a salary not over \$1,500, and clerical assistance at a cost not to exceed \$600 per annum. Applies only to St. Louis County.

Ch. 145, Apr. 13, 1911.

Mississippi: Examination of applicants or candidates for the office of county superintendent. The time of examination in the county of applicant shall be fixed by applicant. In any case the result shall be determined as speedily as practicable and the applicant shall be promptly informed.

Ch. 240, Feb. 24, 1912.

Missouri: Amending the Revised Statutes relating to the qualifications of county superintendents.

A holder of a State certificate [not necessarily a life certificate] authorizing him to teach in the public schools of the State shall be eligible.

H. B. 548, p. 404, Mar. 24, 1911.

Missouri: Prescribing the manner of electing county superintendents of schools.

Votes shall be cast at annual school meetings of the several districts, and the tally sheets shall be forwarded to the county clerk, who shall cast up the vote with the assistance of two justices of the peace or two qualified voters.

H. B. 566, p. 405, Mar. 24, 1911.

Missouri: Relating to the annual settlement of the county or township treasurer.

Shall be made in October [instead of September] of each year.
H. B. 661, p. 400, Apr. 7, 1911.

Nebraska: Relating to salaries of county superintendents.

Prescribes minimum salaries per annum as follows for counties containing the school population stated:

Population of 15,000 or more.....	\$2,200
Between 7,000 and 15,000.....	1,800
6,000 and 7,000.....	1,600
4,000 and 6,000.....	1,400
2,500 and 4,000.....	1,300
2,000 and 2,500.....	1,100
1,500 and 2,000.....	1,000

In counties containing less than 1,500 school population the county superintendent shall receive not less than \$5 a day when actually employed, but the total compensation in such counties shall not exceed \$1,000.
The above figures represent a substantial increase.

Ch. 119, Apr. 10, 1911.

New Jersey: Amending chapter 317 of the Laws of 1908.

Increases from \$500 to \$600 annually the appropriation for the maintenance of county superintendents.
Ch. 232, Apr. 27, 1911.

New Jersey: Relating to the election, qualifications, duties, and salaries of county superintendents.

County superintendents shall be appointed by the commissioner of education, with advice and consent of the State board of education [was by State board of education]. He shall devote his entire time to the duties of office. He shall hold the highest certificate issued in the State [was "a State teacher's certificate"], and shall have been a resident of the county at least three years. His annual salary shall be \$3,000 [was \$2,000].

Ch. 367, Apr. 2, 1912.

New Mexico (1910): A de jure county superintendent of schools can recover from a de facto officer who has wrongfully intruded upon the office fees and emoluments without first having his title established in quo warranto, where his term of office has expired.

A commission from the governor held not to give an intruder in the office of county superintendent of schools such title to the office as precluded suit by one elected thereto to recover the fees of the office.—*De Vigil v. Stroup*, 110 Pac., 830.

New York: Requiring county clerks and county treasurers to resupply to commissioner of education certain data destroyed by fire.

Ch. 159, May 20, 1911.

North Carolina: Appointing members of the county boards of education.

Chs. 42 and 43, Mar. 8, 1911.

North Carolina: Amending certain sections of the school law.

(a) Upon the consolidation of two or more districts by the county board of education, the said board may provide transportation of pupils living too far from the schoolhouse to attend otherwise. The cost of such transportation shall not exceed the cost of maintaining a separate school. (b) County superintendents may administer oaths. (c) County superintendents shall attend annual meeting of the district association of county superintendents, and their board shall be included in the traveling expenses chargeable to the respective county-school boards. (d) The school census shall be taken biennially in June instead of annually in August. (e) Raises the maximum salary (from the public fund) of teachers of the second grade from \$25 to \$35 per month. (f) Teachers' reports shall be filed with the county superintendent. (g) High and graded school teachers included in requirement that all teachers attend biennial teachers' institute or an accredited summer school. (h) Itemized statement of receipts and expenditures shall be pub-

lished annually in August by each county board of education. (i) Petition for election to revoke a special tax in a special-tax district shall be signed by two-thirds (instead of one-half) the qualified voters. No such petition shall be approved oftener than once in two years. (j) County board of education may change boundaries of local tax districts, but no taxpayer shall be relieved of payment of school tax thereby. (k) County board may condemn 3 acres (instead of 2) for a school site.

Annual appropriation to high schools is increased from \$50,000 to \$75,000. The chief clerk in the office of the State superintendent shall act as secretary of the State board of examiners and shall receive \$300 annually for additional services as such secretary; time limit (15 days) of annual service of said board is repealed. County board of education may, upon petition of trustees, enlarge boundaries of special-tax districts under special charter.

Ch. 135, Mar. 7, 1911.

• **North Dakota (1910):** Rev. Code 1905, sec. 764, prescribing an election of county superintendent of schools at each general election, held not a violation of Constitution, sec. 150.

Where an election of a county superintendent is a nullity because of the ineligibility of the person elected, the person then holding the office of superintendent holds it until his successor is legally elected and qualified under Rev. Codes, 1905, sec. 764.

The "elected," as used in Rev. Codes 1905, sec. 764, relating to the election of a county superintendent of schools, signifies an election of a qualified successor to the incumbent.—Jenness v. Clark, 129 N. W., 357.

North Dakota: See *K (a)* and *A (a)*.

Oklahoma: Giving county superintendents the right to employ one assistant or clerk at a salary of \$50 per month, and allowing such superintendents their actual and necessary expenses while inspecting schools, provided no expense shall accrue for the inspection of a school more than once annually.

Ch. 139, Mar. 24, 1911.

Oklahoma: Directing county superintendents of public instruction to employ the teachers for the separate or minority schools [for colored children] in their respective counties and empowering them to prescribe rules and regulations for the government of such schools.

Ch. 98, Mar. 16, 1911.

Oregon: Providing for a county educational board, defining the powers and duties of the same, providing for a division of the counties of the State into supervisory school districts, and providing means for defraying the expenses of these districts.

In counties containing more than 60 school districts the county superintendent shall appoint a county educational board of four members. The county superintendent shall be ex officio chairman of said board. Term of office of appointed members, four years. They shall receive no compensation save the necessary traveling expenses incurred in the discharge of official duty; maximum annual expenses for each member, \$25. Said board shall divide county into supervisory districts, each to contain from 20 to 50 school districts, and shall employ a supervisor for each district at a minimum salary of \$1,000 per year.

To be eligible to the office of supervisor a person must hold a valid teacher's certificate and shall have had at least nine months' teaching experience within the State.

The county superintendent shall act as supervisor for one district. Said board shall make all rules necessary for government of said supervisors and shall act as an advisory board to the county superintendent.

Each supervisor shall devote his entire time to supervision under the direction of the county superintendent.

Ch. 79, Feb. 16, 1911.

Oregon: Fixing the annual salary of the county school superintendent of Jackson County at \$1,800 and authorizing him to employ clerical assistance at a maximum cost of \$300 per annum.

Ch. 258, Feb. 23, 1911.

Oregon: Extending to Umatilla County the provisions of an act relating to the duties and traveling expenses of county superintendents, thus making said act uniform for the entire State.

Ch. 63, Feb. 10, 1911.

Pennsylvania: See A (a).

South Carolina: Fixing the term of office of county superintendent as follows:

Anderson County, two years; the counties of Georgetown, Dorchester, Spartanburg, Richland, Laurens, Barnwell, and Cherokee, four years each.

(The term prescribed by law for the State is four years, but certain counties were specifically excepted, and in them the term was made two years.)

Acts 363, 364, 365, 366, 367, and 369, Feb. 15-25, 1910.

South Carolina: An act to amend section 1200, Code of Laws, 1902, etc.

Relates to the time for which certain members of the county board of education of certain counties may be paid for examining teachers.

Act 397, Feb. 26, 1910.

South Carolina: Providing an assistant county superintendent of education in Spartanburg County, to be appointed by county superintendent, with salary at rate of \$600 per annum; term of office not to exceed six months in any year; duties assigned by county superintendent. Act No. 393, 1912.

Vetoed, but passed over veto.

South Carolina: The terms of office of the county superintendents of education shall begin July 1 after each general election. The salary of the retiring county superintendent of education for June shall not be paid except upon presentation of certificate of the State superintendent that the annual report of the county superintendent has been filed and accepted. The term of office of the county superintendents of Union, Edgfield, and Callahan Counties shall be four years.

Does not apply to 19 counties.

No signature of governor.

No. 386, Feb. 20, 1912.

* **South Dakota (1910):** The official acts of a county superintendent of schools will be valid so long as he is permitted to exercise the office, though he be ineligible thereto.—State ex rel. Ochseneiter v. Blegen, Co. Aud., 128 N. W., 488.

* **Tennessee (1910):** Acts relating to the qualifications of a county superintendent of public schools held mandatory and not directory.—State ex rel. Davis v. Evans, 122 S. W., 81.

* **Texas (1909):** Sales of county school lands made by county judges under power attempted to be conferred on him by the commissioner's court held invalid.—Gallup et al. v. Liberty Co., 122 S. W., 291.

* **Texas (1910):** Power to fix boundaries of school districts is within the exclusive jurisdiction of the commissioners' court.—Wier et al. v. Hill et al., 125 S. W., 368.

Texas: See N (a).

Utah: Relating to county school districts of the first class.

Any school district outside the limits of cities of the first and second class, comprising a school population of more than 2,500 [instead of 3,000] children shall be known as a county school district of the first class. Where an entire county is constituted into one or more school districts, each district shall be a county district of the first class. Vacancies in board of education shall be filled by said board instead of by county commissioners. Superintendent of schools of such district shall be a holder of at least a life diploma of grammar-school grade. The estimate of the board of education shall [instead of "may"] be accepted by the board of county commissioners as the basis for taxation.

Ch. 185, Mar. 20, 1911.

Utah: Regulating the salaries of county officers.

Maximum salaries of county superintendents of schools: In counties of class 1, \$2,000; classes 2 and 3, \$1,200; classes 4 to 12, inclusive, \$1,000; class 13, \$750; classes 14 and 15, \$500. The salary of said officer shall be fixed by the board of county commissioners at least three months before his election.

Ch. 79, Mar. 18, 1911.

Utah: Relating to qualifications of county superintendents.

In addition to his constitutional qualifications the county superintendent must be a qualified elector of the county, at least 25 years old, and have had at least three years' experience. In counties of the first, second, and third class he must hold a high-school life diploma; in counties of the fourth to twelfth class, inclusive, he must hold a life diploma not lower than the grammar grade; and in counties of the thirteenth to fifteenth class, inclusive, he must hold a diploma or certificate not lower than a five-year State certificate.

Ch. 49, Mar. 9, 1911.

Virginia: An act to amend and reenact section 1438 of the Code of Virginia, etc.

Provides that the pay of a division superintendent of schools from State funds shall not in any case be less than \$200 per annum. (Restores this provision which had been omitted in the revision of 1908.)

Ch. 98, Mar. 9, 1910.

Washington: Amending Title III, Ch. 4, Art. VIII of Ch. 97, Acts of 1909, by adding four sections.

Fixes duties of county auditor relative to school district warrants issued by him.

Ch. 7, Mar. 13, 1911.

Washington: Amending section 4558 of Remington and Ballinger's Codes and Statutes.

Makes county treasurer ex officio treasurer of school districts and fixes his duties.

Ch. 85, Mar. 14, 1911.

West Virginia: Amending and reenacting sections 117 and 118 of chapter 45 of the Code as last amended and reenacted by the acts of the legislature of 1908, extra session, relating to the duties and compensation of county superintendents.

County superintendents must have had successful experience, and must hold first-grade certificates. Maximum salary raised from \$1,200 to \$1,500.

Ch. 65, Feb. 27, 1911.

West Virginia (1911): Where, at a general election, a president of a board of education was elected, his failure to qualify created a vacancy, under Code 1908, ch. 45, sec. 2, which the county superintendent had the right to fill by appointment.—*Smith v. Reppard*, 71 S. E., 115.**Wisconsin:** Amending section 461b of the statutes, relating to county and district superintendents of schools.

Amends the old law to permit superintendents to teach in professional schools for teachers when common schools are not in session.

Ch. 207, May 28, 1911.

A. (d) District, Township, and Municipal Boards and Officers.**Arkansas:** Amending section 7681 of Kirby's Digest [Code of 1904].

Repeals that part of the law which required that secretaries of school boards in cities and towns should be members of such boards.

Act 115, p. 80, Mar. 24, 1911.

Arkansas (1910): Powers of school districts stated.

School trustees who issued invalid school warrants held not personally liable.

School directors have no authority to purchase maps until authorized to do so by vote of the electors of the district, and a contract to purchase maps without such authority is void.

All persons who contract with school officers are presumed to know the extent of their powers.

A contract made by school directors beyond the powers conferred upon them by statute is void.

Where a contract by a school district for the purchase of maps was void, it could not be ratified by accepting the maps and using them.

In an action on school district warrants given for maps, the burden was upon plaintiff to show that the contracts were so authorized by a public vote as required by statute.

Warrants of a school district are not negotiable; so that there can be no innocent holder of such warrants issued contrary to law.

Directors of a school district held not personally liable on a contract because they acted beyond their authority.—*First Natl. Bank of Waldron v. Whisenhunt et al.*; 127 S. W., 968.

- **Arkansas (1910)**: In the prosecution of two school directors for a conspiracy to extort money from a school-teacher, where the State proves a conspiracy between only one of the defendants and a third person, then the case is not proved.—*Bundy et al. v. State*, 130 S. W., 522.

California: Amending section 1617 of the Political Code, relating to the powers and duties of trustees in common-school districts and of school boards in city school districts.

Schoolhouses may be used for social and civic purposes; city superintendents may be elected for four years; teachers elected annually, but considered reelected unless given notice to the contrary. Ch. 703, May 1, 1911.

California: Amending section 1543 of the Political Code, relating to the powers and duties of county superintendents.

The superintendent may appoint district trustees to fill vacancies for unexpired terms. Ch. 668, May 1, 1911.

California: Amending section 1618 of the Political Code, relating to the term of office of school trustees.

Changes from July 1 to May 1 the time of taking office.

Ch. 425, Apr. 10, 1911.

California: Requiring county superintendent to hold annual conventions of district trustees in counties having 20 or more districts. At least one trustee from each district must attend. Ch. 170, Mar. 10, 1911.

- **California (1910)**: A complaint for an alleged default by a trustee with reference to certain school lands, conveyed as security for a debt, held demurrable.—*Kinley v. Thelen et al.*, 110 Pac., 513.

Connecticut: Authorizing certain towns employing 20 or more teachers to employ a superintendent of schools after determination by vote of the people.

Ch. 26, Apr. 6, 1911.

Georgia: Requiring bonds from treasurers, etc., in local tax districts outside of cities. Said officers must keep accurate accounts, which must be duly audited. No. 582, p. 183, Aug. 19, 1912.

Georgia: Relating to the board of education of the city of Cartersville.

Providing for a board of education of three members, to be elected by the board of commissioners of the city; no compensation; large powers. The board of education shall make estimates and the board of commissioners shall fix tax rate. No. 318, p. 714, July 19, 1912.

Idaho: See A (a).

- **Idaho (1910)**: A sale of land for delinquent school taxes by the clerk of the school board, at the instance and request of the treasurer authorized to make such sale held valid.—*Wilson v. Locke*, 111 Pac., 247.

• **Illinois (1910)**: Where a board of education, irregularly elected, were the only ones to assume the duties of office, and the assumption was acquiesced in by the public, the members of such a board are de facto officers.—*Howard v. Burke et al.*, 93 N. E., 775.

- **Illinois (1911)**: Record of a regular meeting of school trustees held to show a regular adjournment for lack of a quorum.

Adjournment of a regular meeting of school trustees in the exercise of discretion will not be reviewed, in the absence of a showing of an abuse of power.—*People v. Nelson*, 96 N. E., 1071.

Indiana: Concerning the transaction of township business.

Statements and estimates of school expenditures by township trustees and action thereon by advisory board. Ch. 144, Mar. 4, 1911.

Indiana: Authorizing school commissioners of cities of over 100,000 inhabitants [Indianapolis] to contract with any art association for the admission thereto of school-teachers and children, and validating previous payments for such purposes. Ch. 145, Mar. 4, 1911.

Indiana: Concerning boards of school commissioners in cities of over 100,000 inhabitants [Indianapolis].

Omits prohibition against reductions of salaries of officers appointed for fixed terms. Each principal, teacher, or employee of any class, as arranged in the salary schedule, shall receive the same compensation given to each of the other members of the same class. Superintendent of schools, business director, secretary, librarian, and superintendent of buildings and grounds [new office] shall be appointed for four years [instead of one year at first and four years subsequently]. Said officers may be removed at any time by vote of three members [instead of four-fifths] of the board, former provision for notice and hearing being omitted; librarian "shall recommend the purchase" of books, etc., for libraries [instead of "shall purchase" same]; the duties of the secretary are prescribed and the limit of his compensation is raised from \$2,000 to \$2,500. The superintendent of buildings and grounds [new office] shall be either a sanitary engineer or shall be skilled in and previously engaged in the business of heating, drainage, and ventilation. He shall take personal supervision of all heating, ventilation, plumbing, and drainage of all school, library, and other buildings owned or used by the board of school commissioners either in use, or in the course of erection or to be hereafter erected by the board. He shall see that each janitor, custodian, or engineer, or other person employed in like capacity in or about such buildings, shall be properly instructed in the care of such boilers, furnaces, pipes, electric wires, ventilators, and other similar things that may fall under their charge. He shall appoint and discharge all engineers, janitors, or other persons employed in or about such buildings subject to the limitations of this act stated and not otherwise provided for. He shall report monthly, annually, and oftener if required by the board, concerning the things under supervision of his office. He shall receive a salary not to exceed \$2,000 per annum to be fixed by the board of school commissioners. All appointments or discharges of assistant superintendents, principals, teachers, janitors, or any other employee of the board shall be subject to the approval of the majority of the board. Any discharge shall operate as a suspension only, until approved by the board, if the discharged shall appeal to the board for a hearing. Ch. 217, Mar. 6, 1911.

Indiana: Concerning boards of school trustees in cities having a population of more than 55,000 and less than 63,000 [Terre Haute].

The common schools of any such city shall be governed by a board of five trustees, salary \$500 per annum each; elected by people from city at large; terms four years. Ch. 147, Mar. 4, 1911.

* **Indiana (1911):** A contract between a heating company, whose president was a school trustee, and a school city for the installation of a heating plant held contrary to public policy.—*Noble et al. v. Davison*, 96 N. E., 325.

* **Indiana (1911):** The office of school trustee held a lucrative office. Under Burns's Ann. Stat., 1908, secs. 6406, 6434, 6442, 6443, 6454-6461, 6475, 6477, 10312-10317, duties of deputy county auditor held incompatible with those of school trustee.—*Wells v. State ex rel.*, 94 N. E., 821.

* **Indiana (1910):** All statutes relating to the management and administration of schools must be construed together.

Under Burns's Ann. Stat., 1908, sec. 6420, a school trustee held authorized to reestablish any district school that has been abandoned on receiving a proper petition therefor.

The right of the school township trustee to abandon a district school or to consolidate one school with another held subject to the powers granted by Burns's Ann. Stat., 1908, secs. 6421, 6668.

The policy of the legislature relating to schools is to commit to the school patrons, township trustee, and county superintendent the settlement of questions pertaining to the changing of school districts and the location and construction of schoolhouses.

Under Burns's Ann. Stat., 1908, sec. 6410, a township school trustee held required to take charge of the education affairs of the township and establish schools.

Where a trustee was required under Burns's Ann. Stat., 1908, sec. 6420, to reestablish school previously abandoned and consolidated with the district, the refusal to erect a new schoolhouse because of the consolidation was proper.

The power of the school township trustee to remove and relocate schoolhouses under Burns's Ann. Stat., 1908, sec. 6410, held subject to the control of the patrons and county superintendent as authorized by section 6417.

Under Burns's Ann. Stat., 1908, sec. 9598, the advisory board held authorized in extreme cases to withhold from the school township trustee authority to borrow money for the construction of a schoolhouse and to reject bids made for the construction of a schoolhouse.

A trustee of a school township held not authorized to contract a debt for the construction of a schoolhouse without a previous appropriation by, or the consent of, the advisory board to create an indebtedness therefor as authorized by Burns's Ann. Stat., 1908, secs. 9590-9602.

The advisory board held authorized to refuse to consent to the construction of a schoolhouse at a specified cost.—*Good v. Howard et al.*, 92 N. E., 115.

- * Iowa (1912): Where a school district treasurer, who is about to succeed himself in office, makes a settlement with the district board, producing in the form the money which he should have on hand, his sureties are bound thereby, and are estopped to claim that the funds exhibited never in fact went into the public treasury; but where the money is not produced in any form, and the board merely accepts a book account or personal statement of the treasurer, without showing that he has the funds in his possession, the liability of the sureties is only prima facie.—*Ind. Sch. Dist. of Portsmouth v. Herkenrath et al.*, 185 N. W., 1086.

Kansas: Relating to boards of education and schools in cities of the first and second classes.

In each of such cities the board of education shall consist of six members, elected by the voters of the city at large for four-year terms, three terms expiring every odd-numbered year. [Formerly two or three members were elected from each ward.] Does not apply to cities having a population of between 50,000 and 75,000 [Wichita only]. Ch. 267, Mar. 13, 1911.

Kansas: Relating to officers and employees of boards of education in cities of the first and second classes.

Clerk shall be elected for a term of one year [instead of during the pleasure of the board]; his annual report need not show to whom moneys were paid. Said board shall elect a superintendent of schools, who shall be a holder of a State certificate valid for at least three years, or be a graduate of an accredited normal school, college, or university; superintendents now in service exempt. Said superintendent shall be elected for a term of one or two years as the board may choose [instead of at pleasure of the board]. The board of education may remove any of its employees for incompetence, negligence, or immorality after notice and fair hearing. Ch. 269, Mar. 13, 1911.

Kansas: Authorizing the board of education of any city of the first class to elect a treasurer other than the city treasurer, to serve during the pleasure of the board and to receive such salary as they may determine.

Ch. 97, Mar. 13, 1911.

- * Kansas (1910): Control of city schools held to be in board of education.—*Williams v. Bd. of Ed. of City of Parsons*, 106 Pac., 83.

Kentucky: An act to amend the school laws and to create boards of education and to define their duties in cities of the first class.

SECTION 1. Every city of the first class in the State [Louisville being the only one] shall constitute a single school district, and the supervision and government of the public schools shall be vested in a board of education consisting of five members. Such board shall be a body corporate and shall do all things necessary to accomplish the purpose for which the district is organized.

SEC. 2. Such board shall have exclusive control of the common schools, including kindergartens, high schools, manual training schools, and normal schools, and of common-school property in such city; appoint officers, agents, and employees, and fix their compensation; fix time for its meeting and make rules, regulations, and by-laws therefor, and for the government of the schools, and for the examination, qualification, and employment of teachers, such regulations to be operative until repealed by vote of four members; to certify to the general council the amount of money necessary for the schools; to hold real and personal property.

SEC. 3. May institute condemnation proceedings if necessary to secure real property.

SEC. 4. Members of board of education must be 30 years of age, housekeepers, or owners of real estate, residents of the city for three years; must not hold any other office (except that of notary public or in the militia of Kentucky); must have no interest in any contract with the board or in the sale to the board of books, supplies, etc.; must not be of the same immediate family as any teacher or employee of the board.

SEC. 5. Members of the board shall receive no compensation, but shall be exempt from jury duty and from service as election officers.

SEC. 6. Members shall be elected from the city at large, and for the term of four years.

SEC. 7. Elections for members of the board shall be by secret ballot and on a separate sheet from all other ballots. Prescribes methods of conducting elections.

SEC. 8. Prescribes further details of elections.

SEC. 9. The first board, elected in November, 1910, after organizing shall divide its members by lot into two classes, one class consisting of two members to serve two years, and the other class consisting of three members to serve four years. Elections thereafter to be held in November of each even-numbered year, and members chosen to fill the places of those whose terms next expire shall hold office for four years.

SEC. 10. At the first regular meeting after January 1 each year the board shall reorganize by electing one of its members president and another vice president.

SEC. 11. Vacancies shall be filled by the board, the member so chosen to hold office until his successor is elected and qualified.

SEC. 12. When the new board shall have organized, the previously existing board, all its officers and employees, shall surrender their places and functions to the new board.

SEC. 13. The board of education shall adopt rules, by-laws, and regulations for its meetings and for the management of the schools within 60 days after its organization.

SEC. 14. The said board shall appoint a superintendent of schools, a business director, a secretary and treasurer, and other necessary officers, agents, and employees, none of which shall be members of said board.

SEC. 15. The superintendent of schools shall be appointed for one year, but if reelected it shall be for a term of four years. His compensation shall not be changed during the term for which he was elected; he may be removed by vote of three members. The board may appoint assistant superintendents on the nomination of the superintendent, who may be removed by the superintendent with the approval of the board. The superintendent shall have general supervision, under the control of the board, of the course of instruction, discipline, and conduct of the schools, textbooks, and studies. All appointments, promotions, and transfers of teachers and truant officers, and introduction and changes of textbooks and apparatus shall be made only on the recommendation of the superintendent and the approval of the board. The superintendent may suspend a teacher or truant officer, subject to the action of the board. All appointments and promotions shall be made on the basis of merit. The superintendent shall conduct examinations of teachers

in accordance with State laws and regulations of the board; shall devote himself exclusively to the duties of his office; may appoint and remove clerks; shall exercise general supervision over the schools; shall keep himself informed of the progress of education elsewhere; shall make reports; and be responsible to the board.

Sec. 16. The board shall appoint a business director; term one year; if reelected it shall be for four years; may be removed by vote of three-fifths of the board; salary not to be changed during term; executive officer of the board; executes and enforces contracts; custodian of all property except moneys; supervises construction and repairs of buildings.

Sec. 17. The business director shall devote his entire time to the duties of his office; salary fixed by board; shall give bond.

Sec. 18. Subject to approval of board, business director shall appoint and may remove engineers, janitors, and other necessary employees and agents. Board may provide for competitive examinations for janitors and engineers; a mechanical engineer expert in heating and ventilation shall be employed.

Sec. 19. Duties of board and school director in relation to advertisements, proposals, and contracts for the erection and repair of buildings.

Sec. 20. Duties of the board in relation to advertisements, proposals, and contracts for supplies.

Sec. 21. The board shall appoint a secretary and treasurer, term one year; if reelected it shall be for four years; may be removed; shall give bond; salary not to be changed during term; shall exercise, subject to control of board, supervision over the fiscal affairs of the schools, the collection of funds, and the disbursement of moneys; shall record proceedings of board; shall make periodical statements and reports; custodian of records and papers; subject to approval of board may appoint and remove assistants.

Sec. 22. Advertisements, proposals, and contracts for deposit of funds of the board. Withdrawals only by check signed by the secretary and treasurer and countersigned by president or vice president.

Sec. 23. Annual apportionment of funds to the several departments.

Sec. 24. The board may borrow money; limitations.

Sec. 25. For the maintenance of schools the general council shall annually caused to be levied and collected a tax of not less than 30 cents on each \$100. The amount so raised to be paid over to the board.

Sec. 26. Moneys received as the city's portion of the State school fund shall be appropriated for the maintenance of schools.

Sec. 27. Escheated property shall accrue to the board.

Sec. 28. Existing laws relating to the assessment and collection of taxes, fines, and penalties are not altered or repealed by this act unless inconsistent therewith.

Sec. 29. At the close of each fiscal year the mayor shall appoint expert accountants to examine the books and accounts of the secretary and treasurer and the business manager and to make recommendations relating to business methods.

Sec. 30. The board may establish and maintain kindergartens, manual training schools, normal schools, and normal classes.

Sec. 31. The board shall provide separate schools for colored children.

Sec. 32. The board shall prescribe the qualifications for admission to the various schools, and may furnish textbooks and supplies to pupils free of charge.

Sec. 33. No sectarian instruction shall be given.

Sec. 34. Nonresident pupils may be admitted upon payment of proper tuition fees.

Sec. 35. The board shall make reports to the State superintendent of public instruction; shall take school census every three years or oftener. In years in which no census is taken the State superintendent shall estimate the number of children for the purpose of apportionment of funds upon the basis of the three enumerations next preceding.

Sec. 36. The board shall make an annual report.

Sec. 37. Penalties for violation.

Sec. 38. Applicable general laws shall be in full force in the city.—Ch. 2, Mar. 4, 1910.

* Kentucky (1910): A superintendent of schools held to have authority to appoint on June 29 a school trustee to fill a vacancy to occur on July 1, in the same year, where his term extended beyond that date.—Terry et al. v. Cornett, 124 S. W. 870.

- **Kentucky (1910):** Where trustees of a school district agreed that plaintiff should have the amount of certain taxes for three years, they did not perform the contract if they negligently omitted to collect a part of the taxes due.
In an action for breach of a school district's contract to pay plaintiffs the amount of certain taxes collected for three years, evidence held to show that if the school trustees had used diligence in having property listed plaintiffs would have received an additional amount equal to the verdict for them.—*White Common Sch. Dist. No. 12 et al. v. Grady et al.*, 127 S. W., 537.

Louisiana: Requiring each school board except in the Parish of Orleans to elect a school-board printer, who shall be the owner or representative of an established newspaper published in the parish.

The person so selected shall designate a newspaper published in the parish as the official journal of the school board, and he shall publish in said journal all the proceedings of the said school board and all official notices which the law requires to be published. Such publication shall be paid at the rate of 50 cents per 100 words for the first insertion and 25 cents for each subsequent insertion. The charge for all job work shall be at the lowest current rate.
No. 134, July 5, 1910.

Louisiana: Limiting the term of office of officials and employees of State, district, parochial, and municipal boards to term of office of the members of the board electing them.

Parish superintendent of education shall be elected at the first meeting in July following the election of the school board. No. 30, June 24, 1910.

- **Louisiana (1910):** Where a school board furnishes an appeal bond, which it is exempted from by Act No. 173 of 1902, it does not forfeit the right of exemption, nor its appeal because of an insufficient bond.
School board held not empowered to offer rewards for detection and punishment of crime.—*Luchini et al. v. Police Jury et al.*, 53 So., 68.

• **Louisiana (1910):** A chairman of a local committee appointed by a parish school board held responsible to the board for unsuitable brick contracted for.—*Parish Bd. of Sch. Dir. v. Alexander*, 51 So., 906.

• **Louisiana (1911):** A school board must be sued in its own name under Code prac., Art. 119, and the citation addressed to it under Art. 179.

Acceptance of service by the president of a school board of a citation served on him does not cure the want of citation to the school board.

Appearance of the president of a school board without authority from that body held not to cure the want of citation against such corporation.

That a school board filed exceptions of no cause of action, misjoinder, and nonjoinder after having first excepted to the jurisdiction for want of citation did not cure such want of citation.

A motion held not to cure the want of citation of a school board as defendant.—*White Hall Agr. Co. et al. v. Police Jury of Concordia Parish et al.*, 54 So., 337.

Maine: Relating to the union of two or more towns for the employment of a superintendent of schools.

The State superintendent of public schools may, under certain circumstances, approve the union of towns for said purpose when such towns have an aggregate of less than 20 or more than 50 schools.

Ch. 92, Mar. 27, 1911.

Maine: Establishing a board of education in the city of Biddeford.

Said board shall consist of the mayor and four persons elected by the people at large to serve four years, the term of one expiring each year.

Ch. 172, Mar. 22, 1911.

Maine: Fixing the compensation of the superintendent of schools of the city of Old Town for supervising certain schools for Penobscot Indians.

Ch. 148, Mar. 30, 1911.

Maine: Providing for the discharge of the superintendent of schools by the superintending school committee and the declaring of a vacancy in his office for a protracted absence.

Ch. 173, Mar. 30, 1911.

Maine: Providing that the amount of State aid for salaries of superintendents of towns comprising school unions shall be deducted from State school funds.
Ch. 191, Mar. 31, 1911.

* **Maine (1910):** Under Priv. and Spec. Laws, 1868, ch. 465, 2, as amended by Priv. and Spec. Laws, 1907, ch. 129, held that a superintending school committee could not deprive themselves of the right to remove a superintendent at any time by a contract of employment for a definite term.—*Collins v. City of Lewiston*, 77 At., 834.

Maine: See A (b).

Massachusetts: An act relative to the school committee of the city of Newton.

Reduces the number of members to eight; namely, the mayor, ex officio, and one elected from each of the seven wards. The act must be adopted by the voters of the city before taking effect.
Ch. 232, Mar. 18, 1910.

Massachusetts: Providing a new charter for the city of Cambridge.

Section 20 prescribes the powers and duties of the school committee in the conduct of the schools.
Ch. 531, June 7, 1911.

Massachusetts: Providing for the permanence of school superintendency unions.
Ch. 390, May 4, 1911.

Massachusetts: Defining the duties and powers of school superintendents.

He shall supervise the schools, be executive officer of the school committee, assist the school committee in keeping records and accounts and making reports, recommend teachers, and recommend textbooks and courses of study.
Ch. 444, May 13, 1911.

Massachusetts: Amending sec. 44, ch. 42, of the Rev. Stat., relating to the employment of superintendents of school unions.

Fixes tenure of office at three years.
Ch. 384, May 1, 1911.

Michigan: Authorizing the board of education of any organized school district containing a population of 100,000 or more to purchase or lease lands for schoolhouse sites, agriculture, athletic fields, and playgrounds; and to sell any property no longer required, and to establish and maintain agricultural, trade, and vocational schools; and if deemed necessary to acquire lands for such purposes outside the district limits.
No. 222, Apr. 28, 1911.

Minnesota: Providing for the compensation and expenses of members of the school board in common-school districts consisting of 10 or more townships.

Compensation: \$200 a year where such district contains 30 public schools; \$400, 31 to 61 schools; \$600, 62 to 91 schools; \$800, 91 schools or more. Traveling expenses shall be the maximum being fixed at \$150, \$300, \$450, and \$500, depending upon the number of schools in the district.
Ch. 148, Apr. 13, 1911.

Minnesota: Requiring school boards in districts of 10 or more townships to publish their proceedings.

The public examiner shall annually examine the books and records of such districts.
Ch. 361, Apr. 20, 1911.

Minnesota: Authorizing the chairman of the school board of any common-school district to receive as compensation such an amount as may be voted at regular school meeting, not to exceed \$8 in any one year.

Ch. 240, Apr. 18, 1911.

* **Mississippi (1910):** An indictment for forgery of a school trustee's certificate, as required by Code 1906, sec. 4563, held demurrable.

In a prosecution for forgery of a school trustee's certificate, held that the persons whose names are forged must be trustees of the public school, which fact must be formally alleged.—*Griffin v. State*, 51 So., 406.

- **Missouri (1910)**: The statute providing the method by which notice of a special meeting of the board shall be given, must be obeyed.
The statute authorizing the majority of the board to hire a teacher means a majority acting at a legal meeting, and not a majority of the directors acting separately.

Special meeting of school directors to employ a teacher held valid under Rev. Stat., 1899, sec. 9706 (Ann. Stat., 1906, p. 4479).—Johnson v. Dye, 127 S. W., 413.

Montana: Empowering districts having a population of 2,000 [was 5,000] or more to employ a superintendent of schools for a term not exceeding three years.
Ch. 41, Feb. 23, 1911.

- **Montana (1909)**: Presentation of a claim to clerk of a school district and his action thereon held to create no obligation on part of district.—Kenyon-Noble Lumber Co. v. Sch. Dist. No. 4 of Gallatin Co. et al., 105 Pac., 551.

Nebraska: Relating to certain officers of boards of education in cities of the first class having between 25,000 and 40,000 inhabitants, and also to taxation and bonds in such cities.

Each of such boards shall annually elect a secretary, who shall not be a member of the board, and whose salary shall not exceed \$1,000 per annum, and a superintendent of buildings whose salary shall not exceed \$1,200 per annum.

The aggregate of school tax, exclusive of school-bond taxes, shall in no one year exceed 18 [instead of 15] mills. Under certain specified conditions the board of education may borrow money upon bonds bearing not over 5 [instead of 6] per cent interest. Not over \$50,000 of such bonds shall be issued in any one year.
Ch. 124, Apr. 4, 1911.

- **Nebraska (1911)**: Long-continued construction of Laws 1881, ch. 78, subd. 13, secs. 2, 3, 5, allowing compensation to secretary of board of education of State normal schools, knowing he was a member of the board authorizes the State auditor to approve such claim.—State ex rel. Ludden v. Barton, auditor, 130, N. W., 260.

- **Nebraska (1910)**: Right to mandamus to compel payment of a school district warrant stated.

Cobbey's Ann. Stat., 1909, sec. 8430, giving a board of education power to hire a regular attorney, held not to disable board from employing counsel at the district's expense in addition to the regular attorney.

School district warrants are not negotiable and a purchaser takes them subject to all existing equities.—State ex rel. J. L. Brandies & Sons v. Melcher, city treas., 127 N. W., 241.

- **Nebraska (1911)**: Where school district has exercised its franchises for a year, its legal organization will be conclusively presumed.

Where, in the statutory name of a school district as used, the words are transposed, the variance will not invalidate acts of the district.

Under Comp. Stat., 1900: ch. 79, subd. 14, an election to determine the issuance of school bonds may be called on the vote of two-thirds of the members of the board of education.—Kockrow et al. v. Whisenand et al., 130 N. W., 287.

Nevada: See A (a).

New Hampshire: Providing that each member of the school board of the city of Manchester shall receive \$25 annually for his services.

Ch. 203, Mar. 15, 1911.

New Jersey: An act concerning the appointment of members of the board of education in certain cities of this State.

In all cities having a board of education appointed by the mayor, any duly qualified resident may be appointed to serve on such board without regard to his place of residence.

Ch. 218, Apr. 9, 1910.

New Jersey: Regulating the employment and discharge of public-school janitors.

Provides that no public-school janitor shall be dismissed or suspended nor have his compensation decreased except upon sworn complaint for cause and upon a hearing had before the school board.

Ch. 44, Mar. 20, 1911.

New Jersey: Extending the application of an act entitled "An act regulating the employment, tenure, and discharge of certain officers and employees of this State and of the various counties and municipalities thereof, and providing for a Civil Service Commission and defining its powers and duties," approved April 10, 1908, to all school districts of this State.

Ch. 346, May 2, 1911.

New Jersey: With certain exceptions, city boards of education shall be appointed by the mayor; five members in cities having less than 45,000 inhabitants, nine in cities having more than 45,000 inhabitants; appointments each year in January, and terms begin February 1.

Ch. 370, Apr. 2, 1912.

New Jersey: In incorporated town districts of over 10,000 inhabitants the board of education shall consist of two persons appointed by the mayor. [Takes such towns from the general law, which required nine members.]

Ch. 340, Apr., 1912.

New Jersey: The custodian of the school district money [who is also custodian of the moneys of the municipality in which the district is located] shall receive compensation fixed by the board of education, (instead of the common council, etc.) and be paid from funds of the board of education [instead of the common council, etc.]. If the term of custodian expires before the end of the school year, he shall continue as custodian of the school funds until the end of the school year. Said custodian shall render accounts to the board of education and shall deposit the school moneys in depositories named by the board of education.

Ch. 285, Apr. 1, 1912.

* **New Jersey (1910):** Term "financial officer" as used in 2 Gen. Stat., 1895, p. 2078, sec. 2, as applied to school districts defined.

A claimant of a lien on a fund applicable to a municipal building may include items furnished to him by another and used in the building.—*Hazard et al. v. Bd. of Ed. of Sch. Dist. of Boro. of Swedesboro et al.*, 75 At., 237.

* **New Jersey (1908):** Township committee does not abuse its discretion in fixing the salary of the custodian of school funds at an amount less than would have been paid on a percentage basis under a statute recently repealed.—*Rice v. Middletown Twp., Monmouth Co.*, 74 At., 665.

* **New Jersey (1911):** Contract for heating apparatus for schoolhouse can be made only by the board at a regular meeting under Pub. Laws 1903 (2d sp. sess.), p. 34, sec. 89, and a contract by the president and clerk is unauthorized.—*American Heat. & Vent. Co. v. Bd. of Ed. of T'n. of West. N. Y.* 70 At., 313

* **New Jersey (1912):** Where a public board, required to award a bid to the lowest responsible bidder after advertisement, allows bidders to furnish plans and specifications, all bidders were not made acquainted with the specifications in their entirety, and the opportunity to bid afforded by definite specifications, open to all bidders, was not given.

A public board, charged with the duty of awarding a contract for public work to the lowest responsible bidder will not have discharged its duty where, after bids have been opened, it agrees with the then lowest bidder to diminish the amount of the work in consideration of a reduction of the bid.—*Kay et al. v. Bd. of Ed. of Kearney et al.*, 83 At., 954.

New Mexico: The board of education of each incorporated city shall consist of five members, elected at large. Full terms, four years; two of the first board expiring in two years and three in four years. Election, first Tuesday in April in each odd-numbered year. (Formerly two members from each ward; terms two years, one elected each year.)

Ch. 43, June 8, 1912.

New Mexico: Relating to publications (in periodicals).

The publication of proceedings of boards of education and school directors which are required by law shall be published once only, and in English. Publications relating to school matters shall be paid from the school funds.

Ch. 49, June 10, 1912.

New York: Amending the education law.

Section 284 forbids school district trustees to issue a warrant for the salary of a teacher unless funds are available to pay such warrant.

Section 285 forbids the interest of trustees in school contracts.

Section 310 makes it the duty of the boards of education of union free-school districts to purchase land for recreation grounds when designated by a meeting of the district.

Ch. 140, Apr. 22, 1910.

New York: Amending the Greater New York charter, relative to vacations of employees.

Grants to the employees of the department of education a vacation of not less than two weeks in each year.

Ch. 679, June 25, 1910.

New York: Amending the Greater New York charter in relation to the power of the board of education to dispose of personal property.

Authorizes the said board to sell at prevailing market prices such manufactured articles or other products of its vocational, trade, preparatory trade schools, and truant schools, day and evening, as may not be utilized by the board of education, and all moneys realized by the sale thereof shall be paid in to the city treasurer, and shall at once be appropriated by the board of estimate and apportionment, to the special school fund of the board of education for use in the borough in which the property sold was situated.

Ch. 456, June 9, 1910.

New York: Amending the charter of the city of Lackawanna.

The superintendent of schools and the attendance officers of District No. 6, shall enforce the compulsory attendance laws in all the territory included in the city limits. The school commissioner shall have no jurisdiction in District No. 6, which lies wholly within the city.

Ch. 491, June 15, 1910.

New York: Amending the charter of the city of Poughkeepsie.

Sec. 161. The board of education shall consist of seven members who shall be styled commissioners of schools. Upon the expiration of the terms of office of the commissioners now appointed, and annually thereafter, the mayor shall appoint one commissioner of schools for the term of seven years.

Ch. 632, June 23, 1910.

New York: Amending the charter of the city of Rensselaer in relation to special tax election for school purposes.

Date of such election shall be fixed by the board of education.

Ch. 597, June 22, 1910.

New York: Amending the charter of the city of Watertown.

Sec. 13. * * * On the 1st day of January, 1911, the mayor shall appoint nine commissioners of education, two of whom may be women, three of said number for a term of one year, three for a term of two years, and three for a term of three years; their respective terms of office shall commence on the 1st day of January, 1911, and shall terminate at the end of one, two, and three years, respectively.

Ch. 500, June 15, 1910.

New York: AN ACT To amend the education law by abolishing the office of school commissioner, creating the office of district superintendent of schools, and prescribing the powers, duties, and responsibilities of such superintendent.

Sec. 380. The office of district superintendent of schools is hereby created to begin on the 1st day of January, 1912.

Sec. 381. 1. The territory embraced in the school commissioner districts of the State outside of cities and of school districts of 5,000 population or more, which employ a superintendent of schools, shall be organized and divided into supervisory districts. In the formation or division of such territory into such districts no town shall be divided. The territory of such districts must be contiguous and compact, and towns shall be arranged in districts so that there shall be as equal a division of the territory and number of school districts as may be practicable.

2. In a county entitled to two or more supervisory districts, the school commissioner of each school commissioner district in such county and the

supervisor of each town in such county shall meet at the county seat of such county on the third Tuesday in April, 1911, at 10 o'clock in the forenoon and divide such county into the number of supervisory districts to which it is entitled.

5. The number of supervisory districts into which each county shall be organized or divided is as follows:

[Four counties comprise one district each; 8 contain 2; 18 contain 3; 13 contain 4; 7 contain 5; 4 contain 6; 2 contain 7; 1 contains 8.]

Sec. 382. 1. Two school directors shall be elected for each town at the general election held in the year 1910. One of such directors shall be elected to serve until January 1, 1913, and the other shall be elected to serve until January 1, 1916. A director shall be elected at the general election in 1912 and every fifth year thereafter any one shall be elected in 1915 and every fifth year thereafter. The term of office of the directors elected in 1912 and thereafter shall commence on the 1st day of January following their election and continue for five years.

2. A school director shall vacate his office by removal from the town or by filing a written resignation with the town clerk. A vacancy in the office of school director shall be filled by the town board of the town in which such vacancy exists. If the town fails to elect a director, a vacancy shall be deemed to exist in such office.

3. A school director before entering upon the discharge of the duties of his office, and not later than 30 days after the date on which he was elected to office, shall take the oath of office prescribed by the constitution.

4. A school director shall receive \$2 per day for each day's service and his necessary travelling expenses.

Sec. 383. 1. The school directors of the several towns composing a supervisory district shall meet for organization at 11 o'clock in the forenoon on the third Tuesday in May following their election. Such meeting shall be held at a place in the supervisory district, designated by the county clerk, at least 10 days previous to the date thereof. The school directors present at such meeting shall organize by electing from their number a chairman, a clerk, and two inspectors of election. The school directors at such meeting shall designate a place for holding future meetings.

2. The school directors of the several towns composing a supervisory district shall be a board of school directors, and such board of directors shall meet at 11 o'clock in the forenoon on the third Tuesday in August, 1911, and on the third Tuesday in June every fifth year thereafter and elect a district superintendent of schools.

3. If such directors fail to elect a district superintendent of schools before the 1st day of January following the date of such meeting, and a vacancy exists in such office, the county judge shall appoint such superintendent, who shall serve until the board of directors shall fill such vacancy.

4. In the election of such district superintendent the vote shall be by ballot and the person receiving a majority of all votes cast shall be elected. Each school director shall be entitled to one vote in such election.

Sec. 384. 1. To be eligible to election to the office of district superintendent of schools a person must be at least 21 years of age, a citizen of the United States, and a resident of the State, but he need not be a resident of the supervisory district for which he is elected at the time of his election. Such superintendent must, however, become a resident of the county containing the district for which he has been elected on or before the date on which his term of office begins. Failure to acquire such residence will be deemed a removal from the county. No person shall be ineligible on account of sex.

2. In addition thereto he must possess or be entitled to receive a certificate authorizing him to teach in any of the public schools of the State without further examination, and he shall also pass an examination prescribed by the commissioner of education on the supervision of courses of study in agriculture and teaching the same.

3. A district superintendent who is removed from office shall not be eligible to election to such office in any supervisory district for a period of five years.

Sec. 385. A district superintendent of schools before entering upon the discharge of the duties of his office, and not later than five days after the date on which his term of office is to commence, shall take the oath of office prescribed by the constitution.

Sec. 386. The district superintendents elected in 1911 shall hold office until the 1st day of August, 1916. The full term of office of a district superintendent

ent of schools elected in 1916 and thereafter shall be five years and shall commence on the 1st day of August next after his election. A district superintendent of schools, unless removed, shall hold office until his successor is chosen and qualified.

Sec. 387. The office of district superintendent of schools shall be vacant upon—

1. The death of an incumbent.
2. His removal from office by the commissioner of education.
3. His removal from the county.
4. His filing in the office of the clerk of the county his written resignation.
5. His acceptance of the office of supervisor, town clerk, or trustee of a school district.
6. His failure to take and file the oath of office as provided in this article.

Sec. 388. Whenever a vacancy occurs it shall be filled for the remainder of the unexpired term by the board of school directors.

Sec. 389. 1. Each district superintendent shall receive an annual salary from the State of \$1,200, payable monthly by the commissioner of education from moneys appropriated therefor.

2. The supervisors of the towns composing any supervisory district may, by adopting a resolution by a majority vote, increase the salary to be paid by such district to its district superintendent. The board of supervisors of each county shall levy such amount annually by tax on towns composing such supervisory district within the county.

Sec. 390. The commissioner of education shall quarterly audit and allow the actual sworn expense incurred by each district superintendent of schools in the performance of his official duties, but the amount of such expense allowed shall not exceed in any year \$300. Such expenses shall be paid by the commissioner of education from moneys appropriated therefor.

Sec. 391. The commissioner of education may, whenever he is satisfied that a district superintendent of schools has persistently neglected to perform an official duty, withhold payment of the whole or any part of such superintendent's salary as it shall become due, and he may also withhold any sum to which such superintendent shall be entitled for expenses and the amount thus withheld shall be forfeited; but said commissioner may, in his discretion, remit such forfeiture in whole or in part.

Sec. 392. The commissioner of education may, by an order under the seal of the educational department, remove a district superintendent of schools from office whenever he is satisfied that such superintendent—

1. Has been guilty of immoral conduct;
2. Is incompetent to perform any official duty; or
3. Has persistently neglected or willfully refused to perform any lawful duty imposed upon him.

Sec. 393. A district superintendent of schools shall not—

1. Be directly or indirectly interested, otherwise than as author, in the sale, publication, or manufacture of school books, maps, charts, or school apparatus or in the sale or manufacture of school furniture or any other school or library supplies.

2. Be directly or indirectly interested in any contract made by the trustees of a school district.

3. Be directly or indirectly interested in any agency or bureau maintained to obtain or aid in obtaining positions for teachers or superintendents.

4. Directly or indirectly receive any emolument, gift, pay, reward, or promise of pay or reward for recommending or procuring the sale, or aiding in procuring the sale, use, or adoption of any book, map, chart, school apparatus or furniture, or other supplies for any school or library or for recommending a teacher or aiding a teacher in obtaining an appointment to teach.

Sec. 394. A district superintendent of schools shall devote his whole time to the performance of the duties of his office and shall not engage in any other occupation or profession. Such time as shall not necessarily be devoted by a district superintendent of schools to the performance of the clerical and administrative work of his office shall be devoted to the visitation and inspection of the schools maintained in his supervisory district.

Sec. 395. A district superintendent of schools shall have power and it shall be his duty—

1. To inquire from time to time into and ascertain whether the boundaries of the school districts within his supervisory district are definitely and

plainly described in the records of the office of the proper town clerk; and in case the record of the boundaries of any school district shall be found indefinite or defective, or if the same shall be in dispute, then to cause the same to be amended or an amended record of the boundaries to be made. All necessary expenses incurred in establishing such amended records shall be a charge on the district or districts affected, to be audited and allowed by the trustees thereof, on the certificate of the district superintendent.

2. To assemble all the teachers of his district by towns or otherwise on days other than legal holidays when schools are not in session, for the purpose of conference on the course of study, for reports of and advice and counsel in relation to discipline, school management, and other school work, and for promoting the general good of all the schools of the district.

3. To frequently and thoroughly inspect the work done in the training classes maintained in his district and to report to the commissioner of education on the efficiency of the instruction given and the observation and practice work done by the members thereof.

4. To hold meetings of trustees and other school officers and to advise with and counsel them in relation to their powers and duties, and particularly in relation to the repair, construction, heating, ventilating, and lighting of schoolhouses and improving and adorning the school grounds. To especially advise trustees relative to the employment of teachers, the adoption of textbooks, and the purchase of library books, school apparatus, furniture, and supplies.

5. To direct the trustees of any district to make any alterations or repairs to the schoolhouses or outbuildings which shall, in his opinion, be necessary for the health or comfort of the pupils, but the amount which trustees shall be directed to expend in such alterations or repairs shall not exceed \$200 in any one year.

6. To direct the trustees of any district to make any repairs or alterations to school furniture, or where, in his opinion, any furniture is unfit for use and not worth repairing, or when sufficient furniture is not provided to direct that such new furniture shall be provided as he deems necessary, but the amount thus directed to be expended shall not exceed in any one year \$100.

7. To direct the trustees of any district to abate any nuisance in or on the school grounds.

8. To condemn a schoolhouse as provided elsewhere in this chapter.

9. To examine and license teachers pursuant to the provisions of this chapter. He shall also conduct such other examinations as the commissioner of education shall direct.

10. To examine any charge affecting the moral character of any teacher residing or employed within his district, and to revoke such teacher's certificate as elsewhere provided by this chapter.

11. To take affidavits and administer oaths in all matters pertaining to the public-school system but without charge or fee.

12. To take and report to the commissioner of education under the direction of such commissioner testimony in a case on appeal. In such a case or in any matter or proceeding to be heard or determined by the district superintendent he may issue a subpoena to compel the attendance of a witness. Service of such subpoena shall be made a reasonable time before the date named therein for the hearing by exhibiting the same to the person so served, with the signature of the district superintendent of schools attached, and by leaving a copy thereof with such person. The witness shall be entitled to receive at the time of service the same fees as provided by law for witnesses in a court of record. Disobedience to such subpoena shall subject the delinquent to a penalty of \$25, which shall be recovered by the county treasurer in his name of office for the benefit of the county.

13. To exercise, in his discretion, any of the powers and perform any of the duties of another district superintendent on the written request of such other superintendent, and he must exercise such powers and perform such duties when directed to do so by the commissioner of education.

14. To make such investigations and to make such reports to the commissioner of education upon any matter or act as said commissioner shall from time to time request. He shall make an annual report on the 1st day of September in such form and giving such information as the commissioner of education shall require. For this purpose he shall procure the reports of trustees of school districts from the town clerks' offices, and after abstracting the

necessary contents thereof shall indorse and deposit them with a copy of his abstract in the office of the county clerk.

Sec. 396. A district superintendent shall be subject to such rules and directions as the commissioner of education shall from time to time prescribe.

Sec. 397. A district superintendent of schools shall, in addition to the duties especially conferred upon him by this title, possess and be subject to all the powers, duties, and responsibilities with which a school commissioner is charged by law.

Sec. 398. Appeals from the official acts of a district superintendent of schools or from his refusal or failure to act in any matter in which he may legally act may be taken to the commissioner of education. All questions in controversy relating to the election of such district superintendent or to the formation of supervisory district shall be determined by the commissioner of education on proper appeal. The provisions of article 14 of this chapter shall apply to and govern such appeals and decisions therein.

Ch. 607, June 23, 1910.

- New York (1910): Public-school premises in New York City held under the supervision and control of its board of education.

Statement of right of New York City to rely on its school board performing the duty in the first instance of cleaning snow and ice from the sidewalks in front of a public school.

Notice to the principal and janitor of a public school of New York City, and to the inspector of its board of education, of accumulation of snow and ice on the sidewalk in front of school premises, held not notice to the city—*Owen v. City of New York*, 126 N. Y. Sup., 38.

- New York (1910): In absence of statutory authority, board of education is without power to discipline its employees by imposition of a fine.

Under Greater New York charter, (Laws, 1901, ch. 466, secs. 1063, 1100) a janitor of a public school is an employee and may be fined for violation of rules.

Greater New York charter (Laws, 1901, ch. 466, sec. 1068) authorizes the adoption of by-laws by the board of education providing for the imposition of a fine on a janitor of a public-school building for a violation of proper rules.

A contract of employment between a school board and the janitor of a school building does not exempt the janitor from the operation of by-laws subsequently adopted regulating duties of janitors and providing for a fine for the violation of such regulations.—*Farrell v. Bd. of Ed. of City of New York*, 122 N. Y. Sup., 239.

- New York (1911): Certiorari is the only remedy to review the action of the board of education in fining a janitor for violation of rule of the board.

Under Greater New York charter (Laws, 1901, ch. 466, secs. 1100, 1068, 1063), granting the board of education certain judicial powers over officers and subordinates and the power to fine for violation of rules, a janitor is an employee subject to penalty of fine by the board.

The board of education having jurisdiction to try and determine a charge against janitor for infraction of rules, its determination is a final judgment and can not be collaterally attacked.

If any prerogative of the board of education has been unlawfully assumed by the board of education, or any abuse of authority indulged in or any substantial injustice done, the appellate division on review may ratify it.

Section 25 of the by-laws of the board of education, providing that the committee on care of buildings may impose a fine not exceeding five days' salary, held not to conflict with the power of the board of education to fine under Greater New York charter (Laws, 1901, ch. 466, secs. 1100, 1068, 1063).—*Egan v. Bd. of Ed. of City of New York*, 127 N. Y. Sup., 611.

- New York (1910): Code Civ. Proc., secs. 1927, 1929, held not to authorize an action against the members of a board of education of a union free-school district, individually.

A judgment against three individuals of a board of education in a justice court held erroneous.

In view of education law (Consol. Laws, ch. 16, sec. 220) making the board of education of a free-school district a corporation, liability for wrongful discharge of a teacher employed by the board is a liability of the board as a corporation.

On appeal to the county court from a justice court in an action against individuals of a board of education, held that the county court could not sub-

stitute the board of education as defendant in place of the individuals.—*Reynolds v. Foster et al., Bd. of Ed., 123 N. Y. Sup., 273.*

* New York (1910): School commissioner held part of the State system subject to the control of the commissioner of education.

Under educational law (Consol. Laws, ch. 16, sec. 338) the commissioner of education may remove a school commissioner for negligence without notice or hearing.

In determining whether a school commissioner has been guilty of wilful violation or neglect of duty within educational law (Consol. Laws, ch. 16, sec. 338) the commissioner of education may consider official records on file in the educational department of the State.

The office of school commissioner is not "property" in the sense that removal therefrom without a hearing is taking of property without due process of law.—*People ex rel. Woodward v. Draper, Com'r of Ed., 124 N. Y. Sup., 758.*

* New York (1910): Under Greater New York charter the board of aldermen and not the board of education has power to increase the salary of a statistician in the department of education of the city of New York.—*Hogan v. Bd. of Ed. of City of New York, 121 N. Y. Sup., 924.*

North Carolina: Requiring regular publication of reports of financial transactions of all municipal corporations and administrative boards, including all school boards.
Ch. 123, Mar. 7, 1911.

North Dakota: See A (a) and K (a).

Ohio: Relating to bonds of treasurers of boards of education.

Provides that, when school moneys have been deposited at banks, the bond shall be in such amount as the board of education may require; and that an order signed by the treasurer and by the president or vice president and countersigned by the clerk of the board of education shall be necessary for withdrawal of any money so deposited; and where such depositories have been designated according to law, all school moneys shall be deposited therein by the auditor upon written order of the board of education, signed by the president or vice president and countersigned by the clerk.

S. B. No. 81, May 17, 1910.

Ohio: Relating to deposit of school funds upon competitive bidding.

Provides that the banks used as depositories for school moneys shall give a good and sufficient bond or shall deposit bonds of the United States, the State of Ohio, or county, municipal, township, or school bonds issued by the authority of the State of Ohio, at the option of the board of education, in a sum not less than the amount deposited; and relieving the treasurer of the school district from any liability occasioned by failure of the banks or the sureties therefor.

S. B. No. 124, May 18, 1910.

Ohio: Relating to the organization of boards of education.

Provides that one member of the board shall be elected vice president, who shall serve for a term of one year, and that in township school districts the clerk of the township shall be clerk of the board.

H. B. No. 337, Apr. 28, 1910.

Ohio: Relating to the appointment of superintendents of city school districts, and providing a uniform time for beginning and ending of superintendent's contract.

Election shall be at a regular meeting of the board of education between May 1 and August 31. Term of office of such superintendents shall end August 31. In the event of a vacancy before May 1, the board of education may appoint a superintendent for the unexpired portion of the school year.

H. B. No. 361, p. 163, May 31, 1911.

Oklahoma: Prohibiting treasurers from depositing school moneys in any bank which will not pay 3 per cent interest on average daily balances.

Ch. 72, Mar. 11, 1911.

* Oregon (1910): A board of school directors held authorized to exercise only the powers expressly granted by statute and such as may be necessary to carry the granted powers into effect.

Under B. & C. comp., sec. 3339, subds. 5, 14, the selection of a school site held vested in the electors of the district and not in the district board.

Under B. & C. comp., sec. 3339, subda. 5, 31, a board of school directors may be authorized by the same vote of the electors of the district to build a school-house, purchase a school site, and issue bonds therefor.—*Baxter v. Davis et al.*, Bd. Sch. Dir., 112 Pac., 410.

Pennsylvania: See A (c).

* Pennsylvania (1912): Board of school directors held to have abused its discretion in relocating a school, so that a court of equity has jurisdiction to interfere by injunction for protection of the public.—*Lamb et al. v. Redding et al.*, 83 At., 392.

* Pennsylvania (1909): Board of school directors authorized to elect a principal of schools for three-year term.—*Toye v. Exeter Boro. Sch. Dist.*, 74 At., 60.

Rhode Island: School committees of two or more towns may vote (instead of vote of qualified electors) to unite to employ superintendent, said union not to be dissolved in three years except by concurrent votes of the school committees of the majority of towns in the union. (Was by vote of the majority of towns.)
Ch. 804, Apr. 18, 1912.

* South Carolina (1911): A return of service of process in an action against a school district and affidavits held to show a proper service.—*Sch. Dist. No. 9 of Richland Co. v. Fowles, Magistrate, et al.*, 70 S. E., 315.

South Dakota: Amending section 83 of chapter 135 of the laws of 1907.

Provides that when a school district shall for any reason fail to elect within one month a person to fill a vacancy in any school district office the county superintendent may fill the vacancy by appointment.

Ch. 138, Feb. 27, 1911.

Texas (1911): As school districts are not subject to a garnishment, assignee of the contract with the school board given as security for a note can not be deprived of such security by subsequent garnishment by creditors of the assignee whether the garnishee knew of such assignment when the writ of garnishment was served or not.—*Buchanan v. A. B. Spencer Lumber Co. et al.*, 134 S. W., 292.

Utah: Relating to duties of clerks of boards of education in cities.

Omits requirement that published reports shall show to whom moneys were paid.

Ch. 86, Mar. 18, 1911.

* Utah (1912): A citizen and resident taxpayer of an alleged high-school district has no such interest in the validity of the organization of the district as to authorize him to sue in the name of the State to test the validity of the district.

A school district is created by law and is an arm of the State, and the State alone may attack the validity of its organization.—*State v. Ryan*, 125 P., 686.

Vermont: Amending various sections of the public statutes relating to supervision.

Teachers must report as to certificates held to town superintendent (instead of clerk). Tests of sight and hearing shall be made at any time that apparent defects are observed. Supervisory unions shall not be dissolved because the number of schools falls below 25, or at the expiration of three years, except by the majority vote of all school directors. State shall pay expenses of annual meeting of superintendents, including traveling expenses of superintendents attending. Union superintendents are continued in office until their successors are elected. They shall prescribe the purchase of school books and supplies. Five or more towns having less than 25 legal schools may unite to form a union for supervisory purposes.

No. 59, Nov. 30, 1910.

Vermont: Relating to the board of school commissioners of the city of Rutland.

A member of the said board may move from one ward to another without vacating his office; removal from the city, however, shall create a vacancy.

No. 290, Jan. 4, 1911.

Virginia: An act to amend section 1485 of the Code in relation to the pay of the clerks of district school boards.

Provides that such clerks shall receive not over \$3 for each teacher. (Raised from \$2.)

Ch. 331, Mar. 17, 1910.

Virginia: An act to amend an act to authorize county or city school boards to sell or exchange public school property, etc., extending the same provisions to district school boards.

Ch. 243, Mar. 16, 1910.

Virginia: No officer of a city, town, or county shall be eligible to the office of clerk of the school board of such city, town, or county. Does not apply to towns of less than 1,000 inhabitants.

Ch. 236, Mar. 13, 1912.

* **Washington (1911):** Officers of a school district held to have authority to waive the district's right to object to the assessment of its property for benefits from street improvements.—City of Seattle Sch. Dist. No. 1 v. City of Seattle, 115 Pac., 173.

* **West Virginia (1911):** Members of board of education held not individually liable on contract, payable out of levy for future year, though void for want of power.—Coberly v. Gainer et al., 72 S. E., 790.

* **West Virginia (1911):** Where, at a general election, a president of a board of education was elected, his failure to qualify created a vacancy, under Code, 1906, ch. 45, sec. 2, which the county superintendent had a right to fill by appointment.—Smith v. Reppard, 71 S. E., 115.

Wisconsin: Creating subsection 2a of section 94m of the statutes, relating to special elections.

Provides that a special election of superintendent of schools may be held in case of failure to elect at a regular judicial election.

Ch. 338, June 14, 1911.

Wisconsin: Amending section 515a of the statutes, relating to the authority of school directors or boards of education to employ lecturers on natural sciences, historical, literary, and other subjects.

Directors of any school district [formerly cities only] may employ such lecturers.

Ch. 498, June 30, 1911.

Wisconsin: Providing for an art commission in cities of the first class.

"SECTION 1. An art commission is hereby established in cities of the first class, composed as follows:

"1. The president of the board of park commissioners ex officio.

"2. The president of the board of trustees of the public museum ex officio.

"3. The president of the board of school directors ex officio, two professional painters and two architects, who shall be residents of said city, the last four and their successors in office to be appointed by the three officials above named. The term of office of the four first appointed shall be one, two, three, and four years, respectively. Thereafter the term of office of each appointee shall be four years. Each appointee shall hold office until his successor is appointed and has qualified.

"Sec. 2. The commission shall serve without compensation as such and shall elect a president, vice president, and secretary from its own members, whose term of office shall be one year, and until their successors are elected and have qualified. The commission shall have power to adopt its own rules of procedure. Four commissioners shall constitute a quorum.

"Sec. 3. A suitable office shall be provided for the commission in the public museum building of such city. The expenses of the commission, not exceeding \$100 annually, shall be paid by the city.

"Sec. 4. Hereafter no work of art shall become the property of said city by purchase, gift, or otherwise, unless such work of art, or the designs of the

same, together with a statement of the proposed location of same shall first have been submitted to and approved by said commission, acting by a majority of all its members, nor shall any work of art not so approved be erected, or placed in, over, or upon, or allowed to exist in, over, or upon any street, avenue, square, place, common, park, municipal building, or other public place under the control of said city, or any department or officer thereof. No existing work of art in possession of said city shall be removed, relocated, or altered in any way without the similar approval of said commission, and any such work of art shall be removed, relocated, or altered in any way that may be ordered by a vote passed and approved in writing by all the members of said commission, and also approved by the mayor of such city.

"Sec. 5. The term art, as used in this act, shall apply to and include all paintings, mural decorations, statues, bas reliefs, sculptures, monuments, fountains, arches, ornamental gateways, memorial windows, and structures of a permanent character intended for ornament or commemoration.

"Sec. 6. Before any municipal building, bridge, approach, or other structure shall be erected by the city, the design therefor shall be submitted to said commission for examination and report, but such report shall be considered advisory and not mandatory.

"Sec. 7. If said commission shall fail to report on any matters submitted to it within 30 days after such submission, its decision shall be deemed unnecessary."

Ch. 318, June 8, 1911.

Wisconsin: Repealing section 4 of chapter 459 of the laws of 1907 and creating a new section to be designated section 4 of said chapter, providing for the nomination of candidates for members of the board of school directors in cities of the first class by a nonpartisan primary election.

The old law provided for such nominations by petition of 500 or more qualified voters.

Ch. 5, Mar. 2, 1911.

• **Wisconsin (1910):** Under Stat. 1898, secs. 604, 608, and Laws 1903, ch. 307, county superintendent of schools held not entitled to an increase in his salary under an order of the county board made during the term of his office.—*Sheboygan Co. v. Gaffron*, 126 N. W., 542.

• **Wisconsin (1909):** School district officers will only be held personally liable on a district order where it is shown that the order was illegally issued.

School board held individually responsible for contracts and orders not executed in compliance with those sections.—*State Bank of Reeseville v. Keinberger et al.*, 122 N. W., 1132.

• **Wisconsin (1910):** A school board having exercised the special powers conferred upon it to purchase a safe can not make a valid purchase of another unless it has authority under the statute.

Section 435, Stat. 1898, giving the school board care and keeping of school-houses, books, apparatus, and other property, confers no power upon them to purchase new property.

Section 436, Stat. 1898, providing that school boards may purchase books, blanks, and stationery for keeping a record of their proceedings held not to confer authority to purchase a safe.

A school board which has no authority in the first instance to authorize a purchase can not ratify such a purchase.—*Glidden State Bank v. Sch. Dist. No. 2 of town of Jacobs*, 128 N. W., 235.

A. (e) School Meetings; Elections; Qualifications for Voters.

See also C (b) and (c).

• **Arizona (1910):** A substantial compliance with the statute prescribing the notice of an election held all that is required.

Civil Code, 1901, paragraph 2184, held to confer on school district boards the power to designate the hours during which a school district bond election shall be held.

An allegation in a pleading contesting the validity of an election in a school district held tantamount to an allegation that two votes were cast by persons

who were not taxpayers of the district.—Hicks, Co. Treas. v. Krigbaum, 108 Pac. 482.

Arkansas: Providing for the manner of holding elections in special or single school districts and for other purposes. Act 169, p. 141, Apr. 7, 1911.

Colorado: Amending sections 5915, 5918, 5919, and 5920 of the Revised Statutes, relating to school elections. Ch. 207, May 28, 1911.

Colorado: Concerning elections, and providing for the appointment of registration committees and judges of elections, and the registration of all qualified electors in all said elections, and providing for the punishment of all violations of the provisions of this act. Ch. 127, May 30, 1911.

• Colorado (1910): Persons voting at election to consolidate school districts held not qualified, not having resided within the State one year.—People v. Turpin et al., 112 Pac., 539.

• Georgia (1910): Ballots in an election on the question of local taxation for school purposes held a sufficient compliance with Acts 1906, page 61, prescribing the method of marking the ballot.

Conduct of persons seeking to enjoin collection of a school tax held not to amount to laches.—Du Pre et al. v. Cotton et al., 67 S. E. 876.

• Georgia (1910): That voters going to an election precinct were prevented from voting by a misleading statement by one who afterwards was sworn in as a manager of the election that no election would be held on that day would not vitiate the election.

The failure of officials whose duty it was to levy and collect a tax to enforce it against certain property in the district affords no reason for restraining the collection of the tax against other taxpayers.

The law does not require notices of an election for a local school tax to be signed by an official.—Mabry et al. v. Fuller et al., 67 S. E., 91.

• Georgia (1910): A petition for a school election held sufficient to show that the signers purported to be qualified voters of the proposed school district.

A petition for a school election held sufficient to show that the petitioners were proceeding under act of August 21, 1906 (Acts 1906, p. 61), to obtain an election to decide upon the maintenance of the school by local taxation pursuant to such act.

Trustees of a school district, elected under order of the ordinary, not authorized by act of August 23, 1906 (Acts 1906, p. 425), as amended by act of August 21, 1906 (Acts 1906, p. 61), held de facto officers whose acts could not be collaterally attacked on account of the manner of their election.

A petition to the ordinary under act of August 23, 1906 (Acts 1906, p. 425), as amended by act of August 21, 1906 (Acts 1906, p. 61), must be signed by the petitionary voters themselves and not by an attorney at law representing such voters.—De Loach et al. v. Newton et al., 68 S. E., 708.

Illinois: Amending an act to provide for the election of boards of education in any school district having a population of over 35,000, existing by virtue of a special charter.

Relates to manner of conducting elections in such districts.

S. B. No. 377, p. 500, Mar. 29, 1911.

• Illinois (1910): A ballot furnished for voting on a proposition to establish a township high school held so ambiguous and misleading as to invalidate the election, unless parol evidence were admissible to show how the voters intended to and did in fact vote.

In proceedings in the nature of quo warranto to set aside an election on the proposition to establish a township high school, in view of the ambiguity of the ballots affidavits of more than a majority of the voters at the election that they understood "yes" vote as for the establishment of the school held admissible evidence.

In proceeding in the nature of quo warranto to set aside an election for the establishment of a township high school held not an abuse of discretion to deny leave to file the information.—People ex rel. Black et al. v. Sullivan et al., 98 N. E., 97.

Kansas: Relating to annual school meetings.

Fixing a uniform date, the second Friday in April, for annual school meetings in all districts. Ch. 283, Feb. 18, 1911.

Kentucky: Authorizes women to vote at school elections and to hold common school offices. Ch. 47, Mar. 12, 1912.

• **Kentucky (1909):** Graded schools are "common schools"—school elections—qualifications of voters—levy of tax—school election—manner of voting.

Participation of judge substituted for one appointed at school election harmless irregularity.—*Jeffries et al. v. Bd. of Trust. of Columbia Graded Com. Schs.*, 122 S. W., 813.

• **Kentucky (1911):** Under the circumstances, held that there was a sufficient compliance with Ky. Stat., sec. 4481 (Russell's Stat., sec. 5758), requiring notice of an election for the issuance of bonds by a common graded-school district to construct a schoolhouse, to be signed by the trustees.

Less than a majority of the board of trustees of a common graded-school district held not to have power to appoint election officers to hold an election for the issuance of district bonds.

An election by a common graded-school district for the issuance of bonds to erect a school building held not invalidated by the illegality of the appointment of a judge and election clerk; they being de facto election officers.

Under the circumstances, held that it will be presumed that the official signatures of the trustees of a common-school district were attached to the notice of election for the issuance of bonds to erect a schoolhouse.—*Lamaster v. Wilkerson et al.*, 136 S. W., 217.

• **Kentucky (1910):** The court in proceedings for an election to establish a graded school, as authorized by Ky. Stat., sec. 4464 (Russell's Stat., sec. 5736), held entitled to enter a nunc pro tunc order showing the filing of the required petition.

One attacking the validity of a graded-school election on the ground that no order was entered on the order book of the county court showing that the required petition was filed held not entitled to object to a nunc pro tunc order showing the fact of the filing of the petition.

Under Ky. Stat., sec. 4464 (Russell's Stat., sec. 5736), a petition for a graded-school election must be presented in open court and entered on the order book of the county court.

One may assail the validity of a graded-school election on the ground of a failure to comply with the statute, without reference to whether it prejudicially affected his rights.

The failure to enter on the order book of the county court an order showing the filing of a petition for a graded-school election, as required, held not to affect the validity of the election.

An order calling a graded-school election need not give the names of the petitioners.

One owning an interest in a store in partnership with his father held a taxpayer within Ky. Stat., sec. 4464 (Russell's Stat., sec. 5736).

An order for a graded-school election held not to affect the validity of the election merely because it embraced in the district land not within it.

The certificate of the officers of a graded-school election held sufficient, in connection with the order of the court calling the election, the report of the sheriff, and the report of the election commissioner.—*Ralls et al. v. Sharp's Adm'r et al.*, 131 S. W., 998.

• **Louisiana (1910):** An action to contest an election on the question of issuing bonds for school purposes held barred three months after promulgation of the results.

The court held to have erred in disposing of a case on its merits on a trial of exceptions.—*Folse et al. v. Police Jury et al.*, 51 So., 658.

• **Louisiana (1911):** A police jury have authority to promulgate the result of a special school-tax election may not delegate its power to a board of supervisors.

Where a police jury failed to appoint a third member of a board of supervisors to count the votes and proclaim the result of an election to levy a special school tax, the board was not legally constituted.—*White Hall Agr. Co. et al. v. Police Jury of Concordia Parish et al.*, 55 So., 11.

- **Louisiana (1911)**: One who contests a special school-tax election on specific grounds of irregularity is limited to the grounds alleged.
Irregular reception or rejection of votes at a special school-tax election, which would not change the result, furnishes no ground for annulling the election.—*McWilliams et al. v. Bd. of Dir. of Iberville Parish et al.*, 54 So., 928.
 - **Louisiana (1910)**: Const. 1898, art. 281, authorizing municipal corporations to issue bonds after an election for the purpose, held not to apply to special-tax elections under article 232.
Act No. 106 of 1892, providing for the contest of special elections under Const. 1879, art. 209, held to apply to similar elections under Const. 1898, art. 232.
The three months' prescription provided by Act No. 106 of 1892 held to cure all irregularities and illegalities in special-tax election proceedings.—*Wagner et al. v. Police Jury of Parish of Jefferson et al.*, 51 So., 1016.
 - **Louisiana (1910)**: To entitle widows to vote at a special-tax election held under Const., art. 232, as owners of community property, their rights must clearly appear by judgment or order of court.
Individual members of a partnership held entitled to vote upon the firm's assessment in a special-tax election.
A person appearing as the owner of property on the assessment rolls, but who had sold it when an election was held under Const., art. 232, held not entitled to vote thereat.
A person contesting the result of an election held under Const., art. 232, on specific grounds, held limited to those grounds.
A special-tax election held not to be set aside because the commissioner of election received votes without proper evidence where such votes were legal.—*Smith v. Parish Bd. of Sch. Dir.*, 52 So., 122.
 - **Louisiana (1911)**: One who contests a special school-tax election on specific grounds of irregularity is limited to the grounds alleged.
Irregular reception or rejection of votes at a special school-tax election, which would not change the result, furnishes no ground for annulling the election.
A proposition to levy special taxes as a basis for bonds for erection of a school building may be voted for or against as a whole.—*McWilliams et al. v. Bd. of Dir. of Iberville Parish et al.*, 54 So., 928.
- Michigan**: Relating to primary elections to nominate candidates for school officers.
- Women who are entitled to vote shall be enrolled in the same manner as men, but in separate books, and women who are duly enrolled shall have the right to vote for candidates for school offices. Separate ballots shall be provided for school officers. The results of such primary elections shall be certified by the proper boards of canvassers to the proper officials within ten days after such primary election.
The provisions of the general primary law (No. 281, 1909) are made applicable, except as provided in this act. No. 169, Apr. 25, 1911.
- Michigan**: Relating to elections of school trustees in cities of the fourth class.
The board of education shall designate polling places not exceeding five [instead of one polling place]. Other changes necessitated by such increased number. No. 221, May 1, 1911.
- Minnesota**: Providing for mailing notices of annual and special meetings of common-school districts in certain cases. Ch. 357, Apr. 20, 1911.
- Minnesota**: Relating to powers of annual school meeting.
Chairman and clerk of school board shall act as chairman and clerk of meeting. At least five voters shall be present to constitute legal meeting. Majority vote of all legal electors of district necessary to change school site. Ch. 249, Apr. 18, 1911.
- **Missouri (1910)**: The statute held not to require that a school-district election for the purpose of determining the issuance of bonds shall be held under the Australian system.
A school-district election for the issuance of bonds held valid.
The board of directors of a school district held authorized to call an election to determine the question of the issuance of bonds to erect a high-school building.

Where the board of directors of a school district were authorized, at an election duly called therefor, to issue bonds to erect a high-school building, the board could not use any part of the proceeds of the bonds for any purpose except the erection of a high-school building.—*Horsefall et al. v. Sch. Dist. city of Salem*, 128 S. W., 83.

• **Nebraska (1910)**: Women entitled to vote at school elections may vote for or against school-district bonds.—*Olive v. Sch. Dist. No. 1, et. al.*, 125 N. W., 141.

New York: Amending the education law in relation to the date of annual meetings and the election and duties of trustees.

The annual meeting of each school district shall be held on the first Tuesday in May [instead of August] of each year. Plurality only [instead of majority] of votes cast necessary to elect school officers. A contract with a teacher made by a sole trustee shall not extend beyond the term of the trustee making the contract, nor beyond the life of the certificate of any teacher. School year from August 1 to July 31 [instead of from one annual meeting to the next].
Ch. 442, June 8, 1910. (Sept. 1, 1910.)

New York: Fixing time of meetings in union free-school districts and prescribing manner of assessment of taxes.
Ch. 830, July 28, 1911.

• **New York (1910)**: A meeting of the inhabitants of a school district held without personal notice thereof to any inhabitant of the district, where no resolution changing the mode of notice has been adopted at any annual meeting, is irregular, nor will the provisions of section 200 of the education law that such a meeting shall not be held illegal for want of a due notice to all the persons qualified to vote thereat validate a meeting held without notice to any of the inhabitants.

The right to subject the property of the inhabitants of a school district to a tax and the determination of the validity of meetings for that purpose has not been exclusively delegated to the head of the department of education, but a party aggrieved, if he has a clear legal right, may enforce it in the courts.

A vote at a meeting called without legal notice to any of the inhabitants assuming to authorize the construction of a new schoolhouse confers no authority upon the trustees of the district to issue bonds or award contracts therefor, and they will be restrained from so doing at the suit of a taxpayer.—*Austin v. Bd. of Trustees of Sch. Dist. No. 5 of town of Babylon, Suffolk Co., and Yenser and Howell as trustees of such district*, 513 N. Y., 538.

• **North Carolina (1909)**: Special election for assessing a special school tax held valid though registrar was absent from home on some of the days during which voters could register and though the notice of the election did not specify the place of holding it.—*Younts et al. v. Commissioners of Union Co.*, 68 S. E., 575.

South Dakota: Prescribing election procedure in cities, towns and adjacent territory, organized as independent school districts.

Ch. 133, Mar. 3, 1911.

• **North Dakota (1911)**: Women entitled to vote for school officers under Const., sec. 123, constitute a class separate from qualified electors defined in section 121.

Rev. Codes 1905, secs. 723-746, do not require women to register or furnish an affidavit to entitle them to vote for school officers.—*Wagar v. Prendeville*, 180 N. W., 224.

• **Oklahoma (1910)**: Special school-district election held not void for want of notice when it did not appear that electors failed to vote by reason thereof.

Under Comp. Laws 1909, sec. 8066, majority of qualified electors of a school district may designate a site for a schoolhouse at an election for that purpose.—*McCarty et al. v. Cain et al.*, 110 Pac., 653.

• **South Carolina (1910)**: An actual survey of a school district and a plat thereof must be made before an election can be held on the question of the issuance of bonds by the district.

The term "qualified voters," relating to the submission of the question of the issuance of bonds by school districts, defined.

Findings of a master, in a suit to enjoin a school-district bond issue, that the petition for the election on the question was properly signed, held not to be disturbed on appeal where the evidence did not compel such action.—*McLaurin et al. v. Tatum et al.*, 67 S. E., 580.

- **Texas (1912):** The fact that an elector had not assessed his property for taxes did not disqualify him as a voter at an election to determine whether a tax should be levied for school purposes.

The election officer properly refused to permit one to vote at an election on the question of levying a school tax who stated that he did not own property in the district subject to taxation, even though the voter was mistaken as to his ownership of property.—*Clark v. Willrich et al.*, 146 S. W., 947.

- Washington:** Amending secs. 1, 6, 7, and 11 of Art. IV, ch. 13, Title III of ch. 97. Acts of 1911, relating to the registration of voters in districts of the first class. Ch. 106, Mar. 17, 1911.

- West Virginia:** Providing for a vote on the school levy in Cooper district, Mason County, and in other districts which failed to vote the school levy in November, 1910. Ch. 30, Feb. 22, 1911.

A. (f) Administrative Units; Districts, Townships, Municipalities, etc.; Formation; Division; Consolidation.

See also H (e).

- Arkansas:** Providing for the consolidation of adjacent school districts and prescribing their powers and duties. Act 116, p. 81, Mar. 24, 1911.

- **Arkansas (1910):** The legislature may create school districts for any reason satisfactory to itself, even without the consent of the persons who reside in the territory affected.

The legislature may change the boundaries of school districts for any reason satisfactory to itself, even without the consent of the persons who reside in the territory affected.

The legislature may abolish school districts for any reason satisfactory to itself without the consent of the persons who reside in the territory affected.

Kirby's Dig., secs. 7639, 7640, which provides for the transfer of pupils, etc., from one school district to another, is for the benefit of the children so transferred, and persons without children can not have their property transferred.

A petition for the transfer of children under the provisions of Kirby's Dig., sec. 7639, 7640, held defective.—*Norton et al. v. Lakeside Sp. Sch. Dist.*, 183 S. W., 184.

- **Arkansas (1910):** A school district is a "quasi public corporation" which has only those powers expressly conferred upon it by statute or which arise by necessary implication from those conferred.

Powers in the directors of a school district will be implied when the exercise thereof is necessary to enable them to perform the duties imposed upon them.

Under Kirby's Dig., secs. 7690, 7614, 7627, 7681, directors of a school district held authorized to contract for the purchase of school desks.

Directors of a school district can only contract in the manner prescribed by statute, and where they contract contrary to statute or in excess of their statutory authority the district is not bound.

The board of directors of a school district and its successors held to have ratified a contract for the purchase of school desks.

No part of the price of school desks, as stated in the warrant, held interest so as to make the warrant invalid.

In absence of statute authorizing it, school warrants do not bear interest.

Kirby's Dig., secs. 7628, 7666, held not to authorize the county treasurer to pay interest on school warrants.

That a foreign corporation had not complied with the law of this State would not prevent it from maintaining an action hereon on a school warrant issued for desks sold to a school district.—*A. H. Andrews Co. v. Delight Spec. Sch. Dist.*, 128 S. W., 361.

California: Amending section 1576 of the Political Code, relating to the annexation of additional territory to school districts in incorporated cities and towns.

Exempts cities and towns of the sixth class. Ch. 687, May 1, 1911.

California: Amending section 1729 of the Political Code, providing the manner of consolidation of union high-school districts with high-school districts of an incorporated city or town. Ch. 695, May 1, 1911.

• **California (1909):** School districts of California are public quasi municipal corporations and subject to constitutional limitations, the power of legislature over them is plenary and it may divide, change, or abolish them at pleasure.—*Pass Sch. Dist. of Los Angeles Co. v. Hollywood City Sch. Dist. of Los Angeles Co.*, 105 Pac., 122.

• **California (1910):** Creation of a new school district from territory of consolidated cities will not necessarily destroy an existing district including one of them, and much less will the mere election of a board of education for the new city.

Evil possibly arising from withdrawing part of a school district where part within city is detached when a new city is created by consolidation is obviated by Pol. Code, sec. 1576, Municipal corporation act (St. 1883, ch. 49), sec. 795.—*Allen v. Bd. of Trustees of City of Bakersfield et al.*, 109 Pac., 488.

• **California (1910):** Under Pol. Code, sec. 1576, outside territory belonging to a school district becomes, on inclusion within the boundaries of a city, part of the latter's school district.

Under Pol. Code, sec. 1670 (prior to its repeal in 1909) and other related sections, when the school district loses part of its territory by the inclusion thereof within the corporate limits of a city, the high-school district also loses the same part of its territory.

Territory of a school district which, by inclusion within city limits, becomes part of a new high-school district, is taxable in the latter district only.—*Frankish v. Goodrich et al.*, 108 Pac., 685.

• **Connecticut (1911):** Under Gen. Stat. 1902, sec. 2177, providing for the apportionment of school funds, has no application to a school district governed by a district committee.

Under Gen. Stat. 1902, secs. 2175, 2177, school districts may be formed, altered, or dissolved by the towns within the limits of which they exist, and are subject to regulation by such towns.—*Hassett v. Carroll*, 81 At., 1013.

Georgia: Consolidating all districts in Spalding County and making county the unit of school control. No. 11, July 28, 1911.

• **Georgia (1910):** Act of August 14, 1909 (Laws 1909, p. 534), providing for the annexation of territory to Atlanta held not unconstitutional as taxing the inhabitants of the added territory for schools of Atlanta.—*White et al. v. City of Atlanta et al.*, 68 S. E., 103.

• **Georgia (1910):** Under act of August 28, 1905 (Acts 1905, p. 425), as amended by act of August 21, 1906 (Acts 1906, p. 61), held that where the county board of education does not lay off the entire county into school districts, the authorities can not order an election in a school district attempted to be created in the county on the question of levying a local school tax.

Where a school district attempted to be created under Acts 1905, p. 425, as amended by Acts 1906, p. 61, is illegal, held that an attempted special school-tax election therein should be enjoined.—*Lansdell et al. v. King, tax collector et al.*, 68 S. E., 102.

Idaho: See A (c).

Illinois: Relating to territory taken from a district under special charter.

The township trustees shall organize such territory as a school district, or annex it to an existing district if there be not sufficient inhabitants or pupils to maintain a school. H. B. 624, p. 511, June 5, 1911.

Illinois: To reduce the corporate limits of the Kickapoo union free school district.

The territory taken from said district is placed under the general laws of the State. It is provided that this district shall never be reduced in area except by act of the legislature. H. B. 143, p. 510, June 5, 1911.

Illinois: Relating to the transfer and transportation of pupils.

Whenever the number of children between 6 and 16 years of age in any district is less than six the directors may arrange for the transfer of pupils, and if necessary may provide free transportation to a neighboring school.

H. B. 328, p. 516, June 2, 1911.

* **Illinois (1910):** Where a written notice of appeal from a board of township trustees to an appellate board of county superintendents is duly filed under sec. 55 of the school law (Hurd's Rev. Stat., 1909, ch. 122), the clerk's failure to place the file mark thereon does not defeat the right of appeal.

Where a board of township trustees has jurisdiction of a petition for the organization of a school district, by virtue of compliance with the requirements of the school law (Hurd's Rev. Stat., 1909, ch. 122), sec. 46, cl. 4, and secs. 52-54, it is not necessary that the record should show such compliance.

Under the school law (Hurd's Rev. Stat., 1909, ch. 122), which by sec. 46, cl. 4, and secs. 52-54 defines the requirements necessary to give a board of township trustees jurisdiction of a petition for the organization of a school district, and which by sec. 56 makes it the duty of county superintendents to investigate the case on appeal, the jurisdiction of the trustees depends on the statute and is reviewable, with the trustees' whole action, by the county superintendents.

Language of petition for the organization of a school district construed, with reference to the requirement of sec. 46, cl. 4, of the school law (Hurd's Rev. Stat., 1909, ch. 122) and held to be a compliance with its requirements.—Logue et al. v. Batterton et al., 93 N. E., 354.

Indiana: Amending an act permitting incorporated towns not exceeding 1,500 inhabitants to discontinue school boards and providing for transfer of school property to township trustees.

Prescribes a method by which such towns may again take control of its school affairs. Ch. 178, Mar. 4, 1911.

Iowa: Permitting the consolidation of districts in different counties.

Ch. 142, Mar. 17, 1911.

* **Iowa (1910):** A consolidated school district organized under Code Supp., sec. 2794-a, held entitled to maintain its territory, and a consolidated district subsequently organized may not take territory therefrom. (Affirmed by equally divided court.)—State v. Bd. of Dir. of Ind. Dist. of Webb et al., 127 N. W., 982.

Kansas: Providing for the voluntary disorganization and consolidation of school districts to provide transportation of pupils.

If approved at election in each district, two or more districts may be disorganized and consolidated, or any district may be annexed to another district containing a graded school. The district board of consolidated districts shall provide for the comfortable transportation of pupils of said district living 2 miles or more from school.

Ch. 275, Mar. 13, 1911.

Kansas: Directing county superintendents to reestablish boundary lines of school districts of which the records have been lost or destroyed.

Ch. 274, Mar. 13, 1911.

Kansas: Relating to the attachment of adjacent territory to cities of the first class for school purposes.

Removes the former limit of population [30,000] of cities to which said law was applicable. Ch. 93, Feb. 21, 1911.

- **Kansas (1910)**: Though the award of arbitrators appointed under Rev. Stat. 1899, sec. 9742 (An. Stat. 1906, p. 4463) to decide as to the change of the boundaries of school districts did not show they were disinterested men and resident taxpayers, it will not be held invalid where the return to certiorari proceedings to review the award contained the school commissioner's record of appointment of the board of arbitration which showed such facts.—*State ex rel. Sch. Dist. No. 18, Twp. 51, Bg. 34 of Platte Co. v. Sexton Co. Sch. Com. et al.*, 132 S. W., 11.
- **Kentucky (1910)**: Under Const. sec. 153 where a municipal corporation also included an independent school district, the indebtedness of such district should not be added to that of the city in determining whether the city had reached its constitutional limit.—*Ex parte City of Newport*, 132 S. W., 580.
- **Kentucky (1909)**: Two and one-half mile boundary of a graded common-school district shall be measured from the outer boundary of the site of school building, providing site does not exceed 1 acre.—*Clear Spring Distilling Co. v. Bd. of Trust. of Bardstowir Gr. Com. Sch. Dist. et al.*, 122 S. W., 527.
- **Kentucky (1910)**: The south line of a school district held extended so as to include a certain farm.
Where a father transferred two parcels of land to his son, who resided on one of them, a school district included both in its boundaries by stating that the boundary line shall be extended to include the "son's farm."
The statement of the appellate court that a certain person's farm was within a certain school district is not binding upon such person, where he was not a party to the action.—*Thornton et al. v. Head et al.*, 130 S. W., 1075.
- **Kentucky (1910)**: Under Const. sec. 153, that part of the statutes authorizing conversion of a part of a common-school district into a graded-school district is constitutional.
The boundaries of a graded-school district need not be given by courses and distances, but are sufficient if run from one designated point to another.
The statute regulating the establishment of graded-school districts does not require the inclusion or exclusion of the whole of a common-school district.
In a suit to enjoin the establishment of a graded-school district, a court of equity has no jurisdiction to review questions relating to the regularity of the election.—*Elliott et al. v. Garner et al.*, 130 S. W., 997.
- **Kentucky (1910)**: Where the act of March 31, 1886 (Priv. Acts 1885-86, ch. 402), makes a railroad the boundary line between two school districts, the boundary line is not the right of way, but the center line of the railroad.
Under act of March 31, 1886 (Priv. Acts 1885-86, ch. 402), the line of a railroad held to be the boundary between two school districts, although the purpose of the act in transferring a part of one district to another was thereby partly defeated.
The delay of the trustees of a school district in asserting their rights against another district results in no disability to bring an action save in so far as the statute of limitations has run.—*Trustees of Eddyville graded common schools v. board of education of Kuttawa common-school dist.*, No. 29, 132 S. W., 182.
- **Michigan**: Amending certain sections of act relating to the organization of township school districts.
In case any township whose organization as a township is proposed contains one or more graded-school districts having a population of 900 or less, the inhabitants of such graded-school district shall have a right to vote on the question of the proposed consolidation. An election to determine such consolidation shall be called a petition of one-fourth [instead of one-third] the qualified school electors of the township. All cities organized as school districts and graded-school districts having a population of over 900 shall be exempt from the provisions of this act. The receipts from the 1-mill tax may be used for general purposes. Payment for repairs shall be made from the general fund, instead of the building fund. Other changes of minor character.
No. 143, Apr. 26, 1911.
- **Michigan (1912)**: The school district of the city of Detroit held an independent public corporation from the city.
Making an officer of one public corporation an *ex officio* officer of another held not to merge the organizations.

Bonds issued for the purposes of the Detroit library commission held of the same character as bonds for school purposes.—Kuhn, Atty. Gen., ex rel. *McRae v. Thompson et al.*; *Detroit Library Comm. et al. v. Helmeman*, City Cont., 134 N. W., 722.

Minnesota: Relating to the formation of consolidated-school districts, and providing State aid for schools in such districts.

"SECTION 1. Two or more school districts of any kind may be consolidated, either by the formation of a new district or by annexation of one or more districts to an existing district in which is maintained a State graded, semi-graded, or high school, as hereinafter provided.

"A district so formed by consolidation or annexation shall be known as a consolidated-school district. Before any steps are taken to organize a consolidated-school district, the superintendent of the county in which the major portion of territory is situated, from which it is proposed to form a consolidated-school district, shall cause a plat to be made showing the size and boundaries of the new district, the location of schoolhouses in the several districts, the location of other adjoining school districts and of schoolhouses therein, together with such other information as may be of essential value, and submit the same to the superintendent of public instruction, who shall approve, modify, or reject the plan so proposed, and certify his conclusions to the county superintendent of schools. To receive State aid as a consolidated school of Class A or Class B, as defined in this act, the consolidated district must contain not less than 18 sections, and to receive State aid as a consolidated school of Class C, not less than 12 sections; but any existing school district, or at least such area, shall have the rights and privileges of a consolidated-school district. A consolidated-school district of less than 12 sections may be formed as herein provided, but shall not be entitled to receive special State aid as herein provided for.

"SEC. 2. After approval by the superintendent of public instruction of the plan for the formation of a consolidated-school district, and upon presentation to the county superintendent of a petition signed and acknowledged by at least 25 per cent of the resident freeholders of each district affected, qualified to vote at school meetings, asking for the formation of a consolidated-school district in accordance with the plans approved by the superintendent of public instruction, the county superintendent shall within 2 days cause 10 days' posted notice to be given in each district affected, and one week's published notice, if there be a newspaper published in such district, of an election or special meeting to be held within the proposed district, at a time and place specified in such notice, to vote upon the question of consolidation.

"SEC. 3. At such meeting the electors, not less than 25 being present, shall elect from their number a chairman and clerk, who shall be the officers of the meeting. The chairman shall appoint two tellers, and the meeting and election shall be conducted as are annual meetings in common and independent districts. The vote at such election or meeting shall be by ballot, which shall read 'For consolidation' or 'Against consolidation.' The officers at such meeting or election shall, within 10 days thereafter, certify the result of the vote to the superintendent of the county in which such district mainly lies. If a majority of the votes cast be for consolidation, the county superintendent within 10 days thereafter shall make proper orders to give effect to such vote, and shall thereafter transmit a copy thereof to the auditor of each county in which any part of any district affected lies, and to the clerk of each district affected, and also to the superintendent of public instruction. If the order be for the formation of a new district, it shall specify the number of such district. The county superintendent shall also cause 10 days' posted notice, and one week's published notice, if there be a newspaper published in such district, to be given of a meeting to elect officers of the newly formed consolidated-school district: *Provided*, That a consolidated district shall upon its formation become an independent district, with the powers, privileges, and duties now conferred by law upon independent districts. After the formation of any consolidated-school district appeal may be taken as now provided by law in connection with the formation of other school districts. Nothing in this act shall be construed to transfer the liability of existing bonded indebtedness from the district or territory against which it was originally incurred.

" SEC. 4. In like manner, one or more school districts may be consolidated with an existing district in which is maintained a State high, semigraded, or graded school, in which case the board of the district maintaining a State high, semigraded, or graded school shall continue to be the board governing the consolidated-school district until the next annual school meeting, when successors to the members whose terms then expire shall be elected by the legally qualified voters of the consolidated school district. In like manner one or more school districts may be consolidated with an existing district in which is maintained a State high, graded, or semigraded school, in which case the school board of the district maintaining a State high, graded, or semigraded school shall continue to be the board governing the consolidated-school district, until the next annual school meeting, when successors to the members whose terms then expire shall be elected by the legally qualified voters of the consolidated school district: *Provided, however,* That in the case of consolidation with a school district in which there is maintained a State high or State graded school, consolidation shall be effected by vote of the rural-school districts only, in the manner provided under this act and by the approval of such consolidation of the rural district or districts with the one in which there is maintained a State high or graded school by the school board thereof.

" SEC. 5. The officers of the several districts forming a consolidated-school district shall within 10 days from receipt of copy of the order of the county superintendent certifying the formation of the new district, or immediately after the election and qualification of members of the school board in the consolidated-school district, turn over to the proper officers of the newly elected school board, or to the proper officers of the school board in the district maintaining the State high or graded school, all records, funds, credits, and effects of their several districts.

" SEC. 6. For the purpose of promoting a better condition in rural schools, and to encourage industrial training, including the elements of agricultural, manual training, and home economics, the board in a consolidated-school district is authorized to establish schools of two or more departments, provide for the transportation of pupils, or expend a reasonable amount for room and board of pupils whose attendance at school can more economically and conveniently be provided for by such means; locate and acquire sites of not less than 2 acres, and erect necessary and suitable buildings thereon when money therefor has been voted by the district. They shall submit to the superintendent of public instruction a plat of the school ground indicating the site of the proposed buildings, plans and specifications for the school building and its equipment, and the equipment of the premises.

"It shall be the duty of the superintendent of public instruction, with respect to schools in consolidated districts, to approve plans of sites, of buildings and their equipment, and the equipment of the premises; to prepare suggestive courses of study, including an industrial course; to prescribe the qualifications of the principal and teachers, and through such supervisors as he may appoint, and in connection with the county superintendent, exercise general supervision over said consolidated schools.

" SEC. 7. (1) For the purpose of receiving State aid, schools in consolidated districts shall be classified as A, B, and C. They shall be in session at least eight months in the year and be well organized. They shall have suitable schoolhouses with the necessary rooms and equipment. Those belonging to Class A shall have at least four departments; those of Class B three departments; and those of Class C two departments. The board in a consolidated-school district maintaining a school of either class shall arrange for the attendance of all pupils living more than 2 miles from the school, through suitable provision for transportation, or for the board and room of such as may be more economically and conveniently provided for by such means.

"(2) The principal of a school coming under Class A shall hold at least a diploma from the advanced course of a State normal school, and be qualified to teach the elements of agriculture as determined by such tests as are required by the superintendent of public instruction. A school of this class shall have suitable rooms and equipment for industrial and other work, a library, and necessary apparatus and equipment for efficient work, and a course of study embracing such branches as may be prescribed by the superintendent of public instruction.

"(3) The principal of a school coming under Class B or C shall hold at least a State first-grade certificate, and in other respects these schools shall comply with the requirements of schools under Class A, so far as this may

be practicable. In accordance with requirements fixed by the superintendent of public instruction. Teachers other than the principal, including special teachers, shall possess such qualifications as are required of teachers in State graded schools.

"(4) Besides maintaining schools in consolidated districts conforming to the requirements of those coming under Classes A, B, and C the school board may maintain other schools of not more than two rooms, and receive State aid for these as provided for semigraded and rural schools.

"Sec. 8. ----- Schools under Class A in consolidated districts shall receive annually State aid of \$1,500; those under Class B \$1,000; those under Class C \$750; and in addition to such annual aid a school of any of the above classes shall receive an amount to aid in the construction of a building equal to 25 per cent of the cost of said building, but no district shall receive more than a total of \$1,500 for aid in the construction of buildings. The annual aid and the aid for building shall be paid in the same manner as now provided by law for the payment of other State aid to public schools. Whenever any school in a consolidated district attains the rank of State high or graded school, it shall possess the rights and privileges of such schools."

Ch. 207, Apr. 18, 1911.

Minnesota: Prescribing the manner of changing the boundary lines of common-school districts which include an incorporated borough, village, or city of not more than 7,000 [instead of 2,000] inhabitants. Ch. 204, Apr. 18, 1911.

Minnesota: Providing for a division of moneys, funds, and credits of unorganized school territory affected by the creation and organization of new counties. Ch. 279, Apr. 19, 1911.

Minnesota: Providing for instruction of pupils in an adjoining district.

The school board of any district may provide for the instruction of its pupils in an adjoining district and in such case may [instead of shall] discontinue the schools of its own district, and provide transportation for its pupils. Such districts shall retain their organization and be entitled to public moneys, including the special State aid of \$150 to common schools of Class A. Public money for nonresident pupils in the high-school department, however, shall go to the district in which the high school is located.

Ch. 167, Apr. 15, 1911.

* **Minnesota (1910):** Special Laws 1878, ch. 157, establishing Minneapolis a school district, and declaring the board of education a corporation, is a part of the charter of the city of Minneapolis.—*Jackson v. Board of education of the city of Minneapolis*, 127 N. W., 569.

Mississippi: Municipalities may release territory outside of corporate limits on petition of a majority of the resident freeholders in the territory concerned.

Ch. 129, Mar. 16, 1912.

* **Missouri (1911):** A decision by a board of arbitrators appointed under Rev. Stat., 1899, sec. 9742, to decide upon changes in school districts, held not open to collateral attack.

A petition for an election to change a school district as provided for in Rev. Stat., 1899, sec. 9742, held sufficient to give regularity to later proceedings.

The original petition required by Rev. Stat., 1899, section 9742, which relates to the alteration of school districts held immaterial in a collateral attack upon a determination by arbitrators appointed under the statute.

Equity will not, in a collateral proceeding, interfere with a judgment of arbitrators appointed under Rev. Stat., 1899, sec. 9742, providing for the alteration of school districts.

The determination of a board of arbitrators appointed under Rev. Stat., 1899, sec. 9742, can not be collaterally impeached by injunction, when there is an adequate remedy at law.—*Sch. Dist. No. 68 of Pike Co. v. Chappel, Co. Clk.*, et al., 135 S. W., 76.

Montana: Prescribing manner of organization of new districts and fixing conditions upon which they must be organized. Ch. 82, Mar. 2, 1911.

* **Nebraska (1910):** Owner of taxable property, but not legal voter, in a school district, can not contest matter of consolidation of that district with adjoining one, under Comp. Stat., 1906, Ch. 73, sec. 4, subd. 1.—*Sch. Dist. No. 11 of Thurston Co. et al. v. Copple*, 128 N. W., 1133.

Nevada: See A. (a).

* **New Hampshire (1910):** The title of Laws 1909, ch. 23, indicates the statutory definition therein of the word "town" was not intended to include special-school districts, and the word "towns," as used in section 1 of chapter 153, does not include special-school districts and they are not entitled to share in the appropriation provided for in sections 2 and 3 thereof.—In re Opinion of Justices, 75 At., 429.

* **North Carolina (1909):** Persons opposed to a special-tax school district as unwise may not complain having failed to appear and object when petition therefor was presented to county board of education.

Even if the provisions as to convenience and compactness of school districts applies to a special-tax district the question is for the county board of education and its action is not reviewable.—Howell et al. v. Howell et al., 66 S. E., 571.

North Dakota: See A. (a).

* **North Dakota (1910):** Where a special-school district under Rev. Code 1905, sec. 949, annexed adjacent territory in an action by the territory so annexed some two years thereafter, the question whether the application for annexation was signed by a majority of the legal voters of the annexed territory can not be determined.

Plaintiff held estopped by acquiescence from questioning the validity of the proceedings of the board of education of school districts in annexing adjacent territory, under Rev. Codes, 1905, sec. 949.—Greenfield sch. dist. et al. v. Hannaford sp. sch. dist. et al., 127 N. W., 499.

Ohio: Authorizing a special election to determine the organization or dissolution of a village-school district in any village with a tax valuation of less than \$100,000.
H. B. No. 241, p. 37, Mar. 6, 1911.

* **Ohio (1909):** Under Rev. Stat. as amended each incorporated village then existing or since created in the territory attached for school purposes constitutes a village-school district without a vote of its electors for its creation.—Buckman Co. Aud. v. State ex rel. Bd. of Ed., 90 N. E., 153.

Oklahoma: See D. (b).

Oregon: Relating to the division of or changing of boundaries of primary-school districts.

Authorizes the township board of any township to take such action regardless of whether the district involved was created under a general or a special law. When a school district lies in more than one township such action shall be taken at joint meeting of the proper township boards.

No. 61, Apr. 7, 1911.

* **Oregon (1910):** The district boundary board held not empowered to so change the boundaries of a school district as to, in effect, cause the abolition of the district.

Certain proof of the posting of notices of a proposed change in school district boundaries held sufficient.—State v. Thomas, 108 Pac., 135.

Pennsylvania: See A. (a).

South Carolina: An act to provide a mode for the dissolution of school districts formed of parts of two or more counties.

Dissolution is accomplished in the same manner as formation.

Act 358, Feb. 25, 1910.

* **South Carolina (1910):** A district high-school trustee, who was appointed in 1907 to exercise the duties of his office, was a de facto trustee, even if not legally appointed.

A common-school district, composing one of the units of the high-school district by exercising its right to vote itself out of the high-school district, can not escape liability for indebtedness which it together with the other school districts has incurred, nor can the high-school district nor any of the constituent common-school districts do so by exercising its right to vote off the special levy for high-school purposes.

The levy of a special tax in a high-school district for the purpose of paying off bonds issued to raise funds for high-school purposes therein, is not a condition precedent to the issue of bonds.

The fact that one of the common-school districts out of which a high-school district was created had already made a levy of 4 mills for school purposes would not prevent the high-school district from making a levy of 1 mill.

The issue of bonds by a school district constitutes a contract between it and the purchaser which can not be impaired.

Failure to comply with act requiring the tenure of office of five of the district high-school trustees to be determined by lot in appointing only one of such trustees would not prevent the other trustees from discharging their official duties.—*Welch v. Getzen et al.*, trustees of high-school dist. No. 1 of Aikep, 67 S. E., 294.

South Dakota: Providing for the naming of common-school districts.

Each district may choose a name and have it recorded in office of county superintendent, provided that no other district in the county has the same name. A district may contract in and sue and be sued by the name so chosen and recorded.

Ch. 142, Feb. 27, 1911.

• **South Dakota (1909):** In absence of constitutional limitations legislature has plenary power to create, alter, or extend boundaries of school districts.

Duty of board of supervisors and county school superintendent to consolidate school districts on presentation of a petition signed by majority of voters of any civil township having districts smaller than civil townships, under law

• • • mandatory.—*Stephens et al. v. Jones et al.*, 123 N. W., 705.

Texas: Amending the law with reference to the creation of county-line school districts.

Common-school districts containing territory in two or more counties may be created by concurrent action of the commissioners' courts of the counties concerned. Minimum area of such districts, 16 square miles. Independent-school districts containing territory in two or more counties may be created in the same manner that towns and villages are created. Such county-line districts may be changed or abolished by similar action.

Ch. 100, Mar. 23, 1911.

• **Texas (1909):** Change of a legally established school district by county commissioners' court without consent of majority of legal voters was void.—*Crew et al. v. Falls et al.*, 122 S. W., 833.

• **Texas (1912):** A school district, having no legal existence, can not be created by a simple recognition of its existence by the commissioners' court; and the court giving such recognition is not thereby estopped from subsequently asserting the nonexistence of such district.—*Tomlinson et al. v. Hunnicutt, Co. Judge, et al.*, 147 S. W., 612.

• **Texas (1910):** Failure of a board of school trustees to file a resolution containing a description of added territory for record with the county clerk may be cured by a nunc pro tunc order.

Where a petition to annex territory to a school district described the territory to be annexed by metes and bounds, the proceedings were not void because the resolution granting the petition did not give the boundaries of the annexed territory.

The determination of a school board that a petition to add territory to the district was signed by a majority of the persons qualified to vote for members of the legislature, within the territory sought to be added, held not subject to collateral attack.

A petition to add property to a school district purported to have been sworn to the day after the board acted thereon, and that a copy of the resolution granting the petition was not filed in the county clerk's office, held not to render the proceeding void.

Certain proceedings to add territory to a school district, though irregular, held a de facto annexation which could only be questioned by the State in a direct proceeding.

Where a school tax at a specified rate had been validly voted in a district, such rate became applicable to new territory added to the district, in the absence of an election to vote off the tax, under *Sayles's An. Civil Stat., supp. 1906, p. 410, secs. 68-65.*

Property annexed to a school district held not exempted from school taxes levied therein by reason of defects, curable nunc pro tunc, remaining uncorrected.—Crabb et al. v. Celeste Ind. Sch. Dist., 132 S. W., 890.

Utah: Relating to the creation and modification of school districts.

Excepts districts of the first class from provision authorizing county commissioner to change boundaries. Ch. 13, Mar. 1, 1911.

West Virginia: Consolidating in one act all former acts relating to the independent-school district of the city of Charleston.

Ch. 74 (S. B. No. 60) Feb. 15, 1911.

West Virginia: Consolidating in one act the several acts creating the independent-school district of the city of Parkersburg.

Ch. 75 (S. B. No. 67), Feb. 18, 1911.

Wisconsin: Repealing sections 516 to 553, inclusive, and creating section 516 of the Statutes, relating to the abolishment of the township system of school government and the establishment of independent districts.

Ch. 388, June 16, 1911.

* **Wisconsin (1911):** Substantial compliance with statutory provisions governing a change in the boundaries of a school district held sufficient.—State ex rel. Taylor v. McKinney, Tn. Clk., 132 N. W., 600.

B. STATE FINANCE AND SUPPORT.

(a) General.

Alabama: Appropriating an additional \$500,000 for the support of the public schools. Act 418, p. 735, Apr. 18, 1911.

Georgia: Proposing amendment to constitution providing for free schools for all children of the State. (Was "in the elementary branches of an English education only.")

This amendment was adopted by a vote of the people.

No. 96, Aug. 17, 1911.

Idaho: See A (a).

Louisiana: Amending the law relating to inheritance tax for schools. Legacies to a surviving wife or husband shall be taxed. Act No. 42, 1912.

Maryland: Forbidding lobbying.

No corporation or institution shall receive any money appropriated until an affidavit is filed certifying that no money has been paid or will be paid to any legislative agent, attorney, or lobbyist for aid in securing passage of said bill.

Ch. 576, Apr. 11, 1912.

Massachusetts: Directing the board of education to investigate the methods of supporting the public schools of the Commonwealth.

Resolves ch. 70, May 9, 1911.

Mississippi: State tax rate 6 mills. The boards of supervisors may add not over 10 mills, not including road tax, common school, and county agricultural-school tax.

Ch. 87, Mar. 16, 1912.

Mississippi: Making annual appropriation for the superintendent of education: Salary, \$2,500; expenses, \$500; clerk \$900.

Fixes interest on Chickasaw school fund (\$1,084,168.22) at \$160,000 annually.

Ch. 1, Mar. 12, 1912.

New Mexico: Providing for a uniform system of accounting, auditing, and reporting for all public officers and all State institutions.

Ch. 61, June 10, 1912.

New Mexico: Forbids public officers, etc., to contract debts in excess of appropriations, but food and clothing for inmates of State institutions may be purchased after appropriations are exhausted.

Ch. 69, June 1, 1912.

New York: Appropriating for new State education building: \$550,000 for construction; \$200,000 for furniture, equipment, and decoration; \$38,000 for mural paintings for entrance wall and rotunda; \$105,000 for power house, etc. (for capital and education building); \$10,000 plus receipts from old power house, for improving site of same.

Ch. 517, Apr. 18, 1912.

B. (b) State School Lands.

Alabama: Authorizing the State superintendent of education, upon the recommendation of the county board of education of any county and with the approval of the governor, to sell certain school lands situated in that county.

Act 485, p. 497, Apr. 19, 1911.

California: Withdrawing from sale school lands situated within the boundaries of military, Indian, or forest reservations created by authority of the United States.

Ch. 720, May 1, 1911.

* **California (1910):** Under act of Cong. Feb. 26, 1850, ch. 59, 11 Stat., 385, title to lands granted in lieu of school sections held not to pass until the selections of the State had been approved by the Federal Government.

Certificates of purchase of land which the State anticipates will be given in lieu of school land held not taxable.—*Slade v. Butte Co.*, 112 Pac., 485.

Colorado: Providing for the investment of funds arising from the sale of school lands.

Ch. 208, May 28, 1911.

Colorado: Appropriating \$21,256.30 to redeem certain school lands of the State from treasurers' sales for the nonpayment of certain special-improvement assessments of the city and county of Denver.

Ch. 41, June 2, 1911.

Florida: Reserving to the State board of education and their successors three-fourths interest in phosphate and mineral rights of lands sold by such board.

Ch. 6159 (No. 40), May 30, 1911.

Florida: Manner of sale of lands vested in State board of education.

Ch. 6160 (No. 41), June 2, 1911.

* **Idaho (1910):** The State board of land commissioners has no power to relinquish the State's rights to sections 16 and 36, granted by the General Government for common school purposes.—*Balderston v. Brady et al.*, 107 Pac., 493.

* **Idaho (1911):** After the United States has surveyed the public domain, the State has such an interest in a school district granted to the State that it may sue to enjoin trespass thereon.

Until the United States Government has caused a survey to be made of the public domain there is no legal proof obtainable to identify sections of school land granted to the State.

Survey by the United States Government of school land granted to the State held competent evidence of the identification, though the survey has not been formally approved.—*Ascuenaga Bros. Live Stock & Land Co. v. Corta*, 115 Pac., 18.

* **Illinois (1910):** The plat made by the school commissioner of school section addition to Chicago did not vest the title of the streets in the city, but only an easement therein, the abutting owners owing the fee subject to the easement.—*N. W. Safe & Trust Co. v. City of Chicago et al.*, 98 N. E., 169.

Illinois (1910): Const. Art. 8, sec. 2. held to prevent the legislature from diverting school lands to any other purpose than the support of the schools, but not to render a lease of school lands void.

Where the board of education of a city enters into contracts with one of its members as a representative of a third person, the contracts are voidable at the election of the board.

School lands granted to the State by Congress on specified conditions held subject to lease or sale as the legislature of the State may provide.

A lease of school land held a lease and not a sale notwithstanding the statutes.

Where modifications in a lease of school lands were voidable at the election of school officers their subsequent ratification constituted an election to confirm the modifications so as to render them binding.

A modification of a lease of school lands held not voidable on the ground that a member of the board of education executing the lease was a representative of the lessee.

In a suit to set aside a lease of school lands as modified by subsequent agreements whereby the revaluation clause in the lease was waived, evidence held not to show that the waiver of the revaluation clause was fraudulent.

The acts of the board of education of a city controlling the school lands within the city in leasing the lands and in surrendering the right to revaluation at designated periods held not violative of the fourteenth amendment to the Federal Constitution by taking property without due process of law.—*City of Chicago et al. v. Tribune Co.*, 93 N. E., 757.

Indiana: Validating certain sales of township school lands.

Ch. 89, Mar. 2, 1911.

Kansas: Legalizing certain sales of school lands Ch. 282, Mar. 10, 1911.

Kansas: Protecting actual settlers on school lands held under leases and validating certificates of purchase and patents issued thereon.

Ch. 286, Mar. 3, 1911.

Kansas (1910): Assignment of school-land certificates of purchase with authority to the assignee to insert the name of any purchaser authorized the assignee to fill in his own name as purchaser.—*Martin v. Cochran et al.*, 106 Pac., 45.

Kansas (1911): An appraisal of school lands within five years next preceding the execution of a lease thereon is not a condition precedent to the exercise of the power to lease under Laws 1899, ch. 241.

On lease of school lands for a term exceeding five years, the rentals may be changed every five years under Const. Art. 6, sec. 5.—*Payne v. Barlow et al.*, 118 Pac., 432.

Kansas (1910): In an action to quiet title to forfeited school lands, evidence introduced with other evidence held sufficient to show forfeiture of the original purchaser's rights.

A purchaser of forfeited school lands suing to quiet title thereto against those holding under the original purchaser is not required to pay the original purchaser or his assignee the amount paid the State.—*Broadie v. Carson*, 106 Pac., 294.

Kansas (1910): Testimony of the sheriff as to his service of a proper notice of forfeiture of a purchase of school land held not to show insufficient service under the statute.

A purchaser of school land held estopped on forfeiture of his purchase from claiming the land as against the grantee of a subsequent purchaser.—*Brown v. Neuling*, 112 Pac., 110.

Kansas (1910): A sale by a trustee in bankruptcy of the United States District Court in Illinois of a certificate of sale of State school lands in Kansas held to convey no interest in the lands.

A certificate of purchase of State school lands held to convey an equitable title to the land.—*Robertson et al. v. Howard*, 109 Pac., 696.

Kansas (1910): The right of a purchaser of school lands, after an attempted invalid forfeiture, to receive a patent after taking an assignment from the former purchaser, stated.

The assignee of a certificate of purchase of school land held to be a purchaser entitled to notice of forfeiture proceedings under Gen. Stat. 1901, sec. 6356.

Forfeiture proceedings of school lands held invalid where notice thereof is given to a person shown by the records to have assigned his interests, and not to the assignee.—Roll et al. v. Nation, State Aud. et al., 109 Pac., 392.

- **Kansas (1910):** Right of assignee of the purchaser of school land who also purchases the improvements upon full payment of the purchase price to the State stated.

Where the purchaser of school lands makes improvements thereon, and subsequently sells his interest in the land and improvements, assigning his certificate and giving possession, the State does not acquire the improvements.

Assignee of a certificate from a purchaser of school land on payment of the purchase price held entitled to the patent on demand.—Schmidt v. Nation et al., 109 Pac., 396.

- **Kansas (1911):** The limitation of Laws 1907, ch. 373, sec. 4, to an action to recover school lands when a forfeiture has occurred applies only where there has been an attempt to forfeit the right of the original purchaser and the land has been sold to a new purchaser.—Mayse v. Belt et al., 112 Pac., 624.

Louisiana: An act to amend act No. 129 of 1906, etc.

Receipts from leases of sixteenth section school lands, or from the sale of timber thereon, or of the lease or sale of oil and mineral rights thereof, shall be credited to the account of the current school fund of the proper parish; to be used for general school purposes.

(Formerly such receipts were transmitted to the State auditor to be credited to the township in which the property is situated.)

Act 54, June 29, 1910.

Louisiana: An act to empower the school boards of the parishes of the State to bring suits to recover for the State damages for trespass on and timber cut from the sixteenth section, known as school lands, held by this State in trust and to authorize school boards to sue for and recover the sixteenth section, known as school lands; . . . to provide for the disposition of moneys thus recovered.

Moneys recovered by such suits shall be deposited in the State treasury to the credit of the township in which the land is situated.

Act 158, July 6, 1910.

Louisiana: Directing the registrar of the land office and attorney general to investigate and report on all sixteenth section and indemnity lands originally set aside for benefit of schools, and funds derived therefrom.

Act No. 11, 1912.

Louisiana: When it is shown by the proper records that a township has not received its share of school indemnity lands, the registrar of the State land office shall issue a warrant to that township for the number of acres due. Warrants may be assigned at \$5 per acre and may be located on any vacant State land subject to entry.

Act No. 123, 1912.

- **Louisiana (1912):** School boards have no authority to dispose of timber found on school sections, and an attempted sale by a school board conveys no right, and the supposed purchaser converting the timber to his own use is liable to the State for the value of the manufactured product of the timber, less the cost of logging and manufacture.

The vendee from a school board of timber on a section can convey no rights. Act No. 158 of 1910 does not change the attitude of the State with respect to school lands, save that it contemplates that school boards shall aid the State in the execution of the trust.—State v. F. B. Williams Cypress Co., L't., 58 So., 1033.

Minnesota: Providing for monthly sales of school and other State lands in certain counties.

Ch. 123, Apr. 11, 1911.

- **Minnesota (1909)**: In action of State for trespass, State auditor's certificate of sale of land, being school-land certificate and fair on its face, can not be collaterally impeached for fraud or mistake by extrinsic evidence.
State auditor authorized to determine whether State's school lands are agricultural, timber, or mineral . . .—*State v. Red River Lumber Co.*, 123 N. W., 412.
- **Nebraska (1909)**: Lessee of school land after expiration of his lease not entitled to a voice in the selection of appraisers to revalue it, and if he desires to renew his lease he must do so under laws . . .—*Stanser v. Cather et al.*, 123 N. W., 316.
- **Nebraska (1910)**: A tenant occupying school lands under a lease from the State held entitled to damages on the opening of a highway without joining the State as plaintiff in the proceedings.—*Dugan v. Cedar Co.*, 128 N. W., 297.
- New Mexico**: Moneys received from the Las Vegas land grant may be invested in municipal and district bonds (as well as State and county bonds).
Ch. 64, June 10, 1912.
- North Dakota**: Authorizing the board of university and school lands to make examination of all State and school lands to determine the character and extent of underlying coal veins and to show soil characteristics and topographical features of such lands.
Appropriation, \$2,000. Ch. 262, Mar. 3, 1911.
- North Dakota**: Relating to the appraisalment and sale of school lands.
Ch. 261, Mar. 3, 1911.
- North Dakota**: An act withdrawing from sale or rent certain school land in Dunn County.
Ch. 143, Mar. 6, 1911.
- **North Dakota (1911)**: Where the board of university and school lands in disapproving a sale acted within the discretion given by the constitution and statutes, certiorari will not lie to review its action.
Under Const., sec. 156, and Rev. Codes 1905, secs. 153, 174, held that the board of university and school lands is endowed with the duty of using judgment and discretion in selling and approving sales of public land.
Disapproval by the board of university and school lands of a sale of school lands and its refusal to cause contract of sale to be executed under the power granted it by Rev. Codes 1905, sec. 174, held conclusive.—*Fuller v. Bd. of Univ. & Sch. Lands et al.*, 129 N. W., 1029.
- South Dakota**: Defining the powers and duties of the commissioner of school and public lands, regulating the leasing and sale of common-school and endowment lands, providing for the apportionment and investment of the common-school and endowment land funds, providing for the sale of timber and coal.
Ch. 224, Feb. 23, 1911.
- **Texas (1910)**: Under act 1883 every new county, whether organized or not organized at the date of the passage of act 1881, held entitled to four leagues of land for school purposes.—*Holmes, Co. Judge, v. Robison, Land Com'r et al.*, 124 S. W., 629.
- **Texas (1910)**: Under Const. art. 7, sec. 6, the contract of a county leasing its school lands for 20 years an option to purchase during that time held void.—*Midland Co. v. Slaughter et al.*, 130 S. W., 612.
- **Texas (1910)**: No adverse possession or limitation is available against the title of a county to its school land.
Where a county causes school land to be located and surveyed pursuant to Laws 1889, p. 120, held that it acquires title though a patent for the same be not issued.
On a recovery by a county of its school land in trespass to try title, defendant is not entitled to compensation for his improvements, his remedy being purchase of the land.—*Lamar Co. v. Talley et al.*, 127 S. W., 272.
- **Texas (1910)**: Title to State school land can only be secured by an original or substituted purchaser, and a substituted purchaser must make the affidavit required by Rev. Stat. 1895, art. 4292.

A contract relating to the acquisition of an interest in State school land held nonenforceable.—*Brown v. Brown et al.*, 132 S. W., 887.

- **Texas (1910)** : Title by limitation may be acquired to unpatented school lands sold by the State.

The rule that limitations will not run in case of mistake until discovery by the party sought to be charged does not apply where plaintiff purchased school land in 1884 and a mistake of the surveyor was not discovered until 1908.—*Paterson v. Rector et al.*, 127 S. W., 561.

- **Texas (1911)** : The Commissioner of the General Land Office can not declare a forfeiture of a purchase of school land for collusion.

In view of section Ga. Acts 30th Leg., ch. 20, held that section 8e did not change the law as to a settlement on school land in good faith and authority to declare a forfeiture of a purchase thereof for failure to so settle.

The defense of innocent purchaser is inapplicable to cases involving conflicting claims as purchases of school land.

In a suit involving conflicting claims of purchasers of school land held that an erroneous charge was cured by another charge.—*Baldwin v. Salgado*, 135 S. W., 608.

- **Texas (1910)** : One taking a void lease of public-school land and in good faith making improvements held entitled to recover therefor of the subsequent purchaser from the State.

One buying of the State public-school lands of which another is in possession under a void lease held entitled to recover of him rent from the time of his purchase till placed in possession on termination of their litigation over title.

One making removable improvements on public-school lands under a void lease thereof held under the circumstances entitled to recover therefor of a subsequent purchaser from the State, denying him right to remove though he delayed demanding right to remove.—*Buchanan v. Wilburn*, 127 S. W., 1198.

- **Texas (1910)** : Though the State may wholly ignore a subsequent purchaser of school land and recognize only the contract of the original purchaser, it does not follow that, as between the original purchaser and the vendee of an interest in the former's inchoate title, the conveyance is void.—*Breen v. Morehead et al.*, 126 S. W., 650.

- **Texas (1910)** : A purchaser of State school lands may not fulfill the conditions of settlement and occupancy by proxy.

A contract by a husband for the purchase of State school land held a community obligation through which the wife acquires a half interest in the land.

In a suit involving conflicting claims to State school land an instruction held erroneous as unduly emphasizing the necessity of plaintiff's personal occupancy and in excluding the consideration of the acts of his wife.—*Ericksen v. McWhorter*, 132 S. W., 847.

- **Texas (1910)** : The act of 1907 requiring purchasers of school land to reside in person continuously on the land added nothing to the former statute except that it repealed the permit to reside elsewhere six months in each year for the purpose specified.

Evidence held to support a finding that a purchaser of school lands substantially complied with the law as to residence on the lands.—*State v. Davidson*, 132 S. W., 520.

- **Texas (1910)** : Under Sayles's Ann. Civ. Stat. 1897, Art. 4218f, a purchaser of school land whose right has been forfeited held to possess the absolute right to reinstatement as against the claim of one to whom the land has been erroneously awarded subsequent to the forfeiture and prior to the application for reinstatement.

The right of a purchaser of school land forfeited for nonpayment of interest to reinstatement held to become fixed as of the date of his compliance with the statute authorizing reinstatement.

Trespass to try title by a purchaser of school lands within a year after his reinstatement after a forfeiture held not barred by Laws 1905, ch. 29.

Laws 1905, ch. 29, held to apply only in cases in which persons claim the right to purchase school land which has been sold to others.

A purchaser of the rights of one to whom school land has been awarded occupies by substitution on the commissioner accepting him the position of an

original purchaser, but he takes subject to any right to the land intervening between the award and his purchase.

A purchaser of school land who had been reinstated as purchaser after forfeiture held entitled to claim the land as against one claiming under an erroneous award of the lands after the forfeiture.—*Davis et al. v. Yates*, 133 S. W., 281.

- **Texas (1911)**: Judicial notice can not be taken that in 1895 more than half the public domain had been exhausted for the benefit of others than the public free-school fund.

Statement of when, under Const. Art. 7, sec. 2, land covered by a patent would at once become property of the public free-school fund, on rendition of a judgment in favor of the State canceling the patent.—*State v. Powell*, 134 S. W., 746.

- **Texas (1910)**: Commissioners' court could not delegate to the county judge power to sell the timber on school lands.

Approval of sale of timber on school lands by commissioners' court and receiving of the purchase money and use thereof by the county for school purposes held a ratification of the sale.

The order of commissioners' court approving a sale of timber on school lands need not be in writing to constitute a ratification of the sale.—*Carter-Kelly Lumber Co. v. Angelina County*, 126 S. W., 293.

- **Texas (1910)**: Filing of field notes in the district surveyor's office was not essential to an appropriation of school lands.

In the absence of evidence to the contrary, it will be presumed that appropriated school lands were surveyed as required by Rev. Stat. 1895, Arts. 4130-4132.—*Elwood, Arnett & Arnett v. Copeland*, 129 S. W., 146.

- **Texas (1910)**: Under Acts 29th Leg., ch. 29, an award constituting the title of a purchaser of school land may be introduced in evidence without specially pleading it.

An application for the purchase of school land, made prior to the cancellation of a previous sale to another, held not to give applicant any right at the time of filing of the application nor prior to the cancellation of the prior sale.

An application to purchase school land at a price below that at which it has been appraised and offered for sale secures no right to the applicant.

One who has prematurely filed an application for the purchase of school land held to possess the right to make application when the proper time has arrived, and, under proper circumstances, the application may consist in the use of papers already filed.

Application for the purchase of school land filed more than a month before the cancellation of a prior sale to another, and acted on after the cancellation of the prior sale and a reappraisal of the land by the commissioner, held ineffectual to give the applicant title.

An application for the purchase of school land held not to sufficiently describe the land so that an award was not a sale in compliance with law.

A sale of school lands reappraised at \$5 an acre to an applicant applying for the purchase while the appraised value was fixed at \$3 an acre is not a sale in compliance with law.

Under Acts 29th Leg., ch. 29, a sale of school lands which has stood for a year held valid against every one but the State.

The title of a purchaser of school land resulting from the operation of Acts 29th Leg., ch. 29, held to come from the operation of the law, and when a year has passed without an attack on an award of school land, it stands as if valid from the beginning.—*Erp. v. Tillman*, 131 S. W., 1057.

- **West Virginia (1910)**: A sale of land by the State as provided by Code 1906, ch. 106, relating to the sale by the State of forfeited land for benefit of the school fund, estops the State from again selling the same land, unless there be a forfeiture of the new title.—*State v. Mathews et al.*, 69 S. E., 644.

Wyoming: Fixes terms of payment for State and school lands.

Ten per cent of purchase price must be paid in cash; the balance is not to exceed 18 annual installments, with interest at 4 per cent, 6 per cent on all money overdue.

Ch. 25, Feb. 16, 1911.

B. (c) Permanent State School Funds: Composition and Investment.

Alabama: Prescribing the duties and powers and fixing the compensation of county superintendents of education.

"Sec. 1. *Be it enacted by the Legislature of Alabama,* That the duties and powers of the county superintendent of education shall be as follows: He shall have an office at the county seat of his county, where he must, on every Saturday of each month, except in the months of June, July, and August, be present in person or by representative to transact business with the officers and teachers of the public schools. He shall examine into the condition of all school funds of his county, including the sixteenth-section fund and sixteenth-section lands unsold in his county. He shall, as soon as practicable, notify the district trustees of each district of the amount available as salaries of the several teachers in the district. He shall, when required by the county board of education, devote his entire time to the work of visiting and supervising the schools of the county when any of the public schools are in session, visiting all of the schools of the county as often as possible, and each of them at least once annually. When visiting a school he shall notice carefully the condition of the schoolhouse, grounds, and equipments, calling to the attention of the local trustees any apparent needs of the school. He shall observe the class work of each teacher and, when necessary, give model lessons for the benefit of the teacher. He shall encourage the organization of school-improvement associations and the building up of school libraries. He shall make, on blanks furnished by the State department of education, monthly reports to the county board of education, covering fully and in detail his work during the preceding month, sending a duplicate report to the superintendent of education at Montgomery. He shall, on or before the 15th day of October of each year, forward to the superintendent of education, on blanks to be furnished him by the latter, an annual report covering the work of the public schools in his county for the preceding year, which shall set forth: (1) the amount of school money paid into the hands of the treasurer of the county school funds and from what sources; (2) the amount disbursed by the treasurer and for what purpose; (3) what amounts of public-school funds, if any, passed through his hands into the hands of the county treasurer of the public-school funds and from what sources; and his annual report shall supply whatever information may be called for by the State superintendent of education touching the public schools of the county.

"Sec. 2. Each county superintendent shall receive 4 per cent of all State public money legally disbursed in his county not to exceed the sum of \$1,800 for any calendar year: *Provided,* If the county board of education of any county should, by a majority vote of the board, require the full time of the county superintendent in the discharge of the duties of his office, the said county board shall fix his compensation on a salary basis instead of a per centum on disbursements, as otherwise provided in this section, and said salary shall be fixed at a sum not less than \$1,000 per annum, payable in 12 equal monthly payments in the same manner and out of the same moneys as other teachers are paid, his name being placed on the pay roll with other teachers. To aid the county superintendent in the discharge of his duties the county board of education may employ such assistants as they may deem necessary. These assistants shall be paid in the same manner as other teachers in the county are paid.

"Sec. 3. The provisions of this act shall become effective on the expiration of the terms of the county superintendents now in office."

Act. 269, p. 325, Apr. 8, 1911.

California: Amending section 680 of the Political Code.

Permits the investment of school funds in road bonds and bonds of irrigation districts.
Ch. 174, Mar. 18, 1911.

* **Illinois (1911):** Act of June, 1900. (Laws 1900, p. 425), providing for the sale of the commons of Kaskaskia to create a permanent school fund, held not to violate Const. Art. 4, sec. 22, prohibiting local or special laws for the management of common schools.—Land Com'rs. of Commons of Kaskaskia et al. v. President and trustees of Commons of Kaskaskia et al., 94 N. E., 970.

Indiana: Creating a State fund for the care of persons affected by hydrophobia.

Derived from 5 per cent of the surplus dog taxes collected in the several counties. If said fund exceeds \$3,000 at the end of any fiscal year the surplus shall be turned into the State school fund. Ch. 98, Mar. 2, 1911.

Kansas: Authorizing the board of school fund commissioners to compromise and settle all claims of the State against the former county of Day.

Ch. 283, Mar. 3, 1911.

Massachusetts: Appropriating for the payment of premiums on securities purchased for the Massachusetts school fund.

Ch. 420, May 9, 1911.

Massachusetts: Appropriating \$5,000 to pay premiums on securities purchased for school fund.

Ch. 200, Mar. 8, 1912.

Minnesota: Proposing an amendment to the constitution of the State relating to the investment of school funds and authorizing the loaning of school funds on improved farm lands.

Said amendment shall be submitted to the people at the next general election.

Ch. 392, Apr. 20, 1911.

Missouri: Relating to the investment of public school fund and seminary fund.

May be invested in bonds of drainage or levee districts.

H. B. 1001, p. 415, Apr. 7, 1911.

New Mexico: Relating to State bonds.

All moneys received from the sale of certain lands in Grant and Santa Fe Counties, in excess of amounts required to pay principal of bonds of "Series C," shall be paid into permanent school fund of State.

Ch. 16, June 1, 1912.

Oregon: Relating to the deposit of the moneys belonging to the irreducible school fund, university fund, and agricultural-college fund, pending investment.

Ch. 61, Feb. 14, 1911.

Pennsylvania: See A (a).

Tennessee: For the benefit of the Agricultural and Industrial and Normal School for Negroes.

Provides that the funds received under the acts of Congress approved July 2, 1862, March 2, 1887, and August 30, 1890, be divided between the white race and the negro race upon the basis of school population.

Apportions such part of the funds derived from the Federal Government as should go to the colored race to the Agricultural and Industrial Normal School for Negroes.

Ch. 64, July 6, 1911.

B. (d) State Taxation for School Purposes.

Arizona: Fixing tax rate: For State university, \$0.004 per \$100; for State industrial school, \$0.026 per \$100; for State school fund, etc., \$0.65 per \$100; for interest on university bonds, \$0.0013 per \$100; for university bonds, \$0.007 per \$100; for redemption of university bonds, \$0.003 per \$100.

Ch. 64, Sp. Sess., June 20, 1912.

Arizona: State tax and county school tax.

State tax shall be annually levied sufficient to produce \$500,000 and paid into State treasury. State treasurer shall hold all school moneys as a special fund, called State Common School Fund.

All school moneys due each county shall be paid on the second Monday in January and May, in conformity with apportionment of State board of education.

On or before July 1 each year the district trustees shall submit to county superintendent itemized statement of money needed for ensuing year. The

county superintendent shall submit to county supervisors estimate of money needed for county for ensuing year, considering estimates of trustees. He [county superintendent] shall multiply \$35 by average attendance of county for first eight months of preceding year. He shall add such a sum as will give each district at least \$1,000. He shall add 10 per cent as a reserve fund. The aggregate shall be minimum amount required to maintain kindergarten and common schools for ensuing year. If this aggregate is not equal to sum of estimates of trustees, he must include additional amounts in his estimates separately for the several districts.

Supervisors shall levy tax to raise such sums (with additional amounts in the districts demanding same), providing the rate (excluding bond interest and high-school tax), shall not exceed 90 cents per \$100 of value. The board of supervisors shall not reduce county superintendent's estimate if rate does not exceed 90 cents.

County treasurer shall hold school moneys as separate fund and pay out same on order of county superintendent. He shall report to State superintendent August 1 each year.

The county superintendent shall apportion to each district at least \$30 per capita of average attendance. Minimum for any district, \$1,000. Shall apportion reserve fund to districts which after five months' session show greater average attendance than in preceding year. If reserve fund is not sufficient to meet demands of all districts showing increased average attendance it shall be apportioned among them pro rata; but in no case shall apportionment from reserve fund be greater than regular apportionment for same year. Balance in reserve fund at end of year shall be transferred to general school fund.

No apportionment made to any district unless teacher holds a legal certificate or to any district (except new districts) in which school was not maintained at least eight months during previous year. Fire, flood, etc., shall not prevent district from receiving apportionment.

New districts shall receive apportionment on probable average attendance based on census.

County superintendent may suspend district with less than eight pupils in average attendance, and the board of supervisors shall declare district lapsed and attach same to another district. County superintendent shall adjudicate indebtedness.

Ch. 77 (Ch. XVI), May 20, 1912.

Delaware: Relating to the collection of school taxes.

Adds 5 per cent to the amount of taxes not paid at the prescribed time.

Ch. 95, Apr. 6, 1911.

Illinois: Providing for the necessary revenue for State purposes.

Includes the annual levy of a tax upon assessed taxable property, for State school purposes, to be designated the "State school fund," the sum of \$2,000,000 [was \$1,000,000 previously]. See appropriation in H. B. 675, sec. 27.

H. B. 673, p. 434, June 10, 1911.

Maryland: Fixing the rate of the State school tax at 10½ cents per \$100 (instead of 16 cents).

Ch. 257, Apr. 7, 1910.

Nevada: Fixing the State tax levy.

Annual tax rate per \$100: General school fund, 6 cents (raised to 10 cents, ch. 133, p. 220); contingent university funds, 5.4 cents.

Ch. 90, Mar. 18, 1911.

Nevada: See A (a).

New Mexico: Regarding revenues for public schools.

Levies State tax of 1½ mills to be added to current school fund. One-half current school fund shall be deducted to form separate fund called revenue fund to be used for maintaining school for full period of five months.

State superintendent shall apportion current school fund among counties on basis of enumeration of children of school age.

Reserve fund shall be distributed among districts in which annual special-school tax of 15 mills with county apportionment is not sufficient to maintain

school for five months. In such case county superintendent shall furnish State superintendent evidence of that fact, and latter shall make requisition on State auditor from reserve fund for the amount necessary for five months' school in said district. Maximum amount required by any district for said five months' school, \$300 for each schoolroom, allowing 1 room to each 50 children or fraction thereof in district.

At end of school year balance in State treasury to credit of reserve fund shall be transferred to current school fund.

On or before June 1 each year the school directors and boards of education shall make and certify to county commissioners an estimate of funds required for school purposes for ensuing year. Commissioners may disapprove estimate. If so, or if no estimate is made, commissioners shall levy tax they consider necessary. Maximum: 20 mills in incorporated cities, towns, and villages; 15 mills in other districts.

County commissioners shall levy annually a general county school tax of 3 mills, proceeds to be placed to credit of general county school fund.

Ch. 51, June 10, 1912.

Ohio: Relating to the tax rate for certain purposes.

Prescribes the following rates of State taxation:

For the State common-school fund, 0.335 mill (instead of 1 mill).

For interest on the trust-fund debt for school purposes, 0.0335 mill (instead of 0.1 mill).

For the Miami University fund, 0.0085 mill (instead of 0.025 mill).

For the Ohio University fund, 0.0085 mill (instead of 0.025 mill).

For the Ohio Normal School fund, 0.005 mill (instead of 0.015).

For the Miami Normal School fund, 0.0035 mill (instead of 0.01 mill).

For the Ohio State University fund, 0.0535 mill (instead of 0.10 mill).

For the fund of the combined normal and industrial department at Wilberforce University, 0.0035 mill (instead of 0.01 mill).

The local tax levy for all school purposes shall not exceed in any one year 5 mills, and the total levy shall not exceed 10 mills, exclusive of levies for sinking fund and interest purposes. Such tax levy may be increased by vote of the electors, but the combined rate of taxation for all purposes shall in no case exceed 15 mills.¹

A board of budget commissioners is constituted in each county, consisting of the county auditor, the mayor of the largest municipality, and the prosecuting attorney, and the estimates of all boards or officers authorized to levy taxes within the county are submitted to them. If the total of the estimates exceeds the amount authorized by law in any township, city, village, or school district, the budget commissioner shall revise the estimates so that the total shall not exceed the authorized amount.

H. B. No. 186, p. 206, June 2, 1911.

Oklahoma: Providing for the sale of such school lands as may be needed for sites for schoolhouses. Sites not exceeding 4 acres may be sold from public school or State lands by the commissioners of the land office to regularly organized school-district boards. Receipts from such sales shall be treated in the same manner as receipts from sales of other public-school lands.

Ch. 116, Mar. 9, 1911.

Utah: Providing a permanent income for the general maintenance of the University of Utah, including the branch of the State Normal School and the agricultural College.²

Appropriates for that purpose 28 per cent of the entire annual revenue derived from the general tax levy for State purposes, exclusive of the State school and high-school tax funds. Said moneys shall be divided as follows:

¹ Although the rates enumerated above are approximately one-third the former rates, the proceeds will not be materially less than before. A new assessment was made in 1910, and property was rated at a higher proportion of its true value than in previous assessments.

² By ch. 92, approved Mar. 18, 1911, the amount to be raised for general State purposes for 1911 and 1912 was fixed at \$550,000, and for the purpose of raising the same an ad valorem tax of 4 1/2 mills was levied.

University of Utah, including the State School of Mines and State Normal School, 64.48 per cent; branch of the State Normal School, 7.23 per cent; Agricultural College, 28.34 per cent.
Ch. 17, Mar. 6, 1911.

Virginia: An act to amend and reenact section 43 of an act to raise revenue for the support of the government and free schools, etc.

Changes method of levying taxes on certain electric corporations.

Ch. 58, Feb. 26, 1910.

Washington: Creating funds to be known, respectively, as the "University fund," "the Washington State College fund," "the Cheney Normal School fund," "the Ellensburg Normal School fund," and "the Bellingham Normal School fund," and providing for tax levies for such funds.

Ch. 69, Mar. 13, 1911.

West Virginia: Amending and reenacting sec. 62 of ch. 32 of the Code, as last amended and reenacted by sec. 62 of ch. 82, acts of the legislature of 1907, relating to the rate of taxation on real and personal property for State and State school purposes and the amount of the distributable school fund.

Reduces from 5 to 3 mills the maximum levy, and from 2 to 1 mill the minimum levy. Aggregate amount apportioned remains at \$750,000.

Ch. 67, Feb. 27, 1911.

B. (e) General Apportionment of State School Funds; Special State Aid for Elementary Education.

See also A (d) and (c).

California: Carrying into effect the provisions of paragraph (e) of section 14 of article 13 of the constitution of the State of California as the said article was amended November 8, 1910, in so far as the same relates to the public-school system, and to that end amending section 448 of the Political Code of the State of California, and adding a new section to the said Political Code to be numbered 461, all relating to the State school fund.

On or before the first Monday in January and the first Monday in July of the year 1912, and on or before the first Monday in January and the first Monday in July of each succeeding year, the State controller shall transfer from the general fund of the State to the State school fund such sums as will be equivalent to \$18 for each pupil in average daily attendance in the elementary schools of the State as reported by the superintendent of public instruction for the school year ending June 30 preceding.

The State treasurer shall transfer from the general fund to the State school fund such sums as shall be certified to him by the State controller under the provisions of section 448 of the Political Code.

Ch. 849, May 1, 1911.

California: Carrying into effect the provisions of paragraph (e) of section 14 of article 13 of the constitution of the State of California, as the said article was amended November 8, 1910, in so far as the same relates to the public-school system, and to that end amending section 1760 of the Political Code of the State of California, relating to the State high-school fund.

It shall be the duty of the State controller, annually, between the 10th of August and the 1st day of September, at the time he is required to estimate the amount necessary for other school purposes, to estimate the amount necessary for the support of high schools. This amount he shall estimate by determining the amount required at \$15 per pupil in average daily attendance in all the duly established high schools of the State for the last preceding school year, as certified to him by the State superintendent of public instruction. The State controller and State treasurer shall each year transfer from the general fund provided by section 14 of article 13 of the consti-

tion of the State of California, together with all other State revenues, to a separate fund, hereby created, to be called the "State high-school fund," the amount so estimated by the State controller. Ch. 650, May 1, 1911.

California: Amending section 1858 of the Political Code, relating to the apportionment of school funds.

Apportions school funds on the basis of number of teachers employed, number of teachers allowed based upon average attendance.

Ch. 332, Mar. 31, 1911.

California: Amending section 1817 of the Political Code, relating to county school tax.

Minimum levy must, when added to State apportionment, be sufficient to raise \$13 per pupil in average attendance.

Ch. 459, Apr. 14, 1911.

Colorado: Creating a permanent school emergency or call fund under the control of the State superintendent, and providing for the use and expenditure of the same.

SECTION 1. There is hereby created a permanent school emergency or call fund. Said fund shall be under the control of the State superintendent of public instruction as hereinafter provided.

SEC. 2. There is hereby transferred and set over from the general school income fund to the permanent school emergency or call fund the sum of \$40,000 for the purpose of carrying out the provisions of this act.

SEC. 3. Said permanent school emergency or call fund shall remain in the hands of the State treasurer, and any interest earned thereon or arising from the investment thereof shall be credited to said fund and become a part thereof.

SEC. 4. When on account of unavoidable misfortune or casualty any public-school district in this State is in financial distress, and the special school tax and apportionment of the school funds are not sufficient to provide proper and necessary school facilities in such school district, the superintendent of public instruction may, with the approval and consent of the governor and attorney general, order the payment from the permanent school emergency or call fund, to such public-school district of such an amount as may be necessary to provide necessary school facilities in said public-school district.

SEC. 5. Payments shall be made from the permanent school emergency or call fund only upon the presentation of sufficient and satisfactory evidence that the school district making application for relief under the provisions hereof is, by reason of unavoidable misfortune or casualty, in financial distress and that the special school tax and apportionment of school funds are not sufficient to provide proper and necessary school facilities in such public-school district, and that such financial distress will continue for at least one school year unless relieved under the provisions hereof.

SEC. 6. The amount to be expended from the permanent school emergency or call fund in any one year for all purposes shall not exceed the total sum of \$20,000.

SEC. 7. Any appropriation hereafter made and any gifts or contributions to the permanent school emergency or call fund shall be subject to all the provisions of this act.

SEC. 8. The auditor is hereby authorized to draw his warrant on the State treasurer in payment of any voucher issued against the permanent school emergency or call fund signed by the superintendent of public instruction and approved by the governor and attorney general.

Ch. 61, June 5, 1911.

The governor approved of only one-half of the expenditure provided in the act.

Connecticut: Amending sections 1 and 2 of chapter 242 of the public acts of 1909, relating to State aid to public schools.

Ch. 251, Sept. 12, 1911.

Delaware: Increasing from 165 to 200 the number of teachers upon which the public-school fund may be apportioned to any district or school.

Ch. 12, Apr. 27, 1911.

Kansas: Prescribing a minimum term for district schools and for schools in cities of the first and second class, and providing for State and county aid for districts which can not support such term, and regulating the formation of new districts.

"SECTION 1. That all school districts in which provision is not made for the free tuition and comfortable transportation of all pupils to a public school in some other school district or districts for not less than seven months each school year shall maintain a public school for a period of not less than seven months between the 1st day of September and the 1st day of the following June. Cities of the first and second class shall maintain not less than eight months of school each school year.

"SEC. 2. That for the purpose of providing at least seven months of school each year for all the youth of this State, whose parents or guardians live in public-school districts, the funds of which are not sufficient to maintain school for seven months, there shall be paid to each such district by the State as hereinafter provided, three-fourths of the difference between the amount necessary to maintain seven months' school and the annual income of the district from all sources, and the remaining deficiency to the amount of one-fourth shall be a proper charge upon the county and paid as other county expenditures: *Provided*, That no aid shall be given any public-school district unless said district shall have voted an amount of money representing not less than $4\frac{1}{2}$ mills of the assessed valuation of such district: *And provided further*, That all districts receiving aid under the provisions of this act shall follow the course of study as prescribed by the State board of education and shall employ a qualified teacher recommended by the county superintendent.

"SEC. 3. That it shall be the duty of the superintendent of each county within the State on or before August 1 of each year, under oath, to certify to the county clerk an estimated amount that will be due the several school districts under the provisions of this act from the county (and it shall then be the duty of the commissioners to provide a levy sufficient to raise the amount required for the current school year): *Provided*, That such estimate shall include a statement as to each district concerned as to valuation, area, school census, and proposed total expenditures for teacher and incidental expenses.

"SEC. 4. That it shall be the duty of the superintendent of each county within the State, on or before the second Monday in January of each year, under oath, to certify to the county treasurer, the total amount due each district from the State and from the county, and also to certify to the State superintendent of public instruction the number of each school district in his county entitled to State and county aid under the provisions of this act, the tax levy for each, the expenditures of each, the amount due each from the State, the area, the school census, and such other items as the State superintendent may require. It shall be the duty of the State superintendent, on or before the last Monday in March of each year, to certify the amount of State aid due the several districts under the provisions of this act, to the several county treasurers, and the amount due each county to the State auditor, and the State auditor shall draw warrants on the State treasurer in favor of the various counties for the sums as specified by the State superintendent. The State treasurer shall remit said amount to the county treasurers of the several counties entitled to the same, who shall place the amounts to the credit of the proper districts of their respective counties in accordance with the instruction of the State superintendent and as certified by the county superintendent: *Provided*, That at the same time the several amounts due from the county to said districts shall be placed to the credit of such districts.

"SEC. 5. That to determine the amount to be apportioned to each district, the county superintendents shall find the estimated expenditures of the district for the current year and subtract therefrom the estimated income of that district from all sources for the current year. The estimated income for the current year shall be the sum of all moneys belonging to the district on hand in the district and county treasuries, plus the amount which a levy of $4\frac{1}{2}$ mills tax upon the assessed value of the district will raise, plus the estimated apportionment of State and county funds, as now provided by law. The estimated expenditures for the current year shall be the amount necessary to provide for a teacher, fuel, and incidentals and to maintain schools for seven months, and shall not exceed the sum of \$250 for any one year in schools receiving such State and county aid.

"Sec. 6. That upon the failure of any school district to carry out the provisions of section 1 of this act the county superintendent shall make the required tax levy and certify the same to the county clerk and proceed to carry out said provisions; and after September 1 the school district neglecting to act, he shall employ a teacher and make all necessary provisions for a seven months' term of school, and the district treasurer shall pay such itemized expenses as are certified to by the county superintendent.

"Sec. 7. That new districts shall not be formed with an assessed valuation of less than \$100,000, and territory shall not be detached from any school district the assessed valuation of property of which is less than \$100,000, or the valuation of property of which would thereby be reduced below \$100,000.

"Sec. 8. That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, the sum of \$75,000 for the fiscal year beginning July 1, 1911, and \$75,000 for the fiscal year beginning July 1, 1912, or as much thereof as may be necessary to carry out the provisions of this act: *Provided*, That if the amount appropriated above is not sufficient to pay the full sum to which each district is entitled under the provisions of this act, it shall be divided pro rata among the several districts in proportion to the amount asked for by the county superintendent: *Provided further*, That the one-fourth to be paid by the county shall, if insufficient, be pro rated among the districts entitled to such aid.

"Sec. 9. That the provisions of this act shall not apply to districts having an enumeration of less than 15 children of school age, unless said districts embrace an area of 12 square miles or more: *Provided*, That whenever the number of children of school age in any school district having an area of less than 12 square miles shall be found to be less than 15 by the annual school census no school shall be maintained in such school district during the following year (unless such a district by reason of its valuation is able to maintain a seven months' school without State or county aid), and the district board of such district shall make provision for sending, for a period of not less than seven months, the pupils of such school district to such school or schools in an adjacent district or districts as said district board may determine: *Provided*, That there is a school in an adjacent district to which said district may send the pupils. As full compensation for the tuition of said pupils, the treasurer of the district from which said pupils are sent shall pay, in the manner prescribed by law, to the treasurer of the district or to the board of education of the school to which said pupils are sent, an amount, not to exceed the average cost per pupil per week for maintaining the school exclusive of school buildings, school site, and permanent improvements: *Provided further*, That the district board of the district in which school is discontinued shall provide for the transportation of the pupils of said district living 2 miles or more from the school to which said pupils are sent to such school or schools in a safe and comfortable and inclosed conveyance or conveyances, properly heated, and the expense of such transportation shall be paid by said school district in which school has been discontinued: *Provided further*, That when any school district within the provisions of this act having voted an amount of money representing not less than 4½ mills of the assessed valuation of such district, finds its funds insufficient to pay the tuition and cost of transportation as herein provided, the State shall pay to said district schools three-fourths of the difference between the amount raised by said district from all sources for school purposes and the cost of tuition and transportation of pupils therein, and the county shall pay from the general fund one-fourth of said difference: *Provided*, That not more than \$75 shall be given to any district whose school has been discontinued according to the provisions of this act: *And provided further*, That pupils attending school in another school district under the provisions of this act shall have the same legal rights, including the right of admission, and be under the same jurisdiction as the pupils residing in the school district in which the school is conducted: *Provided*, That such admission shall not involve the addition of a school building or school buildings or the employment of an additional teacher: *Provided*, That any district having an area of less than 12 square miles and a school population of less than 15, may maintain its school for not less than seven months each year, and such district shall not receive State and county aid in excess of \$50.

Ch. 208, Feb. 28, 1911.

Maine: Amending an act for the equalization of school privileges.

Increases the appropriation for the equalization of school privileges from \$20,000 annually to \$27,500 annually. Provides that said fund shall be distributed upon the recommendation of the State superintendent of public schools for the aid of education in towns where a rate of taxation for support of education in excess of the average for the State fails to produce a revenue sufficient to maintain schools of a reasonable grade of efficiency.

Ch. 192, Mar. 31, 1911.

Maine: Increasing the appropriation for schools in unorganized townships from \$15,000 to \$18,000 per annum.

The said sum shall be deducted from the annual school funds of the State.

Ch. 29, Mar. 11, 1911.

Maryland: Appropriates \$4,000 annually for two years to Garrett County school board for salaries and current expenses. To be taken from proceeds of State school tax before apportionment.

Ch. 113, Apr., 1912.

Michigan: Proposing an amendment to section 9, article 11, of the State constitution relative to the apportionment of primary-school interest money.

If any school district shall on the second Monday in July of any year have on hand a sufficient amount of money in the primary-school interest fund to pay its teachers for the next ensuing two years, said district shall not receive any part of the next apportionment of the primary-school money by the superintendent of public instruction.

Said amendment was submitted to the people at the election on the first Monday in April, 1911, and was approved.

Con. Res. No. 1, 1911.

Michigan: See A (b).

Minnesota: Appropriating \$50,000 for division among school districts in proportion to acreage of State land in each district on the basis of 5 cents per acre.

Maximum for any school in one year, \$250. No part of the money hereby appropriated shall be used for the purchase of any school site or the erection of any school building.

Ch. 341, Apr. 20, 1911.

Minnesota: Amending the law relating to State aid for common schools.

Adds to the common schools designated to receive special aid an additional class, namely, those taught for not less than seven months by a teacher holding at least a second-grade certificate. Such schools shall receive not over \$75 per annum.

Ch. 60, Mar. 29, 1911.

Mississippi: Appropriating \$5,000. Supplemental to school fund, to aid weak counties which can not run school four months.

Ch. 5, Mar. 6, 1912.

Missouri: Amending an act relating to State aid to weak districts.

Areas of districts applying for aid shall contain an area of not less than 6½ [instead of 9] square miles, and shall have maintained an average daily attendance of 15 pupils. No district shall receive more than \$80.

H. B. 887, p. 401, Apr. 7, 1911.

Missouri: Relating to the apportionment of the public-school fund.

"The State superintendent of public schools shall, annually before August 15, apportion the public-school fund applied for the benefit of the public schools among the different counties. This apportionment shall be made as follows: The State superintendent shall apportion, among the various counties, \$50 for each teacher, each principal, and each supervisor actually employed for the entire term: *Provided*, That any teacher employed for less than one-half of the day shall not be counted; any teacher employed for less than one-half of the term for which school is maintained in the district shall not be counted; for each teacher employed for more than one-half of the school term of the district and less than nine-tenths of the school term, he shall apportion only \$25: *Provided also*, that he shall apportion only \$25 for the teacher of any district in which the average attendance during the year preceding the year

tionment has been less than 15 pupils per day: *Provided further*, That he shall apportion \$100 for each teacher whose salary is \$1,000 or more per year: *Provided*, That he shall apportion \$50 for each teacher of any district that employs only two teachers, one of whom is colored and one white: *Provided*, That no teacher, principal, or supervisor who is not paid by the school board from the public funds of the district shall be counted. After these teacher apportionments have been deducted, the remainder of the State school fund to be apportioned shall be divided by the total number of day's attendance of all the pupils of the public schools of the State and the quotient thus obtained shall be called a pupil daily apportionment. The amount apportioned to each district shall be determined by multiplying this pupil daily apportionment by the total number of days' attendance of all pupils of each district: *Provided*, That the days' attendance on legal holidays and on days when the school is dismissed by order of the board to permit teachers to attend teachers' meetings shall be determined by counting as present each pupil who was present on the last day the school was in session before such intermission. The clerk of each school district shall make a report to the county clerk between June 15 and June 30 of each year, showing the number of teachers employed, the total number of days' attendance of all pupils, the length of the school term, the average attendance, the number of days taught by each teacher, the salary of each teacher, and any other information that the State superintendent may require. The aforesaid report shall be sworn to before a notary public or the county clerk. The county clerk shall make a summary of all these reports and forward to the State superintendent of public schools on or before July 15 a report showing the total number of teachers employed in the county and the total number of days' attendance of all pupils in the county, the number of teachers employed for the full term, and the number for half terms, and the number whose salary is \$1,000 or more per year, and such other information as the State superintendent may require. Any district clerk, county clerk, or teacher who shall knowingly furnish any false information in such report, or neglect or refuse to make aforesaid report, shall be deemed guilty of a misdemeanor and punishable by a fine not exceeding \$500, or imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment. The State superintendent of public schools shall certify the amount so apportioned to the State auditor, also to the county clerk of each county, stating from what source the same is derived, which said sum the several county treasurers shall retain in their respective county treasuries from the State fund; the county clerks shall annually before September 1, according to the same provisions hereinbefore stated for determining the apportionment of the State school fund by the State superintendent of public schools, proceed to apportion the State school fund for their respective counties; and no district, city, or town which shall have failed to make this report to the county clerk hereinbefore required shall be entitled to receive any portion of the public school funds; and in making such distribution, each county clerk shall apportion all moneys collected on tax duplicate of any district for the use of schools to such district all moneys received from the State treasurer, and all moneys on account of interest of the funds accruing from the sale of section 16, or other lands in lieu thereof, to the district schools in the congressional townships, and parts of congressional townships to which said land belonged, and all other moneys for the use of schools in the county, and not otherwise apportioned by law, to the proper district: *Provided*, That all school moneys for the use of schools in any townships or parts of townships and all moneys for the use of schools in any county shall be apportioned upon the last enumeration on file in the office of the county clerk, except the State school funds, which shall be apportioned as hereinbefore provided; and he shall, immediately after making such apportionment, enter the same in a book to be kept for that purpose, and shall furnish the district clerks, and those of cities and villages, as the case may be, each a copy of said apportionment, and order the county treasurer to place such amount to the credit of the district, city, or town entitled to receive the same: *Provided*, That no school district which fails to levy a tax of 40 cents on the \$100 assessed valuation, unless the assessment of a less amount, together with the moneys received from the public funds, shall amount to \$300 for school purposes, shall receive any part of the public school moneys for the ensuing school year, and the county clerk shall omit such districts in the apportionment of the public moneys: *Pro-*

vided further, That no district, city, or town that shall have failed to afford the children thereof the privileges of a free school for at least eight months during the year ending the 30th day of June previous to the said distribution, provided a tax of 40 cents on the \$100 assessed valuation, together with the the public funds, will maintain the same, shall be entitled to any portion of the public-school fund for that year. This act shall take effect and be in force on and after the 1st day of September, 1911."

S. B. 444, p. 398, Apr. 18, 1911.

Nevada: Relating to appointment of State and county school moneys.

(The provisions of this act are included in chapter 10 of the new Code, chapter 133.)

Ch. 68, Mar. 15, 1911.

Nevada: See A (a).

New Jersey: Relating to the division of State school moneys by the county superintendent.

Shall apportion (b) \$500 for each teacher of a special class (i. e., blind, deaf, or retarded); (k) 75 per cent of the cost of transportation of pupils, if said county superintendent shall have approved the necessity, cost, and method of same. (Removes limitations and makes provision general.)

Ch. 141, Mar. 25, 1912.

North Dakota: To encourage elementary education.

"The purpose of this act shall be to aid, encourage, stimulate, and standardize the rural and smaller graded schools of this State and thereby increase the efficiency of the entire educational system of this State.

"Any public school in any common-school district in the State or any public school in any city, town, or village, or any consolidated school in the State, not entitled to aid as a State high school, but fully complying with the conditions of this act relating to State graded schools, and any public school in any common-school district in the State not located in any incorporated city, town, or village, or any consolidated school not entitled to State aid as a State high school or graded school, but fully complying with the conditions of this act relating to State rural schools, may receive aid as hereinafter provided for State graded schools and State rural schools.

"State graded schools shall be of two classes, first and second class. First class: In order to be entitled to aid as a State graded school of the first class such school shall have complied with the following conditions, namely:

"First, it shall have maintained for the school year next preceding that for which aid is granted at least nine months' school. Second, it shall be well organized, having at least four departments under the supervision of proficient teachers. The principal shall be a graduate of a normal school or other institution of higher learning or shall hold a State professional certificate, and each department of such school shall be taught by a teacher having at least a first-grade elementary certificate or better. Third, it shall have a suitable school building properly lighted, heated, and ventilated, sanitary and commodious outhouses and other necessary accommodations, library and such other apparatus as is necessary to do efficient work. Fourth, such school shall have a regular and orderly course of study and shall include the first two years of a high-school course, as suggested by the State high-school board, as well as courses in domestic science, manual training, and elementary agriculture, and shall comply with such rules as may be established by the State superintendent of public instruction.

"Second class: In order to be entitled to aid as a State graded school of the second class such school shall have complied with the following conditions, viz:

"First, it shall have maintained for the school year next preceding that for which aid is granted at least nine months' school. Second, it shall be well organized, having at least two departments under the supervision of proficient teachers. The principal shall be a graduate of a normal school or other institution of higher learning or shall hold a State professional certificate, and each department of such school shall be taught by a teacher having a first-grade elementary certificate or better. Third, it shall have a suitable school building properly lighted, heated, and ventilated; sanitary and commodious outhouses and other necessary accommodations, a library, and such

other apparatus as is necessary to do efficient work. Fourth, such school shall have a regular and orderly course of study as prescribed in the State course of study for common schools, courses in domestic science, manual training, and agriculture, and shall comply with such rules as may be established by the State superintendent of public instruction.

"State rural schools shall be of two classes, first and second class.

"First class: In order to be entitled to aid as a State rural school of the first class such school shall have complied with the following conditions, viz:

"First, such school shall have maintained during the school year next preceding that for which aid is granted at least nine months' school.

"Second, it shall be taught by a teacher of successful experience, holding a first-grade elementary certificate or better.

"Third, it shall have a suitable school building, properly lighted, heated, and ventilated; sanitary and commodious outhouses and other necessary accommodations, a library, and such other apparatus as is necessary to do efficient work.

"Fourth, such school have a regular and orderly course of study as prescribed in the State course of study for common schools, including elementary agriculture, and shall comply with such rules as may be established by the State superintendent of public instruction.

"Second class: In order to be entitled to aid as a State rural school of the second class such school shall have complied with the following conditions, namely:

"First, such a school shall have maintained for the school year next preceding that for which aid is granted at least eight months' school.

"Second, it shall be taught by a teacher of successful experience holding a second-grade elementary certificate or better.

"Third, it shall have a suitable school building, properly lighted, heated, and ventilated; sanitary and commodious outhouses and other necessary accommodations, library, and such other apparatus as is necessary to do efficient work.

"Fourth, such school shall have a regular and orderly course of study as is prescribed in the State course of study for common schools, including elementary agriculture, and shall comply with such rules as may be established by the State superintendent of public instruction:

"Provided, That for the purpose of this entire act the primary certificate shall be considered as the equivalent of the first-grade elementary certificate; further, that except in case of the principal teacher, the superintendent of public instruction may, in his discretion, recognize teachers holding second-grade elementary certificates who have had five years of successful experience as eligible to teach in any of the schools contemplated by this act."

Applications for aid under this act shall be made through the proper county superintendent, and must bear his indorsement and the approval of the inspector of rural and graded schools. Such inspector shall be appointed by the State superintendent of public instruction for a term of two years, and shall receive \$2,000 per annum, with the traveling expenses.

Amount of State aid annually:

To State graded schools, first class, \$150; second class, \$100. To State rural schools, first class, \$100; second class, \$50. Additional aid shall be granted to consolidated schools meeting the foregoing requirement, as follows: To State graded schools, first class, \$100; second class, \$75. To State rural schools, first class, \$50; second class, \$25. Total annual appropriation: For aid to State graded schools, \$8,000; State rural schools, \$6,000; additional aid to State consolidated schools, \$3,000; inspector's salary, \$2,000; inspector's expenses, \$500; total, \$17,500. If the said appropriation is not sufficient to apportion to each school the full amount to which it is entitled under this act, the sum appropriated shall be apportioned pro rata among the said schools.

Ch. 35, Mar. 17, 1911.

Oklahoma: Proposing an amendment to the constitution for submission to the people as follows: "The legislature shall have power to levy taxes in the aid of the common schools of the State and to provide for the apportionment and distribution thereof. Whenever the amount realized from a 5-cent ad valorem levy and all other sources shall be insufficient to maintain the common

schools in any district five months in any year the remaining sum necessary to so maintain such school shall be apportioned and paid out of such State levy."

H. Jt. Res. No. 2, Mar. 16, 1911.

Pennsylvania: *See A (a)*.

South Carolina: An act to appropriate \$60,000 to the public schools of South Carolina.

Not less than \$60,000 shall be appropriated annually for the purpose of increasing the average length of the free-school term in this State. No more than \$100 shall be appropriated to any one school in one year. No school maintained more than 100 days from regular school funds, and no school district which does not levy a special tax of at least 2 mills, shall receive aid from this fund. Schools maintained less than 100 days may receive from this fund amounts equal to the receipts from special taxation, not exceeding \$100 in any case. Application for such aid must be made by school district trustees, indorsed by the county superintendent. The State superintendent may refuse this aid to any district if he considers that such aid would be detrimental to said district. The State superintendent with the State board of education shall make rules and regulations for the distribution of this fund. Applications shall be considered in the order of their receipt. Money for the purposes of this act shall be taken from the dispensary funds in the hands of the State treasurer as far as they will go. Act 431, Feb. 23, 1910.

South Carolina: State superintendent of education, State treasurer, and controller general shall apportion among the counties the total cash balance in State dispensary fund. Apportionment on basis of enrollment in public schools. Held in county treasuries and paid on warrant of school district trustees in discretion of county board of education.

County boards of education shall use money to strengthen weak schools, in encouraging school improvement, etc., under the direction and with written consent of State board of education. Not more than one-fourth of amount shall be expended by any county in one year, except to pay indebtedness.

To be distributed in 30 days. No. 566, Feb. 23, 1912.

Vermont: Providing that any town in which a school has been closed by the health officer on account of contagious disease shall not be deprived of its share of public-school money on that account. No. 72, Dec. 5, 1910.

Washington: Amending section 4562 of Remington and Ballinger's Annotated Codes and Statutes.

State superintendent shall apportion school moneys on or before the 20th day of July, October, January, April, May, and June.

Ch. 118, Mar. 17, 1911.

Wyoming: Prescribing basis and manner of apportionment of county-school tax.

Ch. 80, Feb. 21, 1911.

B. (f) Special State Aid for Secondary Education.

See also N (a).

Alabama: Amending sections 1861, 1862, and 1863 of the Code of 1907.

Increases the appropriation for county high schools from \$2,000 to \$3,000 each, annually.

Vests the control of the county high schools in the county boards of education, subject to the approval of the State high-school commission.

Act 266, p. 324, Apr. 8, 1911.

Alabama: Amending section 1861 of the Code of 1907.

Provides that a State-aided high school may be established in each of the counties in which is located a congressional district, an agricultural school, the Alabama Polytechnic Institute, the University of Alabama, the Alabama Girls

Technical Institute, or a State normal school, the code having prohibited the establishment in such counties until each of the other counties in the State had such schools. Act 116, p. 113, Mar. 11, 1911.

Louisiana: *See N (a)*.

Massachusetts: Amending an act providing that towns whose valuation is less than \$1,000,000 shall be reimbursed for certain high-school expenses.

Increases from \$750,000 to \$1,000,000 the valuation in towns which may receive State aid. Ch. 537, June 9, 1911.

Utah: Levying a State tax for high-school purposes and providing the manner of appropriating the same.

Rate of such tax, one-half mill. The State board of education shall fix standards upon which, and the annual period during which, such schools shall be maintained to obtain any part of said fund. Apportionment based on number of students who have actually attended at least 20 weeks. State board shall appoint a high-school inspector and fix his salary, which with his expenses of travel shall be paid from the high-school fund.

Ch. 29, Mar. 9, 1911.

Wisconsin: Amending sections 496b and 496c of the statutes, concerning State aid to high schools maintaining instruction in manual training, agriculture, and domestic economy.

Ch. 545, July 3, 1911.

Wisconsin: Amending subsection 4 of the statutes, relating to State aid for free high schools.

Increases appropriation from \$75,000 to \$100,000. Ch. 555, July 5, 1911.

C. LOCAL (COUNTY, DISTRICT, MUNICIPAL) FINANCE AND SUPPORT.

(a) General.

Colorado: Authorizing cities of the first or second class, and all cities or cities and counties organized under special charter to exercise the right of eminent domain in the condemnation of private property for public purposes, and prescribing the manner of procedure. Ch. 129, June 3, 1911.

Colorado: Providing for the publication of a financial statement of all school districts in the State. Ch. 205, June 2, 1911.

Delaware (1910): Gifts in trust for the support of the public schools are gifts for charitable uses.—*Trust of New Castle Common v. Megginson*, 77 At. 565.

Indiana (1909): Board of finance of a school city had no discretion as to what banks should receive school funds on deposit, but must impartially divide them among all qualified banks making application and complying with provisions of act.—*Bd. of Finance of Sch. City of Aurora v. People's Nat. Bank of Lawrenceburg*, 89 N. E. 904.

Indiana (1911): A demand by a taxpayer upon a school city, requesting it to sue to enjoin an illegal act involving the expenditure of school funds, was not necessary as a condition precedent to a suit for that purpose by the taxpayer.

The maxim that one seeking equity must do equity held not applicable to prevent the avoidance of an illegal contract between a heating company and a school city, without restoring to the company the reasonable value of its work.

Whether a taxpayer suing to enjoin the enforcement of an illegal contract between a school city and a heating company was a large or small taxpayer held immaterial upon his right to sue.—*Wells v. Davison*, 84 N. E. 325.

Iowa (1910): A testamentary gift in trust for the use of a county permanent-school fund held not ambiguous or uncertain as to the purpose of the gift. Matter of common knowledge that money apportioned by the State to various counties for school purposes is usually referred to as the "county" permanent-school fund, and this fact may be considered in passing on the validity of a bequest to such a fund.—Chapman et al. v. Newell, 125 N. W. 324.

Kansas: Authorizing the investment of sinking funds.

Ch. 237, Mar. 7, 1911.

Kansas: Concerning sinking funds.

Interest upon moneys of any school-district sinking fund deposited in bank under certain conditions shall be credited to such sinking fund.

Ch. 288, Mar. 7, 1911.

Michigan: Relating to deposits of school moneys.

Each bank depository shall give bond for safekeeping and payment of all moneys deposited therein and deposits shall not exceed such bond. In no case shall over \$100,000 be deposited in one bank. Each district board shall determine the details relating to deposits, and all transactions shall be open to the public. The treasurer shall not be liable for moneys lost by failure of a bank in which deposits had been made as directed by the directors in annual meeting.

No. 218, May 1, 1911.

Michigan: Amending certain sections relating to district-school funds.

Funds classed as (1) "building funds," for which district meeting may vote a tax; (2) "general fund," for which a tax may be voted by district meeting and by the district board, to be used for the regular running expenses of the school, including furnishings, care of property, teachers' wages, transportation of pupils, etc.; and (3) "primary fund," derived from the State and available for teachers' salaries only. The compulsory district tax known as "mill tax" is made available for general purposes instead of for teachers' wages only, as before.

Members of district boards are forbidden to act as agent in the sale of schoolbooks, apparatus, etc., to be interested in any school contract, or to perform any labor for the school district except as provided by law.

No. 57, Apr. 8, 1911.

Mississippi: The trustees of common schools (and other boards) shall purchase their supplies upon competitive bids, letting contracts for periods of not more than three months in advance. No individual member shall purchase supplies, except in emergency, and then not over \$15.

Ch. 123, Mar. 14, 1912.

New Jersey: Fines for violation of school law shall be delivered to custodian of school moneys of district in which offense was committed.

Fixes fees and court costs.

Ch. 209, Mar. 28, 1912.

North Carolina (1909): General assembly can not order the disbursement of school funds in a county treasury by joint resolution without interposition of school trustees.—Asbill et al. v. Martin et al., 86 S. E., 207.

Ohio: Relating to the furnishing of water to public schools in cities and villages.

No charge shall be made by municipal officers for such service, unless the boundaries of the school district include territory not within the city or village.

H. B. No. 221, p. 94, Mar. 8, 1911.

Pennsylvania: See A. (a).

South Dakota: Requiring boards of education in all school districts organized under special charters or as independent districts to publish a quarterly statement of receipts and expenditures and of the financial condition of such districts.

Ch. 135, Mar. 7, 1911.

South Dakota: Amending section 175 of chapter 135 of the session laws of 1907, relating to independent school districts.

Provides that when a new district is authorized and established, the county superintendent, the president of the board of education of the new district, and the chairman of the district superseded by the organization of the new district, shall constitute a committee on arbitration for the purpose of adjusting all property interests between the new corporation and the district or districts superseded by its organization. Ch. 134, Mar. 2, 1911.

Virginia: An act to amend and reenact section 1483 of the Code, as heretofore amended, in reference to donations for schools, so as to extend its provisions to devises and bequests, and to make it apply also to city schools.

Ch. 329, Mar. 17, 1910.

Wisconsin (1910): A will, if creating a charitable trust for the maintenance of a manual-training school in a city, held not invalid as imposing obligations on the city.

A will giving property to a city for a training school, when construed in connection with Const., Art. 10, sec. 3, held to provide for a tuition fee only from nonresident children and those over school age.

A testamentary gift to a city for the maintenance of a manual-training school held not invalid because the gift impelled the city to raise a specified sum for the purpose.

Gifts to institutions of learning and for educational purposes are gifts for charitable purposes.

A city receiving a testamentary gift for the erection and maintenance of a school may comply with the condition that the school shall bear the name designated by the testator.

A city held authorized to invest public money in the erection of a school building as a contribution to funds provided for by a testamentary gift under circumstances creating a trust in perpetuity.

Under Stat. 1898, secs. 920-11, as amended by Laws 1903, chs. 228, 428, a city held authorized to issue bonds for the erection, construction, and equipment of a school building.

The ward schools of a city held "district schools" under Const., Art. 10, sec. 3.

Under Stat. 1898, sec. 4966, as amended by Laws 1907, ch. 503, and Oshkosh city charter as enacted in 1891 (Laws 1891, ch. 59), the city held authorized to erect and maintain buildings exclusively for the teaching of manual training.

Under Oshkosh city charter (Laws 1891, ch. 59) the adoption of plans for the erection of a school building held not a condition precedent to the right to vote bonds to raise money to erect a building.

Under Const., Art. 10, sec. 3, pupils in district schools held entitled to have manual training taught to them without paying tuition where manual training is part of the curriculum.

A tuition fee may legally be exacted from nonresident children attending district schools and from those over school age.—Maxcy v. City of Oshkosh et al., 128 N. W., 899.

C. (b) Local (County, District, Municipal) Bonds and Indebtedness.

See also A (e) and (f).

Arizona: Relating to bonded indebtedness of certain corporations.

No election shall be necessary for the proper officers of any county, school district, city, or town to create an indebtedness not exceeding 4 per cent of its valuation. In excess of that proportion, the consent of the majority of property taxpayers must be obtained. Prescribes manner of procedure, election, form of bonds, and sale of same.

Ch. 29, May 11, 1912.

California: Amending the Political Code by adding section 1543a, providing for the payment of interest on unpaid orders or demands against any school district.

Ch. 702, May 1, 1911.

- California (1909)**: Proposal and offer to issue bonds and the purchase thereof held a contract between the taxpayers and the purchasers.
The omission to designate in the notice of election the times of payment of interest held fatal to the validity of the bonds.
A provision in the notice of election that interest was payable "per annum" held insufficient.—Hollywood Union H. S. Dist. et al. v. Keyes, Co. Clk., 107 Pac., 129.
- Colorado**: Amending section 5000 of the Revised Statutes, relating to uniting contiguous school districts and annexing contiguous territory.
Relates to the bonded indebtedness of one or more of the united districts.
Ch. 203, Feb. 21, 1911.
- Florida**: Joint resolution proposing an amendment to article 12 of the State constitution.
Empowers the legislature to provide for special-tax school districts to issue bonds for school purposes; provides for election on question of bond issue and limits to 5 mills the tax to pay bonds.
H. Jt. Res. No. 76, 1911.
- Florida**: Empowering the board of education of Alachua County to borrow money for the erection of schoolhouses.
Ch. 6250 (No. 131), June 3, 1911.
- Georgia**: Authorizes issue of bonds for schoolhouses in local tax districts. Determined by qualified voters.
No. 537, p. 175, Aug. 17, 1912.
- Idaho**: Sec A (a).
- Idaho (1910)**: Under constitution and charter of Ind. school district No. 1, Nez Perce Co., held that the voting of bonds to raise money for three separate school sites and buildings and fixings and furniture therefor was properly submitted as one proposition.
Act of Congress organizing Idaho as a Territory did not prohibit the Territorial legislature from organizing school districts by special or local laws.—Howard v. Ind. Sch. Dist. No. 1, of Nez Perce Co., 100 Pac., 692.
- Indiana**: Legalizing certain school city and school town bonds under color of any statute of the State.
Ch. 24, Feb. 24, 1911.
- Indiana**: Legalizing certain school township bonds issued under act of February 27, 1890, and affected by the court decision in the cause of Lincoln School Township v. Union Trust Co.
Ch. 13, Feb. 16, 1911.
- Indiana**: Legalizing certain warrants issued by township trustees for proper school purposes, and authorizing the issue of township bonds for refunding the same.
Ch. 45, Feb. 25, 1911.
- Indiana**: Authorizing incorporated towns having not over 1,000 population to issue bonds for not exceeding \$25,000 for school sites and buildings.
Provides for payment of principal and interest by annual tax not exceeding 2 per cent.
Ch. 60, Mar. 1, 1911.
- Iowa**: Relating to the limit of indebtedness of independent school districts.
Raises the maximum limit of such indebtedness from 2½ per cent to 4 per cent of actual value of taxable property, and provides that increase of debt over 1½ per cent shall be determined by election called upon petition of 25 per cent [instead of 40 per cent] of those voting at last school election. Omits provision that petition of 2,500 electors shall be sufficient in any event to call such election.
Ch. 145, Mar. 21, 1911.
- Kansas**: Enabling any school district containing a city of the third class to issue bonds to pay for school buildings already erected.
Limit of such issue, \$5,000. Action under this law limited to September 1, 1911.
Ch. 209, Mar. 13, 1911.

Kansas: Enabling school districts to issue bonds to pay outstanding warrants.

Such bonds shall not exceed 5 per cent of the valuation of the proper district.
Ch. 284, Mar. 6, 1911.

Kansas: Authorizing cities of the second class to issue bonds amounting to 2 (instead of 1½) per cent of their valuation.
Ch. 280, Mar. 2, 1911.

Kansas: Relating to bonded indebtedness of certain cities.

Cities of the first class having a population of 20,000 and under, whose assessed valuation does not exceed \$11,000,000, may issue bonds amounting to 2 (instead of 1) per cent of their valuation.
Ch. 259, Feb. 21, 1911.

Kansas: Legalizing the issuance of school district bonds for the erection of schoolhouses in certain cases.

Covers issue made in excess of legal limit, but otherwise regular, the building proposed having been actually begun.
Ch. 258, Feb. 21, 1911.

Kansas: Authorizing cities and school districts to vote additional bonds for erection of school buildings.

The State board of school fund commissioners may authorize the issue of such bonds not to exceed 50 per cent more in amount than may be voted under present laws. Such authorization may be given after hearing upon application by proper board of education, accompanied by a petition signed by at least half of the electors entitled to vote for the issuance of such bonds. If the board of school-fund commissioners grant the authorization, an election shall be held in the proper district to determine the matter.

Ch. 257, Feb. 9, 1911.

Kansas: Authorizing boards of education in cities of the second class to issue bonds to pay outstanding warrants.
Ch. 105, Mar. 13, 1911.

Kansas: See D (a).

Kentucky: Authorizing county boards of education to pay indebtedness of school districts incurred prior to the creation of said boards.

Ch. 59, Mar. 13, 1912.

* **Kentucky (1911):** That only \$900 was required to finish paying for a school building held no ground for restraining the issuance of bonds, pursuant to an election to the amount of \$2,000 to provide grounds, building, furniture, and school apparatus.—*Young v. Roberts et al.*, 136 S. W., 911.

* **Kentucky (1909):** Acts regulating common schools held constitutional.

A school district having prior to act created a debt for furniture and used and enjoyed same, the patrons and property of district as it stood prior to act and not property of entire county, should pay it.—*Ed. of Ed. for Pike Co. v. A. H. Andrews Co.*, 122 S. W., 207.

Louisiana: Joint resolution proposing an amendment to article 281 of the constitution of the State of Louisiana, etc.

The proposed amendment provides that municipal corporations, parishes, school, or drainage districts, etc., when authorized to do so by a majority in number and amount of the property taxpayers voting at an election held for that purpose may incur debt and issue negotiable bonds therefor, and the governing authorities of such subdivision shall annually or semiannually levy and collect a tax to pay the interest and principal of the same: *Provided*, That such special taxes, for all purposes, shall not in any year exceed 10 mills on the dollar of assessed valuation of the property in such subdivisions.

This proposed amendment shall be submitted to the qualified voters of the State for adoption or rejection at the congressional election to be held in November, 1910, and if adopted it shall take effect immediately thereafter.

The essential change from the former provision, so far as educational interests are concerned, is that school districts are included in the category of municipal subdivisions which are empowered to levy special taxes and issue bonds. The maximum limit of special taxation is raised from 5 to 10 mills on the dollar.

(The State superintendent of public instruction states that this "places all of the machinery of special school-tax elections and the funding of special taxes into bonds in the hands of the school board, making it unnecessary to ask police juries for elections or requiring the people to petition for elections.")

Act No. 197, July 6, 1910.

The amendment was ratified by the people Nov. 8, 1910.

Louisiana: An act to define the subdivisions of the State; to prescribe the mode of calling and holding elections therein for the purpose of levying a special tax or issuing bonds, etc.

School districts are declared to be political subdivisions of the State, and special taxes may be levied, debt incurred, and bonds issued as hereinafter provided. The governing authority for school districts shall be the school board of the parish in which they are respectively located.

The governing authority of any subdivision shall have authority to call a special election for the purpose of determining a proposition to levy a special tax for giving additional aid to public schools, or to incur debt and issue bonds. Such governing authority shall call an election for either purpose named when requested to do so by a petition of one-fourth the property taxpayers eligible to vote in said election. Resident women taxpayers shall have the right to vote at all such elections without registration.

In the event that the said election shall result in favor of the proposition to levy the special tax, or to issue negotiable bonds, the governing authority shall levy the said special tax or shall incur the debt and issue the bonds so authorized, provided the total rate of taxation shall not exceed the constitutional limit, and provided that the whole amount of all bonds issued by any subdivision shall not exceed 10 per cent of the assessed value of the said subdivision.

The governing authority of any subdivision incurring debt and issuing bonds as herein provided shall annually, in addition to other taxes, levy a tax sufficient to pay the interest and principal on said bonds becoming due during the ensuing year.

This act does not apply to the city of New Orleans, and will not go into effect unless and until the proposed amendment to section 281 of the constitution (see Act No. 197) is adopted by the people of the State.

Act No. 256, July 7, 1910.

The amendment to which reference is made in the last paragraph was ratified by the people Nov. 8, 1910.

Maryland: Empowering the mayor and city council of Baltimore to issue the stock of said corporation to an amount not exceeding \$1,500,000 for the purpose of acquiring school sites and the construction or reconstruction of school buildings when so authorized by a majority of legal voters at an election.

Ch. 92, Apr. 5, 1910.

Michigan: Amending an act relating to the bonded indebtedness of school districts.

The maximum of such indebtedness shall not exceed 10 [instead of 5] per cent of the assessed valuation of the district, and shall not exceed \$100 [instead of \$75] per capita of the school population in districts having more than 100 census children.

No. 12, Mar. 14, 1911.

Minnesota: Authorizing certain cities having more than 50,000 inhabitants to issue bonds not exceeding \$800,000 for high-school buildings and sites therefor.

Ch. 117, Apr. 10, 1911.

Minnesota: Authorizing certain cities containing over 50,000 inhabitants to issue bonds not exceeding \$900,000 for graded-school buildings and sites therefor.

Ch. 118, Apr. 10, 1911.

Minnesota: Authorizing certain cities containing over 50,000 inhabitants to issue bonds for \$1,000,000 for the purpose of acquiring sites and constructing buildings for high schools.

Ch. 340, Apr. 20, 1911.

Minnesota: Limiting the debt-making power of school districts situated wholly or in part within cities having a population of 50,000 or more.

Such districts shall not issue bonds or other evidence of indebtedness unless first authorized by a two-thirds vote of the legislative body of the city within which the school district is situated in whole or in part.

Ch. 363, Apr. 20, 1911.

Minnesota: Amending an act relating to bonds for school sites and buildings in cities of more than 50,000 inhabitants.

Extends the time in which such bonds (for \$1,000,000) may be issued and raises the maximum rate of interest from 4 to 4½ per cent.

Ch. 208, Apr. 18, 1911.

Minnesota: Exempting from taxation all municipal and school district bonds.

Ch. 242, Apr. 18, 1911.

Mississippi: The county board of supervisors may issue bonds of a county outside of separate districts, of a supervisor's district, or a school district, for building purposes for the territory involved.

On petition of a majority of taxpayers of any public-school district, the board of supervisors may levy tax on that district for fuel and incidental expenses for school district.

Ch. 159, Feb. 10, 1912.

Missouri: Relating to method of voting on sale of bonds.

S. B. 403, p. 395, Mar. 30, 1911.

* **Missouri (1909):** Question of incurring an indebtedness for school purposes held not to embrace more than one subject.—State ex rel. school dist. of Memphis v. Gordon, State auditor, 122 S. W., 1008.

* **Missouri (1909):** Order of board of directors of city school district providing for the submission of question of borrowing money to an election held insufficient for failing to specify place of election.

School board authorized by voters to purchase site for erection of new schoolhouse not authorized to use money from sale of bonds to erect new schoolhouse on old site.—Martin et al. v. Bennett et al., 122 S. W., 770.

* **Missouri (1910):** A school district held to be a quasi public corporation.

Accepting a bid for school bonds before registration held not in violation of Rev. Stat. 1900, sec. 1275.

The submission of the proposition to vote school-district bonds held to be of a single proposition, although the amount received for the bonds was to be expended for various purposes.

Under Const., Art. 11, secs. 1, 3 (Ann. Stat., 1906, pp. 296, 297), and Rev. Stat. 1899, secs. 9774, 9775 (Ann. Stat., 1906, p. 4485), the proposition submitting to the people the question of voting bonds for school purposes is not rendered voidable by uniting proposed expenditures for white children with those for negro children.

Under Rev. Stat. 1899, secs. 9752-9754 (Ann. Stat., 1906, pp. 4472-4474), and Laws 1901, p. 52 (Ann. Stat., 1906, sec. 5157), now Rev. Stat. 1900, sec. 1249, the narration of purpose for which certain school-district bonds were issued held to be sufficient.

Under Rev. Stat. 1899, sec. 9752 (Ann. Stat., 1906, p. 4472), a school district held authorized to vote bonds for the purpose of furnishing a heating plant for an old school building.—State ex rel. Carrollton sch. dist. No. 1, twp. 53, r. 23, v. Gordon, State aud., 133 S. W., 44.

Montana: Increasing to \$250,000 the amount of bonds which may be issued in counties of first and second classes for buildings, sites, etc., for county high schools.

Ch. 71, Mar. 2, 1911.

Nevada: Authorizing the issuance by school district trustees of interest-bearing warrants in emergencies.

Such interest-bearing warrants shall not exceed the cost of maintaining the schools for the current year, nor exceed 1 per cent of the valuation of

the district. Before issuing the first of such warrants a special district tax shall be levied sufficient to pay such warrants in three years.

Ch. 168, Mar. 23, 1911.

New Jersey: An act to authorize cities to issue bonds to fund their floating indebtedness incurred for the maintenance and support of schools.

Ch. 206, Apr. 12, 1910.

New Jersey: Relating to the sale of school bonds.

"1. No school bonds shall be sold at private sale to persons other than the trustees of the school fund or to the sinking-fund commissioners for the support of public schools, unless such trustees or sinking-fund commissioners have refused to buy them. No school bonds shall be signed, sealed, or delivered except within this State. No school bonds shall be delivered to any purchaser other than the trustees for the support of public schools except upon payment within the State in cash or by certified check drawn to the order of the custodian of school moneys for the full purchase price."

Ch. 235, Apr. 27, 1911.

New Jersey: A supplement to an act to establish a thorough and efficient system of free schools, etc., approved October 19, 1903.

School bonds may be either coupon or registered bonds, or both. School districts may sell bonds to the trustees for the support of public schools without advertisement.

Ch. 214, Apr. 9, 1910.

New Jersey: An act validating proceedings for the issuance of bonds by school districts.

Cures certain technical defects in such proceedings.

Ch. 4, Mar. 8, 1910.

New Jersey: School district bonds shall be payable in not over 30 years.

The total amount of bonds shall not exceed 3 per cent of tax valuation.

Ch. 259, Mar. 28, 1912.

New Jersey: The school bonds of townships, incorporated towns, or borough school districts must be payable in not more than 30 years. May be registered or coupon. The whole amount of bonds outstanding shall not exceed 3 per cent of the valuation.

Ch. 399, Apr. 15, 1912.

New Jersey: Increasing bond limit from 3 to 3½ per cent.

City board of education submits statement of needs to the board of school estimate. That board fixes amount and makes two certificates, one for the board of education and the other for the county council. The county council may appropriate the amount from taxation, or may issue bonds for same. Limit, 3 per cent on valuation of taxable property.

In case of necessity of replacing or repairing building destroyed or damaged by fire, the bond limit may be increased to 3½ per cent valuation.

Ch. 57, Mar. 11, 1912.

New Mexico: Every school district, whether organized under the name of "school district" or "board of education," shall have power to borrow money to build and furnish such buildings and buy grounds. The proposition must be submitted to qualified electors and approved by a majority of those voting. Limit of debt, 6 per cent [was 4 per cent] of assessed valuation.

Does not repeal old law [except conflict], which provided for bonds.

This law seems only to make authority more definite in relation to all districts, and to increase limit from 4 to 6 per cent.

Ch. 13, May 29, 1912.

New York: Amending the State finance law in relation to the education fund.

The comptroller [instead of county loan commissioners] shall invest all moneys belonging to the United States deposit fund. Moneys received by the said commissioners in payment of loans previously made by them from this fund shall be paid immediately into the State treasury.

Ch. 201, Apr. 29, 1910.

New York: Authorizing the city of Buffalo to issue bonds for the purchase of lands and the construction and equipment of new school buildings.

Ch. 106, May 6, 1911.

New York: Authorizing the city of Buffalo to issue bonds in sums not exceeding \$100,000 for the purpose of improving playgrounds in said city and acquiring additional lands therefor.

Ch. 158, May 20, 1911.

New York: Bonded debt to be apportioned if a new district is created.

Ch. 204, Apr. 12, 1912.

• **North Carolina (1911):** The constitutional restrictions as to municipal indebtedness and the exercise of powers granted special public quasi corporations such as school districts must be observed.

Payment of bonds issued by a town graded-school district held enforceable by means of taxation.—*Ellis v. Trust of Gr. Sch. of Oxford*, 72 S. E., 2.

Ohio: Amending section 5860 of General Code which provides that no expenditure or resolution for the expenditure of money can be made unless it has been properly certified that the money required is in the treasury to the credit of the fund from which it is to be drawn, by the further provision that "money to be derived from lawfully authorized bonds sold and in process of delivery shall, for the purpose of this section, be deemed in the treasury and in the appropriate fund."

H. B. 197, Mar. 29, 1910.

Ohio: An act to promote the sale of county, city, and city school district bonds and to safeguard the purchases thereof by indorsing thereon a certificate attesting the genuineness of the signatures thereto, signed by a registrar legally authorized and qualified to act therein. Authorizing the authority who issues said bonds to employ said registrar, and providing for compensation of said registrar out of funds of the county, city, or city-school district, treasury, or fund benefited by sale of such bonds.

S. B. No. 183, May 17, 1910.

Ohio: See B (d).

Oklahoma: Relating to the issuance of warrants and certificates of indebtedness; providing manner and limit of issuance of any municipality (including school districts); method of registration and payment; providing penalties for issuing warrants, evidences of indebtedness in any form in excess of the estimates made and approved for the fiscal year or authorized by a bond issue.

Ch. 80, Mar. 15, 1911.

• **Oklahoma (1910):** Under Harrison act, sec. 4, held that acceptance and use of articles by officers of a school district in the territory created no liability against the district.—*Superior Mfg. Co. v. Sch. Dist. No. 63, Kiowa Co.*, 114 Pac., 328.

• **Oklahoma (1910):** Under Const. Art. 10, sec. 26, providing for a referendum of the question of the creation of indebtedness of a school district in excess of income, the prior acts of the board of education, preliminary to the exercise of the referendum are not subject to the general provisions of the constitution and the laws vitalizing the same.—*Bd. of Ed. of City of Sapulpa et al. v. McMahan*, 110 Pac., 907.

• **Oklahoma (1910):** Framers of the constitution held to have power to shift a school debt of a city of the first class to a new corporation created for the sole purpose of organizing and maintaining a school system.

Boards of education in cities of the first class have power to levy and collect taxes to pay indebtedness incurred for school purposes.—*Gretnan, Co. Treas. et al. v. Carson et al.*, 107 Pac., 925.

• **Pennsylvania (1909):** Land set aside by a second-class city for erection of building for educational purposes by a charitable trust held exempt from mechanic's lien for labor performed or materials furnished.—*Henry Taylor Lumber Co. v. Carnegie Inst. et al.*, 74 At., 357.

• **Pennsylvania (1910):** Under act of April 22, 1905 (P. L. 237), held that any deficiency in appropriation for school purposes by a city, where the appropriation is accepted and the account between the city and the board of education settled, is not a debt of the city to be considered in determining the city's borrowing power under Const., art. 9, sec. 8.—*Elliot v. City of Philadelphia et al.*, 78 At., 107.

Porto Rico: Amending section 64 of the codified school law of Porto Rico, approved Mar. 12, 1903.

Authorizes school boards to levy tax for the payment of indebtedness incurred in constructing schoolhouses; authorizes territorial treasurer to withhold funds from school boards to meet obligations contracted by them.

Act 2, Feb. 23, 1911.

Porto Rico: Authorizing municipalities, school boards, and other dependencies to make certain provisions in ordinances enacted for the purpose of obtaining loans from the insular government or issuing bonds. Act 53, Mar. 9, 1911.

South Carolina: Exempts from State, county, and municipality taxation, city, county, and school-district bonds.

No. 385, Feb. 20, 1912.

[No governor's sig.]

South Dakota: Amending sections 161, 162, and 169 of chapter 135 of the laws of 1907.

Adds to cities of the first class all cities under commission form of government having a population of 10,000 or over which may issue bonds for certain purposes.

Ch. 139, Feb. 7, 1911.

• **South Dakota (1910):** A tax levy may be deducted from the indebtedness incurred by a school district in estimating whether it has exceeded the limit fixed by Const., art. 13, sec. 4.

School district voters by authorizing a bond issue of \$7,000 for a school site and building held not to thereby impliedly forbid the expenditure of more than that amount.—*McCarrick v. Ind. Sch. Dist. of Florence*, 127 N. W., 478.

Tennessee: Authorizing school boards in cities having a population of 130,000 or more to issue bonds of \$250,000 for school sites and buildings.

Applies to city of Memphis.

Ch. 486, Private Acts, June 30, 1911.

Tennessee: Authorizing the county of Hamilton¹ to issue bonds for \$135,000, not less than \$125,000 of which shall be used in erecting, furnishing, and equipping school buildings.

Ch. 189, Private Acts, Mar. 28, 1911.

Tennessee: Authorizing the county of Shelby² to issue \$100,000 of bonds for the purpose of purchasing sites, erecting and equipping buildings for the West Tennessee State Normal School, located in said county.

Ch. 88, Private Acts, Feb. 16, 1911.

Tennessee: Authorizing the county of Shelby to issue \$200,000 of bonds for the purpose of building, furnishing, and equipping schoolhouses in said county.

Ch. 64, Private Acts, Feb. 14, 1911.

Tennessee: Authorizing the quarterly county courts of the several counties of the State, except in counties of 190,000 population or over according to the Federal census of 1910, or any subsequent Federal census, to issue and sell coupon bonds to purchase school property and school sites; to erect, furnish, equip, and repair school buildings; and to fix the denominations of said bonds, and to provide for the payment of the interest on the same, and for a sinking

¹ The city of Chattanooga is in Hamilton County.

² The city of Memphis is in Shelby County.

fund with which to retire the same, and to provide a method of loaning said sinking fund; and further providing for the distribution of the money raised by the sale of said bonds between the counties and cities.

Ch. 60, July 3, 1911.

- * Texas (1910): Power of school-district taxpayers to levy a tax for school purposes and the issue of bonds stated.

In independent-school districts, elections to determine the questions of issuing bonds and special taxation should be ordered by the school trustees.

Election to authorize tax for school purposes is not void because order and notice of such election failed to state the rate.—Itasca Ind. Sch. Dist. et al. v. McElroy et al., 124 S. W., 1011.

- * Texas (1910): Under the Dallas city charter the board of education held without power to submit to the people the question of raising money or the issuance of bonds for any purpose.

A representation by the board of education of Dallas after the ordering of an election for the issuance of bonds for school purposes held not to control its action in disbursing the funds obtained by the issuance of the bonds approved at the election.—Ardrey et al. v. Zang, 127 S. W., 1114.

- * Texas (1910): Under Acts 31st Leg. ch. 12, secs. 78, 154, held immaterial that elections for school-maintenance tax and for issuance of bonds were held separately.

Failure of board of trustees of independent school district to comply with law as to appointment of board of equalization and as to making out separate tax roll held to invalidate tax for maintenance and for payment of bond.—Chambers et al. v. Cook et al., 132 S. W., 865.

- * Texas (1910): If act of March 5, 1907, creating an independent school district and authorizing the collection of an excessive school tax for payment of its bonds in violation of Const., art. 7, sec. 3, makes the school district itself and its bonds invalid, nevertheless such organization and bonds are cured by amendment to Const., art. 7, secs. 3, 3a, making valid all districts theretofore created and their bonds.—Hutchinson et al. v. Patching et al., 126 S. W., 1107.

Virginia: An act to amend and reenact an act approved February 25, 1908, etc., relating to school-district bonds for the purpose of erecting and furnishing schoolhouses.

Issue to be determined by a majority of the qualified voters of any such district voting; the bonds to be redeemable at such time after their date as may be specified in the bonds (instead of at any time after five years).

Ch. 184, Mar. 14, 1910.

Virginia: Relating to the assessment for local taxation of the rolling stock of railroad corporations.

The receipts from taxation of such property shall not all accrue to the counties, cities, towns, and school districts in which the principal offices of such corporations are respectively located [as in the past]. Instead, 25 per cent shall accrue to such counties, cities, towns, and school districts, and 75 per cent shall accrue to the counties, cities, towns, and school districts through which the roads pass.

[The effect will be to increase receipts of rural school districts through which the railroads pass.]

Ch. 139, Mar. 12, 1912.

Washington: Providing that at special elections held in cities for determining any proposition to incur municipal indebtedness, the polls shall be opened and closed at the same hour as at special elections.

Ch. 31, Mar. 6, 1911.

Washington: Amending sections 4610, 4613, 4615, and 4621 of Remington and Ballinger's Annotated Codes and Statutes, relating to the bonds of school districts.

Ch. 88, Mar. 14, 1911.

West Virginia: Amending and reenacting section 39 of chapter 45 of the Code, relating to the issuing of bonds by school districts and independent school districts.

Empowers all districts to issue bonds; formerly only districts having a city or town with 800 school population had such power.

Ch. 70, Feb. 27, 1911.

Wisconsin: Authorizing cities of the first class to negotiate a loan for the purpose of creating an insurance fund for school buildings.

Ch. 629, July 10, 1911.

Wisconsin: Amending sections 253d, 261, and 263 of the statutes, relating to the loaning of school and other trust funds to school districts, towns, villages, cities, and counties.

Ch. 363, June 15, 1911.

Wisconsin: Creating subsection 2m of section 1038 of the statutes, providing for the exemption from taxation of county, town, city, village, and school bonds.

Ch. 516, July 3, 1911.

Wisconsin: Creating subsection 4 of section 553c of the statutes, authorizing county boards to issue bonds for the purpose of establishing and improving county schools of agriculture and domestic economy.

Ch. 429, June 21, 1911.

C. (c) Local (County, District, Municipal) Taxation for School Purposes.

See also A (e) and (f).

Arizona: See B (d).

Colorado: Amending section 5895 of the Revised Statutes, relating to district taxation.

Raises the maximum levy for "special-school tax" from 15 to 20 mills in districts of the third class.

Ch. 206, May 28, 1911.

Georgia: An act to amend an act to provide for the creation and operation of local tax district schools, etc.

By concurrent consent and action the boards of education of two or more adjoining counties may lay off and define school districts without regard to county lines. The board of education of the county in which the schoolhouse is located shall have supervision of the same.

Act 533, Aug. 15, 1910.

Georgia: Relating to the collection of past-due taxes of the county boards of education or other school authorities authorized to levy taxes for school purposes.

No. 471, Aug. 13, 1910.

Georgia: Providing a method of assessing and collecting certain school taxes.

No. 474, Aug. 13, 1910.

* **Georgia (1910):** A town having power under its charter to establish a public-school system by taxation, but without any provision for submission of the question to the voters, can not levy a tax for such purpose.—*Brooks et al. v. Town of Loganville et al.*, 67 S. E., 940.

* **Idaho (1911):** Legislature held to have authority under the constitution to require county board to levy tax of not less than 5 nor more than 10 mills on the dollar for school purposes.—*Fenton v. Board of Com'rs of Ada County*, 119 P., 41; *Independent School Dist. No. 1 of Kootenai County v. Board of County Com'rs*, 119 P., 41.

* **Illinois (1900):** A certificate of levy for taxes for building purposes held susceptible of amendment as stated.—*People ex rel. Cooley v. Toledo, St. L. & W. Ry. Co.*, 90 N. E., 365.

* **Illinois (1909):** An objection in proceedings to obtain judgment for unpaid taxes, that the rate for a district-school tax was excessive, held properly overruled.—*People ex rel. Rea, Co. Treas., v. Cairo, V. & C. Ry. Co. et al.*, 90 N. E., 730.

* **Indiana (1911):** Where a taxpayer could sue to enjoin the enforcement of an illegal contract between a school city and a heating company, his motive in so doing held immaterial.—*Noble et al. v. Davison*, 96 N. E., 325.

Indiana: See *M* (b).

Kansas: Raising from 6 to 9 mills the maximum limit of taxation for schools in cities of the second class with a valuation of less than \$1,000,000.

Ch. 265, Mar. 14, 1911.

Kansas: Authorizing boards of education of cities having between 7,000 and 10,500 inhabitants to levy a tax not exceeding 2 mills for sites and buildings, if approved at election.

Ch. 115, Feb. 21, 1911.

Kansas: Limiting tax levy in certain cities of the second class for library fund to $\frac{1}{4}$ mill.

Ch. 112, Mar. 13, 1911.

Kansas: Relating to annual school levies.

County commissioners shall levy a district tax which shall equal and not exceed by more than 5 [instead of 1] per cent the amount certified by the district clerk; maximum levy, $4\frac{1}{2}$ mills.

Ch. 271, Mar. 13, 1911.

Kansas: Authorizing school districts to rescind action in voting tax for school building in 1910 and to refund moneys so collected, provided no obligation has been incurred against such levy.

Ch. 324, Jan. 19, 1911.

Kansas: See *M* (d) and *N* (a).

Kansas: The boards of education of graded schools operating under special charters may levy a 5-mill tax for maintenance (some were not heretofore permitted to levy that much).

Ch. 78, Mar. 14, 1912.

Kentucky (1910): The annual county-school tax held a part of the county levy, and the sheriff collecting it can only charge his pay therefor against the general expense fund of the county.—*Henry Co. Bd. of Ed. v. Jones, Ex-Sheriff*, 131 S. W., 383.

Kentucky (1910): Under Ky. Stat., secs. 3462, 3465, 3469, 3470 (Russell's Stat., secs. 1407, 1410, 1414, 1415), held that the general council of a city of the third class can not refuse to levy a sufficient tax to cover a legal estimate of money needed by the board of education.—*Bd. of Ed. of City of Bowling Green v. Townsend, Mayor, et al.*, 130 S. W., 1105.

Kentucky (1910): Const. sec. 180, when considered in connection with sections 157, 193, held to refer to poll taxes imposed for purposes other than the maintenance of common schools.

The school law held not to change the principle that poll taxes may be levied for school purposes in addition to those levied for general county purposes.—*McIntire et al. v. Powell, sheriff*, 125 S. W., 1087.

Kentucky (1912): Under Const. sec. 170, held that a laundry, waterworks system, printing department, cooperative store, and hotel use as adjuncts to a college were exempt from taxation.—*Commonwealth v. Ferriell, Revenue Agt., v. Berea College*, 147 S. W., 929.

Kentucky (1910): The annual county-school tax is a part of the county levy, and the sheriff, as collector, can not treat it separately in estimating his commission for collecting the county levy.

The sheriff must pay over the whole sum collected for school purposes to the board of education and can not retain a part thereof as compensation for collecting, in view of Const. sec. 180.

The sheriff's commissions for collecting school taxes must be allowed by the fiscal court upon his settlement with it, and can not be allowed by the board of education.—*Hill v. Bd. of Ed. of Lincoln Co.*, 130 S. W., 1100.

Louisiana: Joint resolution proposing an amendment to the constitution of the State of Louisiana relative to the levying of a tax of not less than 3 mills on the dollar by parishes, cities, or towns, for the support of the public schools of the State.

"The police juries of the several parishes, and boards of trustees and municipal councils of incorporated cities and towns (the Parish of Orleans excepted), shall levy, collect, and turn over to the parish school boards for the support of the public schools of their respective parishes, cities, or towns the proceeds of at least 3 mills of the annual tax which they are empowered

to levy on each dollar of assessed valuation, unless the parish school boards certify that the needs of the schools can be met by a smaller levy of such taxes."

The foregoing amendment to the constitution shall be submitted to the voters of the State at the congressional election in November, 1910.¹

Act, 257, July 7, 1910.

- **Louisiana (1910)**: Special school taxes may be voted and levied at any time on the assessment of the current year.—Argyle Planting & Mfg. Co. (Ltd.), v. Connely, sheriff, et al., 51 So., 687.
- **Louisiana (1911)**: Mention of a levy of the 3-mill school tax must be made in the budget of the parish taxes.—Howcott v. Smart, State & Parish tax collector, et al., 54 So., 586.
- **Maine (1912)**: Pub. Laws 1909, ch. 177, authorizing taxation for common-school purposes, held not invalid on the theory that the town can relieve itself from local taxation for purposes other than school purposes.
Pub. Laws, 1909, ch. 177, authorizing taxation for common-school purposes, held not violative of Const. art. 8, because sec. 6 of the acts permits sums received from the State under distribution to be raised by the municipalities within Rev. Stat., ch. 15, sec. 13, as amended by Pub. Laws, 1909, ch. 128.
Const. art. 8, which provides that the legislature shall require the several towns to make suitable provision at their own expense for the support of public schools, is mandatory, and not prohibitory; there being no remedy on the legislature failing or refusing to legislate.
The word "suitable," within Const. art. 8, which requires the legislature to require towns to make suitable provision for common schools at their own expense is an elastic term, dependent upon the necessities of changing times and subject to the legislature's discretion to determine what is suitable.
Pub. Laws, 1909, ch. 177, authorizing general State taxation for common-school purposes, is not unconstitutional, because under the practical workings of the act the towns of the State are not required to raise a uniform amount per capita.—Kay et al. v. Bd. of Ed. of Kearney et al., 83 At., 954.

Maryland: Authorizing the board of county school commissioners of Anne Arundel County to build additional schoolhouses and authorizing the county commissioners of said county to make a special annual levy for the same.

Maximum levy to be 5 cents per \$100.

Laws 1910, p. 546, ch. 552; date of approval or passage not stated.

Maryland: Amending chapter 600 of session laws, 1908, by lowering the tax levy from 30 cents to 28 cents per \$100 to defray the expenses of public-school system of Baltimore County and by raising the additional tax levy from 3 cents to 9 cents per \$100 for erection of new school buildings, furnishings, repairs, additions, heating plants, and sanitary improvements to school buildings now or hereafter erected in said county. Ch. 16, Mar. 11, 1910.

Maryland: Providing for an annual levy by board of county commissioners of Allegany County for the purpose of raising funds for the maintenance of the public schools of said county, and for the erection of new school buildings in said county.

Maximum levy 30 cents per \$100 for maintenance, unless the county commissioners approve an additional tax, and 4 cents per \$100 for erection of buildings. Ch. 47, Mar. 31, 1910.

• **Maryland (1910)**: Duty of county commissioners to levy a tax to pay increased salaries of public-school teachers under acts 1908, ch. 635, held mandatory.

The board of school commissioners under Code 1904, art. 77, secs. 8, 24, 25, held the proper parties to demand of county commissioners performance of their obligation to levy a tax to pay increased school-teachers' salaries.

Since under acts 1900, ch. 494, no appeal could be taken from county commissioners' orders refusing to levy taxes for increased salaries of public-school teachers, under acts 1908, ch. 635, the duty was enforceable by

¹ The amendment was ratified by the people Nov. 8, 1910.

mandamus.—Co. Com'rs. of Worcester Co. v. Bd. of Co. Sch. Com'rs. of Worcester Co., 77 At., 605.

Minnesota: Authorizing public-school districts containing between 20,000 and 50,000 inhabitants (Winona only) to levy a school tax of not exceeding 11 mills. Ch. 24, Mar. 14, 1911.

Minnesota: Regulating tax levies in school districts organized under special law and containing a population less than 3,000.

Such districts may levy 20 mills for general school purposes. Ch. 233, Apr. 18, 1911.

Mississippi: An act to amend section 4531, chapter 125, of the Mississippi Code of 1906, so as to provide for the assessment of property in rural separate school districts.

Provides that the assessor shall make a separate assessment of property in such districts. Ch. 217, Apr. 2, 1910.

Mississippi: County auditors, city clerks, clerks of separate school districts, etc., shall report annually to the State auditor of public accounts concerning taxes levied and amount expended, etc. Ch. 33, Mar. 16, 1912.

Mississippi: Relating to taxation in separate districts.

Omits provision that consent of majority of taxpayers shall be necessary to levy tax in excess of 3 mills. Ch. 246, Feb. 27, 1912.

Missouri: Relating to increased tax levy for erecting schoolhouses.

Apparently supplies a verbal omission. H. B. 641, p. 396, Mar. 27, 1911.

Nebraska: Raising the maximum limit of school taxation, exclusive of school-bond taxes, in incorporated cities from 25 to 35 mills. Ch. 123, Apr. 7, 1911.

Nevada: See A (a).

New Jersey: An act to amend an act to establish a thorough and efficient system of free public schools, etc., approved Oct. 19, 1913.

Change in procedure in levying special district taxes. Certificate that a special tax has been ordered in district meeting delivered by district clerk to county board of taxation instead of to the assessor of the taxing district. Ch. 242, Apr. 11, 1910.

New Mexico: All receipts on account of delinquent taxes accruing prior to 1911 (except taxes levied for State purposes) shall be divided between the county-road fund and the county-school fund, in discretion of the county commissioners. Ch. 77, June 12, 1912.

New York: Amending the education law.

Sec. 411. A body of land lying in two or more school districts shall be assessed for taxation in the district which contains that part upon which the owner resides. Ch. 140, Apr. 22, 1910.

New York: Amending the education law in relation to payment of unpaid school taxes from the county treasury.

The county treasurer shall pay to the district treasurer if there be such officer (instead of to the collector) the amount of the taxes returned as unpaid. Ch. 512, May 13, 1910.

North Carolina: Authorizing any county to levy a special tax to supplement the county-school fund.

Authorizing any county to levy a special tax not to exceed 3 mills and 90 cents on each poll to supplement the county-school fund. Upon petition of the county board of education the county commissioners shall order an election to determine whether such tax shall be levied. If the majority of the qualified voters at said election shall vote in favor of such tax, the same shall be levied and collected annually. In counties in which such tax is levied the county commissioners shall, on petition of the board of trustees of any

existing special-tax district within said county, reduce the annual special local-tax levy of said district by an amount not exceeding the special levy of said county. Ch. 71, Mar. 8, 1911.

North Carolina: An act to raise revenue.

Levies an annual ad valorem tax of 2 mills [instead of 1.8 mills] for public schools. Ch. 46, Mar. 8, 1911.

Ohio: See B (d).

Oregon: Raising the county-tax levy for school purposes to such an amount as will aggregate an amount of \$8 [instead of \$7] per capita of population between the ages of 4 and 20 years; provided that the per capita amount so levied in any county shall not be less than the per capita amount of the school tax levied in the county for the year 1910. Ch. 84, Feb. 17, 1911.

Pennsylvania: See A (a).

* **Pennsylvania (1912):** After the passage of the act of May 18, school boards in levying school taxes for the year 1911 were bound to levy them in accordance with the School Code, and not with the law as it existed prior to the approval of such code.—*Stevenson v. Henderson et al.*, 83 At., 295.

South Carolina: An act to amend section 1208, Code of Laws, 1902, etc.

Increases the maximum limit of special tax in school districts from 4 to 8 mills. Act 398, Feb. 25, 1910.

South Carolina: Providing for the levy of taxes for county and school purposes for the fiscal year beginning Jan. 1, 1911.

Levies, pursuant to the constitution, a tax of 3 mills in each county for school purposes. Act No. 147, Feb. 18, 1911.

* **South Dakota (1910):** County treasurer held not entitled to 4 per cent commission for collecting school taxes.—*Bd. of Ed. of Ind. Sch. Dist. No. 2 of Turner Co. v. Turner Co.*, 127 N. W., 532.

* **Texas (1910):** The levy of a tax by a school district of 75 cents on the \$100 valuation of property held void as in excess of the 20 cents on the \$100 authorized by Const., art. 7, sec. 3.—*Hutchinson et al. v. Patching et al.*, 129 S. W., 603.

Utah: See A (c).

Washington: Authorizing school districts of the first class to create and maintain a permanent insurance fund to be used to meet losses by fire of the school property of the district, and providing for the investment of such fund. Ch. 79, Mar. 13, 1911.

* **Washington (1910):** A liquor licensee held entitled to recover from a county the unearned part of a license fee paid to it under a license subsequently rendered inoperative, though a part of such fee has passed to the several school districts of the county after being paid over to the county-school fund. *Bart v. Pierce Co.*, 111 Pac., 532.

Wisconsin: Amending section 16 of chapter 459 of the laws of 1907, relating to school boards and common and high schools in cities of the first class, as amended by chapter 369, laws of 1909, by an act entitled, "An act to amend section 16 of chapter 459, laws of 1907, relating to school boards and common and high schools in cities of the first class."

Reduces from 4½ mills to 3 mills the amount which may be levied for school purposes. Ch. 97, May 8, 1911.

Wyoming: Fixing limitation on annual city, town, county, and school-district tax levies.

Cities and towns may not increase levy sufficiently to produce a sum more than 2 per cent greater than the sum produced by preceding levy; county school levy shall not exceed six-tenths of 1 mill; school district levy shall not exceed 3½ mills, except upon favorable vote of 51 per cent of votes cast at an election held to determine question. Ch. 106, Mar. 2, 1911.

D. BUILDINGS AND SITES.

(a) General.

See also C (b).

* **Georgia (1911)**: No valid lien can arise in favor of material men or mechanics against a school building belonging to a municipal corporation.—*Aetna Indemnity Co. v. Town of Comer*, 70 S. E., 876.

Indiana: Providing for the construction, control, and maintenance of joint schoolhouses by two or more school corporations.

Any incorporated town and surrounding township may, if approved at election, join to construct and control a building for a joint graded school or joint high school, and the cost of such building shall be met by taxation pro rata in the town and township. Ch. 187, Mar. 4, 1911.

Indiana: Authorizing the board of school trustees of any city or town to sell property not required for school purposes.

Sale shall be at auction and price shall be not less than appraised value. Previous sales are legalized. Ch. 61, Feb. 27, 1911.

Indiana: Authorizing township trustees to use schoolhouses located in incorporated towns under certain conditions whenever such use is tendered by the owner. Ch. 85, Mar. 2, 1911.

* **Indiana (1912)**: To prohibit school corporation from erecting a new building on the site of the old one because within 500 feet of a railroad held to constitute a taking of the property.—*Sch. Corp. of Andrews v. Heiney*, 98 N. E., 628.

* **Indiana 1912**: Act Mar. 4, 1911 (Laws 1911, ch. 187), relative to the construction of school buildings within 500 feet of steam railroads, held not to apply to construction of school building on a site on which a building had been constructed prior to the passage of that act.—*Sch. Corp. of Andrews v. Heiney*, 98 N. E., 628.

Iowa: Providing a penalty for failure to provide signs showing the location of fire escapes.

Applies to school buildings of over three stories. Ch. 173, Apr. 12, 1911.

Iowa: Restricting to rural districts the right of reversion of a school site to former owner in case of nonuser. Ch. 144, Apr. 17, 1911.

Kansas: Relating to fire protection in public buildings:

"SECTION 1. Every building now or hereafter used, in whole or in part, as a schoolhouse three or more stories in height, shall, within 60 days after the taking effect of this act, be provided with one or more metallic ladders or stair fire escapes attached to the outside wall thereof, and extending from or suitably near the ground to the uppermost story thereof, with platforms of such shape and size and in such proximity to one or more windows of each story above the first as to render access to such ladders or stairs from each such story easy and safe; in all cases a metallic ladder, not less than 18 inches between the sides, shall be made to extend from the topmost platform to at least 3 feet above the fire wall or roof; the number, location, material, and construction of such escapes to be subject to the approval of the fire marshal, chief of the fire department, city or town marshal, or such other authority as may have the control of fire regulations in any city or town where such buildings are located; *Provided, however*, That all buildings more than two stories in height used for dormitories, schools, or seminaries shall have at least one such fire escape for every 30 persons or fraction thereof for which working, sleeping, or living accommodations are provided above the second story of said building, if in the judgment of the fire marshal or chief of the fire department and the State superintendent of inspection, such number is necessary: *Provided*, That in the case of all build-

ings having cement walls, floors, stairways, partitions, and fireproof roofs, the fire chief or fire marshal shall designate and approve the number, kind, location, material, and construction of fire escapes if in his judgment the same are required, having due regard for the inflammability of the nature of contents of said building and the number of people employed or residing therein, or occupying the same. In all cases of dispute arising in the enforcement of the provisions of this chapter, the fire marshal or chief of the fire department may, if in his judgment he deems it necessary, refer such disputed matters arising in the enforcement of this chapter to the State superintendent of inspection, as provided in this act, whose decision in the matter shall be final.

"Sec. 2. It shall be the duty of every proprietor, custodian, superintendent, or person or persons having the charge and control of such buildings mentioned in this chapter to post notices under the direction of the fire marshal or chief of the fire department in rooms and halls or in public and conspicuous places in such building, and designating the place on each and every floor of such building where such metallic ladders or fire escapes are located and may be found.

"Sec. 7. The proprietor, lessee, or manager of any of the buildings mentioned in this act shall at all times keep on each floor of said building one or more chemical fire extinguishers, properly charged and in good working order, as the fire marshal or chief of the fire department may direct, the same to be hung in a conspicuous place and easy of access to the occupants thereof: *Provided*, That with the approval of the fire marshal or chief of the fire department, a standpipe and hose of proper size may be accepted in lieu of such extinguishers, or, if in his judgment both are necessary, he may require the same.

"Sec. 8. It shall be the duty of the chief of the fire department or other officers named in section 1 of this act to visit all of the buildings contemplated in his act at least once every six months and carefully inspect such building, and report at once to the county attorney any failure to comply with or violation of any of the provisions of this act. It shall be the duty of the county attorney to at once proceed to prosecute all violators of any of the provisions of this act.

"Sec. 9. It shall be the duty of the chief of the fire department, or any other officer named in this act, or any person or persons deputized to enforce the provisions of this act, to make a report semiannually, in writing, to the State factory inspector, who shall be ex officio State superintendent of inspection; such reports to be made in April and October of each year and to contain a full and correct statement of the conditions of all the buildings built or under course of construction in his jurisdiction that come within the meaning of this act.

"Sec. 10. The State factory inspector is hereby empowered to enter upon and inspect, or cause to be entered upon and inspected by his deputy, any building mentioned in this act, and require such changes or alterations as he may deem necessary to conform to the provisions of this act.

"Sec. 11. Should complaint be made to the State factory inspector by any citizen of the State of the failure of any of the above-named officers to comply with any of the provisions of this act, the State factory inspector shall at once proceed to investigate such complaint, and if sufficient evidence can be obtained he shall at once file a complaint against such officer with the county attorney, who shall prosecute the same under the provisions of this act.

"Sec. 12. Any person, company, or corporation who shall fail, neglect, or refuse to comply with the provisions of this act within 60 days after it becomes a law shall be deemed guilty of a misdemeanor, and shall be subject to a fine of \$10 per day for every day any such person, company, or corporation shall continue in such failure, neglect, or refusal. The owner, lessee, or proprietor of any building herein mentioned who shall fail, neglect, or refuse to provide the fire escapes herein provided for shall be liable for all damages sustained by any person by reason of the failure to provide such fire escapes; and any municipality which shall fail, refuse, or neglect to enforce the police inspection of such fire escapes, as herein provided, shall be liable for all damages so sustained by any person by reason thereof.

"Sec. 13. Any chief of a fire department, marshal, or other officer, as contemplated by section 1 of this act, who fails or refuses to perform his duty as defined by the provisions of this act, or who shall fail or refuse to comply

with any of the requirements thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be fined not less than \$10 nor more than \$100.

"Sec. 14, Chapter 148, Session Laws of 1909, and all acts or parts of acts in conflict herewith are hereby repealed."

Ch. 197, Mar. 14, 1911.

Kansas: Enabling cities of over 40,000 population to purchase by condemnation or otherwise lands for building any school or hospital, or any auxiliary thereof owned or controlled in whole or in part by the State, and to issue bonds in payment therefor.

Such lands may be donated to the State.

Ch. 83, Mar. 14, 1911.

Kansas: Dedicating to the use of public schools and for the erection of school buildings a certain tract of land in the city of Manhattan.

Ch. 285, Feb. 13, 1911.

Kentucky: Authorizing county building school commissions.

Upon written application of 250 householders the county judge shall appoint a building school commission of four members with jurisdiction over all the county, except separate districts. May employ clerks, architects, etc. Shall determine plans for schoolhouses and furnishings; shall submit same to the county board of education. If approved by said board, the commission shall acquire land by purchase or condemnation and erect and furnish schoolhouses so approved. Bonds may be voted by electors for said purpose. Proceeds of same shall be under the control of the commission. All property shall be vested in the name of the county board of education.

Ch. 30, Mar. 11, 1912.

Kentucky: Authorizing the use of district schoolhouses out of school hours for any lawful assembly of educational, religious, agricultural, political, civic, or social bodies.

Ch. 67, Mar. 13, 1912.

Massachusetts: Schoolrooms, as well as halls of school buildings, may be used for public and educational meetings and admission fees may be charged. Means of egress must be approved by an inspector of public buildings before such use.

Ch. 320, Mar. 25, 1912.

Michigan: Providing a penalty for failure to provide fire escapes for schoolhouses, etc., when ordered by any factory inspector.

No. 251, May 1, 1911.

Mississippi: Restricts to \$500 the amount which may be apportioned to any school for building purposes from the balances remaining in the county and separate district funds at the end of the year. Patrons of the public school receiving such funds must contribute to the building fund (instead of the county treasurer) an amount equal to that received from such balances.

Ch. 248, Mar. 15, 1912.

Missouri: Authorizing the board of education of a school district in any city of 75,000 to 500,000 inhabitants to erect and maintain an auditorium suitable for public gatherings and to utilize the same, and to let it out for compensation.

S. B. 202, p. 413, Mar. 14, 1911.

Missouri: Prohibiting intoxicated persons entering school or church house.

H. B. 159, p. 197, Mar. 24, 1911.

Nebraska: Prohibiting camping upon any public highway within 40 rods of any schoolhouse without permission of the proper school board or school trustees.

Ch. 110, Mar. 23, 1911.

Nebraska: Relating to changes of schoolhouse sites in districts containing more than 150 children between 5 and 21, and having a board of six trustees.

In such districts said changes may be ordered by a two-thirds vote at any annual or special meeting.

Ch. 117, Apr. 8, 1911.

New Jersey: In cities in which a municipal insurance fund has been established the board of education may insure school buildings in said fund. The commissioners of said fund may insure in regular companies.

Ch. 253, Mar. 23, 1912.

New York: Amending the education law relating to the acquisition of sites for schoolhouses.

Under old law a homestead occupied by owner could not be condemned, but amendment provides that any portion which may appear to the court to be "unnecessary for the reasonable use and enjoyment of the homestead" may be condemned.

Ch. 732, July 26, 1911.

North Dakota: Relating to schoolhouses and sites.

Provisions included in Chapter 266.

Ch. 263, Mar. 6, 1911.

North Dakota: See *A* (a).

Ohio: Establishing a building code.

PART 2, TITLE 3.

"School buildings" includes all structures containing one or more rooms used for the assembling of persons for the purpose of acquiring knowledge or for mental training.

Grade "A" refers to buildings for primary, grammar, or high schools, for pupils 18 years old or less.

Grade "B" refers to other schools and colleges, academies, seminaries, libraries, museums, and art galleries.

Class of construction: Grade "A"—All buildings more than two stories high shall be fireproof; buildings of two stories or less shall be of fireproof or composite construction. No building shall be more than three stories high.

Grade "B"—If any floor level is more than 26 feet above grade line at any exit, building shall be fireproof; if floor levels are less than 26 feet above such grade line, construction shall be fireproof or composite. No building shall be of more than five stories, nor shall the topmost floor be more than 50 feet above grade line at any exit. Exception: Buildings of one story, without basement, may be of frame if 30 feet from any other building and 200 feet beyond city fire limits.

Exposure and courts: Grade A—No building shall occupy more than 75 per cent of a corner lot or more than 70 per cent of interior lot. No wall containing windows for lighting school or class rooms shall be nearer than 30 feet from any opposite building or property lines.

Grade B—No building shall occupy more than 95 per cent of a corner lot nor more than 80 per cent of an interior lot.

Courts: Opposite walls of light courts shall not be nearer than the distance from the lowest window sill to the highest cornice. No such court shall be covered.

Subdivisions and fire stops: Buildings constructed in connection with a building of lower grade of construction shall be separated from same by a standard fire wall with double standard fire doors, if any. Storage rooms, paint and repair shops, etc., shall be surrounded by fireproof walls with double automatic fire doors. No open wells except stair and elevator wells. Except in one-story frame buildings, all exterior and court walls shall be standard wire walls; all windows shall be automatic standard fireproof, and door openings shall be covered by standard hinged fire doors without automatic attachments.

Heater room: No cast-iron boiler carrying over 10 pounds pressure and no steel boiler carrying more than 35 pounds shall be located within the main walls. No boiler or furnace shall be placed under any lobby, exit, stairway, or corridor. Furnaces or boilers in the buildings shall be inclosed in a standard fireproof heater room, with self-closing fire doors.

Basements: No schoolroom shall be placed below or partly below grade. Rooms for domestic science, manual training, or recreation may be partly below grade, if properly heated, lighted, and ventilated.

School and class rooms: Minimum floor space—Primary grades, 10 square feet per person; grammar grades, 16 square feet; high schools, 20 square feet; all other schools and classrooms, 24 square feet per person. Cubical contents—Primary grades, 20 cubic feet of air space per pupil; grammar grades,

225 cubic feet, high schools, 250 cubic feet; *Grade "B,"* 300 cubic feet. Minimum height of stories—Toilet and playrooms, 8 feet clear; other rooms, half the average width, but in no case less than 10 feet. Capacity—The plans shall be clearly marked to show the maximum number of pupils to be accommodated in each room.

Rest rooms: Grade "A."—A hospital or rest room, equipped with a couch and first-aid supplies, shall be provided in every building of four rooms or more. Two such rooms shall be provided in every building of eight or more rooms.

Assembly halls: Grade "A."—Shall not be located above the second floor in a fireproof building or above the first floor of a composite building. Provisions relating to theaters shall apply.

Seats, desks, and aisles: Shall be securely fastened if room accommodates more than 15. Teacher's desk and chair may be portable. Minimum width of aisles: Primary rooms, center aisles 17 inches, wall aisles 28 inches; grammar rooms, center aisles 18 inches, wall aisles 30 inches; high-school rooms, center aisles 20 inches, wall aisles 30 inches; other class and school rooms, center aisles 24 inches, wall aisles 36 inches.

Optics: Minimum proportion of glass surface to floor area: Class, study, recitation, and laboratory rooms, 1 to 5; museums, etc., 1 to 6; toilet and playrooms, 1 to 10. Provisions for workshops and factories apply to manual training and domestic science rooms. Windows shall be at left or left and rear of pupils when seated. Tops of windows shall be not more than 8 inches below the ceiling, except in museums, etc. Width of class and recitation rooms, if lighted from one side, shall not exceed two and one-half times the height of the window heads.

Means of egress: Grade "A."—Fireproof construction: Buildings accommodating not more than 500 persons, at least 3 feet in width for each 100 persons; 500 to 1,000 persons, same ratios for the first 500, and 5 feet for each 100 in excess; over 1,000 persons, same ratios up to 1,000, and 6 feet for each 100 in excess. In no case shall an exit be less than 3 feet or more than 6 feet wide.

Grade "A."—Composite construction: Each classroom shall have at least two exits leading directly to a main corridor. At least 3 feet of exits required to each 100 persons accommodated. Half the exits shall lead to main corridors and half to inclosed fireproof stairways or standard fire escapes. Exit doors not less than 3 feet nor more than 6 feet wide. Each basement room used by pupils shall have a direct exit not less than 3 feet wide.

Grade "B."—Requirements similar to the above.

Stairways: Grade "A."—Fireproof: At least two, as far apart as possible, and continuous from grade line to top story. At least two to basement; may be under main stairway. Shall be inclosed with fireproof walls with standard self-closing fire doors at each story, and shall have platform and exit doors not less than 3 feet wide at grade line.

Grade "A."—Composite construction: Basement stairways shall be inclosed in 9-inch brick walls, 6-inch concrete walls, or 12-inch hollow-tile walls, and openings in same shall be provided with self-closing fire doors. The width of stairways shall be equally divided between the main service stairways and inclosed fireproof stairs or fire escapes. The storage closet shall be placed under any stairway.

Grade "B."—Fireproof: Shall be separated, surrounded by masonry or fireproof partitions, with self-closing fire doors. One-fourth inch wire glass set in metal sash may be used for stairway partitions, except on the side of work or storage rooms. Shall have grade-line platforms, with exit doors at least 3 feet wide.

Grade "B."—Composite: Shall be surrounded by masonry or fireproof walls with fireproof ceiling at topmost story and fireproof floor at lowest level; all openings provided with self-closing fire doors. Grade-line platforms and 3-foot exit doors. No storage closet under any stairway.

Width: Three feet per 100 persons in buildings accommodating 500 or less; 5 feet additional for every additional 100 up to 1,000; 6 feet for every 100 over 1,000. No stairway shall be less than 8 feet nor more than 6 feet clear. If over 6 feet wide, center handrails with angle and newel posts at least 6 feet high shall be provided. Not less than 8 nor more than 16 risers in any run. No winders; all nosing shall be straight. Uniform width shall be maintained by rounding corners and beveling angles. Handrails shall be provided on both sides of all stairways and steps.

Risers and treads: Primary schools, not more than 6-inch rise nor less than 11-inch tread; grammar schools, not more than 6½-inch rise nor less than 11-inch tread; all other schools, not more than 7-inch rise nor less than 10½-inch tread. All treads shall be covered with nonslipping surface. No door shall open directly upon a stairway, but on a landing at least as long as the width of the door.

Gradients of not over 1-inch rise in 12-inch run shall be employed to overcome differences in floor levels that would require less than three risers. Floors at all exits shall be level and flush with adjacent floors.

Passageways: No hall leading to a stairway or exit shall be less in width than such stairway or exit. Halls and passageways shall be designed to prevent congestion and confusion.

Exit doors and windows: Exit doors shall be not less than 3 feet wide nor less than 6 feet 4 inches high; shall swing outward and not interfere with passageways or other openings. No single door or leaf or double door shall be more than 4 feet wide. No two doors shall be hinged together. Double-acting, rolling, sliding, and revolving doors are prohibited.

Windows leading to "A" standard fire escapes shall have the lower sash hinged to swing out or hung on weight's to rise; shall be not less than 2 feet 6 inches wide, not less than 3 feet high, and not more than 2 feet above the floor line.

Scuttles: Every building over 25 feet high shall have in the roof a bulkhead or scuttle not less than 2 feet wide and 3 feet long, provided with a stairway or permanent ladder. Doors shall never be locked.

Special construction: Floors of toilet rooms and lavatories shall be of non-absorbent, indestructible, waterproof material; base shall be at least 6 inches high and shall have a sanitary cove. Basement rooms used by pupils shall have waterproof floors. Basement ceilings, except where brick or concrete is used, shall be plastered or covered with steel ceiling. In school buildings window and door jumbs shall be rounded and plastered whenever possible. Interior wood finish shall be as small as possible and free from unnecessary dust catchers. All floors shall be deadened or sound proof.

Floor and roof loads: Shall be assumed to be at least—Class rooms, 60 pounds per square foot; assembly halls, stairs, and corridors, 80 pounds; museums, libraries, and art galleries, 100 pounds; attics not used for storage, 20 pounds; roofs, 40 pounds.

Heating and ventilation: A heating system shall be installed which will uniformly heat all corridors, play, toilet, and recreation rooms, gymnasiums, and manual training rooms to a temperature of 65°, and all other parts of the building (except rooms for open-air treatment) to 70° in zero weather. The heating system shall be combined with a ventilating system which will change the air in all parts of the building, except in corridors and storage closets, at least six times per hour. Bottom of air registers (except foot warmers in corridors) shall be at least 8 feet above floor line. Vent registers shall be not over 2 inches above floor line. Fresh-air supply shall be taken from the outside; no vitiated air shall be reheated. Proper hoods shall be provided for domestic science rooms and chemical laboratories, and ducts connected therewith shall be independent of the room ventilation.

Sanitation: Where a water supply and sewerage system are available, there shall be—In the superstructure one sink and one sanitary drinking fountain on each floor to each 8,000 square feet of floor area or less; in the basement, one sink and one sanitary drinking fountain on the boys' side and on the girls' side to each 350 pupils or less. No tin cups or tumblers shall be allowed in or about any school building. In libraries, museums, and art galleries there shall be one water-closet to each 100 females or less; one water-closet to each 200 males or less, and one urinal to each 200 males or less. In all other school buildings there shall be one water-closet for each 15 females or less; one water-closet for each 25 males or less, and one urinal for each 15 males or less. Toilet accommodations for males and for females shall be in separate rooms with a travelling distance of at least 20 feet between. Juvenile or short closets shall be used for primary and grammar-grade schools, unless latrine closets are used. Buildings of more than three stories shall have toilet rooms in each story and basement.

Where water supply and sewerage systems are not available, no closets or urinals shall be placed nearer to any occupied building than 50 feet. Pumps

in lieu of drinking fountains, closets, and urinals shall be placed in above proportions. All toilet rooms shall be plainly marked.

Gas lighting: All outlets in class and recitation rooms shall be dropped from the ceiling and so distributed as to uniformly light the room. No swinging or movable gas fixtures shall be used.

Electric work: All wiring shall be in conduit. All outlets in class and recitation rooms shall be dropped from the ceiling and so distributed as to uniformly light the room. Stairways, corridors, and toilet rooms shall be lighted by artificial light, and said lights shall be kept burning when the building is occupied after dark.

Finishing hardware: All exit doors shall be always unlockable from within by simply turning the knob or lever or pushing against a bar or plate, whether same be locked on the outside or not. One of each pair of double doors shall have a double extension panic bolt on same with such device that the simple turning of a knob or lever or pushing against same will release top and bottom bolts at the same time and allow the doors to open. Independent top and bottom bolts shall not be used.

Fire extinguishers—Grade "A": Standard standpipe and hose in basement; one standard chemical fire-extinguisher to each 2,000 square feet of floor area or less in each story above basement.

Grade "B": Standard standpipe and hose in each story and basement, with sufficient 1½-inch hose to reach any part of story. Where water supply is not available, one chemical fire-extinguisher to each 2,000 square feet of floor area or less.

Fire alarm: All buildings above basement and all buildings over one story high shall be provided with 8-inch trip fire gongs so connected that they may be rung from any story or basement. In institutions for the deaf, electric lights with red globes shall be placed near each teacher's desk, and so arranged that they be operated simultaneously by switches in each story and basement.

H. R. No. 479, p. 586, June 14, 1911.

Pennsylvania: See A (a).

Wisconsin: Amending section 482 of the Statutes, relating to the quantity of land in a schoolhouse site.

Increases the amount of land that may be condemned for a schoolhouse site from 1 acre to 4 acres. Ch. 148, May 12, 1911.

- **Wisconsin (1912):** Stat. 1898, sec. 430, subd. 5, providing that school districts containing less than 250 inhabitants shall not levy a tax for school buildings of more than \$600 in any one year, in connection with section 475, authorizing districts to borrow money for school buildings, payable in annual installments, held not to limit the cost of school buildings in districts having a population of less than 250, but merely the installments, payable in one year, to \$600.—*Conway v. Joint Dist. No. 2 et al.*, 136 N. W., 612.

D. (b) Buildings and Sites: State Aid; Approval of Plans.

Alabama: Amending sections 1975, 1976, 1977, 1981, 1989, 1992, and 1993 of the Code of Alabama, 1907.

Increases appropriation for aid in the erection, repairing, and equipping rural schoolhouses from \$1,000 to \$1,500 per county annually and further provides for manner of distribution. Act 538, p. 541, Apr. 18, 1911.

Delaware: Appropriating \$2,500 annually for repairing, enlarging, and building schoolhouses for colored children. Ch. 98, Apr. 4, 1911.

New Jersey: Amending an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support, and management thereof," approved Oct. 19, 1903.

Relates to the preparation under the State superintendent of plans for schoolhouses. Ch. 899, Apr. 27, 1911.

Oklahoma: Creating a "union graded or consolidated school district fund," to be used to assist in constructing school buildings under laws pertaining to consolidated school districts.

Said fund shall be derived from the sale of lands embraced in section 33, Greer County, and lands selected in lieu thereof. Proceeds shall be placed at disposal of State board of education, which shall make rules and regulations for a fair distribution to the different counties approximately in proportion of scholastic population outside of first-class cities. Any consolidated district containing at least 130 children of school age, employing at least 3 teachers, possessing a suitable building of at least 3 rooms, and transporting children as contemplated by the law relating to consolidated districts, shall receive from said fund one-half the cost of said building; maximum \$2,500. Any school district of at least 25 square miles in area which conducts a school meeting the requirements in the last paragraph shall receive a like sum. Ch. 112, Mar. 30, 1911.

South Carolina: An act to amend an act to encourage the erection of adequate public school buildings, approved February 22, 1905.

Omits the former requirement that the county fund for schoolhouses be taken from "Dispensary" profits. Provides for an additional bonus of \$50 from county funds in aid of the construction of district schoolhouses in case of the consolidation of two or more schools. Act 311, Feb. 24, 1910.

South Carolina: An act to encourage and aid in the construction of adequate public school buildings, etc.

Appropriates \$20,000 from funds paid into the State treasury by the winding-up commission of the State dispensary, said sum to be used by the State board of education for such purpose.

For the purpose of erecting district school buildings, the said State board shall contribute \$50 to each \$100 raised locally. No one school shall receive more than \$300, and no more than one school in any district shall receive such aid in any one year. In case of consolidation of two or more schools, an additional bonus of \$50 may be granted. The State board of education shall give preference to consolidated schools. Buildings erected with such State aid shall comply with plans and specifications approved by the State board of education. Act 430, Feb. 23, 1910.

D. (c) Building and Sites: Decoration; Care; Sanitation; Inspection.

See also J.

Indiana: An act to protect the health and lives of school children, and increase their efficiency, by providing healthful schoolhouses, and requiring the teaching of hygiene.

SECTION 1. After the going into effect of this act, all schoolhouses which shall be constructed or remodeled shall be constructed in accordance and conform to the following sanitary principles, to wit:

(a) Sites. All sites shall be dry, and such drainage as may be necessary to secure and maintain dry grounds and dry buildings shall be selected and supplied. Said site and said buildings shall not be nearer than 500 feet to steam railroads, livery stable, horse, mule, or cattle barn used for breeding purposes or any noise-making industry or any unhealthful conditions. Good dry walks shall lead from the street or road to every schoolhouse and to all outhouses, and suitable playgrounds shall be provided.

(b) Buildings. School buildings, if of brick, shall have a stone foundation, or the foundation may be of brick or concrete; *Provided*, A layer of slate, stone, or other impervious material be interposed above the ground line, or the foundation may be of vitrified brick and the layer of impervious material will not be required. Every two-story schoolhouse shall have a dry, well-lighted basement under the entire building, said basement to have cement or concrete floor, and ceiling to be not less than 10 feet above the

floor level. The ground floor of all schoolhouses shall be raised at least 3 feet above the ground level and have, when possible, dry, well-lighted basement under the entire building, and shall have a solid foundation of brick, tile, stone, or concrete, and the area between the ground and the floor shall be thoroughly ventilated. Each pupil shall be provided with not less than 225 cubic feet of space, and the interior walls and ceiling shall be either painted or tinted some neutral color, as gray, slate, buff, or green.

(c) Lighting and Seating. All schoolrooms where pupils are seated for study shall be lighted from one side only, and the glass area shall be not less than one-sixth of the floor area, and the windows shall extend from not less than 4 feet from the floor to at least 1 foot from the ceiling, all windows to be provided with roller or adjustable shades of neutral color, as blue, gray, slate, buff, or green. Desks and desk seats shall be preferably adjustable, and at least 20 per cent of all desks and desk seats in each room shall be adjustable, and shall be so placed that the light shall fall over the left shoulders of the pupils. For left-handed pupils, desks and seats may be placed so as to permit the light to fall over the right shoulder.

(d) Blackboards and Cloakrooms. Blackboards shall be preferably of slate, but, of whatever material, the color shall be a dead black. Cloakrooms, well lighted, warmed, and ventilated, or sanitary lockers shall be provided for each study schoolroom.

(e) Water Supply and Drinking Arrangements. All schoolhouses shall be supplied with pure drinking water, and the water supply shall be from driven wells or other source approved by the health authorities. Only smooth, stout glass or enameled metal drinking cups shall be used; water buckets and tin drinking cups shall be unlawful and are forbidden; and whenever it is practicable, flowing sanitary drinking fountains which do not require drinking cups shall be provided. All schoolhouse wells and pumps shall be supplied with troughs or drains to take away waste water, and under no conditions shall pools or sodden places or small or large mudholes be allowed to exist near a well. When water is not supplied at pumps or from water faucets or sanitary drinking fountains, then covered tanks or coolers supplied with spring or self-closing faucets shall be provided.

(f) Heating and Ventilation. Ventilating heating stoves, furnaces, and heaters of all kinds shall be capable of maintaining a temperature of 70° F. in zero weather and of maintaining a relative humidity of at least 40 per cent; and said heaters of all kinds shall take air from outside the building and, after heating, introduce it into the schoolroom at a point not less than 5 nor more than 7 feet from the floor, and at a minimum rate of 30 cubic feet per minute for each pupil regardless of outside atmospheric conditions: *Provided*, That when direct-indirect steam heating is adopted, this provision as to height of entrance of hot air shall not apply. Halls, office rooms, laboratories, and manual-training rooms may have direct steam radiators, but direct steam heating is forbidden for study schoolrooms and direct-indirect steam heating is permitted. All schoolrooms shall be provided with ventilating ducts of ample size to withdraw the air at least four times every hour, and said ducts and their openings shall be on the same side of the room with the hot-air ducts.

(g) Water-closets and Outhouses. Water-closets or dry closets, when provided, shall be efficient and sanitary in every particular and furnished with stalls for each hopper or place; and when said water or dry closets are not provided, then sanitary outhouses, well separated for the sexes, shall be provided. Good, dry walks shall lead to all outhouses and screens or shields be built in front of them. Outhouses for males shall have urinals arranged with stalls and with conduits of galvanized iron, vitrified drainpipe, or other impervious material, draining into a sewer, vault, or other suitable place approved by the health authorities. Any school trustee or trustees who shall build or construct any schoolhouse or cause to be built or constructed any schoolhouse which does not include each and every sanitary provision commanded in this act shall, upon conviction, be fined in any sum not less than \$100 nor more than \$500; and any money claim for the material entering into or any money claim for the construction of any schoolhouse which does not in every way and all respects comply with the requirements of this act shall be null and void.

Sec. 2. Whenever, from any cause, the temperature of a schoolroom falls to 60° F. or below, without the immediate prospect of the proper tempera-

ture—namely, not less than 70° F.—being attained, the teacher shall dismiss the school until the fault is corrected; and it shall also be the duty of all teachers to immediately send home any pupil who is perceptibly ill in any way, or who is unclean and emits offensive bodily odors, or who is infested with lice or other vermin; and the truant officer shall arrest and prosecute parents or guardians who do not rid their children of vermin and bodily uncleanness when notified to do so. Refusal of parents or guardians to free their children or wards of vermin or to bathe and cleanse them, making them fit to go to school, shall be punished by a fine of not less than \$5 and imprisonment for 10 days or both. And if the refusal or neglect of parents or guardians to bathe and cleanse their children or wards makes it necessary, then the truant officer, upon order of the school authorities, shall have it done, the cost to be paid by the school authorities from the school funds. Whenever diphtheria, scarlet fever, or other contagious and infectious diseases break out in any school it shall be the duty of the township trustee, school board, school trustee, or the school authority or authorities having control to have medical inspection made of the pupils, and all found in any degree ill shall be sent home and there retained until the local health officer gives a certificate of health; then such child may be again admitted to school. It shall be unlawful for school authorities to employ teachers or janitors who are not able-bodied, or who are addicted to drugs or intemperate, or who have tuberculosis or syphilis. All schoolhouses shall be specially cleaned and disinfected each year before they are used for school purposes. The cleaning shall consist in first sweeping, then scrubbing the floors, washing the windows and all woodwork, including the wooden parts of seats and desks, and the disinfecting shall be done in accordance with the rules of the State board of health. Township trustees, school boards, and boards of school commissioners who neglect or refuse to obey the provisions of this section shall be fined in any sum of not less than \$10 nor more than \$100, and each said refusal or neglect shall constitute a separate offense.

Sec. 3. There shall be taught in each year in the fifth grade of every public school in Indiana the primary principles of hygiene and sanitary science, and especially shall instruction be imparted concerning the principal modes by which each of the dangerous communicable diseases are spread, and the best sanitary methods for the restriction and prevention of each such disease. Hygiene may also be taught in other grades at the will of school authorities. The State health commissioner and the State superintendent of public instruction shall jointly write, compile, or originate printed data in leaflet form, setting forth as plainly as possible the primary principles of hygiene and sanitary science, and information concerning the prevention of diseases, and supply the same to all county superintendents, and said superintendents shall supply all the schools in their respective counties and see to it that teachers do not fail to comply with this section: *Provided*, That for all cities and towns having school superintendents the said leaflets and pamphlets shall be sent direct to such superintendents, who shall see to it that teachers comply with this section. The State printing board shall publish, from its funds, all health leaflets or pamphlets as are herein provided for, and shall also pay the cost of distribution of the same to the county, city, or town superintendents from the State printing funds.

Sec. 4. For the purpose of enforcing this act and making it practical township trustees, boards of school trustees, and boards of school commissioners shall have the power, and it is herewith made lawful for said trustees and said boards to make a levy not to exceed 5 cents on each \$100, the sum thus raised to be added to the special school fund, but to be used only for building and furnishing of schoolhouses. This levy shall not be made unless plainly necessary.

Sec. 5. Any township trustee or the members of any board of school trustees or any teacher or any person who violates any provision of this act, except as herewith or otherwise provided, shall, upon conviction, be fined not less than \$50.

Ch. 72, Mar. 1, 1911.

Maryland: Authorizing the State board of health to establish the bureau of sanitary engineering; to prescribe the duties and functions of said bureau.

The bureau of sanitary engineering shall investigate the water supply, sewage disposal, ventilation, heating, and lighting of schools, etc.

Ch. 500, Laws 1910, p. 142, Apr. 13, 1910.

Massachusetts: School halls shall not be used for public meetings until exits have been approved by an inspector of factories and public buildings.

Ch. 157, Feb. 24, 1912.

North Dakota: Governing the construction of public school buildings and providing for the inspection, ventilation, and sanitation thereof.

No building designed to be used in whole or in part as a public school building shall be erected until the plans thereof have been approved by the State superintendent of public instruction. Such plans shall show in detail the ventilation, heating, and lighting of such building.

The State superintendent of public instruction shall not approve any plans for the erection of any school building or addition thereto unless the same shall provide at least 12 square feet of floor space and 200 cubic feet of air space for each pupil to be accommodated in each study or recitation therein.

"(1) Light shall be admitted from the left or from the left and rear of classrooms, and the total light area must, unless strengthened by the use of reflecting lenses, be equal to at least 20 per cent of the floor space.

"(2) All ceilings shall be at least 12 feet in height.

"(3) No such plans shall be approved by him unless provision is made therein for assuring at least 30 cubic feet of pure air every minute per pupil, and warmed to maintain an average temperature of 70 degrees F. during the coldest winter weather, and the facilities for exhausting the foul or vitiated air therein shall be positive and independent of atmospheric changes. No tax voted by a district meeting or other competent authority in any such city, village, or school district exceeding the sum of \$2,000 shall be levied by the trustees until the State superintendent of public instruction shall certify that the plans and specifications for the same comply with the provisions of this act. All schoolhouses for which plans and detailed specifications shall be filed and approved, as required by this act, shall have, all halls, doors, stairways, seats, passageways, and aisles, and all lighting and heating appliances and apparatus arranged to facilitate egress in case of fire or accident, and to afford the requisite and proper accommodations for public protection in such cases. All exit doors shall open outwardly, and shall, if double doors be used, fasten with movable bolts operated simultaneously by one handle from the inner face of the door. No staircase shall be constructed with wider steps in lieu of a platform, but shall be constructed with straight runs, changes in direction being made by platform. No doors shall open immediately upon a flight of stairs, but a landing at least the width of the door shall be provided between such stairs and such doorway.

"(4) Every public school building shall be kept clean and free from effluvia arising from any drain, privy, or nuisance and shall be provided with sufficient number of water-closets, earth closets, or privies, and shall be ventilated in such a manner that the air shall not become so impure as to be injurious to health.

"Sec. 3. No toilet rooms shall be constructed in any public school building unless same have outside ventilation and windows permitting free access of air and light. The provisions of this act shall be enforced by the State superintendent of public instruction or some person designated by him for that purpose.

"Sec. 4. If it appears to the State superintendent of public instruction or his deputy appointed for that particular purpose that further or different sanitary or ventilating provisions, which can be provided without reasonable expense, are required in any public school building, he may issue a written order to the proper person or authority, directing such sanitary or ventilating provisions to be provided. A school committee, public officer, or person who has charge of any such public school building, who neglects for four weeks to comply with the order of said State superintendent of public instruction or his deputy, shall be punished by a fine of not less than \$100 nor more than \$1,000.

"(1) Whoever is aggrieved by the order of the State superintendent of public instruction or his deputy issued as above provided, and relating to a public school building, may within 30 days after the service thereof apply in writing to the board of health of the city, town, incorporated village, or school district to set aside or amend the order; and thereupon the board, after notice to all parties interested, shall give a hearing upon such order, and may alter, annul, or affirm it.

"Sec. 5. No wooden flue or air duct for heating or ventilating purposes shall be placed in any building which is subject to the provisions of this act, and no pipe for conveying hot air or steam in such building shall be placed or remain within 1 inch of any woodwork, unless protected by suitable guards or casings of incombustible material." Ch. 209, Mar. 6, 1911.

North Dakota: Requiring the disinfection of each schoolhouse at least once every 30 days, except during vacation. Ch. 63, Mar. 6, 1911.

South Dakota: Amending section 145 of chapter 135 of the laws of 1907. Prescribes equipment for the common schools. Ch. 145, Mar. 7, 1911.

D. (d) Buildings and Sites: Prohibition Districts.

* **Arkansas (1910):** Petition for the establishment of a 3-mile area from a schoolhouse in which the sale of liquor should be prohibited not objectionable for uncertainty.—Thomas et al. v. Burke et al., 121 S. W., 1060.

* **Arkansas (1910):** By virtue of the appellate jurisdiction given by Const., art. 7, sec. 14, over the county court the circuit court has jurisdiction of an appeal granted under Kirby's Dig., sec. 1487, in proceedings to prohibit the sale of liquors within 3 miles of a schoolhouse, including power to determine whether the appeal was properly granted.—Jones, Co. Clk., v. Coffin, Judge, 131 S. W., 873.

Kentucky: Prohibiting sale of liquor within 400 feet of normal school and State Universities. Ch. 58, Mar. 13, 1912.

Maryland: Amending the law prohibiting the sale of liquor to minors in or near the city of Annapolis and to midshipmen at the United States Naval Academy or to students at St. Johns College.

Increases fine for false representation on part of person procuring liquor. Ch. 647; date of passage or approval not stated; Laws 1910, p. 557.

Nevada: See A (a).

New York: Prohibiting the sale of intoxicating liquors within one-half mile of the United States Military Academy at West Point.

Ch. 762, July 24, 1911.

* **Rhode Island (1910):** Under Pub. Laws, 1909, ch. 1583, sec. 2, one objecting to the issuance of a license on the ground that the saloon will be within 200 feet of a school held to have the burden of proving the facts.—Greenough, Atty. Gen., v. T'n Council of T'n of Warwick, 78 At., 262.

South Carolina: Forbids cock fighting within 3 miles of any institution of learning (formerly applied only to chartered institutions).

[Without signature of the governor.] No. 344, Feb. 26, 1912.

* **Tennessee (1910):** The title of Acts 1909, ch. 1, an act to prohibit sales of intoxicating liquors "near" schoolhouses, held to warrant a provision against sale within 4 miles of a schoolhouse.—J. W. Kelly & Co. v. State, 132 S. W., 193.

D. (e) United States Flag in Schools.

Indiana: Relating to the display of United States flag upon school buildings.

Such flag shall be purchased on petition of a majority of the school patrons, and shall be displayed every day that school is in session, weather permitting. (Formerly public moneys could not be used to purchase flags, and it was displayed on special occasions only.) Ch. 182, Mar. 4, 1911.

Louisiana: Prohibiting the mutilation or misuse of the United States flag or the State flag. Act No. 84, 1912.

Louisiana: The State flag shall be displayed on all public buildings on legal holidays and whenever directed by the governor or the general assembly.

Act No. 39, 1912.

Massachusetts: Repealing section 50, chapter 42, of the Revised Laws, and enacting in lieu thereof a new section, relating to the display of the United States flag on schoolhouses.

Fixes penalty of \$5 for failure so to display flag. Ch. 232, Apr. 5, 1911.

Nevada: See A (a).

Vermont: Relating to flags.

Flags displayed over schoolhouses shall not be lettered nor marked.

No. 67, Nov. 18, 1910.

E. TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS.

(a) Qualifications; General.

Alabama: Amending section 1734 of the Code of Alabama, 1907.

SECTION 1734. Branches of learning examined upon.—Applicants for third-grade certificates shall be examined in the following branches: Orthography, reading, penmanship, grammar, practical arithmetic, United States history, geography, the elementary principles of physiology and hygiene, and agriculture, and theory and practice of teaching; for second-grade certificates they shall be examined in all the foregoing branches, with additional requirements in arithmetic, history of Alabama, English grammar and literature, intermediate geography, United States history and civics, and class management; for the first-grade certificates they shall be examined in all the foregoing branches and also in algebra, geometry, physics, elementary psychology, the school laws of Alabama, and advanced English; for life certificates, the history of education.

Act 402, p. 499, Apr. 18, 1911.

Colorado: Amending sections 5901 and 5904 of the Revised Statutes, relating to examinations for teachers' certificates and to qualifications of teachers.

Applicants for county certificates must have completed a four-year high-school course or its equivalent; agriculture, horticulture, and American literature added to subjects in which examined for first grade, agriculture and horticulture for second grade; teaching experience required of first and second grade teachers.

Ch. 217, June 3, 1911.

Idaho: See A (a).

Maryland: Requiring county superintendents to classify certain certificates of the teachers in their respective counties.

On or before the 1st day of October of each year the county superintendent shall submit to the county school board a list of all teachers employed, together with a classification of their certificates. In determining the class of the certificates the following points are to be considered: (a) Scholarship; (b) executive ability; (c) personality; and (d) teaching power. The county superintendent may add such other requirements as may be approved by the State board of education.

Laws, 1910, p. 226, ch. 420, Apr. 11, 1910.

Nevada: See A (a).

New York: Amending the education law.

SECTION 401.—Authorizes the State commissioner of education in his discretion to legalize the employment of a teacher not legally qualified and to permit the payment of salary to such teacher.

Sec. 551. Increases the training required for appointment as teacher in primary and grammar grades of cities, etc. Two years' normal training demanded of high-school graduates.

Ch. 140, Apr. 22, 1910.

Ohio: Extending the merit system to schools.

"SECTION 7690-1. All employees in each city school district shall be divided into two classes, to be known as the classified and unclassified service. The unclassified service shall include the position of officers elected by the people or appointed to fill vacancies in such offices; persons who by law are to serve without remuneration; persons who are required by law to have a teacher's certificate; the superintendent of instruction, the director of schools, and the clerk of the board of education, school physicians and nurses, secretaries, chief deputies in the offices of the director and clerk of the board of education, the chief transit officer, all unskilled labor when but temporarily employed, and such other appointees as the civil service commission may by rule determine. The classified service shall comprise all offices and positions not included in the unclassified service.

"SEC. 7690-2. The civil service commissioners of each city shall be, and are hereby, constituted the civil service commissioners of the board of education in each city school district, and the board of education of such district shall provide for such clerical force, examiners, and the necessary expenses of such commissioners as may be necessary for the purpose of carrying out the provisions of this act.

"The civil service commissioners shall keep separate registers and records of all positions and appointments in the classified service of the board of education. All applicants for admission into the classified service of the board of education shall be subject to examination, which shall be competitive, public, and open to all residents of the city school district, with such limitations as to age, sex, residence, health, habits, and moral character as said commission may prescribe. The commission shall prepare rules and regulations adapted to carry out the purposes of this act, which rules and regulations shall provide for the grading of positions similar in character, so as to permit the filling of positions in the highest grades as far as practicable by promotions; and shall provide for public examinations to ascertain the fitness of all applicants for appointments in the classified service, and the result of such examination shall be accessible to all persons. Such applicants shall take rank upon the register of the commission as candidates in the order of their relative standing without reference to priority of examination, and grades and standings so established shall remain in the grades for a period of six months or longer, if the commission so determine.

"SEC. 7690-3. Whenever an appointment is to be made to any position in the classified service, the board or officer shall notify the commission of any vacancy to be filled. The commission shall thereupon certify to such board or officer the three candidates the highest in the respective lists as shown by the result of such examination, and such board or officer shall thereupon appoint one of the three so certified. Any candidate whose name shall have been certified three times without appointment may be dropped from the register by the commission.

"SEC. 7690-4. It shall be the duty of each appointing officer or board to report to the civil service commission forthwith upon such appointment or employment the name of such appointee or employee, the title, the character of his employment, the date of the commencement of service, the salary or compensation thereof, and such other information as the commission may require in order to keep the roster herein provided; and it shall be the duty of said commission to prepare, conduct, and keep in its office a complete roster of all persons in the classified service of the board of education, which roster shall be open to inspection at all reasonable hours. It shall show in reference to each of said persons, his name, the date of his appointment to or employment in such service, his salary or compensation, the title of the position or office he holds, or nature of the duties thereof; and, in case of removal or resignation, the date of the termination of such service.

"SEC. 7690-5. No officer or employee within the classified service who shall have been appointed under the provisions of this act or who shall have been continuously in the employment of the board of education for a period of three years shall be removed, reduced in rank, or discharged except for some cause relating to his moral character or his suitability and capacity to perform the duties of his position, though he may be suspended from duty without pay for a period of not exceeding 30 days pending the investigation of charges against him. Such cause shall be determined by the removing authority and reported in writing with a specific statement of the reasons

therefor to the commission, but shall not be made public without the consent of the person discharged. Before such removal, reduction, or discharge shall become effective the removing authority shall give such person a reasonable opportunity to know the charges against him and to be heard in his own behalf, and if such charges be not sustained by the commission he shall be reinstated in his position.

"Sec. 7890-6. Nothing herein contained shall prevent the board of education of each city school district from defining the duties of its various employees, and prescribing the rules and regulations under which they shall serve, nor from exercising proper supervision over them. Nor shall the board of education of such city school district be precluded from securing labor or assistance for short periods within its discretion in cases of emergency."

S. B. No. 30, pp. 154-6, Apr. 30, 1910.

Oregon: An act providing for the certification of teachers, for the manner of conducting examinations, and for holding institutes.

SECTION 1. Outstanding certificates shall be valid according to the terms thereof.

SEC. 2. All certificates except temporary, county, and special district certificates shall be issued by the superintendent of public instruction.

SECS. 3 and 4. Classifies the certificates and fixes the fees for same as follows:

Life State certificate.....	\$6
Five-year State certificate or renewal.....	4
Primary five-year State certificate or renewal.....	4
One-year State certificate or renewal.....	2
Special certificate.....	0
Temporary county certificate.....	2

Special district certificate at option of authority issuing. All fees for State certificates shall be credited to the State board of examiners' fund.

SEC. 5. The State superintendent shall appoint not more than nine professional teachers to prepare questions for all State examinations; and shall appoint as many professional teachers as he may deem necessary to grade all manuscripts. All the said appointees shall be known as the State board of examiners; shall receive from the State board of examiners' fund \$5 per day for each day actually employed.

SEC. 6. Life State certificates, valid throughout the State for life, shall be granted to applicants of at least 60 months' teaching experience (15 months within the State) who shall pass the examination before the State board of examiners with a minimum average of 85 per cent and a minimum grade of 70 per cent in the subjects required for a five-year, State certificate and in addition English literature, plane geometry, botany, physics, bookkeeping, general history, geology, and history of education. Holders of five-year State certificates may secure a life State certificate by passing the examination in the additional subjects mentioned above.

SEC. 7. Five-year State certificates, valid throughout the State for five years, shall be issued to applicants of at least 12 school months' teaching experience who shall pass an examination before the State board of examiners with a minimum average of 85 per cent and a minimum grade of 70 per cent in the subjects required for a one-year State certificate and in addition physiology, psychology, American literature, algebra, and composition. A five-year State certificate may be renewed when holder has attended an institution of higher education for 32 consecutive weeks within 6 years from date of issuance, having accomplished satisfactory work in at least four subjects, one of which shall be education. May be again renewed in same manner.

SEC. 8. Primary five-year State certificates valid throughout the State for five years in first, second, and third grades shall be granted to applicants of at least 12 months' successful teaching experience in this State who shall pass the examination before the State board of examiners with a minimum average of 85 per cent and minimum grade of 70 per cent in methods in reading, methods in arithmetic, methods in language, methods in geography, theory and practice of teaching, writing, orthography, physiology, psychology, and in addition thereto shall write a thesis on an educational subject selected from a list prepared by the superintendent of public instruction. Such certificates shall be renewed on same conditions as the five-year State certificate, or, after 32 months' successful teaching, during life of certificate.

SEC. 9. One-year State certificates, valid throughout the State for one year, shall be granted (1) to applicants who have completed four years' work in an accredited high school or other accredited institution, provided applicants have completed the teachers' training course in such institution; (2) to applicants who pass an examination before the State board of examiners with a minimum average of 75 per cent and minimum grade of 60 per cent in arithmetic, civil government, geography, grammar, history, orthography, physical geography, reading, school law, theory and practice of teaching, and writing. These certificates may be renewed only once, after satisfactory evidence of six months' successful teaching during life of such certificates.

SEC. 10. Certificates valid in high schools only may be issued without examination to graduates of standard colleges or universities who have completed 120 semester hours, including 15 semester hours in education, as follows:

1. One-year State certificates.
2. After six months' experience under such certificate, and upon recommendation of the proper county superintendent, a five-year certificate.
3. After 30 months' experience under a five-year certificate, and upon the recommendation of the proper county superintendent, a State life certificate.
4. The holder of any certificate authorized by this section may act as city superintendent of schools of any city.

SEC. 11. Certificates may be issued to graduates of standard normal schools, valid in any grammar school or any one-year, two-year, or three-year high school for one year, five years, or life on same conditions as in section 10.

SECS. 12 and 13. A standard college, university, or normal school is one that shall be standardized by the United States Bureau of Education or by a board of standardization composed of specified officers of Oregon educational institutions and systems.

SEC. 14. Upon application, of any board of directors, the superintendent of public instruction may issue a special certificate without examination, upon satisfactory evidence of fitness to teach in any of the following subjects: Library, music, agriculture, art, manual training, penmanship, kindergarten, domestic science, and domestic art, typewriting, stenography, bookkeeping, physical culture, which certificate shall entitle the holder to teach the subject named therein in any school of the district under control of said board of directors unless revoked for cause.

SEC. 15. Any teacher employed in a four-year high school shall be a graduate of a standard college or university or a holder of a life State certificate or State diploma. A certificate issued to a graduate of a standard normal school will entitle the holder to teach the teachers' training course in any high school.

SEC. 16. A temporary county certificate, valid only in the county of issue until the next regular examination, may be issued by a county superintendent in case of necessity. Such shall be issued only on written examination equivalent to that for a one-year State certificate, unless the applicant hold a certificate valid in another State.

SEC. 17. The school board in districts having more than 100,000 people [Portland] may create a board of examiners; county superintendent shall be chairman and city superintendent shall be a member. Certificates issued by said board shall not be valid in any other district, but State certificates may be accepted by said board.

SEC. 18. State certificates shall be valid in any district after annual registration and indorsement by the proper county superintendent. The State superintendent shall prescribe a teachers' reading circle course, and no certificate shall be registered by a county superintendent for any teacher who has not completed the prescribed course for the preceding year. This section shall not apply to districts of the first class.

SEC. 19. Any person who receives a credit of 90 per cent in any subject at any regular teachers' examination shall not be required to take an examination again in that subject for any teachers' certificate; but credits so earned shall be forfeited by absence from educational work for three successive years. The holder of any common-school certificate may enter any regular examination for the purpose of securing credits on any subject or subjects.

SEC. 20. No person under 18 shall receive a certificate to teach.

SEC. 21. Applicants for certificates shall file satisfactory evidence of character and fitness.

SEC. 22. Any certificate ~~may~~ be revoked for cause by the authority authorized to grant same upon written complaint of any county superintendent. The holder of a revoked certificate shall not be eligible for another certificate for 12 months.

SEC. 23. In case of revocation of a certificate the holder may appeal to the State superintendent, if such action be by a county superintendent, and to the State board of education if the certificate be revoked by the State superintendent.

SEC. 24. Examinations shall be held in each county seat twice annually.

SEC. 25. Examinations shall be conducted by the proper county superintendent in accordance with regulations prescribed by the State superintendent. Assistants may be appointed by county superintendent at \$3 per day.

SEC. 26. Papers, fees, and reports shall be forwarded to the State superintendent.

SEC. 27. State superintendent may add 10 credits each to any grade in two subjects for successful experience, if certified by the proper county superintendent.

SEC. 28. Credits secured upon examination by State authorities in other States may be accepted for equivalent certificates.

SEC. 29. The term "teachers' training course," as used in section 9 of this act, means one that shall fully meet all of the following requirements:

1. At least one teacher shall devote not less than four hours each day to the teachers' training course, and such teacher or teachers shall have been graduated from a standard normal school or its equivalent, which equivalency shall be passed upon by the superintendent of public instruction.

2. At least two teachers exclusive of the city superintendent shall give their entire time to instruction in subjects above grammar-school subjects.

3. The training course shall be given in the tenth, eleventh, and twelfth grades: *Provided*, The county superintendent may, at his discretion, admit other pupils to this course.

4. The course in teachers' training shall be elective, and shall consist of the three following lines of study:

(a) A review of at least nine weeks in each of the following subjects: Reading, grammar, arithmetic, and geography. This work shall include subject matter, underlying principles, and methods of teaching, and should enable the student to approach the subject from the standpoint of a teacher as well as that of a student.

(b) A study of American history.

(c) At least 20 periods of professional training to include a study of methods, school management, and observation work.

5. Schools offering this course shall have a reference library of at least three volumes on each of the following fields of professional study: History of education, principles of education, methods and special training in industrial education, including agriculture.

6. In case elementary agriculture is not in the regular course of study, it shall be required in the teachers' training course.

7. No teachers' training class shall be organized in any school with less than eight pupils, and every scholar admitted in such class shall continue under instruction not less than 32 weeks in order to be counted in such teachers' training class.

8. The class shall spend at least one hour a day for at least 16 weeks in observation and practice work, where the latter is practicable.

9. The class shall complete such other work as the superintendent of public instruction may require.

10. *Provided*, That not more than 3 units on the basis of 16 units required for graduation shall be given the teachers' training course.

11. The principal of any school or institution that maintains a teachers' training class shall on or before the 1st day of July of each year file with the superintendent of public instruction a sworn statement on blanks furnished by the superintendent of public instruction for that purpose to the effect that all of the provisions governing such training class as provided for in this section or in the State course of study have been complied with.

SEC. 30. The county superintendent shall hold annually a teachers' county institute, for a term of not less than three days, for the instruction of teachers and those desiring to teach; and all teachers in the public schools of his county shall be required to attend; and the superintendent of public

instruction may, at his discretion, upon a written complaint of the county superintendent, revoke the certificate or refuse to grant a certificate to any teacher who refuses to attend the county institute without cause. The county superintendent shall receive the assistance and cooperation of the superintendent of public instruction in holding annual institutes. Every teacher attending any annual county institute held in accordance with the provisions of this act shall be given by the county superintendent a certificate setting forth at what sessions of said institute such teacher shall have been in attendance, and any teacher who shall have closed his or her school for not more than three days in order to attend said institute shall not forfeit his or her wages as teacher during such time as he or she shall have been in attendance at said institute, and the certificate hereinbefore provided for shall be evidence of such attendance. If the institute is held during the session of school, the directors shall be required to grant three days' time of actual service to their teachers to attend the said institute, during which time their pay as teachers shall continue.

2. It shall be the duty of each county school superintendent to organize and hold annually at least three local institutes or educational meetings in various parts of his county at such times and places as he may deem expedient, and he shall secure at these meetings, so far as practicable, the attendance and cooperation of school officers, teachers, and parents.

3. All claims for defraying the expenses of such institutes shall be audited and paid as are all other claims against the county: *Provided*, That the total amount paid by any county for each fiscal year shall be \$2 for each school-room in operation in such county during such year: *Provided further*, That if in any county this amount does not equal the sum of \$150 for each fiscal year, then the county court of such county shall appropriate from the general fund of the county for defraying the expenses of such teachers' institutes the sum of \$150: *Provided further*, That the total amounts allowed for claims for such expenses in any county for teachers' institutes shall not exceed \$400 each fiscal year. Should there be any balance in the institute fund at the time this act shall be in effect, the county treasurer is hereby authorized and commanded to transfer such balance from the institute fund to the general fund of his county.
Ch. 58, Feb. 14, 1911.

Pennsylvania: See A (a).

Washington: Amending sections 5, 7, and 9, Article I, chapter 12, Title III, and section 1, Article IV, chapter 12, Title III, and section 1, Article VII, chapter 12, Title III of the code of public instruction, relating to the qualifications of teachers and the issuance of certificates. Ch. 16, Feb. 18, 1911.

West Virginia: Amending and reenacting sections 81, 86, 88, and 91 of chapter 45 of the Code as last amended and reenacted by the acts of the legislature of 1908, extra session, relating to the examination of teachers.

Increases amount allowed State superintendent for preparing questions, grading manuscripts, etc., from \$5,000 to \$7,000 annually. Increases power of State superintendent in revocation of license. Increases fine for tampering with examination of questions. Reduces examination fee from \$2 to \$1.50.
Ch. 66, Feb. 27, 1911.

Wisconsin: Amending section 411-6 of the statutes, relating to certificates to graduates from county training schools for teachers.

Ch. 602, July 7, 1911.

Wisconsin: Amending subsection 1 of section 450-1 of the statutes, relating to the examination, qualification, and certification of teachers applying for third-grade certificates.

Ch. 569, July 5, 1911.

Wisconsin: Amending subsection 3 of section 490d of the statutes, relating to qualifications of teachers in State graded schools.

Ch. 440, June 26, 1911.

Wisconsin: Amending subsection 1 of section 450-1 of the statutes, relating to the examination, qualification, and certification of teachers.

Exempts certain teachers from attending professional school for teachers.

Ch. 132, May 12, 1911.

E. (b) Teachers' Examinations and Certificates: General.

Idaho: See A (a).

Iowa: Relating to teachers' certificates.

Certificates of other States validated by the board of examiners shall be valid for five years. State diplomas, State certificates, special certificates, validated certificates of other States, and certificates granted to graduates of accredited normal schools and colleges shall be renewed for life upon payment of \$5 and proof of successful experience for five years, three of which shall have been during the life of said certificate or renewals thereof. Examinations are required for special certificates [instead of being issued "under rules and regulations prescribed by the State board of examiners"]. Former requirement that applicant for first-grade certificate shall have completed a course of study in an approved college or normal school is omitted; testimonial from superintendent or principal shall be accepted to show that applicant for renewal of such certificate has pursued a line of professional study [provision for examination to show same is omitted]. Holders of second and third grade certificates who apply for higher certificates need not be reexamined upon branches in which they have already passed, unless they so desire in order to raise their rating. First-grade and special certificates shall be renewed for life after five years' continuous successful experience, upon reaching a specified high rating in examination and upon proof of professional study during the entire five-year period; fee for such life certificate, \$5. Third-grade certificates shall be valid for one year [instead of six months], and may be renewed once [no renewal previously allowed]. All life certificates provided for in this act shall lapse if holder shall not teach during a period of five successive years.

The fee of \$1 required of each teacher attending a county normal institute is abolished.
Ch. 130, Apr. 10, 1911.

Kansas: Relating to teachers' certificates issued by county boards of examiners.

Professional certificates discontinued. Eleven branches specified for examination for first, second, and third grade certificates, and the State board of education is authorized to prescribe additional subjects for either grade. Elements of agriculture added as a required subject in all examinations. Minimum age requirements are raised from 19 to 20 years for first-grade and from 16 to 18 for third-grade certificates.

"Any person holding a second-grade certificate may retain for two years any grade of 90 per cent or more, secured at not to exceed four regular county teachers' examinations, and such grade shall be applied toward meeting the requirements for a first-grade certificate, but no grade received prior to the issuance of such second-grade certificate shall be so applied: *And provided further*, That a first-grade certificate may be renewed at its expiration upon the payment of a fee of \$1 if it is shown that the holder has attended at least 90 per cent of the time of at least one normal institute, or has had six weeks' professional training in some approved school during the period for which the certificate has been issued: *And provided further*, That the applicant shall have performed such professional work as the State board of education or county superintendent shall direct and shall not have remained out of school work longer than two consecutive years.

"After May 1, 1913, no person shall be granted a certificate who has not completed at least one year of school work in an accredited high school or its equivalent, and after May 1, 1915, no person shall be granted a certificate who has not completed at least two years of high-school work or its equivalent, and after May 1, 1917, no person shall be granted a certificate who has not completed four years of high school or its equivalent: *Provided further*, That this requirement shall not apply to anyone who has taught at least six school months before May 1, 1912: *And provided further*, That the State board of education may make such temporary modification of the requirements of this section as may be necessary to supply the schools with teachers."

Ch. 277, Feb. 28, 1911.

Kansas: Prescribing conditions for issuing State teachers' certificates by the State board of education.

Upon application of any college or university in the United States requiring for admission the completion of a four-year high-school course and maintain-

ing a department of education, the State board of education may examine the course of study prescribed and the character of work done, and if found satisfactory the said board shall place such institution upon the accredited list. Any institution upon said list shall be subject to examination by the State board of education at its pleasure, and shall be dropped if found failing to maintain a satisfactory standard. To each graduate from an approved course in institutions on the accredited list the said board shall issue a three-year State certificate; and upon the expiration thereof, if the holder has taught successfully at least two years and has kept himself informed in the general literature of his profession, said board shall issue to him a life certificate.

Ch. 276, Mar. 13, 1911.

Michigan: Relating to teachers' certificates in certain cities.

In incorporated cities employing a principal of the high school and also a superintendent who gives not less than one-third [instead of one-half] his time to supervision, the superintendent and the board of education may examine teachers and grant certificates. In all cases the State superintendent of public instruction shall prescribe the terms and conditions of such certificates.

*No. 146, Apr. 28, 1911.

Michigan: Amending an act relating to teachers' certificates.

Requires all applicants to pass examination upon school law and the course of study for District schools prepared by the State superintendent of public instruction. Other changes of minor character.

No. 20, Mar. 24, 1911.

Mississippi: Teachers exempt from further examination for State license may procure same, even if examination papers have been destroyed in any way. (Previous provision related only to destruction in fire destroying county courthouse.)

Ch. 252, Jan. 31, 1912.

Missouri: Amending the revised statutes relating to county teachers' certificates.

Medieval history is introduced as an optional in examinations for first-grade certificates. In addition to the scholastic requirements, each applicant who has had four months' experience shall be graded by the county superintendent on teaching ability and school management. Each applicant shall be graded on these professional qualities at the time of each renewal and each issue of a new certificate. Eight months' [instead of one year's] experience required for a first-grade certificate.

The county superintendent shall forward to the State superintendent all papers of all applicants for first-grade certificates and of all other applicants who shall request their papers to be sent to the State superintendent. Said State superintendent of public schools shall carefully grade all papers, keep a record of said grades, certify them to the proper county superintendent and return said papers to said county superintendent, who shall preserve them for at least one year.

"From and after September 1, 1912, all applicants for first or second grade certificates to teach must present evidence of having completed the first year's work of a classified or accredited high school as defined in section 10923, R. S. Mo. 1909, or its equivalent. From and after September 1, 1914, all applicants for first or second grade certificates must present evidence of having completed two years of such work, or its equivalent. From and after September 1, 1916, all applicants for first or second grade certificates must present evidence of having completed three years of such work, or its equivalent. From and after September 1, 1918, all applicants for first or second grade certificates must present evidence of having completed four years of such work, or its equivalent.

"The high-school work herein required may be done in any public, private, or parochial school, or private study, and satisfactory evidence thereof presented by the written statements of parties who have personal knowledge that such work has been done, or by passing a satisfactory examination on the subjects for which credit is claimed and which are not required in the examination prescribed by section 10039 of this article: *Provided*, That provisions of this section shall not apply to any person who holds a certificate entitling him to teach in the schools of Missouri at the time of the taking effect of this act."

A third-grade certificate may be granted to any one person in but four consecutive years [was formerly renewable once without examination]. A second-grade certificate may be renewed without examination once [instead of twice]; a first-grade certificate an unlimited number of times: *Provided*, That the holder shall give satisfactory evidence to the county superintendent of public schools that certain professional work prescribed by the State superintendent has been done. Any teacher now in service who has had five years' experience in teaching shall have his or her county certificate renewed an unlimited number of times on condition that said teacher continues in the same position and is faithful in the performance of his or her professional duties.

The proper county superintendent shall pass upon the moral character and requirements of all applicants and his grades of professional qualities (i. e., teaching ability and management) of applicants with four months' experience shall be averaged with the grades or the scholastic branches. The county superintendent shall keep complete records of certificates. He may indorse without examination a second-grade certificate issued in another county on payment of a fee of \$1.50. Each applicant for a certificate shall pay to the county superintendent a fee of \$3; for a renewal of a certificate, \$1.50. At least 30 per cent of all such fees shall be set apart for teachers' associations and teachers' meetings and the remainder shall be used for the expenses incident to the examinations. The county superintendent shall remit to the State superintendent 5 cents for each subject written by each applicant whose papers are sent to the State superintendent. Such sums shall be used by the State superintendent to pay the expense of examining papers, certifying grades, etc. The said State superintendent is empowered to employ assistants for such purposes.

Grades made in any county examination shall be good in any other county when the papers have been graded and certified by the State superintendent. Grades shall be void if holder shall have ceased active educational work for two consecutive years.

This act shall not apply to cities with a population of 75,000 [instead of 300,000] or over. Com. Sub. S. B. 240, p. 407, Mar. 30, 1911.

Nebraska: Relating to certificates to teach in city schools, and relating to emergency certificates under certain conditions.

"City certificates shall be granted as State certificates under rules prescribed by the State superintendent of public instruction, and such certificates shall consist of six general classes, as follows: (1) Kindergarten, (2) primary, (3) grammar, (4) high school, (5) special supervisor, and (6) superintendent. The rules for city certificates shall set forth in detail the standards for each class of certificates and shall fix the minimum requirements for each class which, for teaching in the grades, must not be less than a second-grade county certificate and for teaching in the high school or for supervising city schools must not be less than the equivalent of a first-grade State certificate.

"In emergencies arising from a scarcity of teachers in any county, the State superintendent of public instruction may at his discretion, upon the recommendation of the county superintendent, grant permission to teach in a specified district for a specified term of school, the person given such permission to teach being required to attend teachers' examinations and to write upon such subjects as the county superintendent may direct."

Ch. 120, Apr. 8, 1911.

New Hampshire: Amending chapter 49, section 2, of the laws of 1895.

Authorizing the State superintendent of public instruction, without the requirement of the examination provided by law, to issue a certificate to any person who has served as a teacher in the public schools of the State for a term of three years when in his judgment the educational interests of the State will be served by such action.

Ch. 161, Apr. 14, 1911.

New Hampshire: Amending chapter 92, sections 2 and 6, of the Public Statutes.

Repeals those parts of sections 2 and 6 which provide that local school boards shall hold examinations and issue teachers' certificates.

Ch. 126, Apr. 13, 1911.

New Jersey: Repealing chapter 282, 1911, which provided that diplomas of school district training schools may be accepted by the State board of examiners as teachers' certificates, valid in the schools of such district.

The old law, restored, provides for a board of examiners in each city school district. Diplomas of school district training schools may be accepted by the board of education of said district as valid in such district (i. e., the local board controls the examination of teachers in cities instead of the State board of examiners).
Ch. 364, Apr. 2, 1912.

New York: Amending the education law.

Section 793 omits provision requiring school commissioners to issue teachers' certificates to graduates of training classes in academies and union schools.
Ch. 140, Apr. 22, 1910.

North Dakota: See A (a).

Ohio: Relating to teachers' professional certificates.

Requires as a qualification for such certificates experience in teaching of at least 40 months, and a minimum grade of 85 per cent in any one branch, and a general average of not less than 92 per cent.

Laws 1910, pp. 305-306; H. B. No. 423, May 19, 1910.

Ohio: Relating to certificates of teachers in village, township, and special school districts.

After September 1, 1912, elementary agriculture shall be added to the subjects which applicants for elementary-school certificates shall be qualified to teach. Agriculture is added to electives in examinations for high-school teachers.
H. B. No. 520, p. 129, May 18, 1911.

Ohio: Fixing the date of termination of teachers' certificates.

Certificates issued by county boards of examiners shall be valid from the 1st day of September following the day of examination. Temporary certificates may be issued in the meantime.
H. B. No. 199, p. 418, June 8, 1911.

Ohio: Providing for the certification of teachers.

Laws 1910, pp. 317-319; H. B. No. 47, May 19, 1910.

South Dakota: Amending section 16 of chapter 135 of the laws of 1907, as amended by chapter 260 of the laws of 1909.

Provides that fees for teachers' certificates shall constitute a "State professional fund," to be used in conducting investigations and gathering data of the progress of education.
Ch. 144, Mar. 7, 1911.

Texas: Amending the law relating to teachers' certificates.

All examinations shall be in writing and in the English language. Certificates shall be of two kinds: (1) Temporary certificates, including (a) second-grade and (b) first-grade certificates. [Third-grade certificates discontinued.] (2) Permanent certificates, including (a) State permanent certificates and (b) State permanent primary certificates.

An applicant for a second-grade certificate shall be examined in spelling, reading, writing, arithmetic, English grammar, geography, Texas history, elementary physiology and hygiene, with special reference to narcotics, school management and methods of teaching, United States history, and elementary agriculture. [Last subject new.] An applicant for a first-grade certificate shall be examined in the subjects prescribed for a second-grade certificate, and in addition thereto in English composition, civil government, algebra, physical geography, elements of geometry, and general history.

Second and first grade certificates valid four years if average in examination is 75 per cent, with minimum of 50 per cent in any subject; six years if average is 85 per cent, with minimum of 60 per cent.

An applicant for a State permanent primary certificate shall be examined in the subjects prescribed for a second-grade certificate, and in addition thereto the subjects of civil government, English composition, physical geography, the history of education, elementary psychology applied to teaching, and English and American literature.

The holder of a State permanent primary certificate may build to a State permanent certificate during the first six years of the validity of said certificate by taking the examination in the following additional subjects: Algebra, physics, elementary geometry, general history, chemistry, solid geometry, plane trigonometry, elementary double-entry bookkeeping: *Provided*, That a person holding a State permanent primary certificate secured by building on a State first-grade certificate shall not be required to be re-examined in the subjects of algebra, physics, elementary geometry, and general history in building to a State permanent certificate.

The holder of a State first-grade certificate may build to a State permanent primary certificate by taking the examination in the following additional subjects: History of education, elementary psychology applied to teaching, English and American literature. The applicant in building from a State first-grade certificate to a State permanent primary certificate shall take the examination in one or more of the additional subjects at the same examination. An applicant for a State permanent certificate shall be examined on the subjects prescribed for second and first grade certificates, and in addition thereto in the history of education, psychology, English and American literature, chemistry, solid geometry, physics, plane trigonometry, and elementary double-entry bookkeeping.

The holder of a valid certificate of either class may build to a higher certificate by passing examinations in the required additional subjects, having the privilege of being examined in one or more subjects at any examination.

Second-grade certificates and permanent primary certificates are valid only in elementary grades. First-grade certificates and State permanent certificates are valid in any public free school. State permanent primary certificates and State permanent certificates are valid during the life of their respective holders.

Appropriate provision is made for graduates and certificate holders from the State Normal College, Peabody Normal College, department of education of the University of Texas, and of other institutions of like character. The holder of a life certificate of another State may receive a State permanent certificate.

Any city or town which has a scholastic population of 500 or more, forms an independent district, levies a local school tax, maintains schools for nine months in the year, and employs a superintendent may have a city board of examiners. Said board of examiners may issue temporary and permanent certificates of three classes, namely, primary, first grade, and high school. The State superintendent of public instruction may issue a State kindergarten certificate, valid four years, to each graduate of an approved kindergarten training school. After three years' successful experience the holder of such certificate may receive a State permanent kindergarten certificate, valid for life.

The county superintendent of each county shall appoint a county board of examiners, who shall hold regular examinations quarterly, and may hold special examinations in emergency if authorized by the State superintendent. Questions used shall be prescribed by the State department of education, and examinations shall be under rules prescribed by said department and the proper county superintendent. All papers shall be forwarded to the State superintendent and marked by the State board of examiners. The State superintendent shall issue the certificates recommended by the said State board of examiners. Proper record shall be kept by the State superintendent and the county superintendent. No certificate shall be granted to any person under 18 years of age.

Any county board of examiners may issue county second-grade certificates, but not more than one such certificate may be issued to the same individual. Teachers of special branches may be employed in cities and towns without a certificate. Validity of outstanding certificates shall not be affected by this act.

Ch. 96, Mar. 23, 1911.

Vermont: Amending certain sections relating to the certification of teachers.

Teachers and students of regular normal schools may teach in practice schools without certificates. Graduate from the lower course of a normal school may receive a five-year certificate (renewable), and a graduate from the higher course may receive a 10-year certificate, which may be renewed as a life certificate. State superintendent of education may grant certificates to graduates of normal schools of other States which shall be valid for five

years [instead of five years from graduation]. A special third-grade one-year certificate may be issued to a person who has taught successfully 50 weeks, or who has held a second-grade certificate and has taught 20 weeks, not renewable without examination. First-grade certificates may be renewed without examination after 50 weeks experience. No. 64, Jan. 4, 1911.

Vermont: See A (d).

E. (c) Teachers' Examinations and Certificates: Special.

Indiana: Concerning the examination of teachers in special branches, and concerning exemption from further examinations.

SECTION 1. Teachers in commissioned high schools, and in the manual training, domestic science and art, and kindergarten departments of the elementary and high schools, and teachers of German, music, drawing, physical culture, and other special branches of instruction shall be examined by the county superintendents of schools at the times of regular teachers' examinations upon the branch or branches they are employed to teach, and in case they pass such examination successfully, they shall be licensed to teach such branch or branches for one, two, or three years, according to the grades obtained upon such examination. Such license, however, shall not legally qualify its holder for the teaching of any branch or branches not covered by said examination, and such teachers at the time of examination shall have the right to elect to have their manuscripts sent to the State department of education for grading upon the terms and conditions prescribed for other teachers.

SEC. 2. Any person who has previously taught for six consecutive years in the common schools of the State and who shall at this time hold a three years' license to teach in the elementary or high schools of the State, or who shall hereafter obtain such three years' license to teach therein, so long as he shall teach the branch or branches upon which the license was issued, shall be forever afterwards exempt from examination, but if such person shall, after said exemption occurs, suffer a period of one year to pass without having taught one full school year in the common schools of the State within said period or served in said schools, except in case of physical disability, properly certified to by a reputable physician, then said exemption shall cease. If said person during such exemption shall seek employment to teach other or higher branches in the common schools of the State than those branches which were included in the examination upon which the three years' license was issued, then he shall be examined in such additional branches. The exemption shall apply to all licenses whether issued by the county superintendent or the State superintendent of public instruction: *Provided*, That an exemption acquired upon a license issued by a county superintendent shall be limited to the county in which such license was issued. An applicant for a State exemption shall present a certified statement from a county superintendent showing where and when such teacher has taught, and the license upon which the request for exemption is based. If the exemption is granted, the superintendent of public instruction shall attach the exemption to the original license. The superintendent shall charge and collect a license fee of \$1 from each applicant for State exemption.

SEC. 3. All exemptions heretofore acquired shall remain in full force so long as the holders thereof shall comply with the terms of section 2 of this act. Ch. 81, Mar. 2, 1911.

Massachusetts: Requiring teachers in State-aided high schools to hold certificates issued by the State board of education. Ch. 375, Apr. 29, 1911.

Nevada: See A (d).

Ohio: Relating to certificates issued to special teachers.

Includes Spanish in the list of subjects, for the teaching of which a special certificate is required. Provides for a "teachers' special certificate" for primary school-teachers. Examinations for special certificates shall be held twice in each school year. H. B. No. 210., p. 439, June 8, 1911.

E. (d) Teachers' Certificates; Validity; Indorsement; Registration; Revocation.

Minnesota: Relating to the revocation and suspension of teachers' certificates.

Action by county superintendent on written complaint, with appeal to State superintendent. Causes: (1) Inmoral character or unbecoming conduct; (2) failure to fulfill contract; (3) inefficiency; (4) affliction with active tuberculosis or communicable disease. (Former law was less specific.)

Ch. 96, Apr. 7, 1911.

* **Missouri (1910):** Where one school district goes entirely out of existence by being annexed to or merged in another, if no arrangements have been made as to its property and liabilities, the subsisting district will be entitled to all property and liabilities.

Where a teachers' certificate recited that it was for one year from September 8, 1904, unless revoked, writing after the signature "good till next regular examination, March, 1905," held not to limit the duration.

Where a school-teacher has a certificate as a licensed teacher, at the time of employment, it is not required that it extend to the end of the term of employment; all that is required is that it be renewed.

Where a school-teacher was competent and had a certificate to that effect and his contract was lawful, that his certificate did not state that it was either first or second class, held not to affect its validity.—*Abler v. Sch. Dist. of St. Joseph*, 124 S. W., 564.

West Virginia: Providing for the issuance of teachers' emergency certificates.

Emergency certificates may be issued by State superintendent upon the recommendation of the county superintendent. Not to be issued more than once to same person. Void after succeeding June 30.

Ch. 27, Feb. 25, 1911.

Wisconsin: Repealing section 458 of the statutes, relating to countersigning the diplomas from the normal departments of the Milwaukee high school.

The State superintendent may no longer countersign such diplomas and thus validate them for all the common schools of the State.

Ch. 182, May 19, 1911.

Wisconsin: Amending section 452a of the statutes, relating to the countersignature of high-school diplomas by county superintendents.

Ch. 179, May 19, 1911.

E. (e) Teachers' Certificates; Recognition of Normal School and College or University Diplomas.

Florida: Amending section 371, general statutes.

A life certificate may be issued to holder of State certificate who has successfully taught 18 (was 30) months in a high school or college.

Ch. 6164, (No. 45), June 5, 1911.

Mississippi: Every collegiate or normal graduate of the Mississippi Industrial Institute and College shall receive a teachers' professional license: *Provided*, Collegiate graduates must have taken at least nine hours in a professional course and obligate themselves to teach three years: *And provided*, Normal graduates obligate themselves to teach three years in public schools of the State, two of which shall be in rural schools. Those who enter the normal department hereafter must give a written pledge to so teach.

Ch. 163, Mar. 16, 1912.

Montana: Relating to qualifications of teachers.

Graduates of State university may, after registry of diploma in office of State superintendent, teach in high schools without examination.

Ch. 42, Feb. 23, 1911.

New Jersey: Amending an act entitled "An act to establish a thorough and efficient system of free public schools and to provide for the maintenance, support, and management thereof." approved October 19, 1903.

Diplomas issued by approved city normal or training schools may be accepted by the State board of education as certificates to teach, valid for such city district.
Ch. 282, Apr. 27, 1911.

South Dakota: Amending sections 14 and 54 of chapter 135 of the acts of 1907.

A diploma from any State normal school of South Dakota, having a course of study in which at least two years' [increased from one year] work above an approved four-year high-school course is required, may be accepted in lieu of an examination for a State teacher's certificate.

A diploma from any State normal school or any approved school of South Dakota having a normal department approved by the State superintendent and having a course of study in which at least two years' work beyond the first two years in an approved four-year high-school course is required, and which shall include professional instruction and practice teaching equal to one class hour daily for two years, may be accepted in lieu of an examination for first-grade certificate.

A diploma of a similar school having a like course of two years' work beyond an approved eighth-grade course may be accepted in lieu of an examination for a second-grade certificate.
Ch. 136, Mar. 2, 1911.

E. (f) Teachers' Associations.

F. TEACHERS: EMPLOYMENT; CONTRACT; APPOINTMENT; DISMISSAL.

(a) General.

Arizona: Prohibiting the employment of persons afflicted with pulmonary tuberculosis in the public schools.

Any teacher, principal, or superintendent of the public schools shall submit to an examination twice a year if required by the school board, or if afflicted with tuberculosis shall immediately resign. No warrant for further pay shall be drawn for such person.
Ch. 37, May 16, 1912.

Arkansas: Amending section 7615 of Kirby's Digest [Code of 1904].

Requires copy of contract with teacher to be filed with county treasurer.
Act 206, p. 164, Apr. 24, 1911.

***Arkansas (1911):** A director held liable from making a contract with a school district.

A school district held liable for services performed by a director under a voidable contract.—Smith et al. v. Dandridge et al., 135 S. W., 800.

California: Amending section 1696 of the Political Code, relating to the duties of teachers.
Ch. 685, May 1, 1911.

California: Amending section 1793 of the Political Code, relating to holders of certificates eligible to teach.

Holders of city or county certificates, after being employed, shall be dismissed only for cause.
Ch. 477, Apr. 18, 1911.

***California (1910):** An action will be against a board of trustees by a principal of schools for unlawful breach of his contract of employment.
Action of county school superintendent in sustaining dismissal of a teacher by the board of trustees held binding on the trustees.

Writ of mandate held not to lie to compel the reinstatement of a school principal unlawfully discharged by the board of trustees.—*Taylor v. Marshall et al.*, 107 Pac., 1012.

- **California** (1910): The right conferred by Pol. Code, sec. 1793, is conferred only as an incident to the holding of a city certificate as distinguished from a county, State, or special certificate.

The law recognizes but three school grades, namely, primary, grammar, and high school, and certificates authorizing teachers to instruct in these grades qualify the teacher for service only in the grade or grades covered by the certificate.

Board of education has power to transfer a teacher from class to class or from school to school, providing the teacher shall be retained in some class in a school of the grade which the certificate qualifies him to teach in.

In the absence of a constitutional or statutory limitation boards of education may exercise an unlimited discretion both in the employment and dismissal of teachers and in their transfer and assignment.

Teachers elected without definite tenure have the right to hold their positions while competent and faithful and are subject to dismissal only for insubordination, etc., though board of education may consolidate classes and discontinue a school or class in the interest of economy or for other good cause and may determine what teacher shall retire.

Where a teacher was without cause placed upon the unassigned list while away on a leave of absence, upon her return she was entitled to immediate assignment, and she could draw her salary until lawfully assigned to a position in the same class.—*Lochr v. Bd. of Ed. et al.*, 108 Pac., 325.

Hawaii: Providing that no person afflicted with tuberculosis shall be allowed to teach in any public or private school. Act 118, sec. 6, Apr. 21, 1911.

- **Indiana** (1911): A court held to have power to reform a written contract to teach by correcting a mistake in date.—*City Sch. Corp. of Evansville v. Hickman*, 94 N. E., 928.

- **Indiana** (1909): A teacher in accepting employment impliedly agrees that he has the learning necessary to enable him to teach and the capacity of imparting that learning to others.—*Biggs v. Sch. city of Mount Vernon*, 90 N. E., 105.

- **Kansas** (1910): A school-teacher held dismissed by the district school board and county superintendent in compliance with Gen. Stat. 1909, sec. 7463.

A dismissal of a school-teacher at a meeting of two members of the school district board and the county superintendent held effective.—*Duncan v. Sch. Dist. No. 8, Reno Co.*, 112 Pac., 102.

- **Kentucky** (1910): That one has certificate to teach held presumptive evidence that she possesses the necessary qualifications, and a board of education electing her may so assume.

Under Ky. Stat., sec. 4426a6 (Russell's Stat., sec. 5610a6), the meetings of boards of education for the election of teachers must be held at the time specified in the statute or at such times, as the chairman of the board may designate.

Under Ky. Stat., sec. 4426a4 (Russell's Stat., sec. 5610a4), the county superintendent is not required to attend meetings of a division board; but he may cast the deciding vote after being informed of a tie vote.

Where a teacher has been regularly elected by a board of education, the chairman and secretary of the board held required to enter into a valid contract with her.

The chairman of a board of education held not entitled to defeat mandamus to compel him to sign a teacher's contract on the ground that the contract he refused to sign was not in proper form.—*Davis et al. v. Harrison*, 131 S. W., 272.

- **Maryland** (1911): An appointment of a teacher held void as not within the power conferred on the school commissioners by Baltimore City code, secs. 99, 101.

A compliance with all the substantial requirements of the statute is essential to a valid appointment of a teacher.—*Semmes et al. Bd. of Sch. Com'rs v. Rowland*, 79 At., 472.

- **Michigan (1912)**: A school-teacher was entitled to recover the contract value of her services for teaching during an entire term, though one of the three members of the board erased his signature from the contract of employment, because the title to his office was in dispute, and another member did not sign the contract in person, but directed his wife to sign his name thereto; there being a sufficient execution of the contract under Pub. Acts 1901, No. 146, sec. 1, requiring the district board to hire teachers, and providing that all contracts shall be signed by a majority of the board; such teacher having been permitted to continue under the contract for the entire term without protest.—*Chalmers v. Sch. Dist. No. 1, Reynolds Twp.*, 130 N. W., 386.

Mississippi: Regulating the number of assistants allowed in a school district.

An assistant may be allowed by the county superintendent when a school has more than 35 pupils in actual attendance in five grades, none of which shall contain less than 3 pupils [was more than 40].

A second assistant may be allowed if the school has as many as 70 in eight grades [was more than 80].
Ch. 247, Feb. 9, 1912.

- **Missouri (1910)**: A written contract employing a teacher held not to give the teacher the right to teach in the high school only.—*Simms v. Gilmore et al.*, 130 S. W., 1120.

- **New Hampshire (1910)**: A regulation of the school board not binding unless recorded by the district clerk and read as required by the statute.

School board are trustees of the district and it is not liable on contracts made by them for the wages of teachers.

School board not authorized to dismiss a teacher for failing to comply with a regulation without first giving her a hearing.

School board may not fix the teachers' boarding place.—*Horne v. Sch. Dist. of Chester*, 75 At., 431.

- **New Jersey (1912)**: The supervising principal of a school district tendered her resignation to take effect April 1. On March 31 the board decided not to accept the resignation, and so notified her April 1. On April 3 the board, whose membership had not changed, without notice accepted the resignation. *Held*, that such action was void, because the resignation was not then pending and no opportunity to be heard was afforded such principal.—*Nicholson v. Bd. of Ed. of Swedesboro Dist. et al.*, 83 At., 488.

- **New York (1910)**: The board of education of the city of New York, in determining whether a given position shall be filled by a man or woman teacher may cause separate lists of men and women of the eligible list to be made.

A female holder of a grade A license held not entitled to complain of the appointment of a male teacher holding a "graduating class" license where male holders of grade A licenses were unavailable and in the board's judgment the welfare of the service required a male teacher.—*Fitzpatrick v. Bd. of Ed. of City of New York et al.*, 125 N. Y. Sup., 954.

- **New York (1910)**: A teacher in the New York schools holding a grade A license on February 1, 1898, held under Greater New York charter (Laws 1901, ch. 466) sec. 1101, entitled to any position in grade 8-B afterwards established, superior to the appointment of persons in such grade who had not held a grade A license.

A holder of a grade A license in the public schools of New York City is prejudiced by adding to the list of persons eligible for promotion the names of persons who had not held licenses of that grade, or by the promotion of one not the holder of such a license.

Greater New York charter (Laws 1901, ch. 466), sec. 1101, is not unconstitutional because discriminating as to promotion between the holders of grade A licenses in the public schools issued prior to Feb. 1, 1898, and holders of such licenses issued between February 1, 1898, and April 22, 1901.—*Fitzpatrick v. Bd. of Ed. of City of New York et al.*, 124 N. Y. Sup., 765.

- **Oklahoma (1910)**: Declarations and acts of individual members of board of directors of school district will not create a contract of hiring with a teacher enforceable against the district.—*Sch. Dist. No. 39, Pottawatomie Co. v. Shelton*, 109 Pac., 67.

Pennsylvania: See A (c).

• Washington (1910): A contract for the employment of a school-teacher made by the district board of directors after the statutory limitation of indebtedness was reached held void.

The maintenance of a school for eight months is not such a necessity as to warrant school directors overriding limitations as to the amount of indebtedness a school district may incur.—*Wolfe v. Sch. Dist. No. 2, Columbia Co.*, 108 Pac., 442.

• Wisconsin (1911): Section 488, Stat. 1898, held not to require a contract for the employment of teachers to be in writing.—*Pearson v. Sch. Dist. No. 8 of Tn. of Greenfield, Milwaukee Co.*, 129 N. W., 940.

F. (b) Teachers' Salaries.

• California (1909): An entry in minutes of a county board of education purporting to authorize Westerman's employment as principal of a high school held not a contract to employ him for a year at a certain salary.—*Westerman v. Cleland et al., Co. Bd. of Ed.*, 106 Pac., 606.

Georgia: An act to allow county boards of education to borrow money to pay the salaries of the public school-teachers of their counties, etc.

Such action may be taken in anticipation of the receipt of State school moneys.
Act 293, July 15, 1910.

Indiana: Increasing by one-sixth the minimum salaries of teachers exempt from examination.
Ch. 77, Mar. 1, 1911.

• Indiana (1911): There can be no recovery for teaching a public school based upon a verbal contract or on a quantum meruit.

Under Burns' Ann. Stat. 1908, secs. 6596, 6598, relating to the minimum statutory wages for teachers, held, that a teacher making a contract for wages less than the minimum was not barred from relief.

Under Burns' Ann. Stat. 1908, secs. 6596, 6598, held, that a teacher in an action on a contract fixing wages less than the minimum wages provided by statute could recover the difference between wages so fixed and wages provided by statute.—*City Sch. Corp. of Evansville v. Hickman*, 94 N. E., 828.

Kentucky: See A (c).

Maryland: The minimum salary of white teachers in any public school with an average attendance of 10 [was 15] or more shall be not less than \$300.

Garrett County excepted.

Ch. 138, Apr. 8, 1912.

Massachusetts: Authorizing the school committee of the city of Boston to make appropriation to increase the salaries of teachers.

Ch. 708, July 15, 1911.

New York: Amending education law.

Section 284 forbids school-district trustees to issue a warrant for the salary of a teacher unless funds are available to pay such warrant.

Ch. 140, Apr. 22, 1910.

New York: Amending the Greater New York charter relating to the salaries of the supervising and teaching staffs of the board of education.

The salary, including the annual increment, to which a present member is entitled under a specific salary schedule now existing shall not be reduced. Beginning with the 1st day of January, 1912, third month following the taking effect of this act, the salaries, including the annual increments, of all members shall be not less than those fixed in the schedules and schedule conditions approved by the board of education on the 17th and 24th days of May, 1911. After said date, if a present male member be advanced to a position higher in rank his salary, including the annual increment, in the advanced position shall be that fixed in the schedule therefor in force at the time of such advance, except that it shall be not less than that received by him.

immediately prior to such advance. The salary of a principal, assistant to principal, or head of a department shall be not less than that now fixed for any regular teacher in the elementary schools. In the schedules of salaries hereafter adopted there shall be no discrimination based on the sex of the member. A copy of such schedules and schedule conditions approved by the board of education on the 17th and 24th days of May, 1911, certified by the secretary of the board, shall, within 30 days hereafter, be filed in the office of the secretary of State.
Ch. 902, Oct. 30, 1911.

• **New York (1911):** In action by assignee of a teacher for difference between salary paid and that claimed to be due, *held*, that there could be no recovery.—*Thompson v. Bd. of Ed. of City of New York*, 94 N. E., 1082.

Ohio: Permitting boards of education of township school districts to provide the monthly payment of teachers upon presentation to the clerk of a certificate from the director of the subdistrict in which the teacher is employed stating that the services have been rendered and that the salary is due.

Laws 1910, p. 318, H. B. No. 64, May 19, 1910.

• **Virginia (1911):** A teacher appointed as a vice principal by Richmond borough school board, subject to the rules of the city superintendent of schools, *held* not entitled to the salary of a vice principal or head of department.—*Gormley v. Bd. of Ed.*, 129 N. Y. S., 153.

Wisconsin: Creating section 5531-1 of the statutes, concerning the salaries of teachers of agriculture, domestic economy, manual training, and industrial work.

"1. No State aid shall be granted to any school for instruction given in agriculture, domestic economy, manual training, or industrial branches unless the salary paid to every teacher instructing in such subjects be at least at the rate of \$80 per month.

"2. All acts and parts of acts conflicting with any provisions of this act are repealed in so far as they are inconsistent therewith."

Ch. 544, July 8, 1911.

F. (c) Teachers' Pensions.

Arizona: Providing for the retirement of teachers.

Any teacher who has served 25 years or more may be retired by State board of education, and shall thereafter receive an annual pension of \$800 per annum, to be paid in quarterly installments from school fund.

State superintendent must approve quarterly claims.

Ch. 95, May 31, 1912.

California: Amending law providing for a teachers' retirement fund.

Increases to \$150 the annual salary of clerks to the boards of the public school-teachers' retirement funds.

Ch. 674, May 1, 1911.

• **Delaware:** Establishing a retirement fund for pensioning teachers of the public schools in the city of Wilmington.

Sources of said fund: (1) Not less than \$1,000 appropriated annually by the board of education of Wilmington. (2) Donations, legacies, etc. (3) Not less than \$2,000 appropriated annually by the city council. (4) Salary deductions of 1 per cent for teachers in service less than 10 years, 2 per cent for those in service from 10 to 20 years, and 3 per cent for those in service more than 20 years; maximum deduction, \$50 in any one year. Every teacher's contract shall include provision for such deductions. (5) Other legal methods of increment. Retirement for incapacity after 20 years' service (15 in Wilmington); any teacher may be retired who has reached the age of 65 and has served 30 years; any teacher shall be retired upon application after 35 years' service (20 in Wilmington). Annuity, \$400; proportional amount if service has been less than 35 years but over 20 years. Beneficiary must have paid \$400 into fund before receiving an annuity; when that sum has been contributed, salary assessments cease.

Ch. 203, Mar. 14, 1911.

Illinois: Relating to teachers' pension fund in cities over 100,000 [Chicago].

Teachers who have withdrawn from participation in said fund may renew their right of participation by repaying all moneys withdrawn and paying all contributions accruing in the meantime, with interest at 4 per cent, provided such option be exercised before July 1, 1912. Teachers reemployed by the board of education after July 1, 1911, may renew their participation in said fund within one year after such reemployment. All teachers now in service may exercise their option to participate in said fund on or before July 1, 1912.

S. B. 366, p. 511, June 6, 1911.

Illinois: Authorizing the board of education of any district having not fewer than 1,000 and not more than 100,000 inhabitants to establish and maintain a teachers' pension and retirement fund.

Salary deductions, \$5 per annum during the first five years of service; \$10 per annum during the second five years; \$15 per annum during the third five years; and \$30 per annum subsequently. Teachers who participate in said fund may count past service by paying into the fund the amount that would have been contributed during that time if they had then been participants. Pensions may be granted after 25 years' service or after 15 years in case of permanent disability, three-fifths of which time shall have been in the district. Annuity, \$400 per annum after 25 years and proportional sums for shorter service. Any teacher who is discharged shall receive all moneys paid by said teacher into the fund; any teacher who resigns voluntarily shall receive one-half the amount paid by him or her. All teachers employed as such shall accept the provisions of this act.

If there is not sufficient revenue to maintain a pension fund under the foregoing provisions the school district may by majority vote establish a fund for the retirement of teachers over 50 who have served 25 years. The fund shall be derived from public revenues. In such case the annuity shall not exceed one-half the compensation of such teachers at time of retirement and shall in no case be over \$400 per annum.

H. R. 462, p. 513, June 6, 1911.

Illinois: Providing for contribution from public moneys to the public-school teachers' pension and retirement fund in cities over 100,000 [Chicago].

The city board of education shall contribute an amount equal to the aggregate of deductions from teachers' salaries for the said fund. The interest on deposits of school moneys shall be included in the said contribution of the board of education.

S. B. 367, p. 512, June 5, 1911.

Kansas: Providing for a retirement fund for public-school teachers in cities of the first class.

"SECTION 1. In any city of the first class in the State of Kansas there may be created by the board of education of such city a public-school teachers' retirement fund, which fund when created, and the management and disbursement thereof, shall be under the control of the board of education of such city. Such retirement fund shall be created and maintained in the following manner: First, by an assessment of not less than 1 per cent nor more than 1½ per cent of every installment of salary paid to a teacher employed in such city; second, by the setting aside from the general fund for the support of the schools in such city of an amount which shall be not less than one and one-half times the amount of salary assessments, and not less than the amount necessary to meet the payments herein provided for; third, by the receipt, by the gift, or otherwise of any real, personal, or mixed property, or any interest therein.

"SEC. 2. Such a retirement fund when thus created and maintained, or so much thereof as shall be necessary, shall be disbursed in the manner herein after set forth. And any surplus of fund not needed for immediate disbursement may be invested by the board of education of such city acting as trustees of such fund, in any bonds approved by the State school fund commission.

"SEC. 3. Any teacher who has been credited under the rules and regulations of such board of education with an aggregate of 30 years of teaching experience may be retired by such board of education. Any teacher so retired under the foregoing provision of this section, provided that at least 15 years of such accredited teaching experience shall have been in the public schools of

such cities of the first class, shall be entitled to receive from such retirement fund so long as such teacher may live, equal monthly payments which shall aggregate \$500 per annum; *Provided, however*, That no one shall receive such pension without paying into the fund therefor, by way of assessment or otherwise, not less than one-half of the amount of the first annual pension to which such person shall be entitled. And in order to make up such one-half, the board of education may provide for any deficiency by deducting the necessary amount from the first year's pension payments in equal amounts each month.

"Sec. 4. Any teacher who has been credited under the rules and regulations of such board of education with an aggregate of 25 or more years of teaching experience may be retired by such board of education on account of disability or incapacity, physical or otherwise. Any teacher so retired, provided that at least 15 years of such accredited teaching experience shall have been in the public schools of cities of the first class, shall be entitled to receive from such retirement fund, during the period of retirement, monthly installments, the annual aggregate of which shall be such percentage of \$500 as the number of years of such accredited teaching experience of the beneficiary shall bear to the term of 30 years. Any teacher so retired may, at the discretion of the board of education, should such teacher's incapacity or disability be removed, be reinstated as a teacher, and any right to any payments from this fund until such teacher again be retired shall cease with such reinstatement. And shall any teacher be so reinstated, the years of such retirement shall be included in arriving at the term of service when such teacher may again be retired, but no credit for such years of retirement shall be given in arriving at the amount such teacher shall be entitled to receive from the retirement fund.

"Sec. 5. If at any time a teacher who is willing to continue is not re-employed or is discharged before the time when he or she would, under the provisions of this act, be entitled to a pension, then such teacher shall be paid back at once the money he or she may have contributed under this act. Should a teacher duly accredited in a city of the first class accept service in the public schools of any other city of the first class, a sum equivalent to all payments made by such teacher into the retirement fund shall be transferred to the retirement fund of the city in which such service is accepted. Any teacher who shall retire voluntarily from the service shall receive a refund of one-half of the money he or she shall have contributed under this act. And should any teacher die before receiving any of the benefits or pensions by this act provided, the board of education shall pay to such teacher's heirs or estate one-half of the amount, without interest, which shall have been paid into such pension fund by said teacher.

"Sec. 6. In construing this act the word "teacher" shall include all members of the teaching staff employed by the board of education of such city, which shall include superintendents, supervisors, and assistants to the superintendent of instruction, principals, and teachers.

"Sec. 7. It is hereby made the duty of the treasurer of such city to keep any fund arising under the provisions of this act as a separate fund, and to disburse the same in accordance with the instructions and orders of the board of education of such city.

"Sec. 8. After said retirement fund shall be created by said board of education of such city, the salary of any teacher regularly employed by such city shall be exempt from the provisions of this act, provided such teacher shall make a request in writing for such exemption and file the same with the board of education of such city within one month after such teacher shall enter upon such regular employment as a teacher, and such request, when filed with the board of education of such city, shall constitute a waiver and a bar to the receipt of any benefits from the retirement fund herein provided for.

"Sec. 9. The board of education shall have power to adopt rules and regulations for the carrying out of the purposes of this act not in conflict therewith."

Ch. 280, Mar. 14, 1911.

Kentucky: Teachers' pensions for cities of class 1 [Louisville].

Fund controlled by board of trustees.

One member of board of education chosen by board; superintendent, one principal, and four teachers elected by teachers.

Fund to consist of: (1) Donations from board of education, or from any other source; (2) assessments on teachers—1 per cent of salaries (maximum \$10 per annum) on teachers of less than 15 years' service; 2 per cent on salaries of teachers of more than 15 years' service (maximum \$20). Deduction from salaries. All teachers with salaries over \$450 shall pay assessments, and all shall agree to pay same on becoming teachers.

Trustees shall determine what part of fund shall be invested.

Annuities:

1. Maximum, \$400 per annum, based on 40 years' service. Proportionately less for shorter service.

2. Disability pension after 20 years.

3. After 30 years' service annuity may be granted with or without application. Annuitant must have paid into fund amount equal to one year's annuity. Annuitant shall be prorated, if funds are not enough for all.

Only service in city shall count.

If disability is removed, annuitant may be reemployed as teacher and pension will cease.

One-half returned to those who cease to teach.

No annuities payable before October 1, 1915, but applications may be made after December 1, 1912.

Ch. 129, Mar. 19, 1912.

Louisiana: Providing for the retirement from regular duty of public-school teachers in the Parish of Orleans and providing for salaries for teachers so retired.

Creates a board of seven trustees of the retirement fund, who shall be a body corporate, composed of city superintendent, three members of the board of school directors, and three members of the teaching force, elected by the teachers. Membership optional with teachers in service, but obligatory upon new appointees. Sources of fund:

(1) Salary deductions of 1 per cent per month for teachers in service less than 10 years; $1\frac{1}{2}$ per cent for those in service from 10 to 20 years; 2 per cent for those in service more than 20 years; 2 per cent for those who are not engaged in class-room teaching; and

(2) Gifts, grants, and devises.

The board of school directors may retire, and upon application shall retire, any teacher who has served 40 years, of which 20 must have been in the parish. Teachers incapacitated may retire or be retired after 10 years' service with proportionate reduced annuity. If any annuitant has not paid into the fund an amount equal to the annuity for one year one-fifth the deficiency shall be deducted from the annuity for the first five years. Teachers retired for incapacity may be restored to active duty if found qualified for the same. Retired teachers may be required, without additional compensation, to perform duties within their ability, not to exceed 30 days in any school year. A permanent fund shall be created, consisting of all receipts for the first year and half the unexpended balances in subsequent years. Only their income from the permanent fund may be used for annuities. Amount of annuity, one-half average annual salary during last five years of service; minimum, \$300; maximum, \$600. Marriage of annuitant shall forfeit all right to annuity.

One-half of the amount paid into the fund, with interest, shall be returned to any member who leaves the service or is discharged therefrom by proper authority. The term "teacher" as used in this act shall include any superintendent, assistant superintendent, principal, vice principal, supervisor, secretary, inspector, assistant, cadet, librarian, member of office force, and any teacher or instructor regularly employed by the school director of the parish.

Act No. 116, July 5, 1910.

Maryland: Amending teachers' pension law.

Teachers' pensions paid by treasurer of State board of education instead of State treasurer.

Board of education may waive age limit 60 years in extraordinary cases.

Appropriation increased from \$25,000 to \$28,000. Ch. 135, Apr. 8, 1912.

Maryland: Teachers' retirement fund for Baltimore County.

Trustees composed of school officers and of teachers.

Membership optional with teachers now in service; obligatory upon new appointees.

Assessments, 1 per cent per annum (maximum \$14), less than 10 years' service; 1½ per cent (maximum \$21.60), 10 to 20 years; 2 per cent (maximum \$28), over 20 years. Deducted from pay rolls.

County commissioner may appropriate money for fund and levy tax for same.

Retirement after 35 years' service, 20 years of which must be in Baltimore County—by order of county school commissioner or district trustees. Retirement for disability after 20 years' service. Annuitant must have paid into fund as much as first year's annuity, or that amount will be deducted (one-fifth at a time for five years). Pensioner may be required to do substitute duty if able, not over 15 days per annum.

Pension, one-half of salary for last five years; minimum, \$350; maximum, \$600.

One-half repaid with interest if teacher withdraws or dies.

Ch. 293, Apr. 12, 1912.

Maryland: Teachers' retirement fund for Allegany County.

Ch. 463, Apr. 8, 1912.

Massachusetts: An act relative to the payment of pensions to the members of the teaching or supervising staff of the public schools of the city of Boston.

Section 1 removes the former limitation by which the maximum pension was \$180.

Sec. 2 provides that accrued interest on the permanent fund not expended in any year shall be available for the payment of pensions in any subsequent year.

Sec. 3. Pensions shall be prorated, if amount available is not sufficient for all; but in no case shall a person retired after 30 years' service receive less than \$312 in any year. The school committee may retire any member of the teaching or supervising staff of the public day schools who shall have reached the age of 65 years or who shall be incapacitated for further efficient service. If the person so retired has been employed in teaching or supervising for 30 years or more, 10 of which shall have been in the Boston public day schools, such person shall receive a pension at the annual rate of one-third the annual salary paid to that person at the time of retirement; provided that in no case shall the pension after 30 years' service be less than \$312 nor more than \$600. If a person so retired has served less than 30 years, 10 years in Boston, the pension paid shall be at the same ratio to the rate for 30 years' service as his or her length of service bears to 30 years. The pensions of persons retired under the law of 1908 [fixing the maximum limit at \$180] shall be reestablished in accordance with this act.

Sec. 4. The school committee shall grant pensions to not less than 60 annuitants of the Boston Teachers' Retirement Fund Association at the rate of \$180 per year. All such persons receiving pensions shall be subject to the call of the school committee for emergency service as teachers at the current rate of pay for substitutes.

Sec. 5. The principal and teachers of the Parental School of Boston are included in the benefits of this act.

Ch. 617.

Presented to the governor June 8, 1910. Became a law without his signature.

Massachusetts: Providing for an investigation by the board of education in regard to a retirement allowance for certain teachers in the public schools.

Resolves, ch. 47, Apr. 10, 1911.

Minnesota: Extending the act providing for teachers' retirement fund associations to all cities having a population of more than 10,000 [instead of 50,000] inhabitants.

Ch. 883, Apr. 20, 1911.

New Jersey: Relating to teachers' pensions.

Ch. 276, Apr. 27, 1911.

New Jersey: Retirement on half pay for officers and employees of penal institutions and reformatories. Incapacity after 20 years' service.

Ch. 828, Apr. 1, 1912.

New Jersey: Teachers, etc., may be retired after 35 years' public-school service (20 under same board); may be retired on half pay by resolution of board of education or other body. Formerly was only on application of beneficiary. Ch. 58, Mar. 13, 1912.

* **New Jersey (1911):** Pub. Laws 1907, p. 374, sec. 221, par. 4, held to become a part of a contract of a person accepting a position designated in the school law, so as to justify a deduction from the salary for the teachers' retirement fund under section 219.

Deductions from monthly salaries of persons holding positions under school law authorized by Pub. Laws 1907, p. 371, sec. 219, held not the taking of property without due process of law, nor the taking of private property for public use without just compensation.

The school law of 1907 (Pub. Laws 1907, p. 365), held not a special act conferring corporate powers violative of Const., art. 4, sec. 7, par. 11.

Pub. Laws 1907, p. 365, art. 25, providing for a teachers' retirement fund, is not a private law violative of Const., art. 4, sec. 7, par. 11.

The title of the school law of 1903 (Pub. Laws 1903, 2d sp. sess., p. 5) held to embrace a provision thereof creating a board of trustees of the teachers' retirement fund.

Retention for the teachers' retirement fund of the percentage of salaries of persons holding positions under the school law authorized by Pub. Laws 1907, p. 371, sec. 219, is not an exercise of the taxing power of the State.—Allen v. Bd. of Ed. of City of Passaic, 79 At., 101.

New York: Amending the education law in relation to a retirement fund for teachers in State institutions.

"SECTION 1095. Every person who, for a period of 10 years immediately preceding, has been employed by the State as a teacher in any college, school, or institution maintained and supported by the State, and who shall have been engaged in teaching in any college, university, school, academy, or institution or in the public schools of this State or elsewhere during a period aggregating 30 years, and has reached the age of 70 years, must, at his request, or may, on the order of the commissioner of education, be retired from such employment.

"SEC. 1096. Every such person desiring to be retired under the provisions of section 1095 of this chapter shall present to and file with the commissioner of education an affidavit signed by himself, or, in case he is mentally or physically incapable of making such affidavit, the affidavit of some person or persons acquainted with the facts, setting forth the number of years of such employment, the place or places where employed, the salary received by the applicant at the last place of employment, and upon the filing of such affidavits, the commissioner of education, if he shall be satisfied of the truth of the affidavit, shall issue to such applicant a certificate that such applicant has been retired from active service as a teacher.

"SEC. 1097. Upon the recommendation of a majority of the members of the board or governing body having in charge any such college, school, or institution, that a member of the teaching force be retired on account of mental or physical incapacity for the performance of duty, the commissioner of education may retire such person and issue to such person the certificate set forth in section 1096 of this chapter, provided such person has been employed by the State for 10 years immediately preceding as a teacher in any college, school, or institution maintained and supported by the State, and has been engaged in teaching in some college, university, school, academy, or institution or in the public schools of this State or elsewhere during a period aggregating 30 years, or, having reached the age of 65 years, during a period aggregating 20 years.

"SEC. 1098. Every person who shall be retired under the provisions of this article shall be entitled to receive from the State one-half the salary which such person was receiving at the date of such retirement, not to exceed, however, in the case of a supervising official, or principal, \$1,000, and in the case of a teacher, \$750. In no case shall the payment to any person retired hereunder be less than the sum of \$300.

"SEC. 1099. The payment of the amounts provided in this article to be paid shall be made by the State treasurer on the warrant of the comptroller on the audit of the commissioner of education. Payments shall be made quarterly commencing with the first quarter after the date of issue of the certificate of such retirement. The commissioner of education shall make and enforce

such rules and regulations, not inconsistent with the provisions of this article, as he shall deem necessary for properly safeguarding all payments thereunder, including vouchers to be signed by the person to whom such payment is made."

Ch. 441, June 8, 1910.

New York: Amending an act to establish a retirement fund for teachers, principals, and supervisors of the public schools in the city of Albany.

Includes the superintendent of schools. Five [instead of 3] per cent of the excise money received by the city under the liquor-tax law shall be paid into the fund. Extends time for application by teachers in service at time of passage of law. Deductions from teachers' salaries on account of absence, less the sums paid to substitutes on account of such absence, shall be added to the fund.

Ch. 451, June 9, 1910.

New York: Creating a public-school teachers' retirement fund in Greene County.

Managed by board of trustees of five, appointed by county judge. Sources: (a) Donations, legacies, etc.; (b) salary deductions of 1 per cent; (c) appropriations, in the discretion of the county board of supervisors, not exceeding twice the amount contributed from (a) and (b). Retirement after 25 years' service, 15 in Greene County. Annuity, one-third average salary during last three years; maximum, \$400. Deductions refunded to persons leaving service. Annuitant must have contributed amount equal to 30 per cent of annuity. Membership optional.

Ch. 444, June 8, 1910. (Sept. 1, 1910.)

New York: Establishing a public-school teachers' retirement fund in Saratoga County.

Board of trustees of five, appointed by county judge. Membership optional with teachers in service and obligatory upon new appointees. Sources: (a) Donations, legacies, etc.; (b) salary deductions of 1 per cent; (c) appropriations in discretion of county board of supervisors not exceeding contributions from (a) and (b). Retirement after 25 years' service, 10 in county. Annuity, one-half salary at time of retirement; maximum, \$600. Proportionate amount at retirement for disability after 15 years' service, 6 in county. Deductions refunded to persons leaving service. Annuitant must have contributed amount equal to 20 per cent of annuity.

Ch. 191, Apr. 29, 1910. (Sept. 1, 1910.)

New York: Establishing a public-school teachers' retirement fund in Nassau County.

Provisions similar to those of chapter 191, relating to Saratoga County.

Ch. 407, June 7, 1910. (Sept. 1, 1910.)

New York: Amending the education law relative to the New York State teachers' retirement fund.

SECTION 1100. The word teacher as used in this article includes teachers and principals employed in public schools of the cities and school districts of the State and shall also include superintendents employed as provided by law in cities and union free-school districts having a population of 5,000 or more. The words retirement fund as used in this article shall mean the New York State teachers' retirement fund for public-school teachers, as established by this article.

SEC. 1101. There is hereby established the New York State teachers' retirement fund for public-school teachers which shall consist of—

1. All contributions made by teachers as hereinafter provided.
2. The income or interest derived from the investment of the moneys contained in such fund.
3. All donations, legacies, gifts, and bequests which shall be made to such fund, and all moneys which shall be obtained from other sources for the increase of such fund.
4. Appropriations made by the State legislature from time to time to carry into effect the purpose of such fund, and which appropriations, when made, shall be paid into such fund and may be expended in the same manner as other moneys belonging thereto.

Sec. 1102. The State teachers' retirement fund board shall consist of five members to be appointed by the commissioner of education as hereinafter provided. One of such members shall be, at the time of his appointment, a superintendent of schools in a city or district; one shall be at the time of his appointment an academic principal, and one shall be at the time of his appointment a teacher engaged in teaching in an elementary school. At least one of such members shall be a woman teacher in the public schools. Such appointments shall be made within 10 days after this act takes effect. The members of such board first appointed shall hold office for terms of one, two, three, four, and five years from January 1, 1912, to be designated by the commissioner of education when he appoints such members. Their successors shall be appointed for terms of five years. A vacancy occurring in the office of any member shall be filled for the unexpired term.

Sec. 1103. A vacancy in the office of a member of the board shall be created by death, resignation, refusal to serve, removal from office, or absence from the State for a period of one year. A member of such board may resign by written resignation submitted to the commissioner of education and accepted by him. The commissioner of education may remove a member of such board for cause, after service upon him of written charges and an opportunity to be heard in defense thereof.

Sec. 1104. There shall be a president, vice president, and secretary of such board, to be elected by a majority vote of the members of the board. The president and vice president shall be elected for terms of one year. The term of office of the secretary shall be fixed by the board. The secretary need not be a member of the board. His salary or compensation shall be prescribed by the board, not exceeding \$2,000 a year, subject to the approval of the commissioner of education. The members of the board shall serve without compensation, but they shall be entitled to their expenses actually incurred in attending the meetings of the board and in performing services as members thereof.

The board shall meet annually in the education building at Albany on the second Wednesday in January and shall have stated meetings at the same place at least once in each three months, as determined by the regulations of the board. If a member of the board be absent from two consecutive stated meetings without a reasonable excuse for such absence, accepted by the board, his office shall be declared vacant by the commissioner of education upon notice being received by him of such unexcused absences and such vacancy shall be filled as hereinbefore provided.

Sec. 1105. The State treasurer shall be ex officio treasurer of the retirement fund and shall be the custodian thereof. The moneys belonging thereto shall be deposited by him in banks or trust companies and the law relating to the deposit of State funds in such banks and trust companies shall apply so far as may be to the deposit of moneys belonging to the said retirement fund. The State teachers' retirement fund board shall determine from time to time as to what portion of the retirement fund shall be permanently invested. Such fund shall only be invested in those securities in which the trustees of a savings bank may invest the moneys deposited therein, as provided by section 146 of the banking law. When such board shall determine that any portion of said fund should be so invested it shall, by resolution duly adopted by a majority vote of the members of the board, direct the treasurer to invest such portion of the fund in any of said securities.

Sec. 1106. The State teachers' retirement fund board, subject to the provisions of this article and of any other statute, shall have power—

1. To appoint and employ such officers and employees as may be necessary to carry into effect the provisions of this article and fix their compensation.
2. To prescribe the duties of its secretary and other officers and employees.
3. To conduct investigations into all matters relating to the operation of this article and subpoena witnesses and compel their attendance to testify before it in respect to such matters, and any member of the board may administer oaths or affirmations to such witnesses.
4. To require boards of education, trustees, and other school authorities and all officers having duties to perform in respect to contributions by teachers to the retirement fund to report to the board from time to time as to such matters pertaining to the payment of such contributions as it shall deem advisable and may prescribe the form of such reports.
5. To draw its warrants upon the State treasurer for the payment of annuities to teachers who have been retired as provided in this article and for

the purchase of such securities as the board shall have decided to purchase as provided in this article. No payments shall be made from the teachers' retirement fund except by warrant signed by the president of the board, drawn after resolution duly adopted at a meeting of the board by a majority of its members, which adoption shall be attested by the secretary of the board.

Sec. 1107. The State teachers' retirement fund board shall make rules not inconsistent with the provisions of this article, which, when approved by the commissioner of education, shall have the force and effect of law. Such rules shall—

1. Provide for the conduct and regulation of the meetings of the board and the transaction of the business thereof.
2. Provide for the enforcement and carrying into effect of the provisions of this article.
3. Prescribe the manner of payment of contributions by teachers to the retirement fund and the payment of annuities therefrom.
4. Establish a system of accounts showing the condition of such fund and receipts and expenditures.
5. Prescribe the method of making payments from such fund to annuitants and giving receipts for such payments.
6. Prescribe the forms of warrants, vouchers, receipts, reports, and accounts to be used by annuitants and officers having duties to perform in respect to such fund.
7. Regulate the duties of boards of education, trustees, and other officers imposed upon them by this article in respect to the contributions by teachers to the retirement fund and the deduction of such contributions from teachers' salaries.

Sec. 1108. All teachers employed in the public schools in this State, except in those counties, districts, or cities in which provision is already made by statute for the retirement of public-school teachers and the payment of annuities or pensions to such teachers who enter into contracts for such employment after the date on which this act takes effect, shall contribute to the teachers' retirement fund 1 per cent of the salaries to be paid to such teachers annually according to the terms of such contracts. On and after such date all such contracts shall be deemed to have been made subject to the provisions of this article, and the requirement as to such contribution shall become a part of and enter into all such contracts. Any teacher employed under a contract entered into prior to the taking effect of this act may elect to contribute 1 per cent annually of the salary paid pursuant to such contract and shall thereupon become entitled to all the privileges conferred by this article.

Boards of education, trustees, and other school authorities having duties to perform in respect to the payment of salaries to public-school teachers in their districts or cities shall cause to be deducted from each warrant or order issued to any of such teachers for the payment of the salary of such teachers the amount due by such teacher to the teachers' retirement fund.

Sec. 1108. 1. The school commissioner of each school commissioner district shall include in his annual report to the commissioner of education a statement showing the amount required to be deducted from the salaries of teachers in each school district under his supervision, under section 1108 of this act.

2. The superintendent of schools of each city shall also include in his annual report to the commissioner of education a statement showing the amount required to be deducted under the provisions of section 1108 of this act from the salaries of teachers employed in such city.

3. The school commissioner of each school commissioner district and the superintendent of each city shall file with the treasurer of the county in which such school commissioner district or city is located a statement showing the amount, respectively, reported by them to the commissioner of education, as provided in subdivisions 1 and 2 of this section, as being the amount required to be deducted from the salaries of teachers in their respective school commissioner districts and cities, under the provisions of section 1108 of this act. Such statements to the county treasurer shall also respectively show the aggregate amount required to be so deducted from the salaries of teachers employed in each school commissioner district, in each town in such school commissioner district, and from the salaries of teachers employed in each city.

4. The school commissioner of each school commissioner district shall file with the supervisor of each town within such school commissioner district,

at the time he files his certificate of apportionment of public-school moneys, a statement showing the amount required to be deducted from the salaries of the teachers employed in each school district in such town. The superintendent of each city shall file with the chamberlain or treasurer of such city a duplicate of the certificate which he is required to file with the county treasurer under subdivision 3 of this section.

5. When the commissioner of education apportions the money appropriated by the legislature for the support of common schools to the several counties of the State, he shall cause to be determined, from the official reports of school commissioners and city superintendents the amount required to be deducted from the salaries of the teachers employed in each county who come under the provisions of this act as required by section 1108.

6. The commissioner of education shall include in the certificate which he files with the comptroller showing the amount of State funds apportioned for the support of common schools to each county a statement showing the amount required to be deducted from the salaries of teachers in each of such counties, as required under section 1108 of this act.

7. The comptroller shall issue his warrant to the State treasurer directing such treasurer to credit to the retirement fund created herein from the appropriation for the support of common schools an amount equal to the aggregate amount required to be deducted from the salaries of teachers in the several counties of the State as shown by the certificate of the commissioner of education filed with him as directed in subdivision 6 of this section.

8. The comptroller, in issuing his warrant to the State treasurer for the payment to each county of that portion of the moneys appropriated for the support of common schools and payable on or before March 1 of each year, shall deduct therefrom an amount equal to the amount required to be deducted from the salaries of teachers as shown by the certificate of the commissioner of education filed with the comptroller as required by subdivision 6 of this section.

9. The county treasurer of each county, when paying to the supervisors of the towns of such county and to the chamberlain or treasurer of a city in such county the first half of the money apportioned annually for the support of common schools, shall deduct from the amount apportioned to each town and city an amount equal to the amount to be deducted from the salaries of the teachers in such town or city as shown by the certificate of the school commissioners and city superintendents filed with such treasurer as directed by subdivision 3 of this section.

10. The supervisor of each town shall pay to the collector or treasurer of each school district in such town or to the teachers employed in such districts toward their salaries on the order of the trustees of such districts the amount apportioned to such districts, respectively, less the amount required to be deducted from the salaries of the teachers in such districts as shown by the certificate of the school commissioner filed with such supervisors as directed by subdivision 4 of this section.

Sec. 1109. 1. A teacher who has taught in public schools for a period of 25 years, at least the last 15 years of which period shall have been taught in the public schools in those districts or cities in this State which are subject to the provisions of this article, shall, upon his retirement from actual service as such teacher, on and after August 1, 1913, be entitled to an annuity of a sum equal to one-half of the annual salary paid to such teacher at the time of such retirement, provided that no annuity shall exceed the sum of \$600.

2. A teacher who has taught in public schools for a period of 15 years, at least the last 9 years of which were taught in the public schools in those districts or cities which are subject to this article, who is either physically or mentally incapable of teaching may be retired and shall, upon his retirement, be entitled to an annuity of as many twenty-fifths of the full annuity for 25 years as said teacher has taught years.

3. Such retirement may be had on the request of the teacher or upon the request of a board of education in a city or union free-school district. A request for retirement shall be made in writing, addressed to State teachers' retirement fund board, accompanied by evidence showing that the teacher named therein is entitled to retirement, and that he has complied with the provisions of this article and the rules of the board relating to the payment of annuities. The board shall pass upon all requests for retirement and shall determine whether such requests should be granted.

4. All determinations of the board relative to such requests and the payment of annuities to teachers shall be subject to appeal to the commissioner of education. The provisions of article 34 of the education law, relative to appeals, shall apply to appeals from such determinations.

Sec. 1109-a. 1. A teacher shall not be entitled to an annuity who has not contributed to the retirement fund an amount equal to at least 30 per cent of his annuity. But a teacher who is otherwise entitled to retirement and an annuity under this article may become an annuitant and entitled to an annuity by making a cash payment to the retirement fund of an amount which, when added to his previous contributions to such fund, will equal 30 per cent of his annuity.

2. In case a teacher who shall retire or be retired is unable to pay in advance the sum required to make up the said 30 per cent of the annuity, the payment of such annuity may be withheld until the portion of the annuity withheld shall equal the sum required to make up said 30 per cent of the annuity.

3. Annuities shall be paid quarterly to the teachers entitled thereto, upon the warrants or orders signed by the president and secretary of the State teachers' retirement board. Vouchers or receipts shall be signed in duplicate by annuitants upon receiving the money paid to them. Such duplicate receipts shall be returned to the secretary of the board, and one of them shall be retained in his office and the other shall be filed in the office of the State treasurer.

4. Each annuity shall date from the time when the State teachers' retirement board shall take action upon the request made as herein provided for the retirement of the annuitant.

Sec. 1109-b. This article shall not apply to any county, city, or district in which the teachers in the public schools thereof are required or authorized to contribute to a teachers' retirement fund, or in which such teachers are entitled to annuities or pensions, in accordance with any special or local act applicable to such county, city, or district: *Provided*, That whenever the State teachers' retirement fund board is satisfied that more than two-thirds of all the teachers employed in the public schools of any such county, city, or district are willing to become subject to this article, as shown by a petition duly signed and verified by such teachers, such board shall issue its order directing that on and after the date thereof this article shall apply to such county, city, or district. A copy of such order shall be mailed to the several teachers employed in the county, city, or district to which such order relates and to the boards of education, trustees, or other school authorities therein, and thereupon the provisions of this article shall apply to such county, city, or district to the same extent and for the same purposes as to the other counties, cities, and districts of the State. Thereupon the organization or society created under the said local or special act applicable to a county, city, or district shall be dissolved and discontinued, and the treasurer or other custodian of the funds of such organization or society shall pay into the State treasury any funds in his possession belonging to the said organization or society, after paying any outstanding obligations other than annuities. Such funds shall be credited to the retirement fund provided for herein. All persons who had been placed upon the retired list pursuant to the provisions of such local or special act, previous to the date when such local organization or society determined to come under the provisions of this act, shall become annuitants under this act and shall be entitled to receive the same amount which they would have been entitled to receive under the provisions of their retirement under said local or special act had such organization or society created thereunder not been dissolved and discontinued. Upon the execution and service of such order the teachers employed in the county, city, or district to which such order relates shall contribute 1 per cent of their salaries to the retirement fund and they shall be entitled to all the privileges thereof, under the conditions and restrictions imposed by this article and the rules of the board.

Ch. 449, June 28, 1911.

New York: Amendments to law relating to pensions of teachers in State institutions.

Omits requirement that applicant must have reached age of 70. Service in teachers' institutes may count in the 30 years' service required. Omits requirement that 10 years' service in State institution shall immediately precede.

In retirement on recommendation of board of trustees of institution after 20 years' service, omits requirement that pensioner shall have reached age of 65.
Ch. 293, Apr. 12, 1912.

Ohio: Amending the laws relating to teachers' pensions.

Reduces from 12 to 10 years the length of service in the county which is required of teachers retired for disability; reduces from 18 to 15 years the length of service in the county required of teachers retired voluntarily. Increases annual rate of pension from \$10 to \$12.50 for each year of service and raises the maximum pension from \$300 to \$450 per annum.

Laws 1910, p. 306, H. B. No. 478, May 9, 1910.

Ohio: Amending the general code relating to teachers' pensions.

Teachers in service prior to July 1, 1911, may accept provisions of pension law at any time before Jan. 1, 1912. New teachers by accepting employment as such accept the provisions of the act, and such acceptance shall become a part of the contract of employment. [Formerly acceptance was optional.] Any teacher who is discharged or not reemployed before his term of service aggregates 20 years shall at once receive back all he has contributed to the pension fund. But failure to reemploy after 20 years' service shall be deemed retirement and shall entitle a teacher to a pension under this act. [Formerly discharged teachers received only one-half the amount paid to the pension fund.]

S. B. No. 142, p. 445, June 13, 1911.

Oregon: Authorizing the creation of a retirement fund association for granting annuities to retired teachers in any school district having more than 10,000 children of school age.

Provides that when the teachers of such districts shall formulate a plan for the incorporation and organization of such an association and the collection and disbursement of the funds for the benefit of retired teachers in said district, and when such plan shall have been approved by the district school board of directors, said association shall have full power and authority to receive, collect, invest, loan, and disburse funds in accordance with the plan so adopted.

Provides that no such association shall be incorporated until it shall have the approval of a majority of all the teachers employed in said district.

Provides also that the board of directors of such district shall turn over to such duly incorporated association a sum equal to 1 per cent of the amount of tax received by said district as its portion of the county tax levied for school purposes, the same to be paid to said association as soon as received by said district.

Ch. 280, Feb. 24, 1911.

Pennsylvania: See A (a).

Vermont: Authorizing pensions for teachers.

Any teacher who has taught in a public school in Vermont for more than 30 years may be pensioned from school funds; maximum, one-half average annual salary during last five years. Said pension may be voted by town or incorporated district on recommendation of directors at annual or special school meeting.

No. 66, Jan. 26, 1911.

Virginia: An act to amend and reenact an act to provide a retirement fund for public-school teachers, approved March 14, 1908.

1. The State board of education shall place on the retired teachers' list and pay a pension as hereinafter provided to the following:

Class A. Every person who has taught in the public schools of the State at least 20 years, with a good record, and by reason of physical or mental infirmity or old age is incapable of rendering efficient service as a teacher.

Class B. Every person who has taught in the public schools of the State at least 30 years, with a good record, and has reached the age of 58 years if a man, and 50 years if a woman.

Division superintendents are not eligible for such pensions.

2. Evidence of mental or physical disability satisfactory to the State board of health and the State board of education must be produced by an applicant under Class A. Either board may require a special medical examination.

3. Any person retired in either class shall have deducted from his first year's pension an amount equal to 30 per cent of his average annual salary.

during the last five years, less the amounts he has contributed to the pension fund. All money so deducted shall be used to create a permanent endowment for the pension fund, only the income of which shall be used for pensions or current expenses.

4. The fund: whence derived. One per cent of the salary of each teacher in the State shall be deducted monthly. In order that the amounts so deducted shall reach the State board of education promptly and conveniently the said board shall deduct from each annual apportionment of State moneys an amount equal to 1 per cent of the total amount of teachers' salaries of each county, town, or city during the previous year. Differences between the amounts actually so deducted and the amounts that would have been deducted if the salaries paid in the proper year had been the basis shall be adjusted at the time of the next apportionment. All amounts so deducted shall be placed to the credit of the retired teachers' fund.

5. Appropriates \$5,000 annually from the State treasury to be paid into said fund.

6. Legacies, bequests, etc.

7. State board of education shall invest the capital and unappropriated income of said fund. Only the income of invested funds may be used for pensions or current expenses.

8. Pensions shall be paid quarterly, and shall equal for each quarter one-eighth the average annual salary of the pensioner during the last five years of his service as teacher. In no event shall the quarterly pension payment exceed \$100, except that any person whose average annual salary during the last five years of his service as teacher was \$1,000 or more may receive as a quarterly pension as much as \$125. If available funds are insufficient for all pensions payable, then the same shall be paid pro rata according to the money available.

9. The State board of education shall provide for accurate accounts, and the superintendent of public instruction shall include a statement of the transactions of said fund in his annual reports.

10. No person shall be placed on the retired teachers' list who has not taught in the public schools of Virginia for at least one term since July 1, 1908, but any person who retired from teaching either voluntarily or on account of physical disability between July 1, 1902, and July 1, 1908, and who is otherwise qualified for a pension under this act, shall receive a pension equal to one-fourth the average salary of such person during the last five years of his service as teacher.

11. The State board shall annually publish the retired teachers' list.

12. The deductions provided in section 3 shall apply to all persons whose names were placed on the retired teachers' list prior to the time this law goes into effect.

13. The State board of education may make rules and regulations to carry out this law.

Ch. 97, Mar. 9, 1910.

Virginia: Providing for the removal of persons from the retired teachers' list under certain circumstances.

Pensioners under Class A (disability) shall continue only so long as disability exists. Any pensioner may withdraw voluntarily. State board of health or State board of education may at any time, and shall at intervals of three years, require a new examination of pensioners of Class A. If either board decides that disability no longer exists, pension shall cease after 30 days' notice.

Persons who withdraw or are removed from list shall be restored to same rights and conditions regarding certificates as they possessed at time of application for retirement.

Any person who withdraws or is removed from list may be restored to list without regard to number of years taught since July 1, 1908, if otherwise eligible.

Any pensioner who engages in teaching in public schools forfeits right to pension.

Any female pensioner, unmarried when her pension was applied for and granted who is less than 50 years old and has taught less than 30 years shall be removed from list if she marries after her pension was applied for.

Persons removed from list shall receive the amount of money paid into fund with 6 per cent interest, less amounts paid as pension.

Ch. 329, Mar. 14, 1912.

Virginia: General appropriation bill includes appropriation of \$5,000 for teachers' pensions and an additional \$3,000 to cover deficit.

Ch. 137, Mar. 12, 1912.

Wisconsin: Creating sections 460-1 to 460-20, inclusive, of the statutes, relating to the teachers' insurance and retirement fund.

"SECTION 460-1. 1. There is created a teachers' insurance and retirement fund, which shall be managed by a board of trustees to be known as the board of trustees of the teachers' insurance and retirement fund. Such board shall consist of five members. The State treasurer and the State superintendent of public instruction shall be ex officio members of said board; three members, one of whom shall be a woman, shall be elected by the members of the teachers' insurance and retirement fund at their annual meeting, as provided in subsection 2 of this section. One such elective member may be a retired member of the fund. No teacher shall be elected as a member of the board of trustees by the members of said fund who is not a member of said fund at the time of election. The term of office of elective members of said board of trustees shall be three years, except as provided in subsection 3 of this section, and shall begin on the first day of January next succeeding after such election takes place, provided that the elective members of the first board of trustees shall assume office immediately after their election.

"2. At the time and place of meeting of the Wisconsin State teachers' association for the year 1911 those teachers described in and complying with section 460-8 shall be qualified to meet for the purpose of electing from such qualified teachers members of the board of trustees of the teachers' insurance and retirement fund, as provided in section 460-1.

"3. The teachers qualified, as in section 460-8, shall at the annual meeting for 1911 elect as members of the board of trustees, as provided in section 460-1, one male teacher for a term of one year, one male teacher for a term of two years, and one female teacher for a term of three years; and annually thereafter, at the time and place of meeting of the Wisconsin State teachers' association, the board of trustees shall call a meeting of the members of the fund for the purpose of electing members of the board of trustees, of making the annual report of said fund, and for the transaction of such other business as may pertain to the interests of the fund.

"4. In case any vacancy occurs among the members of the board elected at the annual meeting of said members of the fund, said board shall fill said vacancy until the next annual meeting of the members of the fund, when said members at said annual meeting shall elect a trustee for the unexpired term.

"5. In the interval of time between the passage of this act and until the elective members of the first board of trustees assume office, as provided in subsection 1 of this section, the State superintendent of public instruction and the State treasurer shall constitute a temporary board of trustees of the teachers' insurance and retirement fund. Said temporary board shall account for all transactions pertaining to the fund in the same manner as the said board of trustees.

"SECTION 460-2. Said board of trustees shall organize by the election of a president. The State treasurer shall be ex officio treasurer of said board, and shall receive and make payments from and account for said funds in the same manner as for other State funds. Said board may employ a secretary to be chosen for such a term as shall be determined by said board. Said secretary shall perform such duties in connection with the teachers' insurance and retirement fund as may be prescribed by the board.

"SECTION 460-3. Said board shall meet during the month of September of each year at its office at a time to be fixed by the board and at any other time on the call of the president or of any two members thereof. Said board may adopt rules for the government of its meetings and for membership in the fund, payments thereto and therefrom, and for other matters which will be calculated to aid teachers in securing the benefit of the fund.

"SECTION 460-4. Members of said board shall receive no compensation except their necessary traveling expenses incurred in attending the meetings, to be paid from the teachers' insurance and retirement fund upon the certificate of the president and secretary; but if the board shall elect one of its members secretary, such member shall receive compensation for services

rendered as secretary. The secretary of said board shall receive a salary to be fixed by the board, at an amount not to exceed \$1,200 per annum. The compensation of the secretary and any other necessary expenses incurred by said board in carrying out the provisions of sections 460-1 to 460-20, inclusive, shall be paid from the fund.

"SECTION 460-5. Said board shall have charge of the fund and shall invest the same under the same conditions as the trust funds of the State may be invested.

"SECTION 460-6. Said board shall report annually as of the year ending the 1st day of September. A copy of said report shall be transmitted to the annual meeting of the members of the teachers' insurance and retirement fund and to the State superintendent of public instruction. Said superintendent shall include a copy of said report in his biennial report to the governor.

"SECTION 460-7. Said board shall not be a corporation, but may sue and be sued in the name of the board. All actions brought by or against the board shall be prosecuted or defended, as the case may be, by the attorney general.

"SECTION 460-8. 1. Each school district board, each high-school district board, each town board of school directors, each board of education, or other managing body of each city, and of each school district, and of each village, and of each town operating its schools under the township system of school government, shall retain on every pay day from the salary of each teacher in their respective schools the amounts herein provided. Each teacher shall be furnished a statement by such board, showing the amount so deducted from his or her salary.

"2. Every teacher shall be assessed upon his or her salary as teacher for a period of 25 years as follows: One per centum per annum, but not more than \$15 per year, for each of the first 10 years of service as teacher; and 2 per centum per annum, but not more than \$30 per year, for each successive year of service as teacher, until said teacher shall have had a total of 25 years of teaching service, when said assessments shall cease. The total amount paid into said fund by each teacher shall be based upon said 25 years of service as teacher with assessments as provided in this subsection; provided that such total amount shall not be less than the full amount of the annuity to which such teacher shall be entitled for the first year.

"3. In becoming a teacher in said public schools after September 1, 1911, he or she shall be conclusively deemed to undertake and agree to pay such assessments, and to have such assessments deducted from his or her salary as herein provided.

"4. Any person employed as teacher in said public schools when sections 460-1 to 460-20, inclusive, take effect, may, at any time before September 1, 1912, elect to come within the provisions of this act, by notifying in writing the board of trustees of the teachers' insurance and retirement fund.

"5. At the time of giving said notice to the board of trustees, as herein provided, such teacher shall notify the local school board or any other managing body in writing of his or her election to come within the provisions of this act; and shall authorize said school board, as a part of said notice, to deduct from each payment of salary due him or her a sum equal to said per centum of such payment as provided in subsection 2 of this section.

"SECTION 460-9. 1. Each such school district board, each high-school district board, each town board of school directors, each board of education, or other managing body, shall each year, between the 20th and 30th days of June, forward to the treasurer of the town, village, or city in which the school-house of said teacher is located, a statement verified by the secretary or clerk thereof of the moneys so retained, in accordance with the provisions of section 460-8, together with said moneys so retained.

"2. Said statement shall also include the following: Name and monthly salary of each of said teachers, number of months of school taught by each teacher in said public schools of the district, village, or city over which said school board, or other managing body, has jurisdiction during the school year for which the statement is made; the number of months constituting a school year in such district, village, or city; the total salary of each teacher; the total amount withheld from the salary of each teacher, in accordance with the provisions of section 460-8; the total amount so withheld from the salaries of all of said teachers for the school year next preceding; and the total number of years each teacher has taught in the public schools of the State.

"3. Said school board shall at the same time send a copy of said statement to the superintendent of the county, district, or city in which said schoolhouse is located.

"4. If no teacher in such city, village, town, or school district comes under the provisions of section 460-8, the school board or other managing body of such city, village, town, or school district shall state this fact under the oath of the secretary or clerk thereof to the treasurer of said city, village, or town; and shall at the same time forward a copy of said statement to the superintendent of said county, district, or city.

"5. Each county, district, and city superintendent shall each year, between the 30th day of June and the 10th day of July, report under oath to the board of trustees of the teachers' insurance and retirement fund. Said report shall contain an itemized account of the statements received by him from the school boards and a statement of the total amount withheld from the salaries of all of said teachers in said report.

"6. The board of trustees of the teachers' insurance and retirement fund; each county, district, and city superintendent; each school district board; each high-school district board; each town board of education, or other managing body, shall keep complete records of the data contained in said reports and of the statements hereinbefore mentioned.

"7. Each town, village, and city treasurer shall, between the 30th day of June and the 10th day of July of each year, certify under oath to the county treasurer the amount of moneys so received from such school board or other managing body, and shall forward to the county treasurer with such sworn statement the moneys so received and certified.

"8. Between the 15th day of July and the 1st day of August of each year, the county treasurer shall transmit to the State treasurer all moneys which he has received from the treasurers of the towns, villages, and cities in accordance with the provisions of this section, and shall certify under oath to the board of trustees of the teachers' insurance and retirement fund the amount so received and transmitted to the State treasurer, as herein provided.

"9. The State treasurer shall credit all moneys received under the provisions of sections 460-1 to 460-20, inclusive, to the fund designated as the teachers' insurance and retirement fund.

"10. No city, village, town, or school district shall share in any of the seven-tenths mill tax apportionment for any year unless it has made the report as herein provided and paid over to the State treasurer for the teachers' insurance and retirement fund such per centum as provided in sections 460-1 to 460-20, inclusive.

"Section 460-10. The State treasurer shall annually set aside, from that portion of the common-school fund known as the seven-tenths mill tax, or from any other general State tax levied for the support of said schools, 10 cents for each person of school age in this State.

"Section 460-11. The moneys received under the provisions of section 460-8 to 460-10, inclusive, together with donations or legacies received therefor, or moneys received from any legal source of increment, shall constitute a fund to be known as the teachers' insurance and retirement fund.

"Section 460-12. Any teacher coming from schools not included under the provisions of sections 460-1 to 460-20, inclusive, shall pay assessments for said years of service in such schools, as provided in section 460-13, based upon his or her first annual salary in said public schools of the State, together with the regular assessments, as provided in subsection 2 of section 460-8, before receiving any retirement annuity.

"Section 460-13. Any teacher who may be teaching in said public schools and who has complied with the provisions of section 460-1 to 460-20, inclusive, may retire and receive the annuity provided for in the following cases:

"1. After a period, or periods aggregating 25 years of service as teacher, of which 18 years must have been spent in the public schools of this State, provided that payments by said teacher to the fund shall have amounted to a sum as provided in section 460-8. If said payments shall not have amounted to said sum the teacher shall pay into the fund the deficiency before receiving said annuity.

"2. After 18 years of service as teacher in the public schools of the State, when said teacher suffers from a permanent mental or physical disability, to be determined by said board after an examination by two physicians appointed by said board, provided that payments by said teacher to the fund

shall have amounted to a sum as provided in section 460-8. If said payments shall not have amounted to said sum the teacher shall pay into the fund the deficiency before receiving the annuity. The examination fees of such physicians shall be paid by said applicant.

"3. In computing the terms of service under subsections 1 and 2 of this section a year shall be a legal school year at the time and place where said service was rendered, except that where the service was rendered in schools not included within the provisions of sections 460-1 to 460-20, inclusive, a time less than a legal school year in this State shall not be included as a year, but only as such proportion of a year as the number of teaching weeks in each such year bears to the number of weeks required at the time to constitute a legal school year in this State.

"4. Any person who has complied with the provisions of sections 460-1 to 460-20, inclusive, and desires to retire from active service in said public schools shall apply in writing to the board of trustees of the teachers' insurance and retirement fund.

"Section 460-14. 1. Each teacher retiring from the service of said public schools under the provisions of subsections 1 and 2 of section 460-13 shall annually and for life be entitled to receive as annuity \$12.50 for each year of service as teacher; provided that said annuity shall not exceed \$450 in any one year, subject, however, to all the provisions of sections 460-1 to 460-20, inclusive.

"2. The board of trustees may ratably reduce the annuities provided in sections 460-1 to 460-20, inclusive, whenever in the judgment of the board the condition of the fund shall require such reduction.

"3. Any teacher who shall cease to teach in said public schools before receiving any benefit or annuity from the fund shall, if application be made in writing to the board of trustees within six months after the date of his or her resignation be entitled to the return of one-half of the amount without interest, which shall have been paid into the fund by such teacher. If such teacher should again thereafter teach in said public schools he or she shall, within one year from the date of his or her return to the service in said public schools, refund to said fund the amount so returned to such teacher, together with simple interest on said amount [but not to exceed 4 per cent per annum] for the time such amount was withdrawn from the fund.

"4. The State treasurer shall pay said annuities quarterly in September, December, March, and June of each year upon the warrants of the secretary of state issued upon certificates of the president and secretary of said board. No payments shall be made prior to September, 1912.

"5. Payments from the fund shall be made from the income thereof and in addition thereto when necessary from the principal of moneys received under sections 460-8 to 460-10, inclusive.

"Sec. 460-15. One year's leave or leaves of absence granted by the proper authorities of any of said public schools to any teacher under the provisions of sections 460-1 to 460-20, inclusive, shall be computed as a part of said 25 years of service, provided that the payments to said fund shall be continued during said leave of absence and shall equal the assessment paid by such teacher for the year next preceding the period or periods of absence respectively. Not more than one full school year's leave or leaves of absence in the aggregate shall be computed as a part of said 25 years of service of said teacher; and in case of absence of less than a school year only the time covered by such absence shall be computed.

"Sec. 460-16. Any person retiring under sections 460-1 to 460-20, inclusive, may again enter upon the work of teaching in said public schools; during said term of teaching the annuity paid to such person shall cease. Said annuity shall again be paid to said person upon his or her further retirement.

"Sec. 460-17. The annuities so created shall not be subject to attachment, garnishment, execution, or other seizure on process; nor shall they be subject to sale, assignment, pledge, mortgage, or other alienation.

"Sec. 460-18. A suitable office in the capitol, with suitable furniture and office supplies, shall be furnished the board of trustees of the teachers' insurance and retirement fund.

"Sec. 460-19. The term teacher as used in sections 460-1 to 460-20, inclusive, shall include all persons employed in teaching by any city board of education or school board or other managing body of any city, town, village,

or rural school district in this State and all superintendents and assistant superintendents of said schools, all supervisors of instruction, all principals and assistant principals, and special teachers of said schools.

"Sec. 460-20. Sections 460-1 to 460-20, inclusive, shall not apply to cities of the first class. Ch. 323, June 10, 1911.

Wisconsin: Amending subsections 10, 11, 14, and 19 of section 925-xx, and repealing subsection 15 of section 925-xx, relating to a public-school teachers' annuity and retirement fund in cities of the first class.

Ch. 189, May 25, 1911.

G. TEACHERS: PROFESSIONAL TRAINING AND EDUCATION.

(a) University Departments and Schools of Education.

(b) State Normal Schools.

See also Q (a).

Alabama: Creating a board of trustees for the government and control of the several State normal schools for white students and providing for the preparation and enforcement of a course of study for such schools and for the rural schools of the State. Act 483, p. 494, Apr. 18, 1911.

Alabama: Appropriating \$60,000 for buildings and equipment at the State Normal School at Jacksonville. Act 453, p. 586, Apr. 20, 1911.

Alabama: Appropriating \$40,000 for the State Normal School at Livingston. \$23,000 to be used for the erection of a dormitory and the remaining \$17,000 for the payment of indebtedness. Act 421, p. 451, Apr. 18, 1911.

Alabama: Appropriating \$25,000 annually for a period of four years for buildings and equipment at the State Normal School at Moundville. Act 302, p. 417, Apr. 14, 1911.

Alabama: Providing better buildings and equipment for the State Normal School at Daphne, and appropriating therefor \$25,000 annually for a period of four years. Act 362, p. 404, Apr. 13, 1911.

Alabama: Appropriating \$40,000 for the erection of a dormitory for the State Normal School at Troy. Act 326, p. 378, Apr. 12, 1911.

Arizona: Appropriating \$19,700 for the improvement of the Northern Arizona Normal School. (Sp. sess.) Ch. 28, June 15, 1912.

Arizona: Appropriating \$19,500 for the improvement of the Tempe Normal School. (Sp. sess.) Ch. 38, June 15, 1912.

California: Relating to the relocation of the State Normal School at Los Angeles.

Authorizes the purchase of a new site and appropriates therefor. Ch. 416, Apr. 10, 1911.

California: Establishing a State normal school at Fresno.

California: Appropriating \$60,000 for a building for the training department at the San Jose Normal School. Ch. 192, Mar. 15, 1911.

Colorado: Making the normal school at Greeley the "State Teachers' College of Colorado." Ch. 218, June 5, 1911.

Delaware: Amending an act to encourage education at normal schools.

Each county school commission may expend annually \$1,500 [instead of \$1,000] to aid students in normal schools. Any person receiving such aid shall engage to teach in the public schools of the county for at least two years [instead of for the time determined by the commission]. Aid to any one person shall not exceed \$2.50 [instead of \$2] per week of attendance.

Ch. 96, Apr. 4, 1911.

Georgia: Appropriating \$35,000 to Georgia Normal and Industrial College for building and for other purposes.

No. 421, Aug. 12, 1910.

Georgia: Appropriating \$5,000 for a new science hall at the Normal and Industrial College of Milledgeville.

No. 249, Aug. 23, 1911.

Idaho: Authorizing a tax levy of three-fifths of a mill on the dollar for Lewiston State Normal School purposes.

Ch. 141, Mar. 3, 1911.

Idaho: Authorizing a tax levy of one-half of a mill for purposes of the Albion State Normal School.

Ch. 38, Mar. 3, 1911.

Maine: Providing for five normal schools instead of four, and increasing the annual appropriation for such schools and the training school from \$65,000 to \$77,500.

Ch. 186, Mar. 30, 1911.

Maine: See O (a).

Maryland: Amending section 43 of article 77 of Code of Public General Laws so that the elements of agricultural science and the international language Esperanto may, in the discretion of the State board of education, be added to the branches required to be taught in the State normal schools and in the high schools of the State.

Laws 1910, p. 219, ch. 757, Apr. 11, 1910.

Maryland: Appointing a special commission to be known as "The Maryland State Normal School Building Commission" for the purpose of selecting and obtaining an option upon a suitable site and of having prepared tentative plans and estimates for the erection thereon of suitable buildings to be used by the Maryland State Normal School, now located in Baltimore City.

Fixing Nov. 1, 1911, as the latest date by which time the work of the commission must be completed, and appropriating \$500 to defray expenses.

Laws 1910, pp. 400-401, Apr. 13, 1910.

Maryland: Providing for the issue of bonds to raise \$600,000 for the purchase of land and the erection of buildings for the Maryland State Normal School. The building commission shall sell the normal school property at La Fayette and Carrollton Avenues, Baltimore; the proceeds to be used for the new plant.

Ch. 776, Apr. 11, 1912.

Massachusetts: Directing the board of education to consider the expediency of establishing a State normal school in or near the city of Boston.

Res., ch. 97, June 16, 1911.

Massachusetts: Directing the board of education to investigate and report on new site and building for the State Normal Art School, and whether the Boston Normal School should be transferred to the State.

Res. ch. 47, p. 882, Apr. 6, 1912.

Massachusetts: Relating to the accounts of State normal schools.

Receipts from pupils for board shall be paid into the State treasury monthly. Receipts from other sources shall be paid into the treasury monthly. Bills for services, food, and supplies shall be paid as other claims against the State are paid. The State auditor shall exercise the direction of all accounts.

Ch. 79, Feb. 9, 1912.

Massachusetts: The city of Fitchburg may borrow \$5,000 to pay the State toward the purchase of land for playground, school garden, and agricultural purposes for the Fitchburg State Normal School.

Ch. 316, Mar. 28, 1912.

Massachusetts: Appropriating \$75,000 toward a training or model school building for the State Normal School at Salem, provided the city of Salem contributes \$75,000.

The city may issue bonds to raise said amount. Ch. 551, Apr. 27, 1912.

Michigan: See L (c).

Mississippi: An act to establish the Mississippi Normal College to qualify teachers for the public schools.

SECTION 1. A body politic and corporate is hereby created by the name of the Mississippi Normal College.

SEC. 2. The object of said college shall be to qualify teachers for the public schools of this State by imparting instruction in the art and practice of teaching in all branches of study which pertain to a common school education, and such other studies as the board of trustees may prescribe. No one shall be eligible to admission who shall not have completed the studies or course prescribed by law for the common schools of the State, and the course in such school shall always be confined to a strictly normal or professional course for training teachers.

SEC. 3. The powers of said corporation shall be vested in a board of trustees composed of one member from each congressional district in the State, and of the governor and the State superintendent of education, ex officio, the governor to be president of the board.

SEC. 4. The trustees shall be named by the governor by and with the advice of the senate, for six-year terms; but three of those first appointed shall serve for a three-year term.

SEC. 5. Meetings; officers; election of president of college.

SEC. 6. Duties of treasurer.

SEC. 7. No officer shall be interested in any contract.

SEC. 8. Accounts and reports.

SEC. 9. The board of trustees shall receive, from localities desiring the said college, proposals for donations of sites and other valuable considerations, and shall locate the college in the place offering the most advantageous conditions.

SEC. 10. Erection of buildings; style of architecture; superintendence of construction. All buildings, grounds, and dormitories sufficient for the requirements of the school are to be furnished by the locality without cost to the State.

SEC. 11. The board of trustees shall elect the president of the institution, determine the number of teachers and employees, and in their discretion approve their appointment; prescribe the course of study, rules, and regulations, and prepare diplomas. They shall receive only their traveling expenses.

SEC. 12. The president shall be the professional adviser of the trustees and shall have immediate supervision of the college, subject to the direction of the trustees.

SEC. 13. The course of instruction shall be arranged in two divisions; the satisfactory completion of the first shall be evidenced by a certificate, and of the second by a diploma. With the approval of the State board of education the certificate shall be a first-grade license for a period of five years; and the diploma shall be a professional license.

SEC. 14. Tuition shall be free to all students of Mississippi who agree in writing to teach not less than three years in the public schools of the State, two years of which shall be in the rural schools of the county in which the student resides. All other students shall pay tuition fees.

SEC. 15. Expenses to be borne by the State. Ch. 119, Mar. 30, 1910.

Mississippi: An act authorizing the counties of Mississippi to issue bonds in the sum of not exceeding \$100,000 for the purpose of procuring the Mississippi Normal College.

To enable counties to compete for the location of the institution named.
Ch. 121, Apr. 16, 1910.

Mississippi: An act to authorize the municipalities of Mississippi to issue bonds for the purpose of procuring the Mississippi Normal College.

To enable municipalities to compete for the location of the Mississippi Normal College.
Ch. 120, Apr. 16, 1910.

• Mississippi (1910): The establishment and maintenance of schools by municipalities are municipal purposes.

Laws 1910, ch. 119, creating a State normal college, held to create a corporation within Const. 1890, sec. 183, prohibiting municipal corporations from lending their credit in aid of corporations.

The college created by Laws 1910, ch. 119, held neither a private nor a common school, within Const. 1890, sec. 90, subd. "p."

Laws 1910, ch. 119, creating a State normal college, is not in violation of Const. 1890, secs 201-213, requiring the legislature to establish a uniform system of free public schools.—Turner et al v. City of Hattiesburg. 58 So., 681.

Nebraska: Appropriating certain matriculation fees to the use of the library of the State Normal School at Chadron. Ch. 189, Feb. 18, 1911.

Nebraska: Appropriating receipts from certain fees to the library of the State Normal School at Peru. Ch. 209, Feb. 18, 1911.

Nebraska: Relating to admission to the State Normal School, Peru.

Pupils of mature age who have completed the course of study in their home districts, or its equivalent, may be admitted to the preparatory department. Ch. 121, Apr. 8, 1911.

New Jersey: A supplement to an act to establish a thorough and efficient system of free public schools, etc., approved October 19, 1908.

Moneys collected for tuition fees from the model school and for board at the boarding halls of the State normal and model schools at Trenton shall be held in trust by the State treasurer and expended for the maintenance of the normal school boarding halls and model schools. In making purchases for such boarding halls the State board of education may buy in open market without advertising or contract if they see fit.

Ch. 58, Mar. 30, 1910.

New York: Amending the education law.

SECTION 816. The commissioner of education shall prescribe the courses of study of State normal schools (instead of the local boards, subject to the commissioner's approval).

SEC. 87. Instead of the specific appropriation of not over \$1,000 annually for the support and education of 10 Indians in State normal schools, the amount and the number of beneficiaries are left to the action of the legislature in making appropriations. Ch. 140, Apr. 22, 1910.

New York: Providing for the construction of new buildings for the Buffalo State Normal and Training School.

The commissioner of education is authorized and empowered to execute all necessary contracts for the construction of new buildings for the Buffalo State Normal and Training School on the site on which the buildings of such school are now located and at a cost not to exceed \$400,000.

Ch. 520, June 18, 1910.

New York: Relating to the construction of new buildings for the Oswego Normal and Training School.

Increases the amount authorized to be spent for said purpose from \$300,000 to \$340,000. Ch. 517, June 18, 1910.

New York: Appropriating for the construction of new buildings for the Oswego Normal and Training School. Ch. 829, July 28, 1911.

New York: Providing for the reconstruction of the old portion of the Potsdam State Normal and Training School. Ch. 400, June 28, 1911.

New York: Appropriating \$100,000 for buildings for the Buffalo State Normal and Training School. Ch. 14, Mar. 6, 1912.

New York: Oswego Normal and Training School. \$55,000 out of receipts from the sale of the old site shall be used to improve the new site and buy furniture, etc., for the new building. Ch. 487, Apr. 18, 1912.

North Carolina: Amending an act relating to the charge for board in the State Normal and Industrial College.

Board shall be furnished at cost, not to exceed \$12 [instead of \$10] per month.
Ch. 106, Mar. 6, 1911.

North Carolina: Authorizing the trustees of the Indian Normal School of Robeson County to transfer title to the property of said school by deed to the State board of education.

The State board of education shall appoint seven members of the Indian race formerly known as Croatians to be the board of trustees of said school, to perform the usual functions of control and management, subject to the approval of the State board of education.
Ch. 168, Mar. 8, 1911.

North Carolina: Incorporating the East Carolina Teachers' Training School, established by chapter 820, Laws of 1907, and located at Greenville.

Ch. 159, Mar. 8, 1911.

North Dakota: Proposing for ratification by the people an amendment to the State constitution providing that the State normal school at Minot shall share in the United States land grant.

Ch. 97, Feb. 24, 1911.

Ohio: Providing for the appointment of a commission by the governor to select locations for two additional State normal schools, one in northeastern and one in northwestern Ohio, to secure options on the lands or lands and buildings for the same, and to report the same to the governor.

As soon as the general assembly makes appropriation for such sites and the erection of the necessary buildings, the governor shall appoint, by and with the advice and consent of the senate, a board of five trustees for each school, one to serve one year, one to serve two years, one to serve three years, one to serve four years, and one to serve five years; thereafter one trustee being appointed annually for a term of five years.

Each such board shall organize and proceed to purchase said sites and to provide the necessary buildings thereon. Provision shall be made for a well-equipped department for the preparation of teachers in the subject of agriculture.

Each board shall elect a president for the school under its control, and the boards, together with the presidents of the schools, shall select and appoint the instructors, provide the course of study, fix rates of tuition, and provide proper equipment.

All appointees shall be subject to removal by the governor and all vacancies shall be filled by him.

Laws 1910, pp. 320-321, H. B. No. 44, May 19, 1910.

Ohio: Providing for the construction of buildings for the new normal schools at Kent and Bowling Green, in pursuance of the act of May 19, 1910.

The same to be expended in the establishment, construction, and equipment of each of said schools and shall not exceed \$250,000; \$50,000 is immediately appropriated for each.
H. B. No. 112, p. 57, Apr. 11, 1911.

Oregon: Providing for the permanent support and maintenance of the Oregon Normal School at Monmouth.

Levies an annual tax of one twenty-fifth mill for said purpose. Proposed by initiative petition, and approved by majority of votes cast Nov. 8, 1910; proclaimed, Dec. 3, 1910.
Ch. 2, G. L., 1911.

Pennsylvania: See A (a).

Rhode Island: An act in amendment to chapter 71 of the general laws, entitled "Of the normal school," etc.

All money received by said normal school for tuition, in addition to other appropriations, shall be paid by the general assembly for the use of said normal school.
Ch. 598, Apr. 28, 1910.

South Carolina: Providing for the erection of an industrial arts and science building at the Winthrop Normal and Industrial College.

Act No. 241, Feb. 13, 1911.

South Dakota: Appropriating \$35,000 for the erection of a science hall and a heating plant at Springfield Normal School.

Ch. 75, Mar. 6, 1911.

Utah: See B (d).

Vermont: Authorizing and empowering the trustees of the Orange County Grammar School, otherwise designated as the trustees of the State normal school at Randolph, to sell or lease and devote their estate in whole or in part to the State of Vermont for the use of the State School of Agriculture, created by an act approved Nov. 29, 1910.

From and after July 1, 1911, the trustees of the State normal school at Randolph shall be known as the trustees of the Orange County Grammar School.

No. 338, Jan. 28, 1911.

Vermont: Establishing a State normal school at Johnson, under the control of the State board of education. Appropriation: For a dormitory, \$12,000; for maintenance, \$10,000 per annum. Property of the so-called Johnson Normal School to be leased to the State for 99 years. The State board of education is also authorized to purchase the property of the Castleton Normal School and to conduct the same as a State normal school. Appropriation, \$20,000 for the property and \$10,000 annually for maintenance.

No. 60, Jan. 27, 1911.

Virginia (1911): Citizens of a municipality held not to have sufficient interest to entitle them to an injunction preventing the selection of a certain site for a State normal school.—Brown et al. v. Baldwin et al., 72 S. E., 143.

West Virginia: Appropriating \$14,000 for rebuilding the main building of the branch State normal school at Athens.

Ch. 5, Feb. 20, 1911.

G. (c) County and Local Normal and Training Schools.

Iowa: Relating to the training of teachers for rural schools.

For increasing facilities for training teachers for rural schools and for instruction in elementary pedagogy and the art of teaching elementary agriculture and home economics provision is made for normal courses in the eleventh and twelfth grades in certain accredited high schools designated by State superintendent. Rural high schools shall be given preference over city high schools. Private and denominational high schools are eligible to the provisions of the act except as to State aid. State aid to each designated public high school, \$500 per annum. If more than one high school is designated in any one county, not over \$800 shall be divided equally among said schools. At least 10 training students required of each school. A part of the money appropriated herein may be used for inspection and supervision, and the State superintendent may appoint an inspector at \$2,000 per annum, with traveling expenses. State superintendent shall prescribe conditions of admission, courses of study, requirements for graduation, etc. Fee for certificate of graduation, \$1, paid into State treasury; valid license to teach two years; after 36 weeks' successful experience holder shall receive a uniform county certificate of the proper grade. Appropriation, \$25,000 for first year and \$50,000 annually thereafter.

Provision in prior law relating to supervision of training schools by State board of examiners is repealed.

Ch. 131, Apr. 11, 1911.

Nebraska: Amending the law relating to normal training in certain high schools.

In any county not having a high school meeting all the requirements of law the State superintendent of public instruction may designate a high school of lower grade to give normal training.

Ch. 122, Apr. 8, 1911.

Nevada: *Sec A (a)*.

New York: Amending the education law.

Section 794 increases the length of the teachers' training courses from 38 weeks to 2 years in cities and districts of over 5,000 inhabitants employing superintendents. Ch. 140, Apr. 22, 1910.

North Dakota: *Sec O (b)*.

Vermont: Providing teachers' training courses in high schools and academies.

State superintendent of education shall designate not over 12 high schools or academies to give such instruction, and shall prescribe studies and appoint the special teachers. Number may be increased to 15 in second year. At least 10 training students required; to be graduates of high schools or academies. Course, one year. Graduates receive teachers' certificates good for three years. State aid, \$300 to each school, provided local school board shall pay special teacher at least \$200 in addition to amount received from State. No. 61, Nov. 23, 1910.

Wisconsin: Amending sections 411-4 and 411-5 of the statutes, relating to the number of county training schools for teachers that may be established.

Ch. 455, June 27, 1911.

Wisconsin: Amending section 411-6a of the statutes, relating to persons that may be employed as teachers in the county training schools for teachers.

Ch. 349, June 15, 1911.

G. (d) Teachers' Institutes and Summer Schools.

Alabama: Providing for the holding of teachers' institutes and making appropriations for the same.

SECTION 1. *Be it enacted by the Legislature of Alabama*, That the sum of \$5,000 be appropriated annually out of the general school fund for the purpose of defraying the expenses of holding and conducting institutes for the white teachers of this State, and the further sum of \$1,500 be, and the same is hereby, appropriated out of the educational fund for defraying the expenses of holding institutes for the colored teachers of the State.

SEC. 2. Institutes for the white teachers shall be held for a period of one week in each county of the State, at such time as may be determined by the county board of education during the months of July, August, September, or October: *Provided*, That the county boards of education of two or more adjoining counties may, by agreement, have conducted a joint institute for the counties participating in the agreement, at such a point as they may determine.

SEC. 3. There shall be conducted, for the colored teachers of the State, teachers' institutes at such places and times, and under such management and direction as may be determined by the State superintendent of education, and the money appropriated by this act, for the holding of institutes for the colored teachers, shall be so divided among the several places at which colored institutes are held as may, in the judgment of the superintendent of education, be fair and equitable, and secure the greatest good to the greatest number.

SEC. 4. The money appropriated by this act for the holding of institutes for the white teachers of the State shall be apportioned by the superintendent of education to the several counties of the State in proportion or approximate proportion to the number of white teachers actually employed in the several counties of the State.

SEC. 5. It is hereby made the duty of the teachers to attend the institute which may be conducted in their own county for the benefit of teachers of the race to which they belong, unless such teachers are specifically excused from attending by the county superintendent, which excuse must be in writing and approved by the chairman of the county board. It is made the duty of the State superintendent of education to cancel the certificate of any teacher who may fail to attend an institute for a period of not less than four days each year, unless such a teacher shall secure the written excuse signed by the county superintendent and approved by the chairman of the county board of education or unless such a teacher may convince the State superintendent of

education that he has attended for a period of not less than three weeks during the current year some educational institution, during which time he was engaged in the work of professional training, either as a student or as a teacher, or unless he is the holder of a life grade State certificate.

SEC. 6. It is made the duty of each county superintendent of education to keep an accurate record of attendance of all teachers during the institute, conducted for the teachers of his county, and to report the same to the State superintendent of education, showing the number of whole days which each teacher actually attended: *Provided*, That such time attended by each teacher shall not be counted as time taught nor shall any teacher receive any pay or compensation for attending an institute.

SEC. 7. Each teacher attending an institute shall pay to the county superintendent a fee of not less than 50 cents and not more than \$1, which shall be used in that particular county to supplement the State fund appropriated by this act for the maintenance of teachers' institutes.

SEC. 8. It is made the duty of the State superintendent of education to submit annually, in the months of June or July, through the county superintendents, to the several county boards, a list of expert conductors of institutes whose services may be available, and from this list each county board may select such conductor or conductors as they may desire, notifying the State superintendent of their choice; and if because of conflicting dates or other unavoidable conditions, neither the first nor second choice is able to be had, then it is made the duty of the State superintendent, through further agreement between him and the local county authorities, to secure the best possible talent for conducting the institute. It is made the duty of the State superintendent of education to employ, with the fund appropriated by this act for that purpose, such conductors and teachers in the institutes held for the benefit of colored teachers as will secure more benefit to the colored race by presenting to them ideals more practical, methods more useful, results more desirable, benefits more wholesome.

SEC. 9. The conductors and teachers employed in county institutes shall impart such instruction to the teachers attending the institute, in the theory and in the art of teaching and kindred subjects, as will render them more efficient, more capable, more enthusiastic, and more successful teachers.

SEC. 10. All laws and parts of laws, either general or special, otherwise provided for, or referring to teachers' institutes in this State be, and the same are hereby, repealed.

Act 498, p. 538, Apr. 18, 1911.

Arkansas: Amending sections 13, 14, and 16 of Act No. 399 of the Laws of 1907.

Provides that a five days' teachers' institute be held annually in the month of June by the county superintendent, instead of by the county examiner, as formerly; fixes compensation of county superintendent.

Act. 275, p. 268, May 19, 1911.

California: Amending section 1560 of the Political Code, relating to teachers' institutes.

In lieu of an institute of from three to five days, three or more series of local daily or evening institutes may be held.

Ch. 162, Mar. 10, 1911.

Colorado: Establishing teachers' summer normal-school districts and providing for the organization, control, and maintenance of teachers' summer normal schools in said districts, and appropriating therefor.

Ch. 69, June 3, 1911.

Florida: Providing for teachers' summer training schools.

Appropriates \$4,000 annually for such schools at State University, State College for Women, and State A. and M. College for Negroes.

Ch. 6126 (No. 7), May 13, 1911.

Idaho: See A (a).

Indiana: Concerning the payment of teachers while attending schools or institutes of agricultural instruction.

The school board of any city or town, and the township trustee of any township, may adjourn the schools of such city, town, or township in order to allow teachers to attend sessions of schools or institutes of agricultural in-

struction held in the county, and the meetings of any teachers' associations, and to visit model schools under the direction of trustees or boards of trustees, and shall pay such teachers a wage for the time spent equal to the per diem of such teacher: *Provided*, That not more than three days shall be allowed in any one year.

Ch. 278, Mar. 6, 1911.

Kansas: Relating to normal institutes in certain counties.

Two or more counties, each having less than 12,000 [instead of 3,000] inhabitants, may join for institute purposes; aside from determining the time and place of meeting, and contracting with conductor and instructors, the superintendent of the county in which the institute is held shall be in charge thereof. State aid of \$50 given to each institute in which 25 [instead of 35] persons have registered. In case of joint institutes, each county from which 25 members are registered shall receive State aid. Cash balances remaining after payment of expenses shall be distributed equally among the institute funds of the counties uniting.

Ch. 270, Mar. 14, 1911.

Louisiana: An act to amend and reenact sec. 45 of Act No. 214 of 1902, etc.

The State board of institute managers, which formerly consisted of the State superintendent of public education and the president of the State normal school, is enlarged by the addition of the president of the Louisiana State University and Agricultural and Mechanical College; the president of the Louisiana Industrial Institute, at Ruston; the president of the Louisiana Southwestern Industrial Institute, at Lafayette; and the superintendent of public education of the Parish of Orleans. The State institute conductor shall be secretary of the board.

Act 223, July 6, 1910.

Louisiana: An act relative to parish teachers' institutes and associations, etc.

SECTION 1. It shall be the duty of every parish superintendent of education to conduct a teachers' institute or association on one Saturday of every month, or in his discretion, on a Friday and Saturday of every alternate month, during the time the public schools are in session, in each institute district.

SEC. 2. Teachers are required to attend and perform the parts assigned to them. Failure to do so is penalized by loss of one day's salary.

SEC. 3. School boards may pay teachers \$2 per day for attendance, with 8 cents per mile of travel.

SEC. 4. The State institute conductor shall formulate programs for such institutes, and the board of State institute managers shall annually prepare a State reading course for teachers; and the parish superintendents shall follow the said programs and enforce the said reading courses. The daily session of the institute shall be not less than five hours of actual work.

SEC. 5. Roll call and reports of attendance.

SEC. 6. The parish superintendent shall annually appoint a competent teacher as institute manager for each district; his compensation shall be \$3 per day of actual service.

SEC. 7. This act shall not apply to the Parish of Orleans.

SEC. 8. Repealing clause.

Act 119, July 5, 1910.

Such institutes were previously optional with the parish superintendent.

North Dakota: See A (a).

Pennsylvania: See A (a).

H. SCHOOL POPULATION AND ATTENDANCE.

(a) General.

- **Alabama (1910):** A complaint in an action by a minor alleged to be entitled to school privileges against the superintendent and a teacher of a school in a district, for refusing plaintiff admission to the school held not to state a cause of action under Acts 1900-1901, p. 2502.—*Weaver v. Pepper et al.*, 52 So., 754.

- **Alabama (1910)**: Right of public-school authorities to exact attendance fees stated.

A rule requiring public-school pupils to pay an attendance fee held reasonable, making noncompliance therewith ground for excluding the pupil.—*Bryant v. Whisenant et al.*, 52 So., 525.

- **Georgia**: Making valid the contracts entered into by minors for their education. No. 16, Aug. 19, 1911.

- **Louisiana**: Amending sec. 11, Act No. 214, 1902, relating to the assessment upon parents and guardians for incidental expenses of the public schools.

The school board shall have authority to assess and collect 50 cents per annum from the parents or guardians of each child enrolled in the public schools of a parish or district, but no parent or guardian shall be required to pay more than \$1.50. The amount thus collected shall be used in providing the necessary fuel and other comforts of the schools. (The former fee was \$1 from each family sending a child or children to school.)

Act No. 272, July 7, 1910.

- **Louisiana (1910)**: An appeal held not to be to supreme court from an order requiring certain children to be restored to the privilege of the public schools.—*State ex rel. Bouvier et al. v. Walet et al.*, 51 So., 290.

- **New Hampshire**: Amending chapter 93, section 14, of the Public Statutes as amended by chapter 61 of the Laws of 1901 and chapter 13 of the Laws of 1903.

Provides that any person having the custody or control of a child may apply to the State superintendent of public instruction for relief whenever such person deems it to be against the moral or physical welfare of such child to attend the particular school required by law and superintendent may, after giving notice to the school board of the district in which the child is required to attend school, order such child to attend any other school in the same district or in another district.

Ch. 139, Apr. 13, 1911.

- **New Jersey**: The district boards of education may offer instruction free to residents over 20 years of age.

Ch. 183, Mar. 27, 1912.

- **Oklahoma (1912)**: On the issue whether a person is a negro or a white person, evidence of his relation to the white and negro races, and the nature and extent of his association with them, was admissible in a proceeding to compel his admission to a white school.

On the issue whether a person is a negro or a white person, evidence that such person is generally regarded as a negro or white person is competent.

On an issue whether one is a negro or a white person, evidence that the person attended a white school in the State from which he came is admissible, if the law of that State prohibits negroes from attending white schools.—*Cole v. District Board of School Dist. No. 29, McIntosh County*, 123, p. 426.

- **Pennsylvania**: See A (a).

- **South Carolina**: An act to authorize and empower Springfield school district in Orangeburg County to charge a matriculation fee.

\$2 per annum for heating, lighting, janitor service, insurance, and incidentals. Act. 439, Feb. 18, 1910.

- **South Carolina**: An act to authorize a contingent fee of \$1 per month in District No. 9, Clarendon County. Act 445, Feb. 23, 1910.

- **South Carolina**: An act to authorize a contingent fee of \$5 per year for Brunson High School, District No. 1, Hampton County. Act 448, Feb. 25, 1910.

- **South Carolina**: An act to authorize a contingent fee of \$2 per year in Millers school district and Gapway school district, Marion county.

Act 476, Feb. 24, 1910.

- **Washington (1910)**: In action for board and lodging furnished defendant's boys at a boarding school, the amount plaintiff was entitled to recover was for the jury.—*Lyon v. Sparks et ux.*, 112 Pac., 340.

H. (b) School Census.

California: Repealing sections 1634-1646 of the Political Code, relating to taking the school census. Ch. 333, Mar. 31, 1911.

Colorado: Amending section 5935 of the Revised Statutes, relating to the time of taking the school census.

Changes dates between which census must be taken from April 10 and May 1 to February 10 and March 1, respectively. Ch. 201, May 30, 1911.

Florida: Amending section 351 of the General Statutes, relating to the duties of county superintendents.

Repeals that part of section which requires county superintendent to take school census every 10 years. Ch. 6242 (No. 123), June 6, 1911.

Montana: Relating to duties of district clerks.

Requires taking school census and fixes penalty for failure to do so; prescribes explicit description of parents or guardians; provides for publication of financial statement. Ch. 102, Mar. 6, 1911.

Nevada: See A (a).

North Dakota: See A (a).

Virginia: An act to provide for the apportionment of school funds and for taking the census of children in school districts situated in more than one county. Ch. 138, Mar. 11, 1910.

Virginia: An act to amend an act adding section 1463a to the code, etc., approved March 11, 1908.

Relates to the manner of taking a new census in districts of which the boundaries have been changed. Ch. 131, Mar. 11, 1910.

H. (c) School Year; Month; Day:

Kansas: See B (e).

Louisiana: An act to amend section 38 of Act No. 214 of 1902, etc.

Provides that the annual reports of parish superintendents shall be made on or before July 10 of each year instead of January 10 and shall cover the previous session instead of the previous year. Act 53, June 29, 1910.

• **Missouri (1909):** Word "year" when used in employing teachers means college or school year, not calendar year.

"Commencement" defined.—*Brookfield v. Drury Col.*, 123 S. W., 86.

Nevada: See A (a).

North Dakota: See A (a).

Pennsylvania: See A (a).

Virginia: An act to amend section 1466 of the Code, etc.

Changes the dates of certain reports required of district school boards. Close of the school year fixed at June 30 instead of July 31.

Ch. 338, Mar. 17, 1910.

H. (d) School Holidays.

Alabama: Declaring the 12th day of October in each year a legal holiday, to be known as Columbus Day. Act 91, p. 91, Mar. 4, 1911.

Alabama: Declaring Tuesday before Ash Wednesday in each year a legal holiday, to be known as Mardi Gras Day. Act 142, p. 120, Mar. 17, 1911.

- Arkansas:** Making June 3, the birthday of Jefferson Davis, a legal holiday.
Act 286, p. 282, May 26, 1911.
- Florida:** Setting apart first Friday in November to be observed in public schools as Mothers' Day.
Ch. 6204 (No. 85), June 5, 1911.
- Kentucky:** An act designating the 12th day of October of each year a legal holiday, to be known as Columbus Day.
Ch. 9, Mar. 14, 1910.
- Louisiana:** Making it obligatory upon all school boards to order the celebration annually of October 12, the date of the discovery of America by Christopher Columbus, by appropriate public exercises in the schools.
Act No. 56, June 29, 1910.
- Massachusetts:** An act to provide that the 12th day of October shall be a legal holiday and shall be called Columbus Day.
Ch. 473, Apr. 20, 1910.
- Massachusetts:** Making the 12th day of October a legal holiday.
Ch. 136, Mar. 13, 1911.
- Mississippi:** An act to make January 19, the birthday of Gen. Robert E. Lee, a legal holiday.
Ch. 171, Mar. 30, 1910.
- New Mexico:** Makes Columbus Day, October 12, a public holiday.
(Law by limitation.) Ch. 10, 1912.
- Ohio:** (H. B. No. 23.) Amending section 8301 of General Code, relating to holidays, by adding the 12th day of October to the list of legal holidays.
Laws 1910, p. 34, Mar. 25, 1910.
- Rhode Island:** An act in amendment of section 5, chapter 201, of the General Laws, etc.
Makes Columbus Day, October 12, a public holiday.
Ch. 528, Mar. 10, 1910.
- West Virginia:** Amending and reenacting chapter 77 of the Acts of 1909, known as chapter 15 L of the Code of West Virginia, relating to legal holidays. Makes October 12 a legal holiday.
Ch. 40, Feb. 18, 1911.

H. (e) Place of Attendance; Transportation of Pupils; Consolidation of Schools.

See also A (f).

- California:** Validating the consolidation of certain school districts.
Cities composed of two or more school districts, but which have been conducted as one district for a period of one year or more, are validated as one district.
Ch. 94, Mar. 1, 1911.
- Colorado:** Amending chapter 204 of the Acts of 1909, relating to the consolidation of schools.
Former act required that transportation be furnished to all pupils living 1 mile or more from schoolhouse. Amendment leaves such transportation to the discretion of school boards.
Ch. 202, May 28, 1911.
- California:** *See N (e).*
- Connecticut:** Amending section 1 of chapter 210 of the Public Acts of 1908, relating to the transportation of pupils in consolidated school districts.
Ch. 173, Aug. 8, 1911.
- * **Kansas (1909):** Resident of a school district in which no school is held can send his children to a school in adjoining district in which he owns land.—
Evans v. Sch. Dist. No. 46 et al., 105 Pac., 533.
- Kentucky:** *See A (e).*

Massachusetts: An act relative to the transportation by street and elevated railway companies of pupils of industrial schools.

Provides that pupils of industrial day or evening schools shall be carried at half rate to and from school. Ch. 567, May 26, 1910.

Massachusetts: Directing the board of education to investigate and report upon the matter of transportation of pupils. Report must be made not later than January 15, 1913. Res. ch. 39, p. 880, Apr. 8, 1912.

• **Massachusetts (1912):** It is presumed that the rate fixed by a statute as a maximum which may be charged for carrying school children on street railways is reasonable, the burden being on the carrier to show the contrary.—*Commonwealth v. Boston & N. St. Ry. Co.*, 98 N. E., 1075.

• **Massachusetts (1912):** To make Stat. 1910, ch. 567, limiting the charges for school children for street-car travel, invalid, as depriving a carrier of property without due process of law, the rate must be so small as to require the companies to perform the service at a loss and so that the total net earnings do not yield a reasonable return on the value of the corporate property.—*Commonwealth v. Boston & N. St. Ry. Co.*, 98 N. E., 1075.

Mississippi: An act to provide for the transportation of pupils when schools are consolidated.

SECTION 1. When two or more schools are consolidated into one school by the county school board, the board of public school trustees for said school, together with the county superintendent, are authorized to provide means of transportation of pupils.

SEC. 2. Should more than four schools be consolidated into one school, the salary of two teachers of the consolidated schools may be expended in the transportation of pupils.

SEC. 3. The expense of such transportation shall be paid from the school fund of the county, provided such expense shall not amount to more than the salary of one of the teachers of said school for the school session and the salary of two teachers where more than four schools are consolidated into one. Prescribes method of payment for such transportation.

Ch. 124, Mar. 9, 1910.

Mississippi: Amending the act to provide for the transportation of pupils in consolidated districts.

The board of trustees of a consolidated school may provide transportation for pupils living 2 miles [limit new] from the consolidated school district under rules and regulations of the State board of education. Omits stipulation restricting the expense to saving salaries of teachers.

Ch. 255, Feb. 9, 1912.

Montana: Authorizing district trustees to furnish transportation of pupils from their homes to school within the district. Ch. 40, Feb. 23, 1911.

New Hampshire: Empowering school districts to raise money for the purchase of suitable vehicles for the transportation of school children.

Ch. 46, Mar. 9, 1911.

• **New Hampshire (1912):** Under Laws 1909, ch. 100, the action of a school board in paying tuition for a pupil outside of the State justified the inference of the approval, so as to charge the board with subsequent tuition.

Accessibility, within Laws 1909, ch. 100, of a high school outside the State, does not depend only on distance, but involves also the matter of facilities for transportation.

A school board paying tuition for a pupil attending school outside of the State is not entitled to withdraw arbitrarily its approval of the school.—*Pushbe v. Lyme Sch. Dist.*, 82 At., 718.

New Jersey: See A (b).

Ohio: (S. B. No. 182) Providing that the question of centralization of township schools be submitted to the people at a special election.

Laws 1910, p. 299, S. B. No. 182, May 19, 1910.

Ohio: (H. B. No. 264.) Providing that boards of education of special districts shall not discriminate between different portions of said districts or between pupils of similar ages or residing at similar distances from the schoolhouse in the matter of transportation of pupils. Laws 1910, p. 167, May 5, 1910.

Ohio: (H. B. No. 482.) Amending section 7733 of General Code, relative to transportation of pupils in village school districts with or without attached territory by giving the board of education in such district the option of providing for the conveyance of pupils of the district or any adjoining district to the school or schools of the district, the expense incurred to be paid from the school funds of the district in which such pupils reside.

Laws 1910, p. 307, H. B. No. 482, May 19, 1910.

*Oklahoma (1910): A taxpayer and citizen of a school district can not sue the officers of the district on the ground that certain of their acts will make it less convenient for him to send his children to school.—Farrimond et al. v. Coalgate Sch. Dist., 108 Pac. 371.

Pennsylvania: See A (a).

Rhode Island: An act in amendment of and in addition to chapter 74 of the General Laws, etc.

Whenever any ungraded school has been or shall be consolidated with a graded school, there shall be paid by the State to the town in which the schools are situated on account of said graded school the sum of \$100 annually for each school so consolidated, the same to be used for the support of the said graded school or for the transportation of pupils thereto.

Ch. 545, Apr. 19, 1910.

South Carolina: To provide for consolidated and graded schools.

Not less than \$15,000 shall be appropriated annually to assist rural schools in the establishment, maintenance, and improvement of rural graded schools. Said money shall be expended from the appropriation under Act No. 431, 1900 (i. e., Term Extension Act, providing that at least \$60,000 be appropriated annually to increase the average length of free-school term).

When any rural district levies at least 4 mills, employs in its school two certified teachers at least six months, has an enrollment of at least 50, an average attendance of at least 30, good, well-equipped building, course of study, etc., approved by the State board of education, it shall receive \$200 per annum.

When any rural district levies a minimum of 4 mills, employs three or more certified teachers, has a minimum term of seven months, a minimum enrollment of 75, a minimum average attendance of 40, a comfortable, well-equipped building, course of study approved by the State board of education, it shall receive \$300 per annum.

The school trustees may use the State money to furnish transportation, if county superintendent approves.

The State superintendent shall provide rules and regulations. Applications are considered in the order of receipt.

No. 497, Feb. 28, 1912.

South Carolina: When a pupil of one district attends school in another district in which a special tax is levied, an incidental fee may be charged equal to the amount that would be paid as tax if the property of the patron were in the special tax district.

No. 347, Feb. 28, 1912.

(Without governor's signature.)

South Dakota: Amending section 108 of chapter 135 of the Laws of 1907.

SECTION 108 When pupils reside more than 2½ miles from the nearest schoolhouse in the school district, and not to exceed 3 miles, then the parent, guardian, or pupil shall receive from his school district 10 cents per day for each pupil; if more than 3 miles and not to exceed 4 miles, 25 cents per day; if 4 miles and not to exceed 5 miles, 35 cents per day; if 5 miles and not to exceed 6 miles, 45 cents per day; Provided, That such financial provision shall be only for actual attendance at public school, and conditioned that the district in no way furnish means for conveyance: Provided, That when pupils reside near some school in another township or district than the school district in which they are enrolled, the board of education of the district in which they are enrolled can make arrangements for the schooling of

such pupils at such other school by paying tuition and such transportation as previously provided for in this section: *Provided further*, in determining the distance to be traveled to get to any school, the most direct route by section lines shall be the basis of the computation. This act shall apply only to schools operating under the township school system. Ch. 141, Feb. 27, 1911.

Virginia: General appropriation bill.

Increases amount to be turned over to the State board of education for apportionment from \$475,000 to \$500,000, and provides that \$25,000 may be used for the encouragement and maintenance of rural graded schools of two, three, and four rooms; provides that no such school shall receive more than \$200, and any school receiving such aid shall not receive aid from the high-school fund. Ch. 282, May 16, 1910.

Virginia: Relating to the attendance of children in schools of a district other than the district of their residence.

If no agreement is made by the districts concerned, the division superintendent shall determine the amount to be transferred, subject to appeal to the school trustee electoral board of the county. Ch. 321, Mar. 14, 1912.

Wisconsin: Creating sections 419b, 419c, 419d, 419e, 419f, 419g, and 419h of the Statutes, relating to the consolidation of school districts.

"SECTION 419b. Whenever an application, in writing, signed by at least one-third of the legal voters in each of two or more school districts, shall be filed with the chairman of a town board of supervisors or the president of a village board of trustees or mayor of the city in which any part of such whole or joint school districts are situated, requesting the town board or boards of supervisors or the town board or boards of supervisors and the village board of trustees or city council of any of the municipalities included wholly or in part within the boundaries of such school districts to call a meeting of the town board or boards of supervisors or the town board or boards of supervisors and the village board of trustees or city council to consider the question of altering the boundaries of such school districts and forming in lieu thereof one consolidated school district, it shall be the duty of the officer with whom such application or petition has been filed to fix a time for the meeting of the town board or boards of supervisors or the town board of supervisors and the village trustees for a meeting of the town board of supervisors or for a joint meeting of the town boards of supervisors and the village board of trustees or city council in which any part of such whole or joint school district may be situated, which time shall not be less than 10 nor more than 20 days after the presentation to such officers of such petition or application.

"Sec. 419c. The officers to whom the application or petition is presented shall cause a written notice of the time and place of such meeting to be given to each supervisor, member of the council, or member of the village board of trustees entitled to be present at such meeting and to the clerk of each school district affected by the proposed change, which notice shall be served at least five days prior to the date fixed therefor. Such meeting shall be held at the schoolhouse or some convenient place within the boundaries of the proposed consolidated school district. If the town board of supervisors or the town boards of supervisors or the town board or boards of supervisors and the village board of trustees in which any part of the said school district shall be situated shall, by joint vote, favor the consolidation of such school districts they shall make an order to that effect, which order shall be duly filed in the office of the town clerk or village clerk of each of the towns or towns and village in which the school districts may wholly or in part lie and thereafter such consolidated school district shall for all purposes whatsoever be considered one school district.

"Sec. 419d. If the officers upon whom the application shall be served shall refuse or neglect to fix the time and the place or to give the notices for the meeting or if the board of supervisors or the board of village trustees or city council or a majority thereof of any town, towns, or village or cities in any way interested in or affected by the proposed change shall neglect or refuse to hear and to vote upon the application before them or if a majority of the town board of supervisors, or town boards of supervisors or village board of trustees shall refuse to attend such meeting then the application

shall be deemed denied and any person feeling himself aggrieved by the action taken by the town board of supervisors and trustees of the village may appeal therefrom to the State superintendent in a similar manner and with like effect as in other cases.

"SEC. 419e. In case two or more school districts shall be ordered consolidated, and in case the electors and school board of such consolidated school district shall maintain during any school year a first-class, or free high school, and the grades below a free high school, and the electors of such consolidated school district shall direct the school board to transport all persons of school age living more than 2 miles from the school in such district that may desire to attend school, then the State may repay to such school district 10 cents per day for each such person living more than 2 miles from school, the distance to be measured by the nearest traveled highway, that was so transported to and attended school regularly for at least six months during the school year.

"SEC. 419f. In case the electors of any such consolidated school district shall desire to take advantage of the provisions of sections 419b to 419h, inclusive, relating to transportation, they may make arrangement with the parents, guardians, or other persons to transport children living more than 2 miles from school; providing, that such parents, guardians, or other persons shall provide for the transportation of the children a comfortable and convenient bus or wagon well supplied with protection against inclement weather, and shall actually transport or provide for the transportation of such children to the school for at least six months.

"SEC. 419g. Any board of the consolidated school district entitled to aid under the provisions of sections 419b to 419h, inclusive, shall, on or before the 15th day of July in each school year make under oath a report to the State superintendent giving the name of each pupil transported more than 2 miles, the number of days each such pupil was transported, the mode of transportation, and the total amount claimed by the district on account of all pupils residing more than 2 miles from school for whom transportation or transportation and tuition have been paid. Upon receipt of such report the State superintendent shall certify to the secretary of state the amount due such district, and the secretary of state shall thereupon issue a warrant in favor of such district, for such amount which shall be paid by the State treasurer to the treasurer of the district from the school funds provided for by section 1072a of the Statutes.

"SEC. 419h. To carry out the provisions of this act there is hereby appropriated annually, out of the moneys assessed and collected under the provisions of section 1072a of the Statutes, a sum sufficient to meet all the approved claims coming under the provisions of sections 419b to 419h, inclusive."

Ch. 649, July 12, 1911.

Wisconsin: Amending sections 430-4, 490q, 490r, and 490s of the Statutes, relating to the transportation of pupils to and from rural schools, and making an appropriation therefor.

Ch. 618, July 7, 1911.

H. (f) Compulsory Attendance; Truancy; Truant Officers.

Arizona: All children between 6 and 21 shall be admitted to school. Admission of beginners may be arranged at stated intervals.

Pupils must comply with rules and regulations.

Penalties, suspension, or expulsion.

No child under 10 shall be employed during school hours without a written permit from the trustees for reasons specified; penalty, fines \$25 to \$100.

Every parent or guardian having control of child between 8 and 10 shall send such child to school for full time public school is in session, attendance to be continuous five days in the week.

May be excused if—

1. Taught at home by competent teacher in common-school branches.
2. Attends private or parochial school full time.
3. Physically or mentally unfit.
4. Completed grammar-school course.

Penalty for violation by parent, \$25 for each offense.

Ch. 77, May 30, 1912.

Idaho: See A (a).

Kentucky: An act to amend an act approved March 9, 1908, relating to dependent, neglected, or delinquent children.

Provides for the appointment of volunteer probation officers to serve without compensation, except in cities of the first or second class. Increases the salaries of assistant probation officers in such cities from \$700 to \$1,000 a year.

Ch. 77, Mar. 23, 1910.

Maryland: Compulsory school attendance in Baltimore City; optional in 17 counties (does not apply to six counties).

124. In Baltimore City every child between 8 and 14 shall attend regularly during entire school year (usual exceptions). Children 14 to 16 must attend unless regularly employed to labor at home or elsewhere.

124A. In counties every child between 8 and 14 shall attend some day school regularly, for a period fixed by the county school commissioners (in no case less than four months). Children 14 to 16 must attend unless regularly employed at home or elsewhere. This section shall apply only to counties where the board of county school commissioners approve the same and appoint attendance officers to enforce it.

25. Violation of preceding sections by parents a misdemeanor. Fine, not over \$50.

Ch. 173, Apr. 8, 1912.

Massachusetts: Defining the word "minor" as applied to compulsory attendance at evening schools.

Provides that illiterate persons shall be considered minors until 21 years old.

Ch. 241, Apr. 6, 1911.

Massachusetts: Relating to the age and schooling certificates of minors.

Printed form of certificate shall be provided by chief of police; schooling certificate shall not be issued unless applicant can read and write as required for admission to the fourth grade in school.

Ch. 269, Apr. 10, 1911.

Massachusetts: Relating to female truants in the city of Boston.

Habitual female truants shall be committed to the charge of the children's institutions' trustees to be by them cared for in the same manner as neglected children.

Ch. 202, Mar. 25, 1911.

Massachusetts: The school commissioners shall appoint "school attendance officers" instead of truant officers.

Females may be appointed.

Ch. 552, Apr. 29, 1912.

Massachusetts: Restores designation "truant officers," but retains the provision authorizing females.

Ch. 711, June 4, 1912.

Nevada: See A (a).

New Jersey: Relating to truant officers.

"1. The services of all truant officers of the public schools in any school district in any city of this State shall be during good behavior and efficiency, after the expiration of a period of employment of one year in said school district: *Provided*, That the time any truant officer has served in the district in which he or she is employed at the time this act shall go into effect shall be counted in determining such period of employment.

"2. No truant officer shall be dismissed or subjected to reduction of salary except for inefficiency, conduct unbecoming an officer, or other just cause, and after a written charge of the cause or causes shall have been preferred against him or her, signed by the person or persons making the same, and filed with the secretary or clerk of the board of education of the school district in which he or she is employed, and after the charge shall have been examined into and found true in fact by the said board of education, upon reasonable notice to the person charged, who may be represented by counsel at the hearing."

Ch. 275, Apr. 27, 1911.

Pennsylvania: See A (a).

H. (g) Child Labor.

See also H (f).

Alabama: Amending sections 8 and 11 of an act of the Legislature of Alabama entitled "An act to regulate the employment of child labor in certain mills, factories, and manufacturing establishments in this State, and to provide for the inspection of the rooms, places, and premises wherein children are worked and to adequately punish violations of this act, approved August 26, 1909."

Fixes penalty of employer for knowingly violating the act or failing or refusing to give the required information.

Provides that manufacturing establishments wherein women and children are employed shall be inspected at least four times a year without notice.

Act 413, p. 546, Apr. 21, 1911.

Alabama: Requiring the location of public schools in districts in which are located a manufacturing plant or manufacturing plants employing 50 or more children within the school age, who are subject to the child-labor law.

Act 246, p. 247, Apr. 6, 1911.

Arizona: Regulating the employment of women and minors.

SECTION 1. No child under 14 shall be employed in any mill, factory, store, office, restaurant, etc., or in the transportation of merchandise or messages.

SEC. 2. No child under 14 shall be employed in any business or service whatever during the hours in which the public schools are in session.

SEC. 3. No child under 16 shall be employed in specified occupations about machinery.

SEC. 4. No child under 16 shall be employed in manufacturing paints, matches, or goods for immoral purposes; nor in any smelter, cigar factory, hotel, laundry, distillery, brewery, theater, saloon, etc.; nor in operating an automobile, nor in a bowling alley, nor in any employment declared by the State board of health to be dangerous to health or morals of children under 16.

SEC. 5. The State board of health shall determine what occupations are dangerous.

SEC. 6. Females shall not be employed in any capacity requiring them to stand constantly. Seats shall be provided and female employees shall be allowed to use them.

SEC. 7. No child between 14 and 16 shall be employed in establishments named in section 1, unless employer makes list of such children and keeps one accessible to inspectors, etc., and posts other list at entrance.

SEC. 8. Authorized inspectors may require that employment certificates be produced.

SEC. 9. When employment of child terminates, employer shall return certificate to person issuing same.

SEC. 10. Employment certificates shall be issued only by county, city, or town superintendent of schools, or by person authorized by him, or, if there is no superintendent, by person authorized by the school board. No one shall issue a certificate for a child to be employed by himself.

SEC. 11. A school certificate and proof of age of child shall be required before a certificate shall be issued.

SEC. 12. A transcript of birth certificate shall be *prima facie* evidence of age.

SEC. 13. The child must appear in person before the issuing officer. The latter must make examination and certify that the child can read and write in the English language, and that the child is normally developed and able to do the work it intends to do. The physical condition of the child shall be certified by the medical officer of the board of health or a physician appointed by the school commission.

SEC. 14. The certificate shall describe the child. It shall be signed by the child, and dated.

SEC. 15. The school certificate (see section 11) shall be from the principal or chief executive officer of the school, and shall show that the child has attended at least 180 days during the previous year; that it can read and write, and has received instruction equivalent to five yearly grades in read-

ing, spelling, writing, English grammar, and geography, and is familiar with the fundamental operations of arithmetic to and including fractions.

SEC. 16. The person issuing employment certificates shall report to the State superintendent the certificates and refusals to issue, and state name of employer to whom each is issued.

SEC. 17. The State superintendent or other authorized officer may demand proof of the age (over 10) of a child employed or an employment certificate, and if neither is furnished, may require that employment cease.

SEC. 18. No child under 18 shall be employed in specified hazardous occupations or any other occupation declared by the State board of health to be dangerous or injurious to children under 18.

SEC. 19. The said board shall determine what occupations are dangerous or injurious to children under 18.

SEC. 20. No female shall be employed in any mine, etc.

SEC. 21. In incorporated cities and towns no person under 21 shall be employed as messenger between 10 p. m. and 5 a. m.

SEC. 22. No boy under 16 or girl under 18 shall be employed (except in domestic service or farm work) more than 48 hours per week, nor more than 8 hours per day, or between 7 p. m. and 7 a. m.

SEC. 23. Employers shall post notices of the hours of employment, etc.

SEC. 24. No boy under 10 or girl under 18 shall sell papers, etc. No boy under 10 shall work as bootblack.

SEC. 25. Factory inspectors may visit places of employment.

SECS. 26-36. Provide penalties for violation of preceding sections.

Ch. 32, May 13, 1912.

Arizona: Relating to mine inspection.

SECTION 22. No person under 18 years of age shall be employed as a hoisting engineer.

SEC. 27. Boys under 18 years of age shall not be employed underground in any mine.

Ch. 33, May 13, 1912.

California: Amending an act regulating the employment of minors, approved February 20, 1905.

"No minor under 18 years of age may be employed between 10 p. m. and 5 a. m.; no child under 15 years of age shall be employed in any mercantile institution, office, laundry, manufacturing establishment, workshop, place of amusement, restaurant, hotel, apartment house, or in the transmission of merchandise or messages; employers must keep on file for inspection schooling certificates of minors between 15 and 18 years old; exceptions for children over 12 in case of need by parents, permit granted; no child with permit shall remain idle longer than two weeks.

Ch. 456, Apr. 14, 1911.

California: Prohibiting minors under age of 18 years from vending and selling goods, engaging in or conducting any business between the hours of 10 o'clock in the evening and 5 o'clock in the morning.

Ch. 688, May 1, 1911.

California: Amending section 2 of an act regulating the employment of children, approved February 20, 1905.

Provides that no minor under 18 years of age shall work at any employment between 10 p. m. and 5 a. m. Adds places of amusement to institutions in which children under 14 may not be employed.

Ch. 116, Mar. 6, 1911.

Colorado: Regulating the employment of children, declaring certain employments of children dangerous and injurious to health, life, and limb and providing for the enforcement of this act.

Ch. 95, May 30, 1911.

Connecticut: Concerning the employment of children.

"SECTION 1. No child under 14 years of age shall be employed in any mechanical, mercantile, or manufacturing establishment. Every person, whether acting for himself or as agent for another, who shall employ or authorize or permit to be employed any child in violation of the provisions of this section shall be fined not more than \$100.

SEC. 2. No child under 16 years of age shall be employed in any mechanical, mercantile, or manufacturing establishment unless the employer of such child shall have first obtained a certificate, signed by the secretary or an agent of the State board of education, or by a school supervisor, school super-

intendent, supervising principal, or acting school visitor designated by said board, stating the date of the birth of such child, showing that such child is over 14 years of age and stating that such child is able to read with facility, to legibly write simple sentences, and to perform the operations of the fundamental rules of arithmetic with relation both to whole numbers and to fractions, and does not appear to be physically unfit for employment. Such certificate shall be in the form prescribed and upon a blank furnished by the State board of education and shall be issued in triplicate, and one copy thereof shall be delivered to the parent or guardian of such child, one copy shall be delivered to the employer, and one copy shall be deposited in the office of the State board of education. Copies of such certificate shall be obtainable from the State board of education, upon application, at any time. The copy of such certificate delivered to the parent or guardian of the child may be accepted by the employer as a temporary certificate, good for one week, after which time it shall be returned to the parent or guardian of such child. Every person, whether acting for himself or as agent for another, who shall employ or shall authorize or permit to be employed any child in violation of the provisions of this section shall be fined not more than \$100. The secretary or the agent of the State board of education or the school supervisor, school superintendent, supervising principal, or acting school visitor to whom application shall be made for a certificate as provided in this section, shall have power to require all statements of fact offered in support of such application to be made under oath, and such oath may be administered by said secretary or such agent, school supervisor, school superintendent, supervising principal, or acting school visitor, and said secretary or any such agent, school supervisor, school superintendent, supervising principal, or acting school visitor may cause any child to be examined by a reputable physician for the purpose of aiding him in determining whether such child is physically fit for employment and may charge the expense of such physical examination against the State as a part of his expenses.

"Sec. 3. Every employer receiving a certificate issued under the provisions of this act shall promptly notify the State board of education, in writing, in the form prescribed and upon a blank furnished by said board, of the time of commencement of the employment of any child thereunder and, whenever such employment terminates before such child attains the age of 16 years, of the time of the termination of such employment. Every person violating any provision of this section shall be fined not more than \$10.

"Sec. 4. The provisions of sections 2 and 3 of this act shall not apply to employers of children over 14 years of age in cases in which the employment commenced prior to the date on which this act shall take effect and, in which the employer has also complied with the requirements of the Statutes in force at the time of the commencement of such employment.

"Sec. 5. Every employer or other person having control of any establishment or premises where children under 16 years of age are employed who shall neglect to have and keep on file the certificate described in section 2 of this act or show the same, with a list of the names of such children so employed, to the secretary or an agent of the State board of education, when demanded during the usual business hours, shall be fined not more than \$100.

"Sec. 6. The provisions of section 4707 of the General Statutes shall be applicable to sections 1, 2, and 3 of this act. Sections 4704, 4705, and 4706 of the General Statutes, chapter 75 of the Public Acts of 1903, chapter 115 of the Public Acts of 1905, and chapter 123 of the Public Acts of 1909 are hereby repealed.

Ch. 119, June 28, 1911.

Connecticut: Concerning the employment of children in certain occupations.

Prohibits the employment of children in various occupations.

Ch. 123, June 28, 1911.

Connecticut: Amending section 2 of chapter 220 of the Public Acts of 1909, relating to the employment of minors and women in mercantile establishments.

Ch. 273, Sept. 19, 1911.

Georgia: No minor under 16 years of age shall be employed as messenger by any concern or person engaged in the messenger business, between the hours of 9 p. m. and 6 a. m.

Violation shall be deemed a misdemeanor.

No. 436, Aug. 12, 1910.

Idaho: Sec. 4 (a).

Kentucky: An act to amend "An act to regulate child labor and to make the provisions thereof effective," approved March 18, 1908.

Extends provisions of the law relating to employment of children between 14 and 16 to any "store, business office, telegraph office, restaurant, hotel, apartment house, or in the distribution or transmission of merchandise or messages," as well as any "factory, mine, or mercantile establishment"; employment certificates to be issued by the superintendent of schools or the person authorized by him in writing; when there is no local superintendent of schools, they shall be issued by the county superintendent of schools, or the person authorized by him; monthly reports shall be made by these officers to the labor inspector; fines imposed under this act shall inure to the benefit of the public schools in the place in which the violation occurred; other minor modifications.
Ch. 85, Mar. 23, 1910.

Maryland: Revising child-labor laws.

Employment under 12 forbidden in specified occupations.
Employment under 14 forbidden, except after compliance with school-attendance laws.

Employment under 16 forbidden in specified occupations.
Employment under 18 forbidden in specified dangerous occupations.
Employment under 21 forbidden in liquor establishments.

Employment of females under 18 in occupations requiring standing.
Employment under 18 as messengers, between 10 p. m. and 6 a. m., forbidden in cities over 20,000.

Employment of boys under 12 and girls under 16 to sell newspapers forbidden in cities over 20,000.

Employment of boys under 14 and girls under 16 to black boots or sell merchandise forbidden in cities over 20,000.

Boys under 16 must have permit (badge) to sell papers, magazines, etc., in cities over 20,000.

No newspapers, etc., to be sold after 8 p. m. or before 6 a. m.

No child under 16 shall be employed without employment certificate. Employer shall post lists. Certificate to be addressed to a particular employer only; and must be returned at the end of employment; a new certificate may be issued on application. Certificates issued by Maryland bureau of statistics and information, in Baltimore; by the county superintendent of schools, or person designated by him in counties.

Certificates issued only on application of parent or guardian of child.

General certificates good all the year round require:

1. School record from school superintendent or teacher.
2. Physician's certificate of health and ability to pursue the work the child intends to do.

3. Proof of age.

The child must appear in person and the officer making the examination must certify that the child can read intelligently and write legibly.

Employment certificate good only in vacation requires:

1. Proof of age.

2. Physician's certificate of ability, etc.; on forms prescribed by the Maryland bureau of statistics and information.

If a certificate is refused, the proper school superintendent shall be notified. The school record shall show that child has attended for the period prescribed by law, is able to read and write, and has completed at least five school years.

Certificates shall be shown to inspectors on demand. Inspectors have the right of entry, etc.

Maryland bureau of statistics and information shall employ eight (instead of six) inspectors, at \$900 each, and expenses.

Appropriating \$12,000 per annum (instead of \$8,000).

Ch. 731, Apr. 11, 1912.

Maryland: Prohibiting the employment by telegraph, telephone, or messenger companies as messenger of any person under 14 years of age; prohibiting the employment of boys under 16 years of age between 8 p. m. and 8 a. m. by said companies; prohibiting the calling for messages at or delivery of messages to any house of ill repute by any minor in the employ of the said companies.

Ch. 587, p. 66, Apr. 8, 1910.

Maryland: Amending the law relating to health hours of labor of children.

Employing children under 16 at labor for more than ten hours a day in any factory in the State or in the mercantile business in the city of Baltimore shall be punishable by a fine of not less than \$100, one-half of which shall be paid to the State bureau of statistics and information, whose duty it shall be to enforce the law.

Ch. 607, Apr. 11, 1910, p. 91.

Massachusetts: Resolutions relative to the employment of child labor.

Requesting the Congress of the United States to enact national and uniform laws regulating the employment of children.

Page 881, adopted Apr. 5 and 7, 1910.

Massachusetts: An act relative to the forging of birth certificates.

Provides a penalty for forging birth certificates for the purpose of fraudulently obtaining the school certificate necessary to permit the employment of a minor under 16 years of age.

Ch. 249, Mar. 18, 1910.

Massachusetts: An act to provide for medical inspection of working children between the ages of 14 and 16.

Any school certificate issued under the child-labor law to a child between 14 and 16 years of age must bear a physician's certificate stating that the child is physically able to do the work he or she intends to do. School physicians are assigned to the duty of making the examinations and furnishing the certificates.

Ch. 257, Mar. 19, 1910. (Aug. 1, 1910.)

Massachusetts: An act relative to the employment in dangerous trades of minors under the age of 18.

If the State board of health shall determine upon investigation that any trade or occupation is sufficiently injurious to the health of minors under 18 to justify the exclusion of such minors from said trade or occupation, such employment of such minors shall be unlawful and punishable by fine. [This exclusion previously referred to the manufacture of acids only.]

Ch. 404, Apr. 16, 1910.

Massachusetts: An act relative to the licensing of minors to engage in certain occupations in cities.

Provides a penalty to be inflicted upon any person who having a minor under his control knowingly permits such minor to violate the regulations of any city or town relative to the exercise of the trade of bootblacking by minors and to the sale by minors of certain merchandise; also provides a penalty for employing a minor in violation of such regulations and for knowingly furnishing or selling goods to an unlicensed minor who intends to sell such goods in violation of the law.

Ch. 419, Apr. 21, 1910.

Massachusetts: Relating to the employment of certain minors in factories, workshops, and mercantile establishments.

SECTION 1. No illiterate minor between the age of 16 and 21 years shall be employed in a factory, workshop, mechanical or mercantile establishment unless his employer procures and keeps on file, accessible to the truant officers of the city or town and to the district police and inspectors of factories and public buildings, a certificate showing that such minor is 16 years of age or over. Said certificate shall give the place and date of birth of such minor and his personal description. The printed form of the certificate shall be provided by the chief of the district police and shall be approved by the attorney general.

Ch. 310, Apr. 20, 1911.

Massachusetts: Relating to the employment of children and women in certain workshops connected with mercantile establishments.

Fixes hours of employment at 48 per week.

Ch. 313, Apr. 20, 1911.

Massachusetts: Seats shall be provided for women and children employed in manufacturing, mechanical, and mercantile establishments.

Ch. 90, Feb. 14, 1912.

Massachusetts: Illiterate minors may not be employed unless attending a day or an evening school. (Removes ambiguity of expression.)

Ch. 191, Mar. 2, 1912.

Massachusetts: Establishing minimum wage committee to fix minimum wage of women and minors.

Ch. 706, June 4, 1912.

Mississippi: Regulating employment of children.

No girl under 14 or boy under 12 shall be employed in any mill, factory, manufacturing establishment, or cannery. No boy under 16 or girl under 18 shall be employed more than 8 hours per day, 48 hours per week, or between 7 p. m. and 6 a. m.

Employers of children under 16 must require a certificate or affidavit of age. Sheriff and county health officers shall visit establishments employing children. The managers of such establishments shall furnish information required.

Does not apply to fruit canneries.

Ch. 165, Mar. 16, 1912.

New Hampshire: Regulating the employment of children.

SECTION 1. No child under the age of 12 shall be employed or permitted or suffered to work in, about, or in connection with any mill, factory, workshop, quarry, mercantile establishment, tenement house, manufactory or workshop, store, business office, telegraph or telephone office, restaurant, bakery, hotel, barber shop, apartment house, bootblack stand or parlor, or in the distribution or transmission of merchandise, or messages; nor shall any child under the age of 14 be employed or permitted or suffered to work in any of the aforesaid while the public schools are in session in the district in which he resides.

Sec. 2. No child under the age of 16 shall be employed or permitted or suffered to work in any establishment named in section 1 during the time in which the public schools are in session in the district in which he resides unless he can read understandingly and write legibly simple sentences in the English language; *provided, however,* that if any child shall have reached the age of 14 and shall have attended an English-taught school regularly for not less than three years and shall then be deemed by the superintendent of schools or other person authorized to grant employment certificates to be mentally incapable of learning to read and write legibly the English language in the regular schools the case may be referred to the State superintendent of public instruction who, after investigation either by himself or by his agent, may issue a permit authorizing the employment of such child even though such child may be unable to read understandingly and write legibly simple sentences in the English language.

Sec. 3. Whenever requested by the superintendent of public instruction, the State board of health shall cause to be made an inspection of any factory or other place in which children under the age of 16 are employed, and may require the discharge of any child or children found employed therein who by reason of physical condition, or insanitary conditions of employment, or of development below the normal development of children of that age, can not in their judgment continue to be employed without undue risk to health.

Sec. 4. No boy under 10 and no girl under 16 years of age shall sell, expose, or offer for sale newspapers, magazines, periodicals, or other merchandise in any street or public place. No child shall work as a bootblack in any street or public place unless he is over 10 years of age.

Sec. 5. No person under the age of 18 years shall be employed or permitted to work as a messenger for a telegraph, telephone, or messenger company in the distribution, transmission, or delivery of goods or messages before 5 o'clock in the morning or after 10 o'clock in the evening of any day.

Sec. 6. No boy under the age of 16 years, and no girl under the age of 18 years, shall be employed, or permitted or suffered to work, at any gainful occupation, other than domestic service or work on a farm, more than 58 hours in any one week, nor more than 11 hours in any one day; nor before the hour of half past 6 o'clock in the morning, nor after the hour of 7 o'clock in the evening, except that minors 16 years of age or over may work in retail stores and telephone exchanges until 10 o'clock in the evening.

Sec. 7. No child under 16 years of age shall be employed or permitted or suffered to work in, about, or in connection with, any place or establishment

named in section 1 unless the person, firm, or corporation employing such child procures and keeps on file and accessible to any truant officer or other authorized inspector an employment certificate as hereinafter prescribed.

Sec. 8. On the termination of the employment of a child whose employment certificate is on file, such certificate shall be kept by the employer and surrendered to any authorized inspector on demand.

Sec. 9. An employment certificate shall be issued only by the superintendent of schools, or where there is no superintendent, by a person authorized by the school board, *provided, however,* that no person authorized as aforesaid shall have authority to issue such certificate for any child then in or about to enter such person's own employment, or the employment of a firm or corporation of which he is a member, officer, or employee; in the city of Manchester the provisions of chapter 205 of the session laws of 1905 shall remain in force, but the person appointed under such provisions shall be subject to the terms of this act.

Sec. 10. The person authorized to issue an employment certificate shall not issue such certificate until he has received, examined, approved, and filed the following papers duly executed:

(1) The school record of such child, properly filled out and signed as provided in this act. (2) A passport or duly attested transcript of the certificate of birth or baptism or public record showing the date and place of birth of such child. (3) A certificate from a medical officer of the local board of health, or from a physician designated by the school board, certifying that the child has reached the normal development of a child of his age, and that he is in sufficiently sound health and physically able to perform the work which he intends to do.

Sec. 11. No employment certificate shall be issued until the child in question has personally appeared before and been examined by the person issuing the certificate.

Sec. 12. Every such employment certificate shall state the name, sex, and date and place of birth of the child; shall describe the color of hair and eyes, the height and weight, and any distinguishing facial marks of such child; that all papers required by the preceding sections have been duly examined, approved, and filed; that the child named in the certificate has appeared before the person signing the same and been examined; and that such child has been found to be able to read understandingly and write legibly simple sentences in the English language. Every such certificate shall be signed, in the presence of the person issuing the same, by the child in whose name it is issued, and shall show the date of its issue.

Sec. 13. The school record required by this act shall be signed by the principal or chief executive officer of the school which the child has attended and shall be furnished on demand to a child entitled thereto. Such record shall certify that the child has regularly attended the public schools, or private schools lawfully approved as such, for not less than 300 half days, as shown by the school register, during the year previous to his arriving at the age of 14, or during the year previous to applying for such school record, and that he is able to read understandingly and write legibly simple sentences in the English language. Such school record shall also give the date of birth and residence of the child, as shown on the records of the school, and the name of his parent, guardian, or custodian.

Sec. 14. The superintendent of schools or other person authorized to issue employment certificates shall keep a record of the same in a book. Such record shall contain a list of the names of all children to whom certificates are granted, numbered consecutively, together with the date of issue and the signature of the officer issuing the certificate, and such books shall be carefully preserved.

Sec. 15. All blank forms for records used in the enforcement and administration of this act shall be uniform throughout the State, shall be prescribed by the superintendent of public instruction, and shall be furnished by the State, and methods of keeping the same shall be approved by him as being within the contemplation of this act.

Sec. 16. The truant officer of each school district shall visit, inspect, and cause to be enforced the provisions of this act in his district and for this purpose shall have power to serve warrants.

Sec. 17. The superintendent of public instruction shall appoint not exceeding three State inspectors, who shall be paid their necessary expenses and such

compensation as the governor and council shall determine, not exceeding \$1,200 per annum each, and who shall devote their whole time to their work. The State inspectors, under the direction of the superintendent of public instruction, shall inspect all factories, and other places of employment within the contemplation of this act, and all records and methods of enforcement. They shall have the same power as to enforcement and the serving of warrants as the several truant officers. The superintendent of public instruction, with the approval of the attorney general, may employ counsel and provide legal assistance whenever the same may, in his opinion, be necessary for the enforcement of the provisions of this act, and the cost thereof shall be a charge upon the appropriation hereinafter provided.

Sec. 18. The superintendent of public instruction shall frequently report to the chairman of the several school boards the relative efficiency of the several truant officers. The governor, with the advice and consent of the council, may require school boards to appoint additional truant officers if in their judgment such additional officers are necessary. The governor, with the advice and consent of the council, may require the school board of any school district to remove any truant officer found by them to be incompetent and to appoint a competent successor, and upon the failure or neglect of the school board to do so they may appoint such truant officer and fix his compensation, and such compensation shall be paid by the district.

Sec. 19. An inspector or truant officer shall make demand upon any employer in or about whose place or establishment a child apparently under the age of 16 years is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall either furnish him within 10 days satisfactory evidence that such child is in fact over 16 years of age, or shall cease to employ or permit or suffer such child to work in such place or establishment. The inspector shall require from such employer the same evidence of age of such child as is required in the issuance of an employment certificate, and the employer furnishing such evidence shall not be required to furnish any further evidence of the age of the child.

Sec. 20. Whoever employs any child, and whoever having under his control as parent, guardian, or otherwise any child, permits or suffers such child to be employed or to work in violation of any of the provisions of this act shall be fined not less than \$5 nor more than \$200, or be imprisoned for not less than 10 nor more than 30 days, or both, in the discretion of the court.

Sec. 21. Whoever continues to employ any child in violation of any of the provisions of this act, after being notified thereof by an inspector or truant officer, shall for every day thereafter that such employment continues be fined not less than \$5 nor more than \$20.

Sec. 22. Any person authorized to sign any certificate or paper called for by this act who certifies to any materially false statement therein shall be fined not less than \$5 nor more than \$200, or be imprisoned for not less than 5 nor more than 30 days, or both, in the discretion of the court.

Sec. 23. Refusal by an employer to produce any employment certificate required by this act shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced.

Sec. 24. Any superintendent of schools or other person issuing employment certificates who fails to comply with the provisions of this act shall be fined not less than \$5 nor more than \$25.

Sec. 25. The sum of \$6,500 annually is appropriated for the purpose of this act.

Sec. 26. This act shall take effect upon its passage and all acts or parts of acts inconsistent with this act are hereby repealed. Ch. 162, Apr. 15, 1911.

New Jersey: An act to amend an act regulating the age, employment, safety, health, and work hours of persons, employees, and operatives in factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on, etc., approved Mar. 24, 1904.

No minor under 10 shall be employed or allowed to work in such a place more than 10 hours a day or 55 hours in a week, and between July 4, 1910, and July 4, 1911, no minor under 15 shall be employed or allowed to work in such a place between 6 p. m. and 6 a. m. After July 4, 1911, no minor under 16 shall be so employed. Penalty for violation, \$50 for each offense.

Ch. 277, Apr. 12, 1910.

New Jersey: Regulating the employment of persons as messengers for the distribution, transmission, or delivery of goods, messages, or the performance of other service.

"1. No person under the age of 21 years in cities of the first class, and no person under the age of 18 years in other municipalities, shall be employed or permitted to work as a messenger for or by any telegraph, telephone, or messenger corporation, firm, or person owning, engaged in, or operating the business of distributing, transmitting, or delivering goods or messages or in the performance of other service, before 5 o'clock in the morning or after 10 o'clock in the evening of any day: *Provided*, That the commissioner of labor shall have the power to grant permits under extraordinary circumstances for the delivery of telegrams or telephone messages between the hours of 10 p. m. and 5 a. m.

"2. Any such corporation, firm, or person engaged in or operating the business of distributing, transmitting, or delivering goods or messages as aforesaid, who shall violate any of the provisions of this act, shall be liable to a penalty of \$100 for each offense, to be sued for in an action of debt, for the use of the State as hereinafter provided. Any repetition or repetitions thereof shall each constitute a separate offense." Ch. 363, May 2, 1911.

New Jersey: Regulating the age, employment, safety, health, and work hours of persons, employees and operatives in mercantile establishments.

"1. No child under the age of 14 years shall be employed, allowed, or permitted to work in any mercantile establishment during any of the hours in which the public schools are in session in the district in which such child resides; any corporation, firm, or individual who shall employ, allow, or permit to work in any mercantile establishment any child under the age of 14 years during the time prohibited by this section shall incur a penalty of \$50.

"2. No child under the age of 16 years shall be employed, allowed, or permitted to work in or in connection with any mercantile establishment more than 58 hours in any one week or before 7 o'clock in the morning or after 7 o'clock in the evening of any day (excepting one day in the week, when such minors may be permitted to work until 9 o'clock in the evening). The provisions of this section shall not apply to the employment of such minors between the 15th day and the 25th day of December, inclusive; when such minors may be permitted to work until 10 o'clock in the evening; any corporation, firm, or individual who shall violate any of the provisions of this section shall be liable to a penalty of \$50.

"3. It shall be the duty of the commissioner of labor, the assistant commissioner, or the inspectors of the department of labor, or truant officers or other person empowered by law to compel the attendance of children at school and they shall have power to investigate and inspect all mercantile establishments coming under the intent and provisions of this act.

"4. A corporation, firm, or person owning or operating a place or places coming under the provisions of this act and employing, allowing, or permitting children actually or apparently under 16 years of age to work therein shall keep or cause to be kept in the main office of such place in the town or city in which such place is located a register or record in which shall be recorded the name, place of residence, and time of employment of all such minors employed therein, together with a transcript of the record of birth of such minors duly attested by an officer having by law the authority to keep records of birth in the State, county, or city in which such child was born; if no such birth certificate can be obtained and the child was baptized then a certified copy of the baptismal record of the church or parish in which such baptism took place, duly certified as a true copy under the hand of the person having the custody of such church or parish records, which shall set forth the age of the child at the time of baptism. In the case of foreign-born children the same transcript of the record of the birth or baptismal certificate shall be required as is required of a native-born child in addition to the passport under which such child was admitted to this country or a true copy of the same. The commissioner of labor shall have power to issue permits of employment to children upon the production of evidence of the child's age satisfactory to the commissioner: *Provided*, That he shall first be satisfied that the child can not obtain a transcript of the birth record or passport

or a baptismal certificate as above provided; such registers, certificates, and transcripts shall be produced for inspection upon demand of the commissioner, assistant, or any of the inspectors, or any truant officer or other person empowered by law to compel the attendance of children at school; any corporation, firm, or person failing to keep such registers or refusing to permit the persons herein authorized to inspect the same or the certificates, transcripts, and passports shall be liable to a penalty of \$50 for each offense.

"5. Anyone who shall swear falsely to any affidavit or present any certificate or passport which he or she knows to be false, and any person or persons who shall aid, assist, or advise the making of a false affidavit or the obtaining of a false certificate or passport, shall be liable to a penalty of \$50 for each offense.

"6. The commissioner of labor, his assistant, or any inspector, or truant officer, or other person empowered by law to compel the attendance of children at school, is hereby empowered to enter into and inspect at any reasonable time and without notice or request for permission all mercantile establishments coming under the provisions of this act, and to demand of any parent, custodian, or guardian proof of the age of a child satisfactory to the commissioner, and such parent, parents, custodian, or guardians shall within five days after such demand is made furnish to such officer proof of such child's age; and in the event of the failure to procure and furnish such proof of age, such child shall be discharged by his or her employer upon notice in writing, signed by the commissioner, and shall not be employed until such proof of age shall have been furnished to the commissioner.

"7. The openings of all hoistways, hatchways, elevators, and wellholes upon every floor of any place coming under the provisions of this act shall be protected by good and sufficient trapdoors or self-closing hatches and safety catches, or strong guard rails at least 3 feet high, and shall be kept closed and protected at all times, except when in actual use by the occupant of the building having the use and control of the same.

"8. The owner, agent, or lessee of a place coming under the provisions of this act, or employer, shall provide in each mercantile establishment proper and sufficient means of ventilation; in case of failure the commissioner shall order such ventilation to be provided; such owner, agent, lessee, or employer shall provide such ventilation within 20 days after the service upon him of such order in writing, and in case of failure shall be liable to a fine of \$10 for each day after the expiration of the time given by such order to make the change.

"9. Every mercantile establishment shall contain sufficient, suitable, convenient, and separate water-closets for each sex, which shall be properly screened, ventilated, and kept clean; and also, if ordered by the commissioner of labor, a suitable and convenient washroom; the water-closets used by women shall have separate approaches; if women or girls are employed, a dressing room shall be provided for them when ordered by the commissioner.

"10. An abstract of this law shall be prepared and furnished upon request by the commissioner to every corporation, firm, or person in this State who is affected thereby, and every such corporation, firm, or person to whom a copy of such abstract is sent or delivered shall post such abstract of this law and keep it posted in plain view, in such place that it can be easily read by the employees or operatives in coming in or going out from said mercantile establishment.

"11. No person shall interfere with, delay, obstruct, or hinder, by force or otherwise, the commissioner, the assistant commissioner, inspectors, or truant officers while in the performance of their duties, or refuse to answer, in writing or otherwise, questions asked by such officers relating to the matters coming under the provisions of this act; no person shall impersonate an officer of the department or forge his certificate of authority.

"12. For the purpose of carrying into effect the provisions of sections 7, 9, 10, and 11 of this act the commissioner shall be and he is hereby authorized to make such orders in writing for the protection and safety of employees and operatives and the enforcement of this act, in places coming under the provisions of this act, as in his judgment shall seem necessary to carry into effect the provisions of such sections; such order shall be in writing, signed by the commissioner, and shall specify what shall be necessary to be done and within what time; any corporation, firm, or person violating any of the provisions of sections 7, 9, 10, and 11 shall, for each offense, be liable to a penalty of \$50.

"13. All proceedings brought under the provisions of this act shall be by action of debt, in the name of the commissioner, to be instituted in any district court of a city, recorder's court of cities, or before any justice of the peace having due jurisdiction, and the first process shall be by summons returnable in not less than 5 nor more than 10 days, which process shall be served on the owner or owners, person or persons, or any of them, owning the place or operating the business wherein the alleged violation of law has taken place; if such owner or owners, person or persons, reside in the county where the offense was committed, or if the owner or owners, person or persons, as aforesaid, do not so reside in the county where the offense was committed, then said process shall be served on the superintendent, foreman, or person in charge of the business or place; service upon a corporation shall be made upon the president, vice president, secretary, or any director, and if none of them reside in the county where the offense was committed, then service may be made upon the superintendent, foreman, or person in charge of the business or place; in case the owner or owners of a building reside without the limits of the county, then service of the process may be made upon the agent in charge of said building, but if there be no such agent, then service of the process may be made by affixing a copy thereof to the main outer door of such building at least 10 days before the return day thereof; all proceedings thereafter shall be the same as in an action of debt in said court; the finding of the court shall be that the defendant has or has not, as the case may be, incurred the penalty claimed in the demand of the plaintiff, and judgment shall be given accordingly; in case an execution shall issue and be returned unsatisfied, the court, on application, after notice to the defendant, may award an execution to take the body of the defendant, if an individual, and in case such a defendant is committed under such an execution he shall not be discharged under the insolvent laws of the State, but shall only be discharged by the court making the order for the body execution, one or more of the justices of the supreme court, when such court or justice shall be satisfied that further confinement will not result in the payment of the judgment and costs; all moneys collected under the provisions of this act shall be paid into the treasury of the State of New Jersey.

"14. Nothing herein contained shall be construed to repeal in whole or in part the act entitled 'An act regulating the age, employment, safety, health, and work hours of persons, employees, and operatives in factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on and to the establishment of a department for the enforcement thereof,' approved March 24, 1904, or the amendment thereof and supplements thereto, but the provisions of this act shall be held to be in addition thereto.

"15. 'Mercantile establishments' as used in this act shall be construed to apply to any employment of labor other than a factory, workshop, mill, or other place where the manufacture of goods of any kind is carried on.

"This act shall take effect immediately." Ch. 136, Apr. 7, 1911.

New York: Amending the education law.

Section 630 more specifically designates the officers by whom employment certificates are to be issued. Ch. 140, Apr. 22, 1910.

New York: Amending the labor law relative to hours of labor of messengers.

In cities of the first or second class no person under the age of 21 years shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution, transmission, or delivery of goods or messages before 5 o'clock in the morning or after 10 o'clock in the evening of any day. Ch. 342, May 21, 1910. (Oct. 1, 1910.)

New York: Amending the labor law relative to hours of labor of minors.

No child under 16 shall be employed in any bowling alley, in the distribution of articles, or in the distribution or sale of articles or as messenger, usher, or checker in places of amusement more than 64 hours in any one week or more than 9 hours in any one day, or between 7 p. m. and 8 a. m.

Ch. 387, June 6, 1910. (Oct. 1, 1910.)

New York: Amending the labor law relative to employment of women and children.

No child under 16 shall be employed in operating or assisting in operating any of the following machines: • • • drill presses; metal or paper cutting machines; corner staying machines in paper-box factories.

Ch. 107, Apr. 19, 1910. (Oct. 1, 1910.)

New York: In every case before an employment certificate is issued the physical fitness of the child applying for same shall be determined by a medical officer of the department or board of health. Report shall be made of the same monthly to the commissioner of labor.

Ch. 333, Apr. 15, 1912.

New York: Regulating the hours of labor in factories.

Male under 18, maximum 54 (was 60) hours per week; 9 (was 10) hours per day. Not between 12 midnight and 4 a. m.; not more than six days per week.

Female under 21, not before 6 a. m. or after 9 p. m. Not more than six days, 54 hours (was 60) per week, or 9 hours (was 10) per day.

Hours per day for males 16 to 18 and females over 16 may be rearranged to provide for a half holiday, etc., but maximum hours per week must be observed.

Canning industry excepted, June 15 to October 15 (i. e., for minors 16 and over).

Ch. 538, Apr. 19, 1912.

North Dakota: See A (a).

Ohio: Fixing a fine of \$25 to \$50 for employing a boy under 18 years of age as messenger before 6 a. m. or after 9 p. m. in connection with any telephone, telegraph, or messenger office or company.

Laws 1910, p. 240, S. B. No. 179, May 17, 1910.

Pennsylvania (1910): Under the Act of Apr. 29, 1909, P. L. 283, relating to the employment of child labor, superintendent of the Philadelphia public schools is required to issue certificates to all minors residing in the city whether they belong to the public school or not.

Minors residing out of the State, who seek employment in Philadelphia, should, if qualified, be furnished with employment certificates by the superintendent of schools of Philadelphia.—Request of Supt. of Pub. Inst. Schaeffer for Opinion. Hargest, Asst. Atty. Gen., Jan. 31, 1910, Opinion, 37 Pa., 155.

Rhode Island: An act in amendment of chapter 78 of the General Laws, entitled "Of Factory Inspection," etc.

Omits former provision that restriction as to hours of work (8 p. m. to 6 a. m.) for children under 16 shall not apply to mercantile establishments on Saturdays or on the four days immediately preceding Christmas. Adds a new clause in the "Age and employment certificate" to the effect that the child named is able to read at sight and write legibly simple sentences in the English language. Omits requirement of oath to certificate of parent or guardian. Provides that in case of doubt any factory inspector shall investigate the truth of statements in any certificate and shall order the said certificate canceled if he finds that it should not have been issued. Whenever any factory inspector has reason to doubt that any child employed in any factory, etc., has reached the age of 16, he shall demand that such child's employer produce within 10 days a certificate of age from the authority legally designated to issue age and employment certificates, or cease to employ such child. Failure on the part of the employer to do either is declared a misdemeanor, punishable, etc.

Ch. 533, Apr. 7, 1910. (Sept. 1, 1910.)

Rhode Island: An act in amendment of chapter 78 of the General Laws, entitled "Of Factory Inspection," etc.

Provides two additional inspectors [total five]; increases appropriation for their expenses; provides for inspection of bakeries, confectioneries, and ice cream manufactories, etc.

Ch. 570, Apr. 29, 1910.

Rhode Island: Forbidding the employment of persons under 21 years of age as messenger between 10 p. m. and 5 a. m.

Ch. 814, Apr. 20, 1912.

Jan. 1, 1911.

South Carolina: Amending Act No. 18, 1903, relating to the employment of children.

Provides that no child under the age of 16 (formerly 12) shall be employed between the hours of 8 p. m. and 6 a. m., except to make up lost time in legal employment. Strikes out section 3 of the act of 1903, permitting the employment of children of widowed mothers or disabled fathers. Strikes out section 6 of the act of 1903 providing that children who can read and write and who have attended school four months during the year may be employed. Amends provision as to certificate of parent.

Act. No. 18, Feb. 16, 1911. (Jan. 1, 1912.)

South Carolina: Regulating the employment of children.

In cities having a population of 5,000 or over no child under 14 years of age shall be employed as messenger and no minor under 18 shall be so employed between 10 p. m. and 6 a. m. Enforced by the commissioner of agriculture, commerce, and industries. No. 405, Feb. 20, 1912.

Tennessee: Regulating the employment of minor children.

SECTION 1. It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work any child less than 14 years of age in, about, or in connection with any mill, factory, workshop, laundry, telegraph or telephone office, or in the distribution or transmission of merchandise or messages.

SEC. 2. It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work any child under 14 years of age in any business or service whatever which interferes with the child's attendance at school, except in agricultural or domestic service, during any part of the term the public schools of the district in which the child resides are in session.

SEC. 3. No child under the age of 16 years shall be employed, permitted, or suffered to work in any of the following occupations or in any of the following positions: Repairing machine belts, while in motion, in any workshop or factory, or assisting therein in any capacity whatever; adjusting any belt to any machinery; oiling or cleaning machinery or assisting therein; operating or assisting in operating circular or band saws, wood shapers, wood jointers, planers, sandpaper or wood polishing machinery, picker machines, machines used in picking wool, machines used in picking cotton, machines used in picking hair, machines used in picking any upholstering material; paper-feeding machines, leather-burnishing machines in any tannery or leather manufactory, job or cylinder printing presses operated by power other than foot power, emery or polishing wheels used for polishing metal, wood turning or boring machinery, stamping machines used in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, corrugating rolls such as are used in roofing and washboard factories; steam boilers, steam machinery, or other steam-generating apparatus; dough brakes or cracker machinery of any description; wire or iron straightening machinery; rolling mill machinery, punches, or shears; washing, grinding, or mixing mills; embender rolls in rubber manufacturing; laundering machinery; dipping, drying, or packing matches; or in mines or quarries.

SEC. 4. It shall be unlawful for any proprietor, foreman, owner, or other person to employ any child under 18 years of age as a messenger for a telegraph or messenger company in the distribution, transmission, or delivery of goods or messages before 5 o'clock in the morning or after 10 o'clock in the evening of any day.

SEC. 5. It shall be unlawful for any proprietor, foreman, owner, or other person to employ, permit, or suffer to work any child between the ages of 14 and 16 years in, about, or in connection with any place or establishment named in section 1, unless said proprietor, foreman, owner, or other person keep on file and accessible to the shop and factory inspector a sworn statement made by the parent or guardian or any person acting as guardian of such child, setting forth the place and date of birth of such child, and whoever shall make false statement as to the age of such child in such sworn statement shall be deemed guilty of perjury.

SEC. 6. Whoever employs any child and whoever having under his control as parent, guardian, or otherwise any child, permits or suffers such child to be employed or to work in violation of any of the provisions of this act shall be

deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 nor more than \$250, in the discretion of the court.

Ch. 57, July 4, 1911.

Virginia: Amending act regulating hours of labor in manufacturing establishments where females and children under 14 are employed so as to embrace workshops and mercantile establishments.

Limits such employment to 10 hours a day of 24 hours.

Does not apply to—

1. Bookkeepers, stenographers, cashiers, and office assistants.
2. Packers of fruits and vegetables between July 1 and November 1.
3. Mercantile establishments in towns of less than 2,000 or in country districts.
4. Mercantile establishments on Saturday.

Ch. 248, Mar. 14, 1912.

West Virginia: Amending and reenacting sections 455, 456, 457, and 458 of the Code of West Virginia of 1906, relating to the employment of minors.

No child under 14 years of age may be employed in any factory, mill, workshop, or manufacturing establishment. No such child may be employed in any occupation while the schools are in session without the permission of the State commissioner of labor or the county superintendent.

No child under 16 years of age may be employed in a factory, mill or workshop unless the employer keeps on file and accessible an employment certificate for such child, issued by the superintendent of schools. Fine for violation, not less than \$10, nor more than \$50 for each offense. Fines paid into school-building fund of district wherein offense is committed.

Ch. 60, Feb. 27, 1911.

Wisconsin: Amending subsection 1 of section 1728c-1 of the Statutes, relating to the labor of minors 14 to 16 years of age.

Ch. 660, July 14, 1911.

Wisconsin: Amending subsections 1, 2, 3, and 4 of section 1728a, sections 1728a-1, 1728a-2, 1728b, 1728c, 1728d, 1728e, 1728f, 1728g, 1728h, and 1728i; repealing subdivisions 5 and 6 of sections 1728a and creating sections 1728a-3, 1728a-4, 1728a-5, and 1728a-6 of the Statutes relating to child labor.

Amends the old law in numerous minor particulars.

Ch. 479, June 28, 1911.

Wisconsin: "To create sections 1021b-1 to 1021b-31, inclusive, of the Statutes creating an industrial commission, transferring to such commission the powers and duties of the commissioner of labor and the bureau of labor and industrial statistics, and superseding the industrial accident board created by chapter 50 of the laws of 1911 and granting such commission certain other powers and providing for safe and hygienic conditions and making an appropriation therefor; and repealing subsection 18 of section 170 and sections 926-161, 926-162, 926-163, 926-164, 926-165, 926-166, 926-168, 926-170, 926-171, 1021e, 1021f, 1021i, 1021j, 1021k, 1021l, 1729b, 1729c, 1729d, 1729e, 1729f, 1729g, 1729h, 1729i, 1729j and 1021c of the Statutes.

"Section 1021b-11. The industrial commission is vested with the power and jurisdiction to have such supervision of every employment and place of employment in this State as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment and place of employment to be safe and requiring the protection of the life, health, safety, and welfare of every employee in such employment or place of employment and every frequenter of such place of employment.

"Sec. 1021b-12. It shall be the duty of the industrial commission, and it shall have power, jurisdiction, and authority:

"(1)

"(2) To administer and enforce the laws relating to child labor, laundries, stores, employment of females, licensed occupations, school attendance, bakeries, employment offices, intelligence offices and bureaus, manufacture of cigars, sweatshops, corn shredders, wood-sawing machines, fire escapes and means of egress from buildings, scaffolds, hoists, ladders, and other matters

relating to the erection, repair, alteration, or painting of buildings and structures, and all other laws protecting the life, health, safety, and welfare of employees in employments and places of employment and frequenters of places of employment.

- " (3) * * *
- " (4) * * *
- " (5) * * *
- " (6) * * *
- " (7) * * *
- " (8) * * *

" (9) To establish and conduct free employment agencies, to license and supervise the work of private employment offices, to do all in its power to bring together employers seeking employees and working people seeking employment, to make known the opportunities for self employment in this State, to aid in inducing minors to undertake promising skilled employments, to provide industrial or agricultural training for vagrants and other persons unsuited for ordinary employments, and to encourage wage earners to insure themselves against distress from unemployment. It shall investigate the extent and causes of unemployment in the State of Wisconsin and the remedies therefor in this and other countries, and it shall devise and adopt the most efficient means within its power to avoid unemployment, to provide employment, and to prevent distress from involuntary illness.

Ch. 485, June 30, 1911.

Wisconsin: Creating 1728c-1 of the Statutes, concerning the labor of minors 14 to 16 years of age, and providing a penalty.

" SECTION 1728c-1. Whenever an evening school, continuation classes, industrial school, commercial school, shall be established in any town, village, or city in this State for minors between the ages of 14 and 16, every employer shall allow all minor employees over 14 and under 16 years of age a reduction in hours of work of not less than the number of hours the minor may by law be required to attend school.

" 2. The total number of hours spent by such minors at work and in the before-mentioned schools shall together not exceed the total number of hours of work for which minors over 14 and under 16 years of age may by law be employed, except when the minor shall attend school a greater number of hours than is required by law, in which case the total number of hours may be increased by the excess of the hours of school attendance over the minimum prescribed by law.

" 3. Employers shall allow the reduction in hours of work at the time when the classes which the minor is by law required to attend are held whenever the working time and the class time coincide.

" 4. Any violation of this section shall be punished as is provided in the case of a violation of section 1728a of the Statutes."

Ch. 505, June 30, 1911.

Wisconsin: Amending sections 1728p to 1728za, inclusive, of the Statutes, relating to the work of children under 16 years of age in the sale or delivery of newspapers, magazines, or periodicals, in the distribution of handbills and circulars, and in street trades in cities of the first class.

Ch. 439, June 24, 1911.

H. (h) Separation of Races.

Kentucky: An act to amend an act entitled "An act for the government and regulation of the common schools of this State," approved March 24, 1908.

"At the same time and place and by the same election officers who conduct the election for subdistrict trustees, an election shall be held for the purpose of electing a visitor for the colored school or schools of the subdistrict. Such visitor shall be nominated and elected in the same manner as the subdistrict trustees, save that the nominating petition shall be signed by colored voters, and that colored voters alone shall be eligible to vote for such visitor. So far as the colored school or schools of the subdistrict are con-

cerned, the duties of the visitor shall be identical with those of the sub-district trustee, save that such visitor shall not be a member of the division board. Neither approved nor disapproved by the governor.

Ch. 114, ——— 1910.

Oklahoma: See A (c).

Virginia: An act to amend section 49 of the Code of Virginia.

Every person having one-sixteenth [instead of one-fourth] or more of negro blood shall be deemed a colored person, and every person not a colored person having one fourth or more of Indian blood shall be deemed an Indian.

Ch. 357, Mar. 17, 1910.

I. SCHOOL DISCIPLINE.

(a) General.

Georgia (1911): Disturbance of sleight-of-hand performance given at school-house held not a violation of Pen. Code 1910, sec. 424—Harwell v. State, 72 S. E., 936.

Massachusetts: An act relative to the admission of children under 14 years of age to places of amusement.

Limits the operation of the law prohibiting the admission of children under 14 without an adult to places of amusement to the hours after 6 p. m., and when the school the child attends is in session. Ch. 532, May 18, 1910.

Mississippi: An act to prohibit minors from entering and remaining in pool or billiard rooms, and prescribing penalties for violation thereof.

Ch. 136, Apr. 13, 1910.

New York: Prohibiting the admission of any child under 10 to any public pool or billiard room unless accompanied by its parent or guardian.

Ch. 383, June 6, 1910. (Sept. 1, 1910.)

New York: Relating to attendance at theatrical performances and motion-picture exhibitions by children under 16 when not accompanied by parent or guardian.

Permits such attendance if the performance is given for the benefit of a church or school.

Ch. 475, June 11, 1910.

South Carolina: An act to prohibit minors playing pool or billiards.

Also prohibits minors frequenting or loitering in any billiard or pool room. Penalty on owner or keeper of place. Does not apply to social clubs or homes.

Act 404, Feb. 26, 1910.

Virginia: An act making it a misdemeanor for parents or guardians to neglect or refuse to support their children under 14 years of age, or to subject children under 17 years of age to vicious or immoral influence, encourage any child to commit a misdemeanor, or to send a child under 17 to certain places.

Any person within the State of Virginia of sufficient financial ability, earnings, or income who shall refuse or neglect to provide for any child under 14 years of age, of which he or she shall be the parent or guardian, such food, clothing, and shelter as will prevent the suffering and secure the safety of such child, or shall subject a child under 17 years of age to vicious or immoral influences, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to punishment by a fine of not more than \$100, or by imprisonment in jail for a period not to exceed 60 days, or in lieu thereof to hard labor on the public roads for a period not to exceed 60 days, but the court in its discretion, having regard to the earning capacity of the defendant, shall have the power to suspend the execution of such sen-

tence and to make an order, which shall be subject to change by it from time to time as the circumstances may require, directing the defendant to pay a certain sum monthly for the space of one year to the guardian or custodian of such child, or to any society or association approved by the court, and to release the defendant from custody on probation for the space of one year, upon his or her entering into recognizance, with or without sureties, as the court may direct:

The conditions of the above recognizance shall be such that if the defendant shall promptly make such payments, and shall make his or her appearance in court whenever ordered to do so within the year, and shall further comply with the terms of the order, and of any subsequent modification thereof, then the recognizance shall be void, otherwise of full force and effect. If the court be satisfied, by information and due proof, under oath, that at any time during the year the defendant has violated the terms of such an order, it may forthwith proceed to enforce the original sentence. The court may direct the probation officer of such city or town, at any time, to ascertain and report to it if the defendant is obeying such order of the court.

It shall be unlawful for any person to cause or encourage any boy or girl to commit a misdemeanor, or for any person to send or cause to be sent any boy or girl, under 17 years of age, to any house of prostitution, or to any saloon or wine room, or to any policy shop or gambling place, or to any pool room or bucket shop, knowing them to be such, or knowingly permit, contribute to, encourage, or cause any such child to be guilty of any vicious or immoral conduct, and any person so offending shall be guilty of a misdemeanor, and shall be tried in any court of competent jurisdiction, and upon conviction thereof shall be punished by a fine not in excess of \$100, or by imprisonment in jail for a period not exceeding one year, or, in discretion of the court, in lieu thereof, to hard labor on the public roads for a period not to exceed six months.

Ch. 347, Mar. 17, 1910.

I. (b) Corporal Punishment.

*Arkansas (1910): Schoolmaster held authorized to punish a pupil.

A schoolmaster may inflict reasonable corporal punishment upon a pupil for conduct tending to demoralize other pupils and to interfere with the proper management of the school.—*Dodd v. State*, 128 S. W., 834.

Massachusetts: Restricting corporal punishment in the Lyman School for Boys.
Ch. 489, May 27, 1911.

*Missouri (1910): A teacher may discipline pupils by corporal punishment in a reasonable and moderate manner.

The fact that a teacher punished a pupil in a cruel manner held admissible in mitigation of exemplary damages in an action by the teacher for an assault by the parent.—*Cook v. Neely et al.*, 128 S. W., 233.

Utah: See B (d).

I. (c) Suspension and Expulsion.

I. (d) Fire Drills.

Iowa: Creating the office of State fire marshal and deputy fire marshal.

"It shall be the duty of the State fire marshal and his deputies to require teacher of public and private schools, in all buildings of more than one story, to have at least one fire drill each month, and to require all teachers of such schools, whether occupying buildings of one or more stories, to keep all doors and exits of their respective rooms and buildings unlocked during school hours. The State fire marshal shall prepare a bulletin upon the

causes and dangers of fires, arranged in not less than four divisions or chapters, and under the direction of the executive council shall publish and deliver the same to the public schools throughout the State, and the teachers thereof shall be required to instruct their pupils in at least one lesson each quarter of the school year with reference to the causes and dangers of fires. Any teacher failing to comply with the provisions of this section shall be guilty of a misdemeanor and shall be punishable by a fine of not to exceed \$10 for each offense." Ch. 128, Apr. 11, 1911.

Michigan: Creating the office of State fire marshal, etc.

It shall be the duty of the State fire marshal and deputy and assistant fire marshals to require teachers of private and public schools and educational institutions to have one fire drill each month, and to keep all doors and exits unlocked during school hours. No. 79, Apr. 14, 1911.

New York: The State fire marshal shall institute and supervise fire drills in schools, halls, etc. (Does not apply to New York City.)

Ch. 453, Apr. 16, 1912.

Rhode Island: Requiring fire drills once a month in every public and private school having more than 25 pupils.

Ch. 797, Apr. 18, 1912.

Utah: See B-(d).

I. (e) School Fraternities.

* California (1912): "Secret" and "oath-bound," as used in Stat. 1909, p. 332, prohibiting fraternities in public schools, held synonymous.

"Fraternities" within Stat. 1909, p. 332, held to include sororities and clubs.—Bradford v. Bd. of Ed. of City and County of San Francisco, 121 Pac. 929.

Michigan: Abolishing fraternities, sororities, and all other secret societies among the pupils of the public schools. No. 271, May 1, 1911.

J. HEALTH REGULATIONS.

(a) General.

California: Providing for the vaccination of school children.

Requires vaccination certificates of all students and pupils of schools, colleges, universities, and academies, both public and private.

Ch. 134, Mar. 7, 1911.

* California (1910): Act Feb. 20, 1889 (Stat. 1889, ch. 24), providing for the exclusion from common schools of unvaccinated children is within the police power of the legislature and is constitutional.

Act Feb. 20, 1889 (Stat. 1889, ch. 24), providing that the trustees of the several common-school districts are directed to exclude from the common schools any child or person who has not been vaccinated, etc., is mandatory.

Act Feb. 20, 1889 (Stat. 1889, ch. 24), providing for vaccination of school children was not repealed by the compulsory education act (Stat. 1905, ch. 333).—State Bd. of Health v. Bd. of Trustees of Watsonville Sch. Dist. of Santa Cruz County et al., 110 Pac. 137.

Connecticut: Amending section 5 of chapter 207 of the Public Acts of 1907.

Requires parents after due notice from school physician to have diseased or defective children treated.

Ch. 320, June 28, 1911.

Connecticut: Concerning the use of common drinking cups.

"Section 1. The State board of health, to prevent the spread of communicable diseases, may, by suitable rules and regulations adopted by said board,

regulate or prohibit the providing or use of a common drinking cup in such public places, vehicles, or buildings as shall be designated by said rules and regulations. The State board of health shall cause such rules and regulations to be printed in at least one newspaper published in each county and a copy thereof to be sent to each county, town, city, and borough health officer, and thereupon said rules and regulations shall become effective.

"Sec. 2. Any person violating any of the provisions of said rules and regulations shall be fined not more than \$25 for each offense."

Ch. 96, June 13, 1911.

Idaho: Providing that doors in public assembly halls, churches, theaters, schools, etc., shall swing outward.

Ch. 97, Feb. 14, 1911.

Idaho: See A (a).

Illinois: Prohibiting the use of a common drinking cup in public and private schools, State educational institutions, public halls, theaters, hotels, public buildings, factories, railroad trains, etc.

S. B. No. 422, p. 280, June 5, 1911.

Kentucky: Prohibiting the use of public drinking cups in publicly frequented places.

Ch. 60, Mar. 3, 1912.

Maryland: Relating to fire escapes.

It shall be the duty of the board of school commissioners for Allegany County to erect and maintain fire escapes on all public school buildings of two stories and over, each of such buildings to have at least two fire escapes of safe, substantial, and modern construction on opposite sides of such buildings. Failure to comply with this act shall constitute malfeasance in office.

Laws 1910, p. 482, ch. 222, Apr. 7, 1910.

Maryland: Prohibiting the use of common drinking cups in all public places and upon railroad trains and steamboats.

Ch. 156, Apr. 4, 1912.

Massachusetts: An act to restrict the use of common drinking cups.

The board of health is authorized to prohibit in such public places, vehicles, and buildings as it may designate the providing of a common drinking cup, and may establish rules and regulations for the purpose. Violation of such regulation shall be punishable by fine.

Ch. 428, Apr. 22, 1910. (Oct. 1, 1910.)

Massachusetts: The State board of health may prohibit in public places the use of a common towel and may establish rules and regulations.

Ch. 59, Feb. 9, 1912.

New Hampshire: Authorizing the State board of health to prohibit in such public places, vehicles, or buildings as it may designate the providing of a common drinking cup.

Ch. 2, Feb. 2, 1911.

New Jersey: Restricting the use of common drinking cups to prevent the communication of infectious diseases.

"1. The use of the common drinking cup, an undoubted source of communication of infectious diseases, is hereby prohibited in all public places within this Commonwealth, and the State board of health shall have full authority to establish such reasonable rules and regulations to make this prohibition effective as in their judgment seems wise and proper.

"2. Whoever fails to observe the provisions of this act, or the rules and regulations of the State board of health made in relation thereto, shall be deemed guilty of a misdemeanor and be liable to a fine not exceeding \$25 for each offense.

"3. All acts and parts of acts inconsistent herewith, are hereby repealed."

Ch. 471, Apr. 15, 1911.

Ohio: See D (a).

Oregon: Authorizing school boards to prohibit the attendance at school of any pupil affected with vermin or uncleanness.

Ch. 82, Feb. 17, 1911.

* Pennsylvania (1910): Act April 11, 1899 (P. L. 38), authorizing school directors of townships in preventing spread of contagious diseases determined.—Sch. Dist. of Nether Providence Twp. v. Montgomery, 76 At., 75.

South Carolina: The executive committee of the State board of health may make and enforce rules and regulations for the sanitation of . . . schools. Failure to comply with rules shall be a misdemeanor. No. 419, Feb. 12, 1912.

J. (b) Physical Examination and Medical Inspection.

See also T.

Colorado: Appropriating to carry out and enforce the provisions of an act entitled "An act providing for the examination and care of children in the public schools and making an appropriation in connection therewith," approved March 22, 1909. Ch. 59, June 1, 1911.

Indiana: To protect and conserve the health and lives of school children and promote their efficiency by providing for their medical inspection and subsequent necessary treatment.

SECTION 1. All school trustees and township trustees are herewith permitted and recommended to institute medical inspection of school children at any time. The said trustees may require teachers to annually test the sight and hearing of all school children under their charge. The said tests and uses thereof to be made according to the rules hereinafter authorized.

SEC. 2. The term "medical inspection" as used in this act shall be held to mean the testing of the sight and hearing of school children and the inspection of said children by school physicians for disease, disabilities, decayed teeth, or other defects which may reduce efficiency or tend to prevent their receiving the full benefits of school work.

SEC. 3. Beginning with the school year 1911, school trustees and township trustees may appoint at least one school physician for each school corporation; *Provided*, That where practicable two or more school corporations may unite and employ one such physician, whose duties shall be such as are prescribed in this act and the authorized rules, but no physician shall have more than 2,000 school children under his charge. Said school physicians shall be graduates of a medical college, recognized by the State board of registration and examination, shall hold a license to practice medicine in Indiana, and shall be informed and skilled in medical inspection of children, informed in the health laws and the health rules of the State board of health, shall be temperate, able-bodied, cleanly in person, not addicted to drugs, and of good moral character, and no others shall be appointed. School physicians may be discharged by the appointing power at any time. School physicians shall serve one year and until their successors are appointed and shall receive such compensation as the appointing trustee or trustees may determine.

SEC. 4. School physicians shall make prompt examination and diagnosis of all children referred to them and such further examination of teachers, janitors, and school buildings as in their opinion the protection of the health of the pupils and teachers may require. Whenever a school child is found to be ill or suffering from any physical defect, the school physician shall promptly send it home, with a note to parents or guardians, briefly setting forth the discovered facts, and advising that the family physician be consulted. If the parents or guardians are so poor as to be unable to give the relief that is necessary, then school trustees and township trustees, as the case may be, shall provide the necessary relief; *Provided*, That in cities where public dispensaries exist, the relief shall be given by said dispensaries. School physicians shall keep accurate card-index records of all examinations, and said records, that they may be uniform throughout the State, shall be according to the form prescribed by the rules authorized in this act, and the method and manner of reports to be made shall be according to said rules; *Provided, however*, That if the parent or guardian of any school child shall at the beginning of the school year furnish the written certificate of any reputable physician that the child has been examined and parents notified

of the results of such examination, in such cases the services of the medical inspector herein provided shall be dispensed with, and such certificate shall be furnished by such parent or guardian from time to time, as required by the trustee or board of trustees having charge of such schools.

SEC. 5. The State board of education and the State board of health shall jointly pass rules for the detail enforcement of the purposes of this act, which rules shall bear the printed seals of said boards; the said rules to be printed and promulgated by the State printing board; promulgation to consist in supplying a reasonable number of copies to each county superintendent from whom all who are interested may procure a copy.

SEC. 6. All violations of this act, except as otherwise provided, shall be punished by a fine of not less than \$10 or more than \$50.

Ch. 200, Mar. 6, 1911.

• **Minnesota (1910):** A school board may employ a suitable person to ascertain the physical condition of pupils in attendance on public schools of the district.—State ex rel. Stoltenberg v. Brown, City Comptroller, 128 N. W., 294.

New Jersey: Amending chapter 177 of the Acts of 1910 entitled "An act to authorize cities of this State to make annual appropriations to incorporate dental associations of this State conducting and maintaining dental clinics in such cities for the free treatment of indigent persons."

Increases from \$1,000 to \$5,000 the amount permitted to be appropriated by every city, and restricts benefits to residents of city making appropriation.

Ch. 79, Mar. 30, 1911.

New York: Relating to the powers and duties of boards of education.

The board of education of every union free-school district shall have power and it shall be their duty to provide for the medical inspection of all children in attendance upon schools under their supervision whenever in their judgment such inspection shall be necessary and to pay any expense incurred therefor out of funds authorized by the voters of the district or city or which may properly be set aside for such purpose by the common council or the board of estimate and apportionment of a city.

Ch. 602, June 23, 1910.

North Carolina: Amending the health laws of North Carolina.

"If a county superintendent of health shall be employed to devote his entire time to the county public-health work, he shall perform, in addition to the aforesaid duties, the duties of quarantine officer, and the following additional duties: He shall make a sanitary examination during the summer months of every public school building and grounds in the county, and no school committee or teacher shall make use of any school building or grounds until the county superintendent of health shall certify in writing that said building and grounds have been inspected and found to be in a satisfactory sanitary condition within four months of the date of the certificate. He shall examine every school child that has previously been examined by the teacher according to methods furnished said teacher by the county superintendent of schools, and reported to said county superintendent of schools as probably defective in the condition of its eyes, ears, nose, or throat, and he shall further endeavor to have examined the feces of every child whom he suspects of having hookworm disease. He shall notify on blank forms and in accordance with instructions furnished by the State department of public instruction, every parent or guardian of a child having any defect of the aforesaid organs, or hookworm disease, and he shall suggest to said parent or guardian the proper course of treatment, and urge that such treatment be procured. He shall cooperate fully with the county board of education, the county superintendent of schools, and the teachers in the public schools, to the end that children may be better informed in regard to the importance of health and the methods of preventing disease. He shall, through the county press, public addresses, and in every available way, endeavor to educate the people of his county to set a higher value on health, and to adopt such public and private measures as will tend to a greater conservation of life."

Ch. 62, Mar. 7, 1911.

North Dakota: See A. (a).

Pennsylvania: See A. (c).

Rhode Island: An act to promote the health of school children.

There shall be an annual appropriation for medical inspection of schools in the several towns and cities of this State, and said appropriation shall be annually apportioned by the State board of education among towns and cities conforming to the provisions of this act. Any town or city providing medical inspection, approved by the State board of education, shall be entitled to receive annually from the State appropriation an amount equal to one-half its annual expenditure for such purpose, said amount not to exceed \$250. The school committee of any town or city may employ one or more school physicians, each of whom shall at least once each year make examination of the pupils, teachers, and janitors of the schools, public and private, assigned to his care, and of the buildings and surroundings thereof, and shall make report of such examination to the superintendent of schools in said town or city for such action as may be necessary.

Every superintendent of schools shall cause an examination of the sight and hearing of all children of the schools under his supervision, to be made at least once a year by teachers or school physicians, and shall make provision for preserving the record of the examination of such children and for notifying the parents of defects. The commissioner of public schools shall furnish to superintendents suitable test cards and appliances approved by the State board of health, and such blanks, record books, and rules of instruction as he may deem necessary.

The State board of education from time to time shall approve proper standards of lighting, heating, ventilating, seating, and other sanitary arrangements of school buildings, and proper regulations concerning the same as it may deem necessary for the safety and health of persons who may attend school, and shall communicate the same to the school committee of each city and town and to any committee of any body having charge of the erection, alterations, equipment, or furnishing of any school building.

Ch. 725, May 18, 1911.

Utah: Relating to physical examination of school children.

Every teacher in the public schools shall test and examine every child under his jurisdiction to ascertain if such child is suffering from defective sight or hearing, or diseased teeth, or breathes through his mouth. Defects shall be reported in writing to parents. State board of health shall prescribe rules and furnish appliances and instructions. Such tests shall be made at opening of school term and upon each new pupil upon entrance. School boards may employ physicians to make tests instead of teachers.

Ch. 140, Mar. 20, 1911.

Vermont: Providing for medical inspection of public and private schools.

SECTION 1. The school directors of any town or city, or the school committee of any incorporated district, may appoint one or more medical inspectors for their schools, provided the legal voters of such town, city, or incorporated district at their annual school meeting by vote instruct said directors or committee so to do. The compensation of such inspectors shall be fixed by the school directors or prudential committee.

SEC. 2. Such medical inspectors shall examine the pupils of said schools, and in all things comply with such rules and regulations as may be promulgated by the State board of health relating thereto.

SEC. 3. Said inspectors shall, under the same regulations, examine the pupils of any private school when requested so to do by the principal thereof, or whenever any communicable disease is present in any town or city in which such private school may be located, or when the pupils thereof may have been exposed to any communicable disease.

Np. 73, Nov. 11, 1910. (Sept. 1, 1911.)

West Virginia: Establishing medical inspection in the public schools.

SECTION 1. That the board of education of each independent school district in this State shall, and other boards of education may, within 90 days from the passage hereof, and thereafter on the 1st day of January of each year, appoint one or more legally qualified practicing physicians in said school district to be known as medical inspectors of schools, fix their salaries and define their duties hereinafter provided, and furnish the necessary stationery and printing for records and reports.

Sec. 2. It shall be the duty of the medical inspector of schools to separately and carefully test each pupil in his school once during each school year to ascertain if the pupil is suffering from any defect or disability that would prevent the pupil receiving the full benefit of the school work, or if some modification of the school work should be made that the pupil might receive the best educational results.

Sec. 3. The medical inspector shall also, at the request of the superintendent of schools, carefully examine any pupil for evidence of infectious or contagious disease or any other condition which might prove harmful to other pupils. Whenever any pupil shows symptoms of smallpox, chickenpox, measles, scarlet fever, tuberculosis, diphtheria, influenza, whooping cough, tonsillitis, mumps, scabies, syphilis and other venereal diseases, trachoma, or any other contagious disease, the pupil must be sent home and the boards of health and education notified in writing by the medical inspector of schools. Any pupil with any of the said diseases shall not attend school.

Sec. 4. The medical inspector of schools also shall carefully examine each pupil who has been absent from school for five consecutive days for contagious or infectious disease, unless the pupil shall present to the superintendent of the school a written or printed statement, in the form hereinafter given, showing that the pupil and the house from which the pupil comes is free from infectious or contagious disease, signed by the attending physician and indorsed by the medical inspector of schools.

Sec. 5. The medical inspector of schools shall also, when requested by the board of education, conduct investigations, furnish information and advice, and assist to formulate rules of procedure on matters pertaining to the lighting, heating, ventilating, and sanitation of the school building; the hours of study; recesses; exercises; and any other matter pertaining to the health, vitality, and development of the pupils. And, if deemed necessary, the board of education may employ a teacher, nurse to investigate the sanitary conditions of the pupil and home.

Sec. 6. Prescribes method of keeping record by medical inspector.

Ch. 31, Feb. 23, 1911.

Wisconsin: Creating sections 1408a to 1408d, inclusive, of the Statutes, relating to the prevention and control of dangerous communicable diseases.

Requires local health officers to notify principals or teachers of the appearance of dangerous communicable diseases. Requires principals having knowledge or suspicion of such disease to report the case to the health officer. Prohibits parents from sending to school infected children. All schoolhouses in which there has been an outbreak of such disease shall be cleaned and disinfected before reopening.

Ch. 44, Apr. 29, 1911.

K. TEXTBOOKS AND SUPPLIES.

(A) General.

- Illinois (1911): The legislature has the power to compel publishers to license their books as a condition precedent to their sale for use in the public schools.—*Polzin v. Rand, McNally & Co. et al.*, 95 N. E., 625.
- Illinois (1911): Laws 1909, p. 419, sec. 6, held to require advertisements for bids of school books to be published in newspapers of general circulation in each district or city, and hence invalid as impossible of performance.—*Polzin v. Rand, McNally & Co. et al.*, 95 N. E., 623.
- Illinois (1911): Laws 1909, p. 416, providing for the licensing of school textbooks, held not to be in conflict with Const. art. 8, sec. 1, requiring the legislature to provide a public-school system.—*Polzin v. Rand, McNally & Co. et al.*, 95 N. E., 623.

Kansas: Providing for the adoption of a uniform system of blank books and records in the counties, townships, and school districts of the State.

The State accountant, State printer, and attorney general shall constitute a commission. After July 1, 1912, it shall be unlawful for any county, township, or school district, or the purchasing agent thereof, to purchase any blank book or record of any form other than that adopted by said commission.

Ch. 303, Mar. 13, 1911.

Minnesota: Relating to textbooks.

Requires publishers to file with the State superintendent a sworn statement of prices, based on five-year adoption, with guaranty that books will be sold as cheaply in Minnesota as elsewhere.

Ch. 43, Mar. 24, 1911.

Mississippi: See *U (a)*.

Nevada: See *A (a)*.

North Dakota: Prohibiting county officials and school officers and teachers from receiving commissions on the purchase of school books, furniture, or supplies.

Ch. 293, Mar. 3, 1911.

North Dakota: Providing for the distribution of "Blue books" among the district schools of the State.

Ch. 60, Mar. 3, 1911.

North Dakota: See *A (a)*.

Pennsylvania: See *A (a)*.

Virginia: Requiring State board of education to ascertain and report amount paid by patrons of public schools for adopted textbooks.

Shall be included in teachers' term reports. Ch. 258, Mar. 14, 1912.

K. (b) Free Textbooks.

Arizona: To provide free textbooks for children attending the free schools.

Appropriates from school fund sufficient moneys for same. Each county superintendent shall, on or before July 1 of each year, make requisition on the chairman of the State board of education for a complete list of all textbooks necessary for the schools of his county.

The State board of education shall furnish the books requested and draw on the school fund for payment.

The State board of education shall advertise for bids and make contracts with publishers for necessary textbooks.

The county superintendent shall furnish books to district trustees and the latter shall supply the pupils.

Not more than one textbook shall be changed in any one year for any grade and any textbook adopted shall be continued in use at least five years.

All books shall remain the property of the State. If a book is lost or destroyed it shall be replaced at the expense of the pupil.

When a pupil completes the course covering the subjects for which a textbook has been used said book shall become the property of the pupil.

Pupils or parents may purchase the necessary books at cost price.

Ch. 72, May 18, 1912.

Florida: Providing for furnishing textbooks free to indigent children under 15 years of age.

Ch. 6163 (No. 44), June 3, 1911.

K. (c) Uniformity of Textbooks

Arizona: Textbooks.

In adopting textbooks State board of education shall be governed by the following rules:

1. Not more than one textbook shall be changed in one grade in one year. Adoptions effective five years.
2. Changes in May or June, effective at beginning of next term.
3. Three days' notice of change, and invites proposals or bids.

4. Public opening of bids.
5. Sealed bids, with samples and prices.
6. If no satisfactory bids are received, books in use shall continue.
7. Written contract with bond. Trustees shall use books adopted. Penalty, \$100 or removal, or both. No school officer or teacher shall act as textbook agent.

Ch. 77 (Ch. XVII), May 20, 1912.

Florida: Creating a State textbook commission and providing for a uniform series of textbooks.

Commission composed of board of commissioners of State institutions; textbooks adopted for entire State for a period of five years; subcommission of nine members appointed by governor to act in advisory capacity; commission required to advertise for bids; contracts required with successful bidder and bond of bidder provided for; agencies in each county for distribution of books.

Ch. 6178 (No. 59), May 23, 1911.

Idaho: See A (a).

* Indiana (1911): Where the board of schoolbook commissioners selected certain writing books, and contracted with relators to furnish the same to the schools, under act March 2, 1889 (Laws 1889, ch. 50), supplemental act 1891 (Laws 1891, ch. 80), sec. 11, Burns's Ann. Stat., 1908, sec. 6348, the trustees of city schools were under an absolute duty enforceable by mandamus, to require the use of such books.

A State board of schoolbook commissioners having adopted certain copy books, a complaint and alternative writ of mandamus to compel city school trustees to use the books was not required to negative conditions and restrictions on the board, imposed by amendatory act March 8, 1909 (Laws 1909, ch. 156), sec. 2.

A complaint and alternative writ of mandamus to compel city school trustees to order and use certain copy books held to allege a sufficient compliance with the relator's contract with the State therefor.

An alternative writ of mandamus against school trustees to compel them to order and use relator's copy books and writing supplies held not objectionable for failure to allege a demand.—Bd. of Trustees of Lafayette City Sch. v. State ex rel. Eaton et al., 93 N. E., 851.

Kentucky: An act creating a county textbook commission to adopt for the use of the common schools in each county a uniform series of textbooks, regulating the prices thereof, defining the powers and duties of such commission, etc.

SECTION 1. There is hereby created for each county in the State a county textbook commission, which shall consist of the county superintendent of schools, two members of the county board of examiners, the principal of a high school in the county, to be appointed by the State board of education, and one member of the county board of education selected by said county board; no person eligible who is the author of a school textbook or who has been employed by a textbook publisher within two years.

SEC. 2. Vacancies; how filled.

SEC. 3. Each member shall qualify by taking oath faithfully to discharge his duties.

SEC. 4. Organization; county superintendent ex officio chairman; secretary elected by commission from its membership.

SEC. 5. Advertisements for proposals in county papers or by written notification to qualified publishers, for sealed bids for furnishing books to the common schools of the county.

SEC. 6. Such bids shall be for five years, and shall state specifically the net prices at which books are to be furnished to agents in the county, and the exchange price to pupils; specimen copies; opening the bids; preservation of papers and specimens; return to publishers.

SEC. 7. Bids may be rejected; failure to select, and readvertisement.

SEC. 8. The commission in each county during the month of June or July of the year in which existing contracts expire shall adopt from the authorized State list a uniform series of textbooks for use in the common schools of the county, excepting incorporated cities, and shall arrange for the distribution of such books to agents at the net contract price.

SEC. 9. The commission shall consider the subject matter, mechanical qualities, general similarity, and price of the books in making their selections.

Sec. 10. The uniform series of textbooks selected shall include all branches required by law, but no textbook shall contain anything of a partisan or sectarian character.

Sec. 11. County high schools and other high schools not in incorporated cities are subject to the provisions of this act.

Sec. 12. After the adoption is made, the contract shall be awarded, and notifications sent to the successful bidders and to the State superintendent. All contracts shall stipulate that the prices paid shall not exceed the prices paid for the same book under like conditions in any other State, county, township, or school district in the United States.

Sec. 13. The State superintendent shall prepare and furnish the form of contract to be used, the said form to be approved by the attorney general.

Sec. 14. It shall be stipulated in each contract that the State of Kentucky shall not be liable to any contractor in any manner.

Sec. 15. The county commission shall appoint at least two agents to sell the books adopted to patrons and pupils at a price not exceeding 15 per cent over the net contract price, the said 15 per cent to include transportation charges. Such agents shall exchange new books for those displaced at the exchange price during the first year of the life of each contract.

Sec. 16. When a patron or pupil removes from the county the agent shall purchase of him good, serviceable books at the exchange price.

Sec. 17. Such second hand books may be purchased by the county judge for use by indigent pupils, but no such second hand books shall be sold at a price greater than 10 per cent above their cost to the agent.

Sec. 18. Penalty for violation by any agent or dealer of these provisions, fine of not less than \$50 nor more than \$100.

Sec. 19. The State board of education shall by the 1st of September each year print a complete list of all books adopted under this act, showing maximum retail prices and exchange prices and shall distribute such lists to county superintendents, who shall distribute them to dealers' agents and teachers to be posted in salesrooms and schoolhouses.

Sec. 20. The books adopted by the commission shall be used in that county to the exclusion of all others for a period of five years; supplementary books may be used, but not to the exclusion of the adopted books.

Sec. 21. Before the publisher of any textbook shall offer the same for sale to any county textbook commission he shall file a copy of the textbook with the State superintendent with a sworn statement of the lowest net price at which said book is sold by contract anywhere in the United States. He shall also agree to furnish said book to designated agents at the prices filed, and to further reduce the price if reductions are made elsewhere, and that the books sold in Kentucky shall be equal in quality to the specimens deposited with the State superintendent.

Sec. 22. Relates to proceedings to recover damages for violation of said agreement.

Sec. 23. Filing fee of \$5 shall be paid by publisher for each book or series deposited. Moneys so received shall be used for printing and other incidental purposes connected with operation of this act.

Sec. 24. Each publisher who files such samples and lists shall also file a sworn statement that he has no combination or agreement with any other publisher for the purpose of controlling prices or restricting competition.

Sec. 25. Forfeiture of bond and revocation of authority to sell books in the State to be the penalty for entering into such combination.

Sec. 26. Forbids publishers and their agents to contribute to any political campaign fund, and provides a penalty.

Sec. 27. Forbids members of county textbook commissions to solicit or accept gifts from publishers and provides a penalty.

Sec. 28. A bond of from two to ten thousand dollars shall be filed by each publisher to insure compliance with the provisions of this act.

Sec. 29. Provides a penalty for offering books for adoption without previously qualifying.

Sec. 30. The board of education of any incorporated city shall constitute the textbook commission for that city.

Sec. 31. The provisions of this law shall also apply to corporations, firms, or individuals concerned in the selection, adoption, sale, or use of common-school textbooks in cities of the first four classes.

Sec. 32. Repeals conflicting laws; provides for the completion of contracts now in force.

Ch. 13, Mar. 15, 1910.

Louisiana: An act to require the governor, by and with the consent of the senate, to appoint a State textbook committee, etc.

SECTION 1. The governor, by and with the consent of the senate, shall appoint seven educators of known character and ability, each of whom shall hold parish superintendent's eligibility certificate, a first-grade teacher's certificate, or the equivalent, one to be selected from each of the seven congressional districts, who, together with the State superintendent of public education, shall constitute the State textbook committee.

SEC. 2. The State superintendent of public education shall be ex officio chairman and shall serve without compensation. The other members shall receive \$5 per diem and their traveling expenses when away from their homes on the business of the committee, provided that they shall not be paid for more than 20 days' service in any adoption. Their term of office shall be six years.

SEC. 3. The said committee shall examine the merits of new public-school books as they come from the press and determine in every way whether the books that are in use in the public schools of the State are giving satisfaction.

SEC. 4. Members shall qualify; take oath; organize.

SEC. 5. The said committee shall meet on the second Monday in January of the year in which an adoption of textbooks is to be made by the State board of education, shall examine all textbooks submitted, and shall make report to the State board of education on or before the first Monday in March. For the purpose of considering said report and of adopting textbooks for use in the public schools the State board of education shall meet the second Monday in April of each year in which an adoption is made.

SEC. 6. The adoption of elementary textbooks and high-school books shall be made in periods of three years apart. The first adoption of high-school textbooks shall be made in 1913, and the first adoption of elementary textbooks shall be made in 1916. Present contracts shall be extended accordingly.

SEC. 7. The said committee in its report shall classify all books examined into three classes, designated in the order of merit. Said committee may also recommend for adoption library, reference, and supplementary reading books.

SEC. 8. The State board of education shall adopt a uniform series of textbooks for six years and shall be limited in such adoption to those recommended by the textbook committee. Not more than three subjects or parts of subjects of the elementary grades and not more than two of the following high-school subjects may be changed at any one adoption, namely, algebra, English grammar, composition and rhetoric, botany, zoology, chemistry, geometry, American history, ancient history, medieval and modern history. Of other high-school subjects not more than five may be changed at one time. Any textbook may be changed at any time upon the written request of 40 parish school boards. All contracts for adoption of textbooks shall cover a period of six years. The State board of education shall strictly enforce a uniformity of all textbooks in all public schools during the terms of such contract.

SEC. 9. The mode of procedure for the announcement of bids, awarding contracts, location of depositories for the distribution of textbooks shall be determined by the State board of education.

SEC. 10. Repeals conflicting laws.

Act 80, June 29, 1910.

NOTE.—Under the former law the State board of education prescribed the list of books to be used, giving preference to those produced in Louisiana. Modifications of the uniform list to comply with local demands were authorized. Adoptions were for four years.

• **Minnesota (1911):** Resolution of board of school inspectors of St. Paul, adopting for three years a certain textbook, held not to prevent the board from legally changing such textbook within such period.—*Schroeder v. City of St. Paul*, 132 N. W., 317.

Mississippi: An act to amend section 4906 of the Code of 1906, in regard to the establishment of book depositories and county agencies.

Provides that textbook contractors shall make arrangements for the sale of their books with two or more booksellers or merchants as agents in towns of 2,000 or more inhabitants, if said contractors and merchants agree as to terms and conditions. Each agent shall execute a bond to the contractor

conditioned on the faithful performance of his trust as agent. No contractor shall give to any agent any advantage over other agents in contract or terms.
Ch. 219, Apr. 14, 1910.

Mississippi: State textbook board commission shall not change more than 25 per cent of books at any State adoption.
Ch. 168, Feb. 9, 1912.

L. SUBJECT MATTER OF INSTRUCTION.

(a) General.

Michigan: See A (b).

North Dakota: Requiring a more thorough and comprehensive system of instruction in all common and high schools.

Requires each pupil to devote 15 minutes daily to practice in writing. Prohibits any high-school pupil to change his course of study except by permission of the superintendent, or upon request of the parents or guardian of said pupil. The superintendent shall cause each senior class during the second semester to review the entire course of the grammar grades.

Ch. 264, Mar. 6, 1911.

North Dakota: See A (a).

Wisconsin: Amending section 447 of the Statutes, relating to the branches to be taught in every district school.

Prefixes the word "English" to the word "grammar" in the old law and directs that the additional subjects, English composition and civil government of the United States and the State of Wisconsin, be taught.

Ch. 409, June 16, 1911.

(b) History, Civics, and Patriotism.

Maine: Amending an act relating to compiling and teaching local history and local geography.

Authorizes State librarian to expend portion of appropriation for cataloging historical material in the possession of the State.

Ch. 159, Mar. 30, 1911.

New Mexico: To encourage instruction in the history and civics of the United States, with special reference to history and civics of New Mexico.

No certificate of first and second grades shall be granted by the State board unless the teacher shall have passed an examination in the history and civics of the United States, as well as in the history and civics of New Mexico.

Instruction in said subjects shall be given in the public schools orally and with a textbook to be adopted by the State board of education.

The history and civics of New Mexico shall be prepared by a known historian of the State, and sold at price not to exceed \$1.

Ch. 41, June 8, 1912.

(c) Physical Education.

Michigan: Providing for physical training in the State normal schools and in certain city districts.

Physical training shall be included in the branches to be regularly taught in public schools in city school districts having a population of more than 10,000 and in the State normal schools, subject to such rules and regulations as the superintendent of public instruction may prescribe, and it shall be the duty of the boards of education in such city school districts and of the

State board of education to make provisions in the schools and institutions under their jurisdiction for the introduction of a systematic and educational course of physical training; to engage competent instructors; to provide the necessary equipments; to establish and conduct same; and to adopt such methods as shall adapt the same to the capacity of the pupils in the various grades therein; and other boards may make such provisions. The curriculum in all normal schools of this State shall contain a regular teacher's course on physical education under competent jurisdiction.

No. 40, Mar. 31, 1911.

Michigan: See O (b).

Wisconsin: Repealing section 553a of the Statutes, and creating section 553a of the Statutes, relating to physical education.

SECTION 553a. 1. Physical education as used herein is defined as instruction in the theory and practice in the art of physical exercise and instruction in hygiene.

2. School boards, or boards of education in school districts, embracing in whole or in part an incorporated city shall make provision for the training of all pupils under their jurisdiction in physical education. The school boards in other school districts, separately or jointly, may make the same provision.

3. The board of regents of the State normal schools shall provide and shall require a definite and thorough course in the theory and art of physical education and instruction in games and playground management, to be taught in every State normal school. Examination in this branch shall be required of all candidates for normal-school diploma and normal-school certificate, the same as in other branches of study of the normal-school course of study.

4. The county training-school board of each and every county training school for teachers now or hereafter to be organized in this State shall require a course of instruction in physical education and instruction in games and playground management to be taught in every county training school.

Ch. 228, June 2, 1911.

L. (d) Physiology; Hygiene; Alcohol; Narcotics; Other Health Instruction.

California: Providing the dissemination of knowledge among the people of California as to the best means of preventing the spread of tuberculosis.

Ch. 692, May 1, 1911.

Massachusetts: Resolved, That \$1,000 be appropriated for the formation of a small traveling school tuberculosis exhibit to be used in the public schools throughout the State for purposes of instruction in hygiene and the prevention of tuberculosis.

Resolves, Ch. 65, Apr. 13, 1910.

Mississippi: An act requiring the State board of education to provide placards to be hung on the walls of public-school rooms, setting forth the effects of alcohol on the human system and means for the prevention and cure of tuberculosis, and further providing for the distribution of such placards.

Ch. 123, Apr. 16, 1910. (Sept. 1, 1910.)

New Jersey: A supplement to "An act concerning tuberculosis," approved April 21, 1909.

Appropriates annually \$10,000 to be used by the State board of health for educational and practical purposes in the study, treatment, and prevention of tuberculosis by (1) the publication and distribution of literature relating to the disease; (2) the creation and maintenance of a State tuberculosis exhibit, which shall be at the disposal of all communities of the State applying for the same; (3) the maintenance of special tuberculosis inspectors.

Ch. 12, Mar. 14, 1910.

New Mexico: The nature and effects of alcoholic drinks and narcotics shall be taught as a substantial study, with a textbook, in all public schools and to all pupils thereof; also in the State educational institutions, in the New Mexico Reform School, and in all teachers' institutes.

No certificate shall be granted to teach unless applicant has passed an examination to enable him properly to teach said branches.

Ch. 30, June 8, 1912.

Note.—The above is substantially the same as United States law of 1886, which applied to New Mexico.

Pennsylvania: Establishing the office of State fire marshal; defining his powers and duties; providing for his compensation and the maintenance of his office; giving courts the power to punish witnesses for contempt of his authority, and to review his orders; and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the preventions of fire waste.

No. 254, June 3, 1911.

Pennsylvania: Requiring fire drills in public schools.

No. 185, May 12, 1911.

L. (e) Moral and Ethical Education.

Delaware: Providing for moral and humane education in the public schools.

Every teacher in the public schools shall teach honesty, kindness, justice, and moral courage for the purpose of lessening crime and raising the standard of good citizenship. At least a half hour each week shall be given to instruction in humane treatment of birds and animals. Experiments upon living creatures are forbidden. Dogs and cats shall not be killed for purposes of dissection in school. Humane education shall be included in the program of teachers' institutes. City of Wilmington excepted from provisions of this act.

Ch. 93, Apr. 19, 1911.

Illinois (1910): The reading of the Bible in a public school is violative of Const., art. 8, sec. 3, prohibiting the appropriation of any public fund in aid of any sectarian purpose.

The reading of the Bible, singing of hymns, and the repeating of the Lord's prayer in a public school is violative of Const., art. 2, sec. 3, guaranteeing the free exercise and enjoyment of religious profession and worship without discrimination.—*People ex rel. Ring et al. v. Bd. of Ed. of Dist. 24*, 92 N. E., 251.

Minnesota: See O (b).

L. (f) Humane Treatment of Animals.

Delaware: See L (g).

L. (g) Music.

Arizona: Music and drawing.

District trustees may employ special teachers of music and drawing. Graduates of approved schools of music and drawing may be licensed or teacher must pass examination prescribed by State board of education. Chap. XX. United States flag. Shall be displayed during school hours.

State superintendent shall prescribe flag salute and patriotic exercises on special days.

Does not authorize military drill in school hours.

Ch 77 (Ch. XIX), May 20, 1912.

Mississippi: An act to permit separate school districts to introduce public-school music, drawing, and manual training into the grammar-school grades.

Ch. 125, Apr. 15, 1910.

L. (h) Drawing.

(i) Technical, Manual, and Industrial Education.

(See also O (a), (b), (c), and (d).)

Arizona: Instruction may be given in any district in manual training, domestic science, and kindergarten if such subjects can be pursued without excluding other subjects prescribed by law. Course of study in these subjects to be prescribed by State board of education.

Taxes for same may be included in annual estimates for district tax.

Board trustees of any district may provide instruction in commercial branches.

Ch. 77 (Ch. XXI), May 20, 1912.

California: Appropriating for the construction of a building to be used for instruction in manual and industrial arts at the California Institution for the Deaf and Blind.

Ch. 655, May 1, 1911.

Indiana: See A (a).

Maine: See O (a).

Texas: See N (g).

L. (j) Agriculture.

Louisiana: An act requiring that the principles of agriculture or horticulture, and home and farm economy shall be taught in all the elementary and secondary schools of the State of Louisiana.

Act No. 303, July 7, 1910.

Louisiana: Appropriating \$50,000 annually for the aid and support of departments of agriculture and domestic science in the public schools of Louisiana.

Act No. 186 of 1912.

Louisiana: Authorizing the police juries of the several parishes to establish and maintain experimental farms.

Act No. 145, 1912.

Massachusetts: Resolved to provide for an investigation of the practicability and desirability of establishing a farm school in the city of Worcester.

The board of education to report upon the establishment of a farm school for teaching the raising of fruits, vegetables, flowers, grains, plants, and trees, and the care of domestic animals.

Resolves, ch. 108, May 23, 1910.

Massachusetts: Resolved, That the board of education is hereby authorized and directed to investigate the advisability of establishing a system of agricultural schools throughout the Commonwealth, and to report the result, with its recommendations, to the next general court.

Resolves, ch. 133, June 10, 1910.

Minnesota: Providing for the observance of Minnesota Day.

The day shall be designated annually by the superintendent of public instruction, with the consent of the governor, and shall be observed in all the public schools of the State by exercises relating to the geography, history, industries, and resources of the State.

Ch. 81, Apr. 5, 1911.

Nebraska: Establishing State Fire Day, the first Friday in November.

This day shall be observed by the public, private, and parochial schools of the State with appropriate exercises. The chief deputy fire commissioner and the State superintendent of public instruction shall prepare a book for the purpose of instruction in fire dangers and fire prevention, and a copy of the same shall be furnished to each teacher. Every teacher and instructor in every public, private, and parochial school shall devote not less than 30 minutes in each school month to instruction in fire dangers and fire prevention.

Ch. 128, Apr. 7, 1911.

New York: Creating a State advisory board in relation to agricultural education and country-life advancement.

Ch. 785, July 26, 1911.

Virginia: An act to provide for instruction in agriculture, domestic arts and sciences, and manual training in public high schools.

1. *Be it enacted by the General Assembly of Virginia*, That in at least one public high school, to be selected by the State board of education in each congressional district of the State, a thorough course in agriculture, the domestic arts and sciences, and manual training shall be given in addition to the academic course prescribed for such high schools, and at least one-fourth of the school time shall be devoted to these subjects.

2. Not less than 5 acres of land, convenient to each of said schools, shall be acquired by lease, purchase, or donation for the purpose of providing practical demonstration in agriculture science. The cultivation of these lands, as far as practicable, shall be done by the students themselves. A careful account shall be kept of the product of each student's labor, showing how it is disposed of and the prices received on the products which are sold. The proceeds of such sales shall be applied or used under general regulations adopted by the district school board of the county in which the agricultural school is located, which regulations must be approved by the State board of education.

3. Suitable buildings shall be provided and properly equipped for the purposes of said schools including workshops, planned for practical instruction in elementary manual training, in bench work, and in other forms of shopwork applicable to rural life.

4. All female students attending the high schools, provided for under this act shall be instructed in the domestic arts and sciences, and suitable equipment for such instruction shall be provided by the district school boards out of the funds applicable to the maintenance and equipment of the school. Said female students may also take the agricultural course, if they so desire.

5. The agricultural high schools established under this act may be used as centers for directing the demonstration farm work and other extension work throughout the bounds of the several congressional districts, and shall be conducted under such rules and regulations as the State board of education and the president of the Virginia College of Agriculture and Polytechnic Institute may prescribe.

6. For the fiscal year ending the 28th day of February, 1911, the sum of \$30,000, or so much thereof as may be necessary, is hereby appropriated out of the sum turned over to the State board of education for apportionment among the schools of the primary and grammar grades, the said \$30,000 to be used for the purpose of carrying out the provisions of this act.

7. For the fiscal year ending the 28th day of February, 1912, and annually thereafter, the sum of \$30,000 is hereby appropriated out of the sum turned over to the State board of education for apportionment among the schools of the primary and grammar grades for the purpose of carrying out the provisions of this act. And for the said last-named fiscal year the further sum of \$25,000 is hereby appropriated out of any money in the treasury not otherwise appropriated, to be used for the special purpose of providing buildings and equipment for said schools. And for the said last-named fiscal year the further sum of \$10,000 is hereby appropriated out of the sum turned over to the State board of education for apportionment among the schools of the primary and grammar grades for the purpose of providing for the traveling, demonstration, and extension work to be connected with the said high school. All of the sums appropriated by this section of this act shall be turned over to the State board of education, to be by that board apportioned and expended as provided by the terms of this act.

Ch. 253, Mar. 16, 1910.

Wyoming: Creating a board of farm commissioners.

Authorizes board to employ a director of experiments in soil study, crop production, etc. Ch. 88, Feb. 21, 1911.

L. (k) Days of Special Observance.**Massachusetts: Providing for the observance of June 14 as Flag Day.**

Resolves, ch. 4, Feb. 9, 1911.

South Dakota: Defining demonstration farms and providing for their location, maintenance, and management.**ARTICLE I.**

SECTION 1. An agricultural demonstration farm is hereby defined to mean a farm of not less than 40 acres where modern, scientific methods of farming, crop rotation, and accounting are carried on upon a farm-wide scale, under the supervision of the regents of education, for the purpose of demonstrating to the public the advantages of increased profits, and the benefit to the soil arising from the use of the modern, scientific agricultural methods as taught by the State College of Agriculture and Mechanic Arts and in the farmers' institutes.

SEC. 2. Every demonstration farm under this chapter must be carefully cultivated and conducted under the supervision of a competent supervisor to be appointed by the regents of education, and who shall visit each farm as frequently as is convenient and take general supervisory management thereof. He shall provide a scheme for crop rotation upon each farm and prescribe the rules for the preparation of the soil, and planting, cultivation, and harvesting crops grown thereon. He must permit only pure seed of good quality and at least 90 per cent germination test to be planted upon any demonstration farm, and must provide a careful and accurate system of accounts to be kept for each farm, and the regents may contract for payment to be made for the labor of keeping such accounts from the demonstration-farm fund provided, not to exceed \$100 for each such farm.

SEC. 3. If a sufficient number of demonstration farms are established under this act to require more than one supervisor to care for the same, the regents of education may divide the State into demonstration farm supervisor's districts, provided that not more than three such districts shall be established, not more than two of which shall be in the section east of the Missouri River and one in the region west thereof, and no supervisor shall be appointed until there are at least 10 demonstration farms in 10 several counties requiring supervision, and provided further that no districts shall be established until there are more than 20 demonstration farms.

SEC. 4. The supervisor of each demonstration farm shall make an annual report at the close of each calendar year upon the operation of each demonstration farm and include therein a statement of the products and the cost and proceeds thereof; and he shall submit a copy thereof to the regents of education, and another copy to the commissioners of the county wherein the farm is located. The regents of education, in their biennial report to the governor shall include a summary of these reports, and the county commissioners of each county shall have a sufficient number of the report upon the farm located in the respective county printed in a concise statement that may be given by the county treasurer to each taxpayer in connection with his tax receipt.

SEC. 5. Any county desiring to avail itself of the supervision of a demonstration farm or farms under the provisions of this act shall, by a resolution of the county commissioners, bind itself to continue the demonstration for five years and shall pay into the State treasury at the beginning of each year the sum of \$300 for each demonstration farm desired for such county, which sums so paid into the treasury are hereby appropriated to the board of regents for the supervision and maintenance of demonstration farms in the counties making such payments, provided that no greater sum shall be expended in and on behalf of any county than is so paid in by it, and provided that any sum not expended in any county in one year shall be credited to it upon its required deposit for the next year, and that at the end of the contract period

any sum remaining in the State treasury to the credit of any county shall be refunded to such county. All of such money shall be paid out upon the warrant of the State auditor issued upon proper vouchers approved by the regents of education.

ARTICLE II.

SECTION 1. The county commissioners of any county may conduct the county poor farm as a demonstration farm under the provisions of this act, and the county shall provide all necessary buildings, machinery, tools, teams, labor, and seed grain for the proper conduct of the same and shall contract to in all things observe the rules for cultivating the soil as shall be prescribed by the supervisor selected for the purpose by the regents of education.

SEC. 2. All crops grown upon such county poor farm shall be the property of the county wherein located, and any surplus of such crops shall first be offered to the citizens thereof for seed or propagation, and the receipts from such sales to be credited to the said demonstration farm.

ARTICLE III.

SECTION 1. In counties where there is no county poor farm, or when the county commissioners desire more than one demonstration farm, the regents of education may contract with any reputable farmer for the cultivation of a farm of at least 40 acres, conveniently located, as a demonstration farm, provided that such farmer shall contract to continue the experiment for at least five years and to furnish all necessary buildings, labor, teams, tools, machinery, and seed grain for the cultivation of such farm and shall agree to in all things observe the rules for the cultivation of such farm as shall be prescribed by the supervisor selected for the purpose by the regents of education, provided that such contract shall be approved by the county commissioners of the county wherein such farm is located.

SEC. 2. The products of such farm shall be the property of the lessee, but all of the surplus grain produced upon such farm suitable for seed purposes shall be offered for seed, at a reasonable price, to the citizens of the county wherein produced, but if not sold for such purpose before March 1 of the succeeding year may be disposed of otherwise.

SEC. 3. Each field, plot, or planting upon any demonstration farm conducted under the supervisions of this act shall be legibly marked for the information of visitors to such farms, and such farms shall be at all proper hours open to visitors, provided that such visitors shall be held accountable for any injury done to growing crops.

SEC. 4. All surplus pure seed grown upon the State experimental farms under the direction of the regents of education shall be distributed among the various demonstration farms where experimentation indicates they will give best results, and shall be sold to the same for seed at a reasonable price to be fixed by the regents of education.

Ch. 128, Mar. 7, 1911.

L. (1) Other Special Subjects.

California: Amending section 1685a of the Political Code.

Adds Spanish to French, German, and Italian, which must be taught in at least one school in every city of the first class.

Ch. 249, Mar. 22, 1911.

Indiana: See A (e).

Massachusetts: An act relative to military drill in public schools.

Provides that no pupil shall be required to take part in any military exercise if his parent or guardian is of a religious denomination conscientiously opposed to bearing arms or if his parent or guardian is himself conscientiously scrupulous of bearing arms and so notified the school committee in writing, or if a physician in good standing shall certify in writing that in his opinion such exercise would be injurious to the pupil's health. [Previously the pupil himself or his parent or guardian could sign either certificate.]

Ch. 301, Mar. 11, 1910.

Massachusetts: An act to provide for compulsory instruction in thrift in the public schools.

Adds "thrift" to the list of subjects required to be taught in the public schools. Ch. 524, May 13, 1910.

Massachusetts: Authorizing savings banks to receive deposits from school children.

Provides for the organization and conduct of school savings banks. Ch. 211, Mar. 28, 1911.

Massachusetts: Authorizing instruction in the public schools in the application of surgical remedies and first aid to the injured. Ch. 247, Apr. 6, 1911.

Montana: Requiring the instruction of pupils in public, private, and parochial schools regarding fire dangers and means of prevention of fires.

Ch. 24, Feb. 11, 1911.

M. SPECIAL TYPES OF SCHOOL.

(a) General.

New York: The commissioner of labor may establish and supervise classes for adult and minor aliens. Ch. 543, Apr. 19, 1912.

(b) Kindergartens.

Indiana: Raising from 1 to 2 cents per \$100 the tax limit for free kindergartens in cities of over 6,000 inhabitants. Ch. 69, Mar. 1, 1911.

Washington: Authorizing district-school directors in districts of the first and second classes to establish kindergartens without submitting the question of such establishment to the voters of the district. Ch. 82, Mar. 13, 1911.

(c) Evening Schools.

Indiana: Providing for the maintenance of night schools in cities of over 8,000 inhabitants.

Shall be established upon petition of 20 or more inhabitants having children between 14 and 21 necessarily employed during the day who will attend such schools. Ch. 235, Mar. 6, 1911.

Maryland: Relating to evening schools in Baltimore County.

Free evening schools shall be opened in Baltimore County for study of rudimentary branches of knowledge, including reading, writing, and arithmetic, and such advanced studies as may be advisable.

The board of school commissioners of Baltimore County shall provide and designate the necessary school buildings for use of such evening schools. Such schools shall be open to males of not less than 12 years of age.

The said board shall have full power to appoint and fix the salaries of the necessary teachers for such schools (minimum salary, \$2.50 per evening); and to make regulations therefor.

No such schools shall be opened without the written application to the trustees of said schools and to the board of county school commissioners of Baltimore County of at least 20 persons of the age required of students in such free evening schools.

The said board of county school commissioners shall provide books and stationery required for such schools and shall pay for the lighting and heating of buildings.

All necessary expenses shall be paid out of the public school funds of Baltimore County. Ch. 59, Apr. 1, 1910.

Note.—The board of school commissioners were previously authorized in general terms to establish night schools in schoolhouses, and to pay the expenses thereof in the same manner as the expenses of day schools.

Massachusetts: Relating to the payment of a fee for instruction in evening schools.

School board may require a fee \$1 from persons not required by law to attend. Ch. 309, Apr. 20, 1911.

Oregon: Requiring school boards in districts of the first class to maintain a continuation evening school.

Such school shall be open free to any resident not a pupil of a day school without restriction as to age or citizenship. Ch. 211, Feb. 23, 1911.

M. (d) Vacation Schools; Playgrounds; Social Centers.

Indiana: Providing for the establishment, maintenance, and equipment of public playgrounds, public baths, and public-comfort stations in cities of the first class.

The boards of health and charities of such cities may establish and control the same. The school commissioners and park commissioners may permit use of public grounds under their control for purposes stated. Direct management by a commissioner of public playgrounds, public baths, and public-comfort stations, who shall select directors and assistants. Common council of city shall levy annual tax of one-half cent on \$100 for said purposes.

Ch. 153, Mar. 4, 1911.

Kansas: Authorizing the board of commissioners of cities to levy an annual tax not exceeding 1 mill for public parks and playgrounds.

Ch. 100, Mar. 14, 1911.

Maryland: Land may be condemned for playgrounds and other school purposes, the same as for a school building site. Maximum 5 acres (instead of 1 acre) including land occupied by school building. Ch. 532, Apr. 11, 1912.

Massachusetts: An act relative to the powers of cities and towns in respect to playgrounds and physical education.

Amends previous laws to enable any city or town to prepare, equip, and maintain public playgrounds, and for the purpose to acquire lands or to use any land already belonging to the city; and to conduct and promote thereon play, sport, and physical education, and to appropriate money and employ such teachers, supervisors, and other officials as it deems best. The city or town shall determine whether the administration of such playgrounds shall be vested in the board of park commissioners, or in the school committee, or in a playground commission appointed by the mayor or selectmen, or whether it be distributed between the three bodies.

Ch. 508, May 12, 1910.

Massachusetts: Relating to the use of school halls for other than school purposes.

SECTION 1. The school committee of any city or town which accepts the provisions of this act may grant the temporary use of halls in school buildings upon such terms and conditions and for such public or educational purposes, for which no admission fee is charged, as the said school committee may deem wise: *Provided, however,* That such use shall not in any way interfere or be inconsistent with the use of the halls for school purposes.

Sec. 2. This act shall take effect in a city upon its acceptance by a two-thirds vote of the members of each branch of the city council or corresponding body of that city present and voting, and upon the approval of the mayor; and it shall take effect in a town upon its acceptance by a majority of the

- voters of the town present and voting thereon at an annual town meeting or at a special meeting called for the purpose. Ch. 367, Apr. 29, 1911.
- Massachusetts:** Authorizing school committee to expend money for the supervision of sports. Ch. 314, Apr. 20, 1911.
- Massachusetts:** Boston commission may conduct educational and recreational activities in or upon school property. May expend therefor a sum equal to 2 cents upon each \$1,000 valuation. Ch. 195, Mar. 5, 1912.
- Massachusetts:** Any town over 5,000 population may vote to maintain one or more public playgrounds. May acquire land for same. Ch. 223, Mar. 9, 1912.
- Michigan:** Providing for the formation of corporations with power to acquire and maintain property for playgrounds and hold the same and the proceeds thereof in trust for municipalities.
- Municipal corporations may appropriate moneys for the uses of such corporations. No. 161, Apr. 25, 1911.
- Minnesota:** Authorizing any city having a population of over 50,000 inhabitants to exchange lands acquired for parks or playgrounds. Ch. 26, Mar. 16, 1911.
- Minnesota:** Authorizing cities containing 10,000 or more inhabitants to provide and maintain public parks and playgrounds.
- Such cities may acquire lands outside their corporate limits for said purposes. Ch. 105, Apr. 10, 1911.
- Minnesota:** Authorizing cities having a population of over 50,000 inhabitants to condemn lands for public playgrounds. Ch. 162, Apr. 15, 1911.
- Minnesota:** Authorizing the transfer from the State of a certain tract of land in the city of St. Paul to said city, to be used as a playground for children. Ch. 163, Apr. 15, 1911.
- Minnesota:** Authorizing cities containing over 50,000 inhabitants to issue bonds and acquire lands for playgrounds and educational purposes. Ch. 164, Apr. 15, 1911.
- New Hampshire:** Amending chapter 40, section 4, of the Public Statutes.
- Authorizes towns at any legal meeting to grant such sums as they shall judge necessary to establish, equip, and maintain public playgrounds. Ch. 146, Apr. 14, 1911.
- New Hampshire:** Enlarging the powers of the school committee of the city of Manchester in respect to physical education.
- Authorizes the school committee to provide gymnasia, athletic fields, and playgrounds. Ch. 256, Feb. 2, 1911.
- New Jersey:** An act concerning playgrounds and recreation places in this State and providing for the establishment, equipment, maintenance, control, use, and regulation thereof.
- "1. In any city, town, borough, village, or other municipality of this State, the mayor, chairman, or other officer having the power of appointment of such municipality may, in his discretion, appoint not less than three nor more than five fit and suitable persons, citizens, and residents of such municipality, who shall be confirmed by the common council or other governing body of such municipality, as commissioners of playgrounds, and who shall constitute and be known as the board of playground commissioners of such municipality. The commissioners first appointed under this act in any municipality shall hold office for the term of one, two, three, four, and five years, respectively, according to the number appointed, as fixed and designated by the mayor, chairman, or other officer in their respective appointments, and after the first appointments such commissioners shall be appointed for the full term of three or five years, according to the number appointed; vacancies shall be filled for the unexpired term only. They shall not receive any salary or other compensation for their services.

"2. The board of playground commissioners shall have power to acquire lands for public playgrounds and recreation places, by gift or purchase, and it shall be the duty of such board from time to time to select lands for public playgrounds and recreation places, and when deemed necessary or advisable by such board to select lands for an approach or approaches by way of ingress and egress to and from said land acquired under the provisions of this act of such size and dimensions as they shall think suitable, regard being had to the population of the neighborhood, and to cause surveys and maps to be made thereof together with the careful estimate, as nearly accurate as may be, of the probable costs of acquiring said lands, and a statement of the annual rental and duration of term if it is proposed to lease the same, together with an estimate of the cost of preparing said lands and suitably equipping the same by the erection of buildings, stands, seats, and other structures and apparatus for such playgrounds and recreation places, which surveys, maps, and estimates shall be submitted to the common council or other body of such municipality having control of the finances with a request that an appropriation be made for the purpose of acquiring or leasing said lands, as the case may be, and suitably preparing and equipping the same.

"3. If the common council or other body of such municipality by resolution authorize the acquisition of the said lands and appropriate a sum for the purchase and equipment thereof, or authorize the leasing thereof and appropriate a sum for the equipment thereof, the board shall proceed to acquire said lands by purchase or condemnation, or lease the same, as the case may be, and suitably to prepare and equip the same for a playground and recreation place, or approach thereto as aforesaid. If said board is unable to agree with the owner or owners of said land as to the price and terms of purchase, or if, by reason of any legal disability, or if the absence of any owner or owners thereof, or for any other cause, an agreement for the purchase of said lands or any part thereof, or any rights or interests therein can not be made, then said board may cause said lands or any rights or interests therein to be condemned and taken on behalf of such municipality; and the compensation to be made therefor shall be ascertained and paid or tendered in the manner provided in an act of the Legislature of the State of New Jersey entitled 'An act to regulate the ascertainment and payment of compensation for property condemned or taken for public use (Revision of 1900),' approved March 20, 1900, and the acts amendatory thereof and supplemental thereto, or as may hereafter be provided by law, and said board may cause any lands so acquired to be laid out and improved as a public playground, recreation place, or an approach thereto as aforesaid. The title to all lands acquired or taken under the provisions of this act shall vest in the municipality, and all lease of land for the purpose of this act shall be in the name of the city.

"4. The board of playground commissioners shall have full control over all lands, playgrounds, and recreation places acquired or leased under the provisions of this act and may adopt suitable rules, regulations, and by-laws for the use thereof, and the conduct of all persons while on or using the same; and any person or persons who shall violate any of such rules, regulations, or by-laws shall be deemed and adjudged to be a disorderly person. The custodians, supervisors, and assistants appointed by the board shall, while on duty and for the purpose of preserving order and the observance of the rules, regulations, and by-laws of the board, have all the power and authority of police officers of the respective municipalities in and for which they are severally appointed. The said board may appoint a secretary or clerk, and such number of custodians, supervisors, and assistants for the several playgrounds and recreation places under its control as they shall think necessary, and fix and determine the salaries of the same.

"5. The common council or other body having control of the finances of each municipality having playgrounds and recreation places shall annually fix, determine, and appropriate a sum sufficient for the care, custody, policing, and maintenance of such playgrounds and recreation places, and for the expenses of the several boards of commissioners, which sum shall be raised by taxation as other taxes are raised in such municipalities. The common council or other body having control of the finances shall provide a suitable office or offices for said board of playground commissioners.

"6. The sum or sums of money necessary to pay for lands purchased or condemned for such playgrounds and recreation places, and for providing and equipping the same, from time to time, may be raised and provided by the common council or other body having control of the finances by general taxa-

tion, as other taxes are raised and levied, or by the issue of temporary loan bonds, or by the issue of permanent bonds of the particular municipality. If permanent bonds are issued they shall be for not less than 30 nor more than 50 years, shall bear interest not exceeding 4 per centum per annum, and shall be sold for not less than par value. If permanent bonds are issued there shall be raised each year by general taxation by the municipality issuing the same, as other taxes are raised and levied, a sum sufficient to pay the annual interest and also a sum for a sinking fund for such bonds sufficient to meet, pay, and retire the same at maturity. If temporary loan bonds are issued, they shall be so issued that at least one-fiftieth thereof shall be due and payable each year, and there shall be raised each year by general taxation a sum sufficient to pay and retire the temporary loan bonds falling due that year. All moneys received by the said board shall be paid over to the city treasurer and be by him kept in a special fund which shall be under the control of said board and used only for the purpose of defraying the expenses of improving, maintaining, or policing the playgrounds and recreation places of said municipality and other expenses of said board.

"7. Said board of playground commissioners, in order to provide the funds, in whole or in part, necessary to improve, maintain, and police the playgrounds or recreation places under its control, shall have the power and authority to arrange and provide for the giving of outdoor exhibitions, concerts, games, and contests, and the power and authority to use and employ said playgrounds or recreation places for the purpose of giving thereon outdoor exhibitions, concerts, games, and contests, and the said board shall have the power and authority to charge and collect a reasonable admission fee for each person entering such playground or recreation place during the time or times when the same is being used or employed for such purposes: *Provided, however,* that the said board shall not use or employ any such playground or recreation place for such purpose for a greater period than eight hours in any week, nor on more than two days in any one week, and when any such playground or recreation place is used for such purpose no admission fee shall be charged or collected from children under 12 years of age.

"8. Each section of this act and every part of each section are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be void, ineffective or unconstitutional for any cause shall not affect any other section or part thereof. All acts and parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed, and this act shall take effect immediately."

Ch. 308, May 1, 1911.

New Jersey: Appointment of municipal playground commissioners made by executive officer need not be confirmed by the county council.

Ch. 267, Mar. 28, 1912.

New Jersey: Land not needed for school sites may be transferred by city boards of education to park board for public park or playground.

Ch. 305, Apr. 1, 1912.

New Jersey: County park commissioners may establish in any county park in a city of the second class a "recreation building."

Ch. 346, Apr. 1, 1912.

New Jersey: Park commissioners in certain counties may construct and maintain in any park under their control a recreation building.

County may borrow money and issue bonds.

Ch. 420, May 18, 1912.

New York: Amending the education law.

Section 310. Makes it the duty of the boards of education of union free-school districts to purchase land for recreation grounds when designated by a meeting of the district.

Ch. 140, Apr. 22, 1910.

New York: Amending the Greater New York charter in relation to establishing a public recreation commission.

Authorizes the mayor to appoint a recreation commission consisting of seven members, to have supervision and control over playgrounds, etc.

Ch. 563, June 30, 1911.

North Dakota: Prohibiting ball games and other sports before 2 p. m. on Memorial Day.
Ch. 190, Mar. 8, 1911.

Ohio: Empowering boards of education to secure playgrounds.
H. B. No. 285, p. 418, June 7, 1911.

Pennsylvania: "A supplement to an act, entitled 'An act to provide for the better government of cities of the first class in this Commonwealth,' approved the 1st day of June, 1885; authorizing and establishing a board of recreation for the creation, organization, care, management, conduct, and supervision of recreation facilities of cities of the first class, except as herein provided.

" **SECTION 1.** *Be it enacted, etc.,* That there shall be established in cities of the first class a department of recreation, which shall be under the charge of seven (7) directors, who shall be known as the Board of Recreation.

" **SEC. 2.** The board of recreation shall consist of the mayor, the director of the department of public health and charities, and five (5) resident citizens, who shall be appointed by the mayor. Those first selected shall be appointed two for the term of one year, two for the term of two years, and one for the term of three years, from the first Monday of June, 1911, and thereafter their successors shall be appointed for a term of three (3) years from the date of expiration of their predecessors' terms, or at the pleasure of the mayor; except in the case of appointments to fill vacancies during the term, which shall be for the unexpired portion thereof. All such appointees may be removed by the mayor at his pleasure.

" **SEC. 3.** The members of the board of recreation shall serve without compensation; and from their own number shall elect a president, secretary, and other necessary officers, to serve for one year or until their successors are elected. The board of recreation shall have power to adopt rules of procedure and prescribe regulations for the conduct of all business within its jurisdiction. Four (4) members of the board shall constitute a quorum. The president shall have power to sign warrants and perform such other executive duties for the board as it shall authorize him to perform. The councils of said cities shall appropriate annually the funds that they deem necessary for the maintenance and operation of said department, and from time to time such additional funds as may be necessary to carry out the purposes of this act.

" **SEC. 4.** The board of recreation shall have power to create, organize, manage, and supervise the various playgrounds, recreation centers, municipal floating baths, bathing grounds, and recreation piers which may be established at the present time or from time to time authorized by councils or donated by private individuals or associations and accepted by such cities; and to plan and recommend by regular reports to the city government, and, after appropriate action by ordinance, to create and develop, an adequate and complete system of playgrounds and recreation centers and related activities. The board of recreation shall also care for, conduct, manage, and supervise such public bath houses and related activities as may form constituent parts of, or be used in connection with, or be used as auxiliaries to, a recreation center.

" **SEC. 5.** Cities of the first class may, from time to time, by ordinance, transfer to the jurisdiction of the department of recreation any parks, parkways, grounds, or other properties adaptable for recreation purposes, or portions of such parks, parkways, grounds, or properties.

" **SEC. 6.** The board of recreation may, in its own initiative, take charge of any grounds, with buildings thereon erected, the use of which is offered to it temporarily by individuals or corporations, for the purpose of using such grounds for public playgrounds and recreation activities.

" **SEC. 7.** The board of recreation may assume the charge and care of school playgrounds during vacation periods if so requested by resolution of the board of education.

" **SEC. 8.** This act shall not limit nor affect in any way the authorities heretofore conferred by law upon any commission to lay out and improve any public park in any city of the first class now under the control of such commission; nor shall it restrict in any way the full discretion of any commission in the execution of any trust by deed or will. Any such commission may dele-

gates to the board of recreation, and the board of recreation may accept, legal charge of any grounds under the control of such commission, to be used for playgrounds and recreation purposes.

"Sec. 9. The board of recreation shall annually, three (3) months before the end of the financial year, make a report of its proceedings during the preceding year to the mayor, with such recommendations of the development of playgrounds and recreation facilities, including additions thereto, as it may deem advisable.

"Sec. 10. All acts or parts of acts inconsistent herewith be, and the same are hereby repealed." No. 307, June 9, 1911.

Rhode Island: Authorizing the city of Providence to establish public playgrounds and to hire not exceeding the sum of \$150,000 for playground purposes. Ch. 733, Feb. 8, 1911.

Rhode Island: City council of Providence may provide for board of commissioners to manage playgrounds of city. Board to be elected by council. Ch. 859, Apr. 17, 1912.

Utah: See L (a).

Virginia: An act to provide for public playgrounds in certain cities and towns.

1. Every city and town having a population of 10,000 or more, accepting the provisions of this act, shall, after July 1, 1911, provide and maintain at least one public playground for each race, white and colored, for the recreation and physical education of the minors of such city or town, and at least one playground for each race for every additional 20,000 of its population.

2. In all such cities and towns the mayor shall, in his discretion, appoint three suitable persons, who shall be confirmed by the common council, to constitute the board of playground commissioners of such city. Said commissioners shall hold office for three years, the first appointments to be for one, two, and three years, respectively. They shall not receive any compensation for their services.

3. The said board shall select suitable lands for such playgrounds, and shall submit to the common council an estimate of the probable cost of purchasing or renting and equipping the same. If the common council approve such purchase or rental and equipment and appropriate money therefor, the said commissioners shall proceed to acquire said land and suitably prepare and equip the same.

4. The board of playground commissioners shall have full control over said playgrounds and may make suitable rules and regulations for their use. Custodians and assistants, while on duty, shall have police power. The said board may appoint a secretary and custodians and assistants, but the salaries of all such officers shall be fixed by the common council.

5. The common council of each city having playgrounds shall annually determine and appropriate a sufficient sum for the care, policing, and maintenance of such playgrounds, which sum shall be raised by taxation as other taxes are raised in such city.

6. Money necessary for the purchase of lands and the equipment of the same as playgrounds may be raised by the issue of bonds. Prescribes manner of making disbursements, etc. Ch. 264, Mar. 16, 1910. (July 1, 1911.)

Wisconsin: Creating section 435e of the Statutes.

"1. Boards of school directors in cities of the first, second, or third class are hereby authorized to establish and maintain for children and adult persons, in the school buildings and on the grounds under the custody and management of such boards, evening schools, vacation schools, reading rooms, library stations, debating clubs, gymnasiums, public playgrounds, public baths, and similar activities and accommodations to be determined by such boards, without charge to the residents of such cities; also to cooperate with commissioners or boards having the custody and management in such cities of public parks, libraries, museums, and public buildings and grounds of whatever sort, and, by making arrangements satisfactory to such boards of school

directors and such commissioners or boards controlling other public buildings and grounds, to provide the supervision, instruction, and oversight necessary to carry on public educational and recreational activities, as described in this section, in buildings and upon grounds in the custody and under the management of such commissioners or boards having charge of public parks, libraries, museums, or public buildings and grounds, of whatever sort, in such cities of the first, second, or third class.

"2. If any board of school directors shall neglect or refuse to proceed as authorized in this section, the question of their action, as herein authorized, shall, upon petition to that effect, signed by not less than 10 per cent of the number of voters voting at the last school or other election in such city, be submitted to the electors of the school district at the next election of any sort held therein; and if a majority of the votes cast upon such proposition shall be in favor thereof, then the board of school directors shall proceed to undertake and organize this work as authorized in this section.

"3. Boards of school directors in cities of the first, second, or third class shall report to the common council of such cities, at or before the first meeting of such common council in September of each year, the amount of money required for the next fiscal year for the support of the aforementioned activities of a similar nature which may have been previously determined upon by such boards of school directors, and it shall be the duty of such common council to levy and collect a tax upon all the property subject to taxation in said city, at the same time and in the same manner as other taxes are levied and collected by law, which shall be equal to the amount of money so required for such purposes by the said board of school directors as provided in this section: *Provided*, That the tax so levied upon each dollar of the assessed valuation of all property, real and personal, in said city subject to taxation shall not in any one year exceed two-tenths mill for the purpose of the activities hereinbefore mentioned in this section and other similar activities which may have been determined upon by such board of school directors of each city. The said tax shall not be used or appropriated, directly or indirectly, for any other purpose than that provided in this section.

"4. All moneys received by or raised in such city for the aforementioned purpose shall be paid over to the city treasurer, to be disbursed by him on orders of such board of school directors in such city, countersigned by the comptroller in the same manner that other funds at the disposal of such board of school directors in such city are disbursed by them. But the tax provided for in this section shall not be levied or collected nor shall the board of school directors, as provided in this section, have authority to require the levy and collection of such tax until after the question of the levy and collection of such tax shall have been submitted to the qualified school electors of such city at some regular or special election and shall have been favorably voted upon by a majority of those voting upon such question at such election. The question as to the levy and collection of such special tax shall be submitted to the voters in the usual manner upon request of the board of school directors in such city, or the question of the levy of such tax shall be submitted upon a petition to that effect, signed by not less than 10 per cent of the number of voters voting at the last school election held previously in such city.

"5. After the question of the levy and collection of such special tax has been submitted to and approved by the voters as provided in this section, the authority shall remain, and such tax shall be levied and collected annually until such time as the voters of the school district of such city shall, by majority vote, order the discontinuance of the levy and collection of such tax. The question of the discontinuance of the levy and collection of such tax shall be submitted to the voters in the same manner and under the same conditions as the proposition to authorize the levy and collection of the said tax.

"6. The board of school directors in any city covered by this section is also empowered to receive and expend for the purposes of this section any sums of money appropriated and turned over to them by the common council of such city for such purposes; and the common council of such city shall have authority to appropriate and turn over to the board of school directors of the school district of such city any reasonable sums of money which the

said common council may desire to appropriate out of the general fund of such city and turn over to the said board of school directors for the purposes herein set forth." Ch. 509, June 30, 1911.

Wisconsin: Creating section 535d of the Statutes, relating to the use of schools, public buildings, and public property for public meetings. Ch. 514, July 8, 1911.

M. (e) University and School Extension; Public Lectures.

Minnesota: Authorizing any city of not more than 10,000 inhabitants to furnish educational and musical entertainment for its inhabitants.

City council may appropriate not over \$200 annually for such purpose. Ch. 165, Apr. 15, 1911.

Rhode Island: The city of Providence may spend \$2,000 (under school commission) for free public lectures, in public school or other buildings.

Ch. 858, Feb. 6, 1912.

Wisconsin: Creating sections 392em-1 to 392em-7, inclusive, of the Statutes, authorizing the purchase of stump-pulling machines to be used by the College of Agriculture for experimental and demonstration purposes.

Ch. 478, June 28, 1911.

M. (f) Farmers' Institutes, etc.

Alabama: Authorizing county commissioners or boards of revenue to appropriate money for the aid of farm demonstration work, or the organization of farm life clubs for the promotion of agriculture.

Act 62, p. 35, Feb. 28, 1911.

Alabama: Providing for local agricultural experiments in the several counties by the experiment station of the Alabama Polytechnic Institute.

Act 9, p. 5, Feb. 9, 1911.

Louisiana: Authorizing the police juries of the several parishes to appropriate not exceeding \$1,000 per annum each for farmers' demonstration work in cooperation with agents and representatives of the United States Department of Agriculture.

Act No. 69, 1912.

Maryland: Authorizing the appointment of a committee known as the Maryland Country Life Committee.

To investigate problems of country life and suggest policies for the benefit of farmers. Ch. 742, Apr. 11, 1912.

M. (g) Private and Endowed Schools; Parochial Schools.

See also R (b).

Maryland: Authorizing the county school commissioners of Frederick County to pay annually \$250 from school moneys to the sisters of Charity of St. Euphemia's School for educating colored children. Ch. 583, Apr. 11, 1912.

North Carolina (1911): Action of a minority of a religious society in electing trustees for a school held to prevail over an action of the majority assembled at a place not designated by the articles of association.—State ex rel. Kerr et al. v. Hicks et al., 70 S. E., 468.

N. SECONDARY EDUCATION: HIGH SCHOOLS AND ACADEMIES.

(a) General.

See also B (f).

Arizona: Any school district with average attendance over 200 may, by vote of electors, establish a high school. Two or more districts may unite. Special tax for high school.

Course of study must be approved by State board of education.

Promotion from eighth grade to high school on certificate on qualifications presented by State board of education. Certificates good for admission to any high school.

High-school principal shall supervise eighth grade, unless a principal or city superintendent is employed.

High-school districts may vote bonds. Ch. 77 (Ch. XII), May 20, 1912.

California: Amending sections 1751, 1756, 1758, and 1759 of the Political Code, relating to the admission of pupils to high schools, and to the tuition fees of pupils of one county attending high school in another county.

Pupils not provided with high schools in their own counties may attend such schools in other counties upon agreement between the county superintendent of their resident county and the high-school board of the school to be attended; county boards of education of pupils' resident county shall make estimates of taxes necessary to pay tuition of such pupils; county superintendents shall report cost of education of nonresident pupils, and tuition shall be paid by resident county. Ch. 804, Apr. 26, 1911.

California: Amending section 1758 of the Political Code, relating to the support of high schools.

Cost of high-school instruction must be computed on basis of average attendance (was enrollment). Ch. 684, May 1, 1911.

California: Amending section 1728 of the Political Code, relating to the formation of joint union high-school districts. Ch. 460, Apr. 14, 1911.

California: Amending section 1725 of the Political Code, relating to the formation of high-school districts in cities, towns, and school districts.

High-school districts may be formed if an average attendance of 100 or more is shown in the elementary grades. Ch. 461, Apr. 14, 1911.

California: Providing for the organization, control, and equipment of high-school cadet companies and for the promotion of rifle practice therein, and appropriating therefor. Ch. 361, Apr. 5, 1911.

California: Amending section 1741 of the Political Code.

Omits the word "county" from the classes of high schools that may provide transportation for pupils. Ch. 176, Mar. 13, 1911.

* **California (1909):** Findings held to support a judgment that a high-school district was one *de jure* by reason of curative acts.—*People ex rel. Brown v. Pacific Grove*, H. S. Dist., 104 Pac., 586.

Connecticut: Amending section 2241 of the General Statutes, relating to reports of number and names of high-school pupils. Ch. 148, July 11, 1911.

Georgia: An act to amend paragraph 2, section 6, article 7, of the constitution of the State of Georgia, etc.

Proposes to strike out the limitation "in instructing children in the elementary branches of an English education only" from the enumeration of purposes for which counties may levy taxes. The effect of the amendment,

if adopted, would be to permit counties to maintain high schools by taxation. To be submitted to a vote of the people at the next general election.
[Ratified by the people.] Act 847, Aug. 4, 1910.

Idaho: See A (e).

Illinois: Authorizing the organization of high-school districts.

Any school township that contains a school district having a population of 1,000 or more and not exceeding 100,000 inhabitants may be organized into a high-school district if approved by the majority voting at a special election called for the purpose. The inhabitants of any contiguous and compact territory, whether in the same or different townships, may be organized into a high-school district in the same manner. For the purpose of supporting a high school, the township or territory for the benefit of which a high school is established under this act shall be regarded as a school district, and a board of education of seven members shall be elected therefor. The said board shall have the powers and discharge the duties of boards of education elected under the general school law. A school district or any part thereof adjoining a high-school district organized under this act may become a part thereof by a concurrent resolution adopted by the boards in each district, if approved by the majority voting at a special election in the territory to be annexed.

(The principal purpose of this law appears to be to permit the organization of a high-school board apart from the board having control of elementary schools in the same territory.) S. B. No. 286, p. 505, June 5, 1911.

Illinois: Relating to high-school districts composed of parts of townships.

The inhabitants of any territory composed of parts of adjoining townships may create such territory into a high-school district by a petition signed by at least 50 legal voters and an affirmative vote in such territory (omits a former restriction). H. B. 337, p. 507, June 5, 1911.

Illinois: Relating to township high schools.

Minor changes relating to elections. H. B. 338, p. 508, June 6, 1911.

* Illinois (1910): Mandamus held not to lie to compel the calling of a special election to elect a board of education for a high-school district created under Hurd's Rev. Stat. 1909, ch. 122, secs. 85-87—People ex rel. Seegers v. Dunlap et al., 83 N. E., 723.

* Illinois (1910): School law, art. 3, sec. 44, relating to the discontinuance of township high schools, held not to require that a high school shall continue for a year after being established before being discontinued.

After dissolution of a township high school held that taxes for the high-school district collected and in the hands of the township treasurer are subject to the payment of obligations of the high-school district.

The trustees of a township high-school district after discontinuance of the school held to have power to settle all liabilities against the high-school district and to be the proper defendants in an action by creditors of the former district.—Chalairan v. Bd. of Ed., etc., of Knox Co., 91 N. E., 712.

Indiana: Providing for joint high schools to be maintained by any city or incorporated town in conjunction with any contiguous township, townships, or incorporated town.

The school officials may meet and determine the territory to be included in the joint high-school district. The expenses of the joint school shall be apportioned to the school corporations concerned in proportion to valuation. Any school corporation may withdraw from such a joint district and establish a separate high school, and in that event shall receive from the remaining districts an equitable amount for its interest in the joint district.

Ch. 198, Mar. 4, 1911.

Indiana: Authorizing township trustees and school trustees of incorporated towns to continue high schools for a longer time than the term of the elementary schools.

Enables trustees to continue a commissioned or certified high school for the term required for such schools (8 months), although it may not be possible to continue all schools for that time.

Ch. 198, Mar. 4, 1911.

Iowa: Providing for the payment of tuition of pupils residing in school corporations which do not offer instruction equivalent to four-year high schools.

Said pupils, who have completed the course of study offered by their home corporation, may attend any high school that will receive them, provided the average cost of tuition shall not exceed that of the nearest high school. The school corporation in which said pupils reside shall pay to the school corporation in which they attend school a tuition fee for each pupil equal to the average cost of tuition and the average proportion of the contingent expenses of the high-school department in the latter corporation.

Ch. 148, Mar. 10, 1911.

Kansas: Providing county aid to certain high schools in counties having a population of less than 10,000.

Upon petition of a majority of electors of any such county a tax not to exceed 1 mill in counties having 3,000 inhabitants or less, and not to exceed one-half mill in counties having over 3,000 inhabitants, shall be levied for the support of a high school maintained by any district in the county. Schools so aided shall be under the supervision of the county superintendent, and shall be free to all persons of school age residing in the proper county. Counties containing county high schools or Barnes Law high schools are not subject to the provisions of this act.

Ch. 263, Mar. 6, 1911.

Kansas: Relating to township high schools in counties having more than 10,000 inhabitants.

The legal electors of any township in which there is no town or city may vote to establish a high school.

In such case a township high-school board shall be elected, which board shall levy a tax for the township high school not to exceed 4 mills. The county superintendent shall have supervision over such schools.

Ch. 262, Mar. 7, 1911.

Kansas: Fixing limit of tax levy for county high schools in certain cases.

Maximum six-tenths (instead of five-tenths) of 1 mill in counties having a valuation of less than \$30,000,000, whose high schools were established before 1906.

Ch. 281, Feb. 21, 1911.

Kansas: Relating to the support and maintenance of high schools in certain joint school districts.

Whenever a joint high-school district lies in two counties, one of which contributes to said high school under the Barnes Law and the other county does not, the superintendent of the latter county shall make an estimate of the contribution which should be made by that part of the joint district lying in his county, and the county clerk shall levy a tax in said territory to raise the amount thus estimated.

Ch. 272, Mar. 10, 1911.

* **Kansas (1910):** Laws 1909, chs. 210, 215, held curative Statutes designed to validate action taken in counties to adopt Laws 1905, ch. 897, providing for the establishment of high schools.—State ex rel. Jackson, Atty. Gen. v. Pauley, Co. Treas., 112 Pac., 141.

* **Kansas (1911):** A high school held to be "established" within Laws 1909, ch. 210, so as to bring the county within the purview of the Barnes high-school law, when brought up to the standard prescribed by Laws 1905, ch. 897.

Title of Laws 1909, ch. 210, "An act concerning high schools" held to sufficiently state the subject of the bill in the title.—Armstrong et al. v. George et al., 114 Pac., 200.

Kentucky: An act to provide for the appointment of trustees for county academies and seminaries.

When the number of trustees of any county academy or seminary heretofore created by act of the general assembly has been reduced to less than a quorum, the proper county court shall fill the vacancies.

Ch. 49, Mar. 21, 1910.

Louisiana: An act to amend and reenact section 11 of Act No. 214 of 1902, etc.

The requirement that the State board of education shall give its sanction before parish school boards may establish high schools is eliminated.

Act 272, July 7, 1910.

Louisiana: Appropriating \$50,000 per annum to aid State-approved high schools.

Act No. 185 of 1912.

Maine: Relating to free high schools.

Extends the powers of towns not supporting free high schools so as to permit such towns to contract with academies in adjacent towns.

Ch. 88, Mar. 25, 1911.

Maine: Relating to free high schools.

Cures minor defect in wording of previous law. Ch. 109, Mar. 28, 1911.

Maryland: Amending and supplementing certain laws relating to high schools.

SECTION 120. The board of county school commissioners of any county shall have authority to establish high schools, subject to the approval of the State board of education, in their respective counties, when, in their judgment, it is advisable to do so. All high schools so established and those now in operation shall be under the direct control of the several boards of county school commissioners, subject to the provisions of this article; *Provided*, That when instruction below that of the high-school grades is given in the same building or on the same premises such grade work may also be under the direct control of the board of county school commissioners, and the principal of the high school shall also be principal of the elementary department.

SEC. 121. For the encouragement of secondary education in Maryland the State shall extend aid to such groups of high schools as shall be herein designated and described, and in such amounts and in such manner as shall hereinafter be set forth. All high schools of the counties of the State of Maryland receiving State aid shall be arranged by the State board of education into two groups to be designated first group and second group, according to the number of pupils enrolled, teachers employed, and years of instruction given. High schools of the first group shall fulfill the following minimum requirements: (a) An enrollment of not less than 80 pupils; (b) employ not less than four teachers for the regular high-school work, exclusive of instructors of special subjects named under (e); (c) four years' course of instruction of not less than 36 weeks in each year, same to conform to the standard required by the State board of education; (d) the annual salary of the principal to be not less than \$1,200, and the salary of each assistant teacher regularly employed to be not less than \$700 per annum; (e) provision to be made for manual training and domestic science courses and also a commercial or an agricultural course, as may be determined by the board of county school commissioners. High schools of the second group shall fulfill the following minimum requirements: (a) An enrollment of not less than 35 pupils; (b) employ not less than two teachers for the regular high-school work, exclusive of instructors of special subjects named under (e); (c) a three years' course of instruction of not less than 36 weeks in each year, same to conform to the standard required by the State board of education; (d) the annual salary of the principal to be not less than \$1,000, and that of each assistant to be not less than \$500; (e) provision to be made for a manual training or an agricultural or a commercial course, as may be determined by the board of county school commissioners; *Provided*, That no high school which fulfills the conditions under (b), (c), (d), and (e) and is now on the list of approved high schools shall be excluded from this group within two years from the 1st day of June, 1910. The course of instruction in schools of the second group may be extended to four years by the board of county school commissioners by the employment of such additional teacher or teachers as may be required by the State board of education; *Provided*, That the salary of such additional teacher or teachers shall be paid wholly by the said board of county school commissioners, and in the schools of the second group; where the course of instruction has been so extended to a four-year course, the graduates shall receive the same recognition as graduates of schools of the first group. No promotions of high-school pupils from one grade to another or graduation shall be made without the approval of the principal and the county superintendent.

Sec. 122. It shall be the duty of the State superintendent of education, or some person designated by him, to make an annual inspection of all high schools receiving State aid, and also such other schools as make application, through their respective county superintendents, to receive said State aid. He shall, on or before the 15th day of August of each year, prepare a list of high schools, designating the group to which each belongs, the amount of State aid to which each is entitled, and to whom same should be paid. The preparation of said list shall be based on information obtained through the annual inspection, written reports of the principal or county superintendent, or other reliable sources. The superintendent's report of such schools shall be submitted to the State board of education for approval, and when approved said board shall certify same to the comptroller of the treasury, on or before the 1st day of October of each year, and said comptroller of the treasury shall issue his warrant upon the treasurer of the State in equal quarterly installments in each and every year at the time when the public-school tax is now or may hereafter be distributed, payable to the order of the treasurers of the respective boards of county school commissioners or the board of commissioners of public schools of Baltimore City, for such sum or sums as they are entitled to receive under the provisions of this article, and shown by the certified list of high schools as aforesaid, same to be paid out of the levy for public schools: *Provided, however,* That the apportionment authorized in this section for October 1, 1910, and January 1, 1911, shall be paid out of the ordinary receipts of the treasury: *And provided further,* That any high school receiving State aid under provisions of this article shall forfeit its right to receive State aid under the provision of any other act or resolution of the general assembly of Maryland: *Provided,* That nothing in this section shall be construed to repeal any appropriation made prior to the year 1872 and chargeable to what is known as the academic fund; nor shall any school now receiving an appropriation from the State lose same until such time as it shall receive an appropriation under the provisions of this act.

Sec. 123. Each high school in the first group in the counties of Maryland shall receive State aid on the basis of the cost of instruction, and in the following manner: The sum of \$300 on account of the principal and the sum of \$300 on account of each of the first three assistants employed for regular high-school work; the sum of \$400 on account of each of two special teachers, who shall spend not less than two-fifths of their time in the school receiving said amounts; and the sum of \$100 on account of each additional regular grade teacher, provided the total amount does not exceed the sum of \$2,500. In this article the term special teacher shall be construed to mean a teacher of commercial, manual training, domestic science, or agricultural branches. Each high school in the counties of Maryland of the second group shall receive State aid on the basis of the cost of instruction, and in the following manner: The sum of \$600 on account of the principal; the sum of \$400 on account of one assistant teacher employed for regular high-school work; and the sum of \$400 on account of the instructor of special subjects, to be designated by the county school board: *Provided,* That if an instructor in manual training or agricultural work be required to divide his or her time among not more than four schools of this group \$150 shall be allowed on account of each of such schools: *Provided also,* That the amount to be received by each of the four high schools of Baltimore City shall be equal to the maximum amount received on account of any high school in the counties of the State: *Provided further,* That the board of county school commissioners of each county shall submit annually to the county commissioners of their respective counties, at least 80 days prior to the date for making the usual county levy for school purposes, a list of all high schools of the county, including those not entitled to State aid as well as those classified in this article, and an itemized statement of the estimated cost of maintaining same; and the said boards of county commissioners shall make a separate levy for high schools, publishing same once a week for three successive weeks prior to date of making said levy in one or more county papers.

Sec. 123a. All certificates or diplomas issued to students having completed a course of study in a high school of the counties of Maryland shall show the groups to which said high school belongs, the course taken by the student, and the number of years of instruction given; and the graduates of any approved high school providing a four-years' course shall be admitted without examination to the freshman class of any college in Maryland receiving financial aid from the State.

Sec. 123b. The State board of education shall prepare the course of study to be used by the several groups of high schools described in this article, and have authority to make any by-law for their government not at variance with the provisions of this article.

Sec. 144. The superintendent of public education shall supervise and inspect the work of industrial and agricultural training done in the several counties of the State under the provisions of this article; collect all necessary statistics pertaining thereto, and annually, on or before the 20th day of August of each year, certify to the comptroller the names of such counties as shall have complied with the provisions of this article relating to such training; and upon the receipt of said certificate from the superintendent of public education, but not otherwise, the comptroller shall draw his warrant upon the treasurer payable to the order of the treasurer of the board of county school commissioners of the county so certified as entitled to receive the same, for the full amount of money so certified to be due to such county under the provisions of this article; and the superintendent of public education shall, on or before the 20th day of August of each year, submit to the State board of education a full report of all matters pertaining to industrial and agricultural training in such counties, and attach thereto a copy of the certificate filed by him with the comptroller.

Sec. 145. The several boards of county school commissioners are hereby authorized to make manual training, domestic science, and agriculture a part of the course of instruction in any of the schools of their respective counties that they, in their judgment, may think advisable, provided that said instruction shall conform to the course prescribed by the State board of education.

Ch. 388, p. 227, Apr. 11, 1910.

Maryland: Extends to June 1, 1914 (from 1912) the time within which high schools may meet the requirement as to enrollment (i. e., 35 pupils). Schools already on approved list and complying with other conditions shall not be excluded within that time.

Ch. 41, Mar. 14, 1912.

Maryland: Provides for joint high schools for Talbot, Queen Anne, and Caroline Counties (in town of Queen Anne), building, site, and equipment to cost not over \$7,000. The State shall appropriate \$4,000.

Either agriculture, manual training, or commercial course may be maintained.

Ch. 705, Apr. 11, 1912.

Massachusetts: Resolved, That the board of education is hereby authorized and directed to investigate the matter of improving and making more uniform the education now furnished by the various high schools in the Commonwealth, and also of providing higher and supplementary education as a sequel to the public-school education now provided. Said board is directed to consider and report upon house bill number 590 now pending, and the petition which accompanies it. The board shall report to the general court not later than January 15 in the year 1912, with such recommendations for legislation, if any, as it may deem expedient. The board is authorized to give such public hearings upon the said subject as it may deem necessary, and in carrying out the provisions of this resolve may expend such sums as shall be approved by the governor and council.

Resolves, ch. 60, Apr. 20, 1911.

Massachusetts: Mount Hermon Boys School and Northfield Seminary consolidated to form "The Northfield Schools."

May hold estate not over \$3,000,000.

Ch. 609, May 20, 1912.

Michigan: Amending the free high-school tuition law.

Defines a high school as a graded school maintaining 12 grades of work, with at least two teachers devoting their entire time to the ninth, tenth, eleventh, and twelfth grades. A district maintaining a course of 10 grades, with one teacher devoting his entire time to the ninth and tenth grades, shall not be obliged to pay tuition for its pupils in a 12-grade school until such pupils have completed the 10 grades provided in their own district.

Provides for eighth-grade diplomas to be granted by the county boards of examiners under rules and regulations of the superintendent of public instruction. No. 14, Mar. 17, 1911.

Minnesota: See C (d).

Nebraska: Relating to county high schools.

Each of such schools shall be under the direction of a board of regents of five members elected by the directors of the several school districts of the proper county. The said board of regents shall employ a superintendent and such assistant teachers and employees as may be required, and shall determine the tax levy for the county high school, which levy shall not exceed 5 mills, exclusive of the levy for principal and interest of bonds. The county superintendent of public instruction shall be ex officio secretary of the board of regents. Ch. 118, Apr. 10, 1911.

[NOTE.—Formerly the county board of trustees controlled the county high school, and the county superintendent was superintendent of the school, there being also a principal.]

Nebraska: See G (c).

Nevada: Authorizing the county commissioners of Humboldt County to issue bonds for \$20,000 to purchase a site and erect a building for a county high school.

Authorizes also a special tax for the redemption of said bonds.

Ch. 107, Mar. 18, 1911.

New Hampshire: Amending chapter 89, section 11, of the Public Statutes.

Empowers superintendent of public instruction at his discretion to terminate contracts between local school boards and academies or other literary institutions made for the instruction of the high-school pupils of the district. Ch. 137, Apr. 13, 1911.

* New Hampshire (1909): Town not liable to pay another town for tuition of child attending high school in latter town.—Lisbon Sch. Dist. No. 1 v. Landaff T'n Sch. Dist., 74 At., 188.

New Jersey: Private secondary schools and institutions of learning may elect one or more nonresident trustees. Ch. 298, Apr. 1, 1912.

New Mexico: Providing for county high schools.

County high schools may be established in any county of 5,000 inhabitants. On petition of one-fifth of the electors of the county, the county commissioners shall order an election to determine whether a county high school shall be established at the place named in the petition. If the majority approve, the county commissioners shall establish a high school.

All pupils who have passed the eighth grade of the course prescribed by the State board of education, are entitled to attend gratis the county high school under the management and control of the board of education or board of directors of city or district in which the school is situated. The county superintendent is an ex officio member of the board. Said board may levy a county tax not to exceed 2 mills for county high school.

If more than one county high school has been established under this act in any county, the high-school tax shall be apportioned between them on the basis of the number attending, no pupil to be considered who has attended less than half the regular sessions.

Only one county high school may be established in any county in one year. When an additional high school is established, it shall not receive over one-third of the high-school fund in the first year. This does not apply when established high schools are adopted as county high schools.

The site and building of a county high school shall be purchased by the district in which it is located. The county high-school tax shall be used only for maintenance and operation. The district may sell bonds to raise money for a site and building.

The course of study for county high schools shall include manual training, domestic science, and elements of agriculture and commercial science.

Ch. 57, June 10, 1912.

New York: Amending the education law.

Section 57 includes secondary schools in the institutions of the State university, differentiating between secondary and higher education. Formerly "higher education" meant "education in advance of common elementary branches."

Ch. 140, Apr. 22, 1910.

New York: Union school districts having a population of 5,000 or more and employing superintendents rated with cities in the matter of tuition charge in excess of \$20 per year for nonresident pupils in academic department.

Ch. 276, Apr. 11, 1912.

North Dakota: See A (b) and L (a).

Oregon: Amending certain acts relating to union high-school districts.

Parts of school districts (as well as school districts) may be included in union high-school districts after appropriate action by the inhabitants thereof. Composition and terms of office of union high-school district boards. Said boards may determine who are nonresident pupils and fix the rate of tuition for such pupils. Course of study of such schools shall cover not less than two (instead of three) years. Each union high-school board shall determine the rate of tax to be levied for such school in the union district (formerly the several districts forming a union were proportionally assessed).

Omits former requirement that every teacher shall be a graduate of a State normal school or of a college or university or shall be a holder of a State certificate or diploma.

Ch. 53, Feb. 18, 1911.

Pennsylvania: See A (a).

South Carolina: An act to amend an act to provide high schools, etc.

When any special school district operating under a special act is joined with one or more common-school districts to form a high-school district the board of trustees of the special school district shall be the board of trustees for the high-school district.

Act 399, Feb. 25, 1910.

Texas: Providing for the establishment, maintenance, and control of public high schools in the common-school districts of Texas; making an appropriation for the teaching of agriculture, domestic economy, and manual training in said high schools and in certain high schools already established; and providing for boards of county school trustees and prescribing their powers and duties.

Authorizes the establishment of public high schools in common-school districts as integral parts of the public free-school system of the State.

"There may be taught in each high school, the establishment of which is herein authorized, all the subjects prescribed by law to be taught in the public schools of Texas, including primary, intermediate, and high-school subjects, and such of the additional subjects of agriculture, domestic economy, and manual training as may be provided for according to the conditions hereinafter prescribed. In the meaning of this statute there shall be high schools of the first class, high schools of the second class, and high schools of the third class. A high school of the first class shall be a high school which maintains at least four years or grades of work above the sixth grade or year; may include in its curriculum the first six grades or years of work, shall employ at least two teachers to teach high-school subjects, who shall each hold a State first-grade certificate or certificate of higher grade, and shall be maintained for not less than eight scholastic months during each school year. A high school of the second class shall be a high school which maintains at least three years or grades of work above the sixth grade or year, may include in its curriculum the first six years or grades of work, shall employ at least two teachers to teach high-school subjects, who shall each hold a State first-grade certificate or certificate of higher grade, and shall be maintained for not less than eight scholastic months during each school year. A high school of the third class shall be a high school which maintains at least two years or grades of work above the sixth grade or year, may include in its curriculum the first six years or grades of work, shall employ at least one teacher to teach high-school subjects, who shall hold a State first-grade certificate or certificate of higher grade, and shall be maintained

for not less than seven scholastic months during each school year. Each class of high schools herein defined shall be entitled to receive a certificate of approval or classification from the State department of education. High schools which fail to come up to the standard herein prescribed as to teachers, number of grades or years of work, and length of annual session shall not be prohibited by this act, but such high schools shall not be entitled to receive a certificate of approval or classification from the State department of education. A grade or year of work as herein mentioned shall consist of not less than 32 weeks of 5 days each."

The State board of education shall duplicate any amounts between \$500 and \$1,500 set apart by trustees of any first or second class high school for establishing, maintaining, or equipping a department of agriculture; in such high school any amount between \$500 and \$1,000 similarly set apart for a department of domestic science; any amount between \$500 and \$1,000 similarly set apart for a department of manual training; any amount between \$500 and \$1,000 set apart by the trustees of any third-class high school in a common-school district for a department of agriculture. Not more than \$2,000 shall be appropriated by the State board of education for said purposes in any one year; and such appropriation shall not be made more than twice to the same school. Appropriation for said purposes, \$50,000 for 1912 and \$50,000 for 1913.

"The board of trustees of the high school applying for State aid for establishing, equipping, and maintaining a department of agriculture, domestic economy, or manual training shall provide ample room and laboratories for the teaching of each subject or subjects, and in connection with the department of agriculture in the high school shall provide a tract of land, conveniently located, which shall be sufficiently large and well adapted to the production of farm and garden plants, and shall employ a teacher who has received special training for giving efficient instruction in the subject. The State superintendent of public instruction shall make accurate and full investigation of the school property, appliances, and ground possessed by any board of trustees that may apply for State aid under the provisions of this act, and shall make a report of the result of his investigation to the State board of education, together with his recommendations touching the same. The State board of education shall grant aid to those high schools that have complied with the provisions of this act that shall give evidence that, after the State aid is withdrawn, the high schools will continue to maintain the department for instruction in agriculture, domestic economy, or manual training, and that have been recommended by the State superintendent of public instruction."

The general management and control of the high schools in each county of the State provided for in this act shall be vested in five county school trustees, elected from the county at large; full terms, three years, two, or one, as the case may be, expiring each year. Said trustees shall be qualified voters and freeholders, of good moral character, able to read and speak the English language, of good education, and in sympathy with public free schools. A majority of them shall reside in common-school districts.

"It shall be the duty of the county school trustees to classify the schools of the county into primary schools, intermediate schools, and high schools, for the purpose of promoting the efficiency of the primary and intermediate school and of establishing high schools wherever practicable. In classifying the schools and in establishing high schools the county school trustees shall confer and advise with the county superintendent of public instruction and the district school trustees of the county, and shall give due regard to schools already located, to the distribution of the population, and to the advancement of the children in their studies. The said county school trustees shall, in cooperation with the county superintendent of public instruction, prescribe a course of study for the public schools of the county conforming to the law and requirements of the State department of education.

"All rights and powers pertaining to the public free schools of the county that have heretofore been vested in the commissioners' court and that are not prescribed by this act shall hereafter be vested in the county school trustees. In determining the location of high schools the county school trustees shall, by and with the consent of the majority of the trustees of each district affected, effect the consolidation of as many common-school districts as practicable, and shall negotiate with the school trustees of such common-school

districts as have no high schools for the free tuition of eligible children in the high schools, thereby giving high-school privileges and opportunities, so far as possible, to all children of scholastic age residing in the rural districts. The county school trustees are also empowered to negotiate with the trustees of independent school districts that have high schools for the free tuition of eligible children who reside in adjacent or convenient common-school districts not maintaining high schools.

"The county school trustees of each county shall constitute a body corporate, * * * and may perform other acts for the promotion of education in the county. The title to any school property belonging to the county the title of which has heretofore been vested in the county judge and his successors in office, or any school property that may be acquired, shall vest in the county school trustees and their successors in office for public-free-school purposes."

The county school trustees shall designate the county superintendent as their secretary and executive officer. It shall be the duty of the county school trustees, acting with the county superintendent, to apportion all available State and county funds to the school districts as prescribed by law.

All appeals from the decisions of the county superintendent of public instruction shall lie to the county school trustees, and from the said county school trustees to the State superintendent of public instruction, and thence to the State board of education.

The county school trustees shall hold meetings once each quarter on the first Monday in August, in November, in February, and in May, or as soon thereafter as practicable, and at other times when called by the president of the board of trustees. Each county school trustee shall be paid his actual expenses incurred in attending meetings, provided that no member shall receive more than \$3 per day nor more than \$24 during any scholastic year.

Ch. 28, Mar. 6, 1911.

- * Texas (1910): Under Laws 1905, ch. 124, secs. 52, 149, 151, the power of commissioners' courts to distribute territory including any high-school districts stated.

An independent high-school district the formation of which was invalid under a supreme court decision, but which was validated by a subsequent amendment to the constitution, held to be valid from its formation.—Gillespie et al. v. Lightfoot, Atty. Gen., 172 S. W., 799.

- Utah: Creating high-school districts and providing for the government and maintenance of the same.

Each county shall constitute a high-school district, but may be divided to make two or more districts after notice and hearing by the board of county commissioners on the recommendation of the county superintendent. Counties constituting first-class districts, and city school districts of the first and second classes are excepted from the provisions of this act. In each high-school district there shall be a board of education composed of the county superintendent and one member of each district board of trustees within the high-school district, who shall be elected by the proper board of trustees. An election shall be held in each high-school district to determine whether one or more high schools shall be established and at what places such school or schools shall be located. If approved by the majority of electors voting at said election, the board of education shall establish such school or schools, and may levy annually a tax not exceeding 5 mills therefor (or more if authorized by electors), which tax shall be assessed and collected by the proper county officers. The board of education may purchase sites, construct houses, equip and maintain high schools authorized, support school libraries, provide transportation, etc. Any common-school district containing over 500 children of school age, not included in a high-school district, may establish a high school. The State board of education shall prescribe the courses of study, and the State textbook commission shall adopt textbooks to be used in all high schools established under this act. Bonds may be issued to buy sites or build houses if authorized at election. • Ch. 31, Mar. 9, 1911.

- Vermont: Amending certain sections relating to examination of pupils for advanced (high school) instruction.

Examination required only at beginning of course. State superintendent shall prepare questions and mark papers, and local superintendent determines qualification. Amount of State aid to heavily taxed towns is increased.

In a town maintaining a high school the superintendent may either determine the qualifications of pupils desiring to enter the high school, or he may require such pupils to take the examination prescribed by the State superintendent. Pupils who have passed such examination may enter the town high school, and under certain conditions are entitled to have their tuition paid in another high school.

No. 68, Nov. 17, 1910.

Vermont: See G (c).

West Virginia: Amending and reenacting section 30 of chapter 45 of the Code relating to district high schools. Relates to elections for high schools.

Ch. 68, Feb. 23, 1911.

West Virginia: Establishing a county high school in Clay County upon a site to be selected by the board of directors, and authorizing the levy of taxes in said county to aid in erecting and equipping a suitable building.

Ch. 25, Feb. 23, 1911.

West Virginia: Establishing a county high school in Nicholas County upon a site to be selected by the board of directors, and authorizing the levy of taxes for the erection and maintenance of a building.

Ch. 26, Feb. 24, 1911.

Wisconsin: Creating section 490b of the Statutes, relating to the surrendering of certificates of organization of free high schools in districts maintaining two schools.

Ch. 422, June 21, 1911.

Wisconsin: Amending sections 495-1 and 495-9 of the Statutes, relating to union free high-school districts and time of holding annual union free high-school district meetings.

Ch. 339, June 15, 1911.

Wisconsin: Creating section 496-2 of the Statutes.

Authorizes union free high-school districts and ordinary school districts to unite in the erection and maintenance of a high-school building.

Ch. 294, June 7, 1911.

Wisconsin: Repealing section 495 of the Statutes and creating 495 of the Statutes, relating to the levying of taxes for high schools maintained in common-school districts in which annual school-district meetings are held.

Provides for the assessment of taxes for free high schools.

Ch. 102, May 10, 1911.

Wisconsin: Repealing section 4961 of the Statutes, and creating a new section 4961 of the Statutes, relating to evidence of a pupil having completed the course of study in the home district, or one equivalent thereto, where non-resident pupils attend a free high school.

Ch. 251, June 2, 1911.

Wisconsin: Amending section 1727 of the Political Code, relating to the formation of union high-school districts.

Ch. 462, Apr. 14, 1911.

N. (b) High-School Inspection.

Ohio: Relating to State high-school inspectors.

Fixes definite time for expiration of term of office. Omits former provision that such inspection shall not be a substitute for the inspection made by the Ohio State University for university purposes.

H. B. No. 258, p. 47, Apr. 11, 1911.

O. TECHNICAL, INDUSTRIAL, AND VOCATIONAL EDUCATION: ELEMENTARY AND SECONDARY.

(a) General.

See also L (t).

Alabama: Establishing a State school for teaching agriculture and domestic economy at Lineville, providing for the control thereof, and appropriating therefor. Act 199, p. 725, Mar. 31, 1911.

Alabama: Changing the name of "The Alabama Girls' Industrial School" to "The Alabama Girls' Technical Institute." Act 39, p. 22, Feb. 20, 1911.

Arizona: Encouraging vocational pursuits in high schools.

Any high-school properly equipped and fitted by location to give training in agriculture, mining, manual training, household arts, or other vocational pursuits may, on application of its board of trustees to the State board of education, be designated to maintain such courses. State aid on approval of instruction, etc., by State board of education. Ch. 45, May 16, 1912.

Kentucky: An act to regulate the establishment of industrial schools.

It shall be unlawful for any person, company, corporation, or association to operate an industrial school or college employing 75 acres or more of land, except with the consent of the majority of the legal voters in the precinct in which the school is to be operated.

This act shall not apply to cities of the first, second, third, or fourth classes or to institutions already in actual operation for one year or more.

Ch. 10, 1910.

Disapproved March 14, 1910; passed March 14, 1910, notwithstanding the objections of the governor.

Kentucky (1910): A statute which prohibits or authorizes the voters of a precinct to prohibit the establishment of an industrial school held not substantial as an exercise of the police power.

The legislature under the police power may prohibit the mingling of white and colored children in the same or in schools of immediate proximity.

A statute held to make the right of a corporation organized under Kentucky Statutes, sections 879-883, to establish a school to depend on the votes of the citizens, and hence violative of constitution, section 60.

A statute making it unlawful for corporation to operate an industrial school without obtaining the consent of a majority of the voters in the precinct held not sustainable as an amendment to the charter of a corporation.—Columbia Trust Co. v. Lincoln Inst. of Ky., 129 S. W., 113.

Maine: An act for the encouragement of industrial education.

"SECTION 1. The State superintendent of public schools shall be charged with the duty of extending the investigation of methods of industrial education; he shall advise and aid in the introduction of industrial courses into free high schools and academies aided by the State and shall report on all special schools in which industrial education is carried on. It shall be his duty to inspect the courses of study offered in such free high schools and academies, and he shall have authority to approve such courses in all schools aided by the State.

"SEC. 2. The trustees of the State normal schools shall cause to be introduced into all of the said normal schools such courses in manual arts, domestic science, and agriculture as will enable their graduates to teach elementary courses in those subjects in the rural and grade schools. In not more than one of said schools the course in manual training shall be so extended as to offer opportunity to persons desiring to qualify as special teachers of that branch, and in not more than one the course in domestic science shall be so extended as to offer similar opportunity to persons desiring to qualify as special teachers thereof. For the two special courses thus offered the trustees are authorized to expend annually not to exceed \$4,000, which shall be addi-

tional to other sums appropriated for the support of said normal schools and which the treasurer of State shall deduct from any funds raised for the support of common schools.

"Sec. 3. Whenever the superintendent of schools of any town shall certify under oath to the State superintendent of public schools, according to form prescribed by the State superintendent, that instruction in manual training or domestic science has been provided pupils of elementary schools for the year preceding, then upon approval of such certificate of the State superintendent of schools State aid shall be paid to the amount of two-thirds the total salary paid each teacher, provided that the amount so paid by the State for the employment of any one instructor shall not exceed \$800 in one year, and provided further that the appropriation made by the town for this purpose shall be exclusive of any other sum received from the State for the support of common schools and of the minimum requirement raised by the town as prescribed by section 13 of chapter 15 of the Revised Statutes as amended, and provided further that the course of study, equipment, and qualifications of instructors shall have been approved by the State superintendent of public schools.

"Sec. 4. The superintending school committee having charge of any free high school, or the trustees of any incorporated academy, may provide for instruction therein in the principles of agriculture and the domestic and mechanic arts. Whenever it shall be made to appear to the governor and council, from returns made as herein provided, that in any free high school or academy instruction has been furnished during the preceding year in the principles of agriculture, the mechanic arts, or domestic science, the said governor and council shall direct the treasurer of State to pay to the town supporting such free high school or to the treasurer of such academy, in addition to other State aid, if any, a sum equal to two-thirds the total expenditure for instruction in each of said courses, provided, however, that no school shall receive a total in excess of \$500 in any one year for the support of said courses, and provided that State aid shall not be allowed for any course which has an average attendance of less than 12 students, and provided further that such aid shall not be granted unless the course of study, equipment, and qualifications of instructors shall first have been approved by the State superintendent of public schools.

"Sec. 5. Chapter 102 of the Public Laws of 1909 is hereby repealed. [Provided State aid (\$250) to any academy maintaining an industrial course.]

"Sec. 6. Whenever the superintending school committee of any town shall have maintained during the school year an evening school as provided by section 22 of the Revised Statutes, said town shall be reimbursed by the State a sum equal to two-thirds the amount paid for instruction in such evening school, provided there shall have been offered, in addition to the subjects elsewhere prescribed for evening schools, courses in free-hand or mechanical drawing, domestic science, or manual training or the elements of the trades.

"Sec. 7. The superintending school committee of any town when authorized by vote of the town shall establish and maintain as a part of the public-school system of such town a general industrial school for the teaching of agriculture, household science, the mechanic arts, and the trades. Such general industrial schools shall be open to pupils who have completed the elementary school course or who have attained the age of 15 years. The authority and duties of the superintending school committee and of the superintendent of schools in relation to such industrial schools shall be the same as in the case of the common and high schools, but the support of such schools shall be derived from funds raised in addition to any sums appropriated for the support of common and high schools. Whenever it shall be made to appear to the governor and council that any town has provided instruction in the trades and industries in a general industrial school maintained therein for a period of 36 weeks during the school year, and employing at least one teacher whose work is devoted exclusively to such instruction, and having an average attendance of at least 20 pupils, the governor and council shall direct the treasurer of State to pay to the treasurer of such town a sum equal to two-thirds the total amount spent for instruction in said school, provided that not more than \$2,000 shall be paid by the State to any one town in any year.

"Sec. 8. For the purposes of this act there shall be deducted annually by the treasurer of State from the school and mill fund the sum of \$27,500, and any of this amount so deducted that is not apportioned during the financial

year shall at its close be added to the permanent school fund. All reports required under this act shall be filed annually with the State superintendent of public schools on or before the 1st day of July, and State aid shall be payable during the month of December next succeeding."

Ch. 188, Mar. 31, 1911.

Massachusetts: Codifying and amending the laws relating to State-aided vocational education.

SECTION 1. The following words and phrases as used in this act shall, unless a different meaning is plainly required by the context, have the following meanings:

1. "Vocational education" shall mean any education the controlling purpose of which is to fit for profitable employment.

2. "Industrial education" shall mean that form of vocational education which fits for the trades, crafts, and manufacturing pursuits, including the occupations of girls and women carried on in workshops.

3. "Agricultural education" shall mean that form of vocational education which fits for the occupations connected with the tillage of the soil, the care of domestic animals, forestry, and other wage-earning or productive work on the farm.

4. "Household arts education" shall mean that form of vocational education which fits for occupations connected with the household.

5. "Independent industrial, agricultural, or household arts school" shall mean an organization of courses, pupils, and teachers, under a distinctive management approved by the board of education, designed to give either industrial, agricultural, or household arts education as herein defined.

6. "Evening class" in an industrial, agricultural, or household arts school shall mean a class giving such training as can be taken by persons already employed during the working day, and which, in order to be called vocational, must in its instruction deal with the subject matter of the day employment and be so carried on as to relate to the day employment.

7. "Part time or continuation class" in an industrial, agricultural, or household arts school shall mean a vocational class for persons giving a part of their working time to profitable employment and receiving in the part time school instruction complementary to the practical work carried on in such employment. To give "a part of their working time" such persons must give a part of each day, week, or longer period to such part time class during the period in which it is in session.

8. "Independent agricultural school" shall mean either an organization of courses, pupils, and teachers under a distinctive management designed to give agricultural education, as hereinafter provided for, or a separate agricultural department offering in a high school, as elective work, training in the principles and practice of agriculture to an extent and of a character approved by the board of education as vocational.

9. "Independent household arts school" shall mean a vocational school designed to develop on a vocational basis the capacity for household work, such as cooking, household service, and other occupations in the household.

SEC. 2. The board of education is hereby authorized and directed to investigate and to aid in the introduction of industrial, agricultural, and household arts education; to initiate and superintend the establishment and maintenance of schools for the aforesaid forms of education; and to supervise and approve such schools, as hereinafter provided. The board of education shall make a report annually to the general court, describing the condition and progress of industrial, agricultural, and household arts education during the year, and making such recommendations as the board may deem advisable.

SEC. 3. In order that the instruction in the principles and the practice of the arts may go on together, independent industrial, agricultural, and household arts schools may offer instruction in day, part time, and evening classes. Attendance upon such day or part time classes shall be restricted to those over 14 and under 25 years of age, and upon such evening classes to those over 17 years of age.

SEC. 4. Any city or town may, through its school committee or through a board of trustees elected by the city or town, to serve for a period of not more than five years, and to be known as the local board of trustees for vocational education, establish and maintain independent industrial, agricultural, and household arts schools.

SEC. 5. 1. Districts composed of cities or towns, or of cities and towns, may, through a board of trustees, to be known as the district board of trustees for vocational education, establish and maintain independent industrial, agricultural, or household arts schools. Such district board of trustees may consist of the chairman and two other members of the school committee of each of such cities and towns, to be appointed for the purpose by each of the respective school committees thereof; or any such city or town may elect three residents thereof to serve as its representatives on such district board of trustees. 2. Such a district board of trustees for vocational education may adopt for a period of one year or more a plan of organization, administration, and support for the said schools, and the plan, if approved by the board of education, shall constitute a binding contract between the cities or towns which are, through the action of their respective representatives on the district board of trustees, made parties thereto, and shall not be altered or annulled except by vote of two-thirds of the board and the consent of the board of education to such alteration or annulment.

SEC. 6. Local and district boards of trustees for vocational education administering approved industrial, agricultural, or household arts schools shall, under a scheme to be approved by the board of education, appoint an advisory committee composed of members representing local trades, industries, and occupations. It shall be the duty of the advisory committee to counsel with and advise the local or district board of trustees and other school officials having the management and supervision of such schools.

SEC. 7. 1. Any resident of any city or town in Massachusetts which does not maintain an approved independent industrial, agricultural, or household arts school, offering the type of training which he desires, may make application for admission to such a school maintained by another city or town. The board of education, whose decision shall be final, may approve or disapprove such application. In making such a decision the board of education shall take into consideration the opportunities for free vocational training in the community in which the applicant resides; the financial status of the community; the age, sex, preparation, aptitude, and previous record of the applicant; and all other relevant circumstances.

2. The city or town in which the person resides, who has been admitted as above provided, to an approved independent industrial, agricultural, or household arts school maintained by another city or town, shall pay such tuition fee as may be fixed by the board of education; and the Commonwealth shall reimburse such city or town, as provided for in this act. If any city or town neglects or refuses to pay for such tuition it shall be liable therefor in an action of contract to the city or town, or cities and towns, maintaining the school which the pupil, with the approval of the said board, attended.

SEC. 8. Independent industrial, agricultural, and household arts schools shall, so long as they are approved by the board of education as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, employment of pupils, and expenditures of money, constitute approved local or district independent vocational schools. Cities and towns maintaining such approved local or district independent vocational schools shall receive reimbursement as provided in sections 9 and 10 of this act.

SEC. 9. 1. The Commonwealth, in order to aid in the maintenance of approved local or district independent industrial and household arts schools and of independent agricultural schools consisting of other than agricultural departments in high schools, shall, as provided in this act, pay annually from the treasury to cities and towns maintaining such schools an amount equal to one-half the sum to be known as the net maintenance sum. Such net maintenance sum shall be raised by local taxation and expended for the maintenance of such a school, less the amount, for the same period, of tuition claims, paid or unpaid, and receipts from the work of pupils or the sale of products.

2. Cities and towns maintaining approved local or district independent agricultural schools consisting only of agricultural departments in high schools shall be reimbursed by the Commonwealth, as provided in this act, only to the extent of two-thirds of the salary paid to the instructors in such agricultural departments: *Provided*, That the total amount of money expended by the Commonwealth in the reimbursement of such cities and towns for the salaries of such instructors for any given year shall not exceed \$10,000.

3. Cities and towns that have paid claims for tuition in approved local or district independent vocational schools shall be reimbursed by the Commonwealth, as provided in this act, to the extent of one-half the sums expended by such cities and towns in payment of such claims.

SEC. 10. On or before the first Wednesday of January of each year the board of education shall present to the general court a statement of the amount expended previous to the preceding 1st day of December by cities and towns in the maintenance of approved local or district independent vocational schools, or in payment of claims for tuition in such schools, for which such cities and towns should receive reimbursement, as provided in this act. On the basis of such a statement the general court may make an appropriation for the reimbursement of such cities and towns up to such 1st day of December.

Ch. 471, May 26, 1911.

Massachusetts: The school committee, or other board of trustees for vocational education, may establish and maintain separate evening classes in household and other practical arts. To be open to women over 17 years of age employed during the day. May receive State aid under chap. 471, Acts 1911.

Ch. 106, Feb. 16, 1912.

Massachusetts: The fiscal year of textile schools shall begin July 1 each year.

Ch. 445, Apr. 6, 1912.

Massachusetts: Appropriation to pay half of the cost of the tuition of pupils in independent industrial schools. Under ch. 471, 1911.

Ch. 450, Apr. 8, 1912.

Massachusetts: Appropriating \$18,338 for additional equipment for the Lowell Textile School.

Ch. 730, June 13, 1912.

Montana: Providing for manual and industrial training.

All school districts having a population of 5,000 or more shall, and districts of less population may, maintain at least one manual training school suitably equipped to furnish manual and industrial instruction to pupils above the fifth grade.

In all school districts having a population of 10,000 or more there shall be, and in districts of less population there may be, schools or special courses in connection with manual training schools, or city or county high schools, designed to furnish direct vocational training.

Ch. 131, Mar. 8, 1911.

New Mexico: Providing for industrial education.

State board of education may prescribe a course of study in industrial education, including household arts, manual training, and agriculture, and may make rules and regulations for such instruction in the public schools. State superintendent shall appoint a State director of industrial education.

Ch. 52, June 10, 1912.

Oklahoma: Memorializing the Congress of the United States to appropriate annually to each State and Territory a sum equal to \$1 per head of population for aiding elementary and secondary schools, with especial reference to industrial subjects.

S. Con. Res. No. 28, Mar. 6, 1911.

Rhode Island: Increasing from \$8,000 to \$11,100 the appropriation for State beneficiaries at the Rhode Island School of Design.

Ch. 825, Apr. 26, 1912.

Rhode Island: Authorizing State aid for industrial education.

1. Towns providing instruction in manual training and household arts shall receive from State one-half of cost of apparatus.

2. Any town which establishes and maintains day or evening courses for vocational education, including instruction in agriculture and training in mechanic arts and other industrial arts, shall receive from the State one-half of the entire expense for same. Buildings, land, and equipment not included. Manual training not included. Appropriation, \$5,000 annually.

Ch. 845, May 8, 1912.

O. (b) Agriculture.

Alabama: Amending sections 60, 67, and 67 of the Code of 1907.

Increases the appropriation to each of the nine congressional district agricultural schools from \$4,500 to \$7,500 annually.

Provides that not less than \$1,500 annually shall be expended in maintaining departments of farm mechanics and household arts.

Requires all male pupils receiving free tuition to take the course in agriculture, horticulture, and farm mechanics and all other pupils receiving free tuition to take the course in agriculture, horticulture, and household arts.

Act 494, p. 627, Apr. 22, 1911.

Arkansas: Amending section 3 of Act 100 of the Laws of 1909.

Fixes time of expiration of terms of trustees of State agricultural schools

Act 100, p. 151, Apr. 10, 1911.

California: Appropriating \$65,000 for the construction and improvement of buildings on the university farm at Davis. Ch. 529, Apr. 21, 1911.

California: Providing for experiment and research work in viticulture at the experiment station at the University of California. Ch. 545, Apr. 21, 1911.

Colorado: Establishing a school of horticulture and forestry at Grand Junction Indian School in Mesa County. Ch. 62, Apr. 28, 1911.

Colorado: Establishing a school of agriculture and mechanic arts at the Fort Lewis School in La Plata County. Ch. 18, Jan. 29, 1911.

Georgia: Authorizing the board of trustees of the Fourth District Agricultural and Mechanical School to lease for a term not exceeding 20 years certain grounds on the school property in Carroll County to the Fourth District Agricultural and Mechanical School Fair Association, and to permit the erection thereon of necessary buildings for the purpose of holding annual fairs in the interest of agricultural science and mechanical arts, and general advancement of industries in said district. No. 355, Aug. 5, 1910.

Georgia: Establishing the Agricultural, Industrial, and Normal College at Valdosta and appropriating therefor. No. 250, Aug. 23, 1911.

Georgia: Making permanent the existing boundaries of agricultural school districts, without reference to future congressional districts.

No. 241, Aug. 19, 1911.

Georgia: Appropriating \$7,500 for a dormitory for the First District Agricultural and Industrial School at Statesboro. No. 529, p. 18, Aug. 19, 1912.

Maryland: Appropriating \$10,000 for ground and building for the Caroline County Agricultural High School. Ch. 434, Apr. 8, 1912.

Maryland: Authorizing and requiring the county commissioners of Caroline County to raise \$7,500 by tax on Ridgely district and \$7,500 by tax on the county, to be used for the building for the County Agricultural High School at Ridgely. Ch. 685, Apr. 8, 1912.

Massachusetts: Directing the board of education to investigate the advisability of establishing an agricultural school in or near the city of Boston.

Resolves, ch. 109, June 29, 1911.

Michigan: Amending an act to provide for the establishment of county schools instead of one. No. 29, Mar. 31, 1911.

Provides for State aid, not exceeding \$4,000 annually, to two such schools of agriculture, manual training, and domestic economy.

Michigan: Empowering any school district to establish and maintain trade, vocational, industrial, marine, and manual training schools, school gymnasiums, and scholarships, and to accept gifts, legacies, and devises for any of said purposes.

Requires consent of majority of qualified electors voting at any annual meeting; a general tax may be levied upon the taxable property of the district to defray the cost and expense thereof. No 22, Mar. 24, 1911.

Minnesota: Amending chapter 247, 1909, relating to departments of agriculture, manual training, and domestic economy in State high and graded schools.

Increases from 10 to 30 the number of schools to be designated to receive State aid.

Qualifications of teachers in such departments shall be fixed by the State high-school board. Instruction shall be free to inhabitants of the proper district (instead of the State); the charge for nonresident pupils shall not exceed \$2.50 each per month for tuition, and the said sum shall be paid by the districts of their residence. In addition to State aid previously provided (namely, \$2,500 per annum) each central school shall receive \$150 for every rural school associated with it, and each such rural school shall receive \$50; but no school shall receive an amount exceeding two-thirds the sum actually expended upon its agricultural and industrial department. State appropriation, \$105,000 (instead of \$25,000) annually. Raises from 1 to 2 mills the minimum tax levy in associated districts, and removes former maximum of 4 mills. The associated board may procure a tract of land in one or more of the associated rural districts for demonstration and experiment; and may submit to a vote of the associated rural districts the question of levying a tax for an industrial and agricultural building. Ch. 82, Apr. 5, 1911.

Minnesota: Providing for the teaching of certain industrial subjects in high and graded schools.

Any high school or graded school which shall maintain such a course as the high-school board of this State shall prescribe in agriculture and either in home economics or in manual training shall receive annually, in addition to other aid, the sum of \$1,000 for maintaining such industrial courses, to be paid from the appropriations made for State aid to high and graded schools. This aid shall not be paid to any school receiving aid under any other act for the maintenance of industrial courses. Ch. 91, Apr. 7, 1911. (Aug. 1, 1911.)

Mississippi: An act to provide for the establishment of county agricultural high schools and to provide for the equipment and maintenance of same.

SECTION 1. The county school board in each county is authorized to establish not more than two agricultural high schools, one for white youths exclusively and the other for colored youths exclusively, in which instruction shall be given in theoretical and practical agriculture, domestic science, and in such other branches as the board may prescribe, subject to the approval of the State board of education.

Sec. 2. The board of supervisors of any county where an agricultural high school shall have been established by the school board shall levy taxes on the taxable property of the county for the support of the said school. If two schools have been established, a separate tax shall be levied for each school. The levy for any year for agricultural high schools shall not exceed 2 mills for each school. If 20 per cent of the qualified electors of the county protest in writing against the tax levy for either one or both schools, then the question shall be submitted to an election of the qualified electors of the county.

Sec. 3. The government or control of agricultural high schools of a county shall be vested in a board of five trustees.

Sec. 4. If their respective school boards so decide, two adjacent counties may unite in establishing an agricultural high school, or two schools, one for each race. The government of such joint school or schools shall be vested in 11 trustees, 5 from each county, and the 10 so named to elect the eleventh member. Special taxes shall be levied in each of the counties concerned for the support of the joint school; the special tax levy may be annulled by popular vote in either county, in which case the other county may proceed independently, as if the union had not been formed.

Sec. 5. Provides for inspection by the State superintendent of education and report to the State board of education. If the State board see fit, it shall draw an order on the auditor in favor of the county treasurer for the sum of \$1,500 in favor of the trustees of the high school or schools, and the auditor shall issue his warrant annually for this amount. Not over \$1,500 shall be paid to any county in one year for agricultural high-school purposes, but in

case a joint high school is established an amount not exceeding \$3,000 may be paid to the joint counties. No aid shall be given any agricultural high school until the State board of education has approved the plans of its buildings and its course of study.

Sec. 6. Accounts and reports.

Sec. 7. The board of trustees of each county shall be the judges of the eligibility of all applicants for admission as students, and shall not admit any applicant whose mental or moral characteristics are such as would be detrimental to the morals of the school.

Ch. 122, Mar. 16, 1910.

Mississippi: An act relating to agricultural high schools.

Provides that grounds, buildings, and moneys of agricultural high schools established under the law of 1908 shall be utilized by the trustees of agricultural high schools established under the act of March 16, 1910, who shall succeed to all such property and funds.

Ch. 126, Mar. 21, 1910.

Mississippi: An act to appropriate money for the aid of agricultural high schools during the years 1909, 1910, and 1911.

Appropriates \$30,000 to carry out the provisions of the act of March 16, 1910, during the years 1909-10 and 1910-11.

Ch. 45, Mar. 30, 1910.

Mississippi: Counties may issue bonds to aid in the establishment of county agricultural high schools. Must be put to popular vote if demanded by 10 per cent of the tax payers. The action of supervisors in issuing bonds will be nullified by adverse vote.

Ch. 150, Mar. 6, 1912.

Mississippi: Appropriation to counties for agricultural high schools increased from \$1,500 to \$2,000 per year if the number of boarding students exceeds 30, or to \$2,500 if the number of such students exceeds 40.

Ch. 264, Mar. 11, 1912.

Mississippi (1909): Laws authorizing a county to establish an agricultural high school for its white youth, to be supported by taxable property held not to abridge the privilege or immunities of a certain class of citizens.—*McFarland, tax collector, et al. v. Goins*, 50 So., 403.

Nebraska: Establishing a school of agriculture west of longitude 99 and south of the fourth standard parallel, for the promotion of agricultural and stock-raising interests.

The said school shall be under the control and management of the board of regents of the State university. Appropriation for buildings and equipment, \$100,000.

Ch. 133, Mar. 21, 1911.

New York: Amending the education law.

Section 600. The board of education of any city, and in a city not having a board of education the officer having the management and supervision of the public-school system, may establish, acquire, conduct, and maintain as a part of the public-school system of such city the following:

1. General industrial schools open to pupils who have completed the elementary school course or who have attained the age of 14 years; and,
2. Trade schools open to pupils who have attained the age of 16 years and have completed either the elementary school course or a course in the above-mentioned general industrial school or who have met such other requirements as the local school authorities may have prescribed.

3. Schools of agriculture, mechanic arts, and home-making, open to pupils who have completed the elementary school course or who have attained the age of 14 or who have met such other requirements as the local school authorities may have prescribed.

Sec. 601. Such schools may be established in union free-school districts.

Sec. 604. Contribution of the State to such schools: \$500 for the first teacher and \$200 for each additional teacher in said schools.

Sec. 607. The State schools of agriculture at St. Lawrence University, at Alfred University, and at Morrisville may give courses for the training of teachers in agriculture, mechanic arts, domestic science, or home making approved by the commissioner of education. Such schools shall be entitled to an apportionment of money as provided in section 604 of this chapter for

schools established in urban free-school districts. Graduates from such approved courses may receive licenses to teach agriculture, mechanic arts, and home making in the public schools of the State, subject to such rules and regulations as the commissioner of education may prescribe.

Ch. 140, Apr. 22, 1910.

New York: Making appropriations for the New York State School of Agriculture at Morrisville.

Maintenance, \$14,000; repairs, equipment, etc., \$11,000; new barns, poultry building, greenhouse, milkhouse, etc., live stock, incubators, brooders, etc., \$25,650; equipment of laboratories, classrooms, shops, library, etc., \$8,625.

Ch. 195, Apr. 29, 1910.

New York: Establishing the New York State School of Agriculture on Long Island.

The governor appoints nine trustees. Instruction shall include agricultural science, mechanical arts, and domestic science, courses for public-school teachers, and winter courses for farmers in addition to the usual subjects. Appropriation, \$50,000 for land and buildings.

Ch. 319, Apr. 15, 1912.

New York: Providing for the purchase of a site and the erection of buildings for the State School of Agriculture at Cobleskill, Schoharie County.

Ch. 852, July 28, 1911.

North Carolina: Providing for the establishment and maintenance of county farm-life schools, and for the promotion of agriculture and home making.

"The aim of said school shall be to prepare boys for agricultural pursuits and farm life and to prepare girls for home making and housekeeping on the farm. The course of study in said school shall be subject to the approval of the State superintendent of public instruction and an advisory board on farm-life schools, to be appointed by him; *Provided, however,* That the course of study shall include practical work on the farm by the boys and practical work in all subjects relating to housekeeping and home making by the girls."

Each school shall be controlled by a board of trustees, one member from each township, appointed by county board of education for terms of six years, terms of one-third to expire every two years. Such school shall not be located in any city or town of over 1,000 inhabitants or within 2 miles of any city or town of more than 5,000 inhabitants. The county, township, or school district, or all combined, shall provide, by taxation or otherwise, at least \$2,500 a year for maintenance, and shall provide a school building, dormitory, barn, and dairy building, all properly equipped, and at least 25 acres of land. State superintendent may permit reduction to 10 acres. Upon written request of board of education of any county the county commissioner may order an election to determine whether such school shall be established, and the affirmative vote of a majority of electors voting shall be held to authorize the levy of a tax sufficient to raise the amount hereinbefore specified for maintenance and to pay principal and interest on bonds for land, buildings, and equipment.

A high-school course shall be maintained in each such school, and it shall receive the State and county appropriations provided in public high-school law.

"It shall be a part of the duty of the faculty of each county farm-life school to conduct agricultural farm-life extension and demonstration work in said county in cooperation as far as possible with such work carried on in said county by the State department of agriculture, the North Carolina College of Agriculture and Mechanic Arts, and the United States Department of Agriculture; to hold township and district meetings in various parts of the county from time to time for farmers and farmers' wives; to cooperate with the county superintendent of public instruction and with the county commissioner of agriculture, where such officer exists, in stimulating, directing, and supervising practical farm-life work in the public high schools and the elementary schools of the county, and in providing instruction, through the county teachers' association and through special short courses of study at said county farm-life school, for the public-school teachers of said county. There shall be provided in the courses of study of said county farm-life school short courses in farm-life studies to which shall be admitted adult farmers, men and women; and there shall be held at said county farm-life school annually one or more county meetings for the farmers and their wives of said county for instruction and demonstration work. All of the work

herein required and all other work of the county farm-life school shall be under the general supervision of the county superintendent of public instruction, and said school shall in all respects be an organic part of the county public-school system."

State aid for each school complying with the provisions of this law, \$2,500 annually. Not more than 10 such schools shall be established in any one year.

Ch. 84, Mar. 3, 1911.

North Dakota: Providing for the establishment of county agricultural and training schools and their joint maintenance by the State and the county wherein located.

Whenever 300 or more freeholders of any county petition the county commissioners to establish a county school for instruction in agriculture, domestic economy, manual training, and for the training of teachers for rural schools, if the said commissioners approve, they shall submit the question to an election in due form. If the majority of votes cast are in favor of establishing such school, the county commissioners may raise therefor by taxation not less than \$10,000 nor more than \$20,000, which sum, with any donation offered by any city or village desiring the location of the school, shall be used for the necessary buildings and equipment.

The said amount may be raised by taxation in a single year or by the issue of certificates of indebtedness payable in five years. After the establishment of such a school the county commissioners shall annually levy and collect a tax sufficient to pay half the cost of maintenance, it being the intent of this act that the yearly cost of each school shall not exceed \$6,000, of which sum the State shall pay half.

The county treasurer shall act as treasurer of the board of trustees of such school.

Each school established under this act shall be controlled by a board of trustees of five members. The proper county superintendent shall be a member and secretary, and the other four members shall be appointed by the board of county commissioners for terms of four years, so arranged that two terms shall expire every alternate year; no compensation except actual expenses shall be paid. Within the limits hereinbefore prescribed the said board of trustees shall determine the amount to be raised for establishing and for maintaining the school.

There is hereby created a State agricultural and training school board which shall consist of the president of the State Agricultural College, the State superintendent of public instruction, and three practical farmers, appointed by the governor for three-year terms, so arranged that one term shall expire annually. The president of the agricultural college shall be president and the superintendent of public instruction shall be secretary. The said board "shall prescribe the course of study to be pursued in the county agricultural and training schools, which shall include, first, instruction in the elements of agriculture, including the study of soil, horticulture, and plant life, animal life on the farm, a system of farm accounts, and manual training and domestic economy; second, instructions in the common branches and such other branches as are necessary for the training of teachers in the rural schools in methods of school management and provisions for observation and practice in the art of teaching.

"The State board of agriculture and training schools shall determine the qualifications to be required of the principal and other teachers in said school, and the president and secretary of the said State board shall each have a vote in the election of and fixing the salaries of the principals of said schools. The other teachers shall be elected by the board of trustees of each school established under this act. It is provided that the course of study in the department of agriculture shall be so framed as to correlate with the courses of study in the State Agricultural College, so that students from the county schools shall be admitted without examination to the next higher class in the State Agricultural College next following that which they have completed in the county school. The superintendent of public instruction and the president of the agricultural college shall visit and inspect each of said schools at least once each year, and make a report to the governor relating to property management, instruction, and efficiency of these schools, and make such recommendations as, in their judgment, will further the efficiency and usefulness of any or all of such schools."

After it has been decided to establish such a school in any county, the board of county commissioners may receive offers of location and of money from any city or village desiring the school and shall accept the offer that seems best.

Tuition shall be free to residents of the proper county, and students from other counties may be admitted under conditions fixed by the board of trustees.

Applications for State aid shall be made to the State superintendent of public instruction, and shall be considered and determined by the State board of agricultural and training schools. The secretary of the board of trustees of each approved school shall annually report to the State superintendent, and if it shall appear that the school has been satisfactorily maintained for not less than nine months the State superintendent shall duly certify that fact, and the State auditor shall issue his warrant to the proper county treasurer for a sum equal to one-half the amount expended for maintaining the school during the year, provided such sum shall not exceed \$3,000 in any one year.

Graduates of such schools shall receive certificates equivalent to second-grade county teachers' certificates. Such certificates shall be valid in the county of issue for one year, but after one year's successful experience shall be validated by the county superintendent for two additional years. Standings obtained by the completion of studies may be accepted within three years in any county in lieu of examination for a second-grade certificate.

County boards of two or more adjoining counties may unite in establishing an agricultural and training school as contemplated by this act.

The State board of equalization shall levy an annual tax not to exceed one-fifth mill to raise the amount required to pay the State's share of the cost of maintaining the schools established under this act. Ch. 285, Mar. 6, 1911.

North Dakota: Providing for departments of agriculture, manual training, and domestic economy in State high, grade ~~and~~ consolidated schools.

Any such school having proper equipment and suitably located may be designated by the State high-school board to maintain an agricultural department. Requirements: Trained instructors in agriculture, manual training, and domestic science, and not less than 10 acres of suitable land.

"Instruction in the industrial department herein provided shall be free to all residents of this State. Where necessary to accommodate a reasonable number of boys and girls able to attend only in the winter months, special classes shall be formed for them. Said department shall offer instruction in soils, crops, fertilizers, drainage, farm machinery, farm buildings, breeds of live stock, stock judging, animal diseases and remedies, production, testing, and hauling of milk and cream; the manufacture of butter and cheese, the growth of fruit and berries, management of orchards, market garden and vegetable crops, cereal grains, fine seeds, bookkeeping and farm accounts, and all other matters pertaining to general practice."

State aid, \$2,500 to each school. Not over five shall be aided first year and not over five shall be aided in each subsequent two years. Appropriation, \$12,500 annually for two years. Rural schools may be associated with the schools aforesaid for the teaching of agriculture and manual training. Tax in the associated districts, not less than 1 mill nor more than 4 mills in addition to other general and special taxes. The principal or superintendent shall exercise the same authority over the associated schools as over the central school, and shall prepare a suitable course of study embodying training and instruction in agriculture and such subjects as are related to farm life and can be successfully taught in rural schools. [The provisions of this law were approved by the governor, excepting the appropriation of \$12,500 for the year ending June 30, 1912, which was vetoed for lack of funds.]

Ch. 40, Mar. 18, 1911.

Ohio: To provide for the teaching of agriculture in the common schools of the State of Ohio.

Agriculture shall be added to and made one of the branches of education to be taught in the common schools of the State. City school districts are excepted from the provisions of this law. The State shall be divided by the State commissioner of common schools into four agricultural districts.

The State commissioner of common schools shall superintend all such agricultural education designated in this act, and shall appoint in each of said agricultural districts a person to be known as a district supervisor of agriculture, whose duty it shall be to visit and cooperate with the several boards

of education in his respective district in mapping out such a course of study in agriculture as they may think best adapted to the wants and needs of the people of the respective school districts; to visit the county teachers' institute in every county in his district and give public instruction in the teaching of agriculture to the teachers of the several schools; to cooperate with the State board of agriculture and give the State such time as may be necessary to lecture on agricultural subjects, as they may be applied to the schools designated in this act, at least once a year in every county in his agricultural district; to encourage county agricultural societies in each county of his agricultural district in establishing school children's agricultural exhibits at each annual county fair; to make regular reports to the State commissioner of common schools at the end of each month, relating to the promotion of agricultural education in the schools designated in this act, in their respective agricultural districts; and to make such other and further reports to said State school commissioner and to perform such other and further duties for the promotion of agricultural education in said schools as the said State school commissioner may direct.

The appointments of persons to fill the offices of district supervisors of agriculture as designated and defined in this act shall be made on the first Monday of August, 1911, and biennially thereafter, and the persons so appointed district supervisors of agricultural education shall serve for two years from date of appointment and not more than two of them shall be of the same political party.

Each of said district supervisors of agricultural education shall receive an annual salary of \$2,000 and his necessary traveling expenses, not to exceed \$1,000 per annum.

Any district supervisor of educational agriculture provided for in this act may be dismissed from said office by State commissioner of common schools for incompetency, immorality, or neglect of duty, but no such district supervisor shall be dismissed without just cause.

S. B. No. 18, p. 38, Mar. 11, 1911.

Texas: Authorizing the establishment of an experiment station for the culture of tobacco.

Said station shall be under the joint control of the United States Department of Agriculture and the State director of experiment stations.

Ch. 91, Mar. 20, 1911.

Texas: Authorizing the commissioners' court of any county to establish and maintain an experimental farm.

Ch. 105, Mar. 24, 1911.

Texas: See N (a).

Vermont: To create a State school of agriculture.

Board of trustees, consisting of governor, commissioner of agriculture, and three practical agriculturists appointed by governor, shall appoint a local director, teachers, experts, and necessary employees, prescribe courses and methods, and fix salaries; compensation, \$4 a day and traveling expenses. To occupy the site of the normal school at Randolph, which shall be discontinued on July 1, 1911. Certificates to teach shall be granted to students of said normal school. Appropriation: For real estate and equipment, \$20,000; for maintenance, \$10,000 annually.

No. 62, Nov. 29, 1910.

Virginia: An act to authorize the boards of supervisors in the several counties in this State to appropriate money for the establishment, equipment, and maintenance of agricultural schools, and to ratify and confirm any appropriations already made to such schools by the board of supervisors in any of the counties of this State.

Refers to agricultural high schools, of which at least one in each congressional district was authorized by Act of March 14, 1908.

Ch. 208, Mar. 15, 1910.

Wisconsin: Amending subsection 3 of section 5531 of the Statutes, relating to State aid to county schools of agriculture and domestic science, and making an appropriation therefor.

Ch. 648, July 12, 1911.

O. (c) Trade.

Alabama: Providing for the establishment of the Alabama School of Trades and Industry at Ragland, Ala., and appropriating \$50,000 therefor.

Provides that of the amount appropriated \$30,000 shall be expended for buildings and equipment and the remaining \$20,000 for maintenance for a term of four years. Act 370, p. 383, Apr. 12, 1911.

Indiana: Authorizing any city school district containing a population of over 200,000 to maintain a trade school upon donated property and to levy a tax of 3 cents per \$100 therefor. Ch. 63, Mar. 1, 1911.

Maryland: Authorizing the State board of undertakers to establish a school of instruction in practical embalming and undertaking. Ch. 458, Apr. 11, 1910.

Massachusetts: Directing the board of education to investigate the advisability and cost of establishing and maintaining in Taunton and Attleboro a State school for designing, modeling, and manufacturing silverware and jewelry. Resolves, ch. 16, p. 870, Feb. 20, 1912.

Massachusetts: Directing the board of education to inspect and report upon all textile schools and schools for the deaf aided by the State. Resolves, ch. 31, p. 877, Mar. 25, 1912.

Wisconsin: Amending section 926-928 of the Statutes, providing for the establishment and maintenance of trade schools in the State of Wisconsin.

Reduces from one-half of 1 mill to three-tenths of 1 mill the amount of tax which may be levied for the support of trade schools. Ch. 101, May 8, 1911.

O. (d) Continuations.

Massachusetts: Directing the board of education to investigate the matter of part-time schooling for working children. Resolves, ch. 64, Apr. 20, 1911.

Wisconsin: Creating sections 553p-1 to 553p-15, inclusive, of the Statutes, relating to education in industrial, commercial, continuation, and evening schools and the maintenance of the Stout Institute, and making appropriation therefor.

"SECTION 553p-1. 1. There is hereby created a State board of industrial education, to be appointed by the governor. The board shall consist of six appointive members, three of whom shall be employers of labor and three of whom shall be skilled employees. The State superintendent of education and the dean of the extension department and the dean of the college of engineering of the University of Wisconsin shall be ex officio members of this board.

"2. Each appointive member shall hold office for two years, and shall receive traveling expenses and \$100 per year. In the first appointments the governor shall designate three members to serve for one year and three members to serve for two years from the 1st day of July of the year in which the appointments are made. All appointments thereafter shall be for two years, except appointments to fill vacancies, which shall be for the unexpired portion of the term.

"3. Said board-(1) Shall have control over all State aid given under sections 553p-1 to 553p-15, inclusive; (2) shall meet quarterly and at such other times as may be found necessary; (3) shall report biennially.

"Sec. 553p-2. 1. The State superintendent of education shall appoint an assistant in the department of public instruction to be known as the assistant for industrial education. He shall, with the advice, consent, and direction of the State superintendent of education, have general supervision over the public industrial schools and over all public evening schools, continuation schools, and commercial schools created under sections 553p-1 to 553p-15, inclusive. The laws relating to agricultural schools and the Platteville Mining Trade School shall remain unaffected by said sections.

" 2. The salary of the assistant shall be fixed by the State superintendent of education, with the approval of the State board of industrial education.

" 3. The State superintendent shall have in addition to the assistant for industrial education such other assistants as he shall deem necessary for work in the same general field.

" 4. All positions except that of assistant for industrial education shall be filled by civil-service examination, as provided by sections 900-1 to 900-32, inclusive. But the total salary list exclusive of the salary of the assistant shall not exceed \$10,000 for any one year.

" 5. The assistant shall have all necessary expenses to attend conventions and make investigations within or outside of the State when such expenses shall have been previously authorized by the State superintendent of education."

" Sec. 553p-3. 1. In every town or village or city of over 5,000 inhabitants there shall be, and in towns, cities, and villages of less than 5,000 inhabitants there may be, a local board of industrial education, whose duty it shall be to foster and establish and maintain industrial, commercial, continuation, and evening schools. Said board may take over and maintain in the manner provided in sections 553p-1 to 553p-15, inclusive, any existing schools of similar nature.

" 2. Such board shall consist of the city superintendent of schools ex officio, or the principal of the high school ex officio, if there be no city superintendent, or the president or chairman of the local board charged with the supervision of the schools, in case there be neither of the above-mentioned officers, and four other members—two employers and two employees—who shall be appointed by the local board charged with the supervision of the schools, and who shall serve without pay.

" 3. The term of the appointive members of the local boards of industrial education shall be two years from the 1st of January of the year in which they are appointed; provided, however, that in the first appointment two members shall be appointed who are to serve for only one year from the 1st of January of the year in which they are appointed. All subsequent appointments shall be for two years, except appointments to fill vacancies, which shall be for the unexpired portion of the term.

" 4. The local board of industrial education shall elect its officers from its membership, a chairman and a secretary. The local boards of industrial education, with the cooperation of the State board of industrial education, shall have general supervision of the instruction in the local schools created under sections 553p-1 to 553p-15, inclusive.

" 5. No State aid shall be granted to schools created under section 553p-1 to 553p-15, inclusive, without the approval of the local board of industrial education. No money appropriated by the city, town, or village for these schools shall be spent without the approval of the local board of industrial education.

" 6. The teachers in the schools created under sections 553p-1 to 553p-15, inclusive, shall be employed and their qualifications determined by the local board of industrial education.

" 7. This board shall have power to purchase all machinery, tools, and supplies, and purchase or lease suitable grounds or buildings for the use of the schools under its supervision. Existing school buildings and equipment shall be used as far as practicable.

" 8. The board is empowered to make contracts with the extension division of the University of Wisconsin to give instruction in such branches as the department may offer, when in the judgment of the local board such instruction can be secured to better advantage than by local provision.

" 9. Whenever 25 persons qualified to attend an industrial, commercial, continuation, or evening school file a petition therefor with the local board of industrial education the board shall establish such school or schools or provide other facilities as authorized in sections 553p-1 to 553p-15, inclusive.

" Sec. 553p-4. 1. The local board of industrial education of every city, village, or town shall report to the common council, or village or town clerk, at or before the 1st day of September in each year the amount of money required for the next fiscal year for the support of all the schools established or to be established under sections 553p-1 to 553p-15, inclusive, in said city, village, or town, and for the purchase of necessary additions to school sites, fixtures, and supplies.

" 2. There shall be levied and collected in every city, village, or town, subject to taxation under sections 553p-1 to 553p-15, inclusive, a tax upon all taxable property in said city, village, or town, at the same time and in the same manner as other taxes are levied and collected by law, which, together with the other funds provided by law and placed at the disposal of said city, village, or town for the same purpose, shall be equal to the amount of money so required by said local board of industrial education for the purposes of said sections.

" 3. The rate of tax levied for the purposes of sections 553p-1 to 553p-15, inclusive, in any town, village, or city shall not in any one year exceed one-half mill for the maintenance of all schools created under said sections.

" 4. The said taxes for the purpose named in this section shall be in addition to all other special and general taxes levied for town, village, or city purposes and shall be for the use and support of schools established under sections 553p-1 to 553p-15, inclusive.

" 5. The treasurer of the town, village, or city shall keep such money separate from all other money, to be used exclusively for the purpose of industrial education as provided in sections 553p-1 to 553p-15, inclusive. All moneys appropriated and expended under said sections shall be expended by the local board of industrial education and shall be paid by the town, village, or city treasurer on orders issued by said board and signed by its president and secretary.

" 6. All moneys received by said board shall be paid to the town, village, or city treasurer for the fund of the local board of industrial education.

" SEC. 553p-5. 1. The courses of study in these schools shall be approved by the State superintendent of education and the State board of industrial education, and shall include English, citizenship, sanitation, and hygiene, and the use of safety devices, and such other branches as the State superintendent and the State board of industrial education shall approve.

" 2. The local board of industrial education may allow pupils attending any school established under sections 553p-1 to 553p-15, inclusive, who have had courses equivalent to any of those offered, to substitute other work therefor.

" SEC. 553p-6. 1. Not more than \$10,000 shall be appropriated from the State funds for the purposes of sections 553p-1 to 553p-15, inclusive, in any one city, town, or village, and State aid shall not be given to more than 30 schools established under said sections.

" 2. A school once granted State aid shall be entitled thereto as long as the character of its work meets with the approval of the State superintendent of education and the State board of industrial education.

" 3. The secretary of the local board of industrial education of each city, town, or village in which such school or schools are maintained, shall on the 1st day of July in each year report to the State superintendent of education the cost of maintaining the school, the character of the work done, the number, names, and qualifications of the teachers employed, and such other information as may be required by the State superintendent of education.

" 4. If such report is satisfactory to the State superintendent of education and the State board of industrial education, and they are satisfied that the school or schools have been maintained in a satisfactory manner for not less than eight months during the year ending the 30th of the preceding June, the State superintendent of education shall make a certificate to that effect and file it with the secretary of state. The secretary of state shall then draw a warrant payable to the treasurer of such city, town, or village in which the industrial school is located for a sum equal to one-half the amount actually expended in such industrial school, continuation school, evening school, or commercial school, during the preceding year, but not more than \$3,000 shall be appropriated to any one school in one year.

" SEC. 553p-7. The schools established under sections 553p-1 to 553p-15, inclusive, shall be open to all residents of the cities, towns, and villages in which such schools are located, of 14 years of age or over who are not by law required to attend other schools. Any person over the age of 14 who shall reside in any town, village, or city not having an industrial school as provided in said sections, and who is otherwise qualified to pursue the course of study, may with the approval of the local board of industrial education in any town, village, or city having a school established under said sections, be allowed to attend any school under their supervision. Such persons shall be subject to the same rules and regulations as pupils of the school who are residents of the town, village, or city in which the school is located.

"Sec. 553p-8. The local board of industrial education is authorized to charge tuition fee for nonresident pupils not to exceed 50 cents per week. On or before the 1st day of July in each year the secretary of the local board of industrial education shall send a sworn statement to the clerk of the city, village, or town from which any such person or persons may have been admitted. This statement shall set forth the residence, name, age, and date of entrance to such school, and the number of weeks' attendance during the preceding year of each such person at the school. It shall show the amount of tuition which under the provisions of this act the town, city, or village is entitled to receive on account of each and all such pupils' attendance. This statement shall be filed as a claim against the town, village, or city where such pupil resides and allowed as other claims are allowed."

"Sec. 553p-9. Students attending any school under sections 553p-1 to 553p-15, inclusive, may be required to pay for all material consumed by them in their work in such school at cost prices or in lieu thereof the school board may establish a fixed sum to be paid by each student in each course, which sum shall be sufficient to cover, as nearly as may be, the cost of the material to be consumed in such course; any manufactured articles made in such school and that may accumulate shall be disposed of at their market value at the discretion of the school board, and the proceeds shall be paid to the local treasurer for the fund of the local board of industrial education.

"Sec. 553p-10. The State board of industrial education shall also constitute a body corporate under the name of the "Board of Trustees of the Stout Institute," and shall possess all powers necessary or convenient to accomplish the objects and perform the duties prescribed by law. In such capacity such board shall also employ such clerks and assistants as may be necessary to properly conduct its affairs. The State treasurer shall be ex officio treasurer of the board, but the board may appoint a suitable person to receive fees or other moneys that may be due such board, to disburse any part thereof, to account therefor, and to pay the balance to the State treasurer.

"Sec. 553p-11. Such board is authorized to accept free of cost to the State and to hold as a trustee for the State, the property of the Stout Institute, located at Menominee, Wis., and to maintain such institute under the name of "The Stout Institute"; *Provided*, That the trustees of said Stout Institute turn over to the State, within two months after the passage and publication of this act, said property free and clear of all incumbrances and debt, released from all claims or interest which the city of Menominee or the heirs of James H. Stout may have had in said property, and having put the buildings in good condition and having made such repairs as may be necessary before turning over said property. The board is also authorized to accept such other property or moneys as it may deem advisable to be accepted which can profitably be used by it in promoting the interests intrusted to it. Such board may purchase, have, hold, possess, and enjoy, in trust, for the State, for educational purposes, any lands, tenements, hereditaments, goods, and chattels of any nature which may be necessary and required to accomplish the purposes and objects of the board, and may sell or dispose of any personal property when in its judgment it shall be for the interests of the State.

"Sec. 553p-12. The purposes and objects of the institute shall be to instruct young persons in industrial arts and occupations and the theory and art of teaching such, and to give such instruction as will lead to a fair knowledge of the liberal arts, a just and seemly appreciation of the nobility and dignity of labor, and in general to promote diligence, economy, efficiency, honor, and good citizenship.

"Sec. 553p-13. The said board shall have power:

"(1) To make rules, regulations, and by-laws for the government and management of the institute and the students therein, including the power to suspend or expel students for misconduct or other cause.

"(2) To appoint a president of the institute and other officers, teachers, and assistants, and to employ such other persons as may be required; to fix the salary of each person so appointed or employed and to prescribe their several duties; to remove at pleasure any president, other officer, teacher, assistant, or person from any office or employment in connection with the institute.

"(3) To purchase such supplies as may be necessary in the conduct of the institute and its various departments.

"(4) To prescribe rules, regulations, and terms for the admission and control of the students; to prescribe courses of study and methods and means of instruction; and to issue certificates or diplomas.

"(5) To cooperate with other educational institutions and agencies in instruction and training, leading to efficiency in industrial arts and occupations.

"Sec. 553p-14. There is hereby appropriated out of any money in the State treasury not otherwise appropriated, a sum sufficient to carry into effect the provision of sections 553p-1 to 553p-15, inclusive. However, in no case shall the sum appropriated for the purpose of carrying out the provisions of this act exceed the sum of \$30,000 during the fiscal year ending July 1, 1912, nor more than \$55,000 per annum thereafter. Twenty thousand dollars of the above moneys shall be set aside annually, beginning July 1, 1911, for the purpose of maintaining the Stout Institute as provided in sections 553p-10 to 553p-13, inclusive.

"Sec. 553p-15. 1. All acts and parts of acts conflicting with any provisions of this act are repealed in so far as they are inconsistent therewith: *Provided, however*, Nothing in this act shall be construed to interfere in any manner with trade schools established under sections 926-22 to 926-30, inclusive, and amendments thereof, unless the school board of any such city or school district shall by a majority vote adopt the provisions of this act, and shall proceed in the manner provided for, for every town, village, or city of over 5,000 inhabitants, as provided in said sections.

"2. This act shall take effect and be in force from and after its passage and publication."
Ch. 616, July 7, 1911.

P. HIGHER EDUCATIONAL INSTITUTIONS.

(a) General.

Arizona: Authorizing the board of control to employ the board of special examiners to complete the preparation of a uniform and comprehensive system of accounting for State institutions. (Sp. sess.) Ch. 25, June 14, 1912.

Florida: Conferring the right to eminent domain upon the board of control of State educational institutions. Ch. 6174 (No. 55), June 3, 1911.

Florida (1911): Devise to State Institution of learning held not to lapse by the technical abolishment of the institution by Laws 1905, ch. 5384, where the institution is promptly reestablished before action is taken by the heirs. Devise or bequest to State controlled institution of learning held not to lapse by reason of change of policy as to coeducation.

Testamentary gift to State institution of learning at Tallahassee held to continue to vest in the institution, notwithstanding changes in policy, and the fact that the testator was himself an alumnus.—*Lewis et al. v. Gaillard et al.*, 56 So., 281.

Maryland: The State board of education may prepare and publish annually a list of approved colleges and universities and determine by by-laws the standard for said approval. Ch. 169, Apr. 4, 1912.

Massachusetts: Petitions relating to the granting of degrees shall be filed with the State board of education, which shall transmit the same to the general court with recommendations. Ch. 481, Apr. 12, 1912.

Mississippi: An act to fix the time to be covered by the biennial reports of the various institutions and departments of government of the State of Mississippi.

Every educational, eleemosynary, and other institution supported in whole or in part by the State shall biennially make to the legislature a detailed report covering the biennial period ending June 30. Copies of all such reports shall be delivered to the secretary of state for transmission to the printer not later than July 15 thereafter. Ch. 116, Apr. 16, 1910.

Mississippi: An act to prohibit the appointment of members of the legislature, State officers, and judicial officers as members of boards of trustees of any educational institutions or any eleemosynary institutions of the State.

Ch. 113, 1910.

Became a law Jan. 7, 1910, without the signature of the governor.

New Hampshire: Appropriating \$20,000 annually to Dartmouth College.

Establishes ten scholarships of \$125 annually each for students resident of New Hampshire.

Ch. 248, Apr. 15, 1911.

New Jersey: No school or institution of learning in the State shall confer any degree or degrees until the terms and conditions of the same shall be approved by the State board of education. Does not apply to schools or institutions conducted for 25 years or more or to public-school system.

Penalty, \$500 for each offense.

Ch. 315, Apr. 1, 1912.

New York: Authorizing the city of Buffalo to contract with the University of Buffalo to provide for the free education of the inhabitants of the said city, and to raise money for said purpose.

The city may appropriate annually not exceeding \$75,000 for such purpose; the maximum number of students to be instructed shall be specified in the contract.

Ch. 33, Mar. 12, 1910.

Porto Rico: Empowering municipalities to maintain students in colleges and universities of the United States.

Act 19, Mar. 9, 1911.

South Carolina: Providing for a uniform method of awarding scholarships in the State institutions of higher education.

Act No. 55, Feb. 17, 1911.

Wisconsin: To amend section 390 of the Statutes; to amend section 1 of chapter 14, Laws of 1905, special session, as amended by section 2 of chapter 428, Laws of 1907, and by section 4 of chapter 306, Laws of 1909; to amend section 2 of chapter 320, Laws of 1905, as amended by section 3, chapter 428, Laws of 1907, and by section 5 of chapter 306, Laws of 1909; to create section 391n of the Statutes; to amend sections 1404j and 1404-12m; to repeal section 406a, and to create a new section, to be designated 406a of the Statutes; and to create section 392u of the Statutes, and to amend 392x of the Statutes, providing for the purchase of lands by the regents of the university; relating to the university, the normal schools, the department of extension and correspondence of the university, to the agricultural department of the university, and to the Wisconsin mining trade school; and making an appropriation therefor.

Ch. 631, July 10, 1911.

Wisconsin: Changing the name of Northwestern University at Watertown to Northwestern College.

Ch. 283, June 7, 1911.

P. (b) Finance; Lands; Support.

Colorado: Appropriating money for the University of Colorado to be expended on new buildings, completion of buildings, and improvement of grounds.

Ch. 72, June 5, 1911.

Note.—The governor disapproved that part of the act which appropriates \$50,000 for a medical building.

Georgia: Appropriating \$35,000 to the State university for a building for shops for the State School of Technology; contingent upon the expenditure of \$15,000 raised by private donation.

No. 481, Aug. 13, 1910.

Ohio (S. B. No. 210): Amending sections 7902 and 7919 of the General Code so as to give the board of directors of municipal universities, colleges, or institutions power to lease and convey estates and other property, and making

further provision for the investment of funds belonging to such institutions or the expenditure of such funds in the improvement of any real or leasehold estate under control of said institution.

Laws 1910, pp. 237-238, May 17, 1910.

Ohio: Exempting from taxation certain property of municipal universities.

H. B. No. 65, p. 32, Mar. 6, 1911.

Ohio: See B (d).

Oregon: Memorializing the President and Congress of the United States and praying that the lands and buildings of the Fort Walla Walla Military Reservation be granted to Whitman College.

H. J. Memorial No. 4, Feb. 2, 1911.

South Dakota: Appropriating \$26,500 for the improvement of certain buildings at the University of South Dakota.

Ch. 80, Mar. 3, 1911.

Washington: Authorizing the board of regents of the State college to purchase adjoining land.

Ch. 113, Mar. 17, 1911.

Wyoming: Increasing from \$33,000 to \$85,000 the maximum amount of money that may be used for the State university. Funds in excess of amount necessary for current expenses shall constitute a permanent building fund.

Ch. 102, Mar. 1, 1911.

P. (c) State Universities and Colleges.

Alabama: Making an additional appropriation of \$50,000 annually for the University of Alabama.

Act 330, p. 379, Apr. 12, 1911.

Arizona: Awards annually to each county one scholarship of \$150, to be used by holder for tuition, room, and board at the University of Arizona. Competitive examinations in each county, four-year high-school course or equivalent required.

Ch. 24, May 10, 1912.

Arizona: Appropriating \$44,200 for the University of Arizona; \$20,000 for equipment and \$24,200 for buildings and grounds.

Ch. 32, June 15, 1912 (sp. sess.).

Arizona: The government of the university shall be vested in a board of regents, of a president and seven members, not more than four of the same political party. Appointed as provided by law. The governor and the superintendent of public instruction shall also be ex officio members of the board (was a president and three members appointed by the governor, with governor and superintendent of public instruction).

Ch. 40, May 16, 1912.

Arizona: To provide for the organizations, etc., of the National Guard of Arizona.

The military organization of the University of Arizona, of the State Normal School, and other educational institutions supported by the State or National funds are a part of the military organization of the State. The governing boards of institutions shall prescribe rules and regulations. The officers are commissioned by the governor. Members of said counties, etc., shall not be liable to active service, but may volunteer for the same with the consent of the presiding officer of an institution.

Ch. 85, May 24, 1912.

* **Arkansas (1910):** The selection of a treasurer of the University of Arkansas is by appointment, and it is immaterial how he is appointed if he is selected by a majority of the board at a legally authorized meeting.

Treasurer of the State university held lawfully appointed to the office and entitled thereto.—Allen v. Morton, 127 S. W. 450.

California: Creating the "State university fund," pursuant to section 14, article 13, of the constitution as amended November 8, 1910.

Ch. 582, Apr. 25, 1911.

- California:** Authorizing the regents of the State university to hold farmers' institutes, and appropriating therefor. Ch. 259, Mar. 23, 1911.
- Delaware:** Establishing a chair of history at Delaware College. Annual appropriation, \$2,500. Ch. 124, Apr. 6, 1911.
- Delaware:** Establishing a division of agricultural extension at Delaware College. Ch. 127, Apr. 6, 1911.
- Florida:** Directing the secretary of state and the clerk of the supreme court to furnish free certain books to the law school of the State university. Ch. 6170 (No. 51), June 5, 1911.
- Georgia:** Authorizing the chairman of the board of trustees of the University of Georgia upon the passage of this act, and biennially thereafter, to appoint not exceeding three members of said board of trustees upon the board of each of the branch colleges of the University of Georgia, namely, the Georgia State College of Agriculture, the Georgia School of Technology, the State Normal School, the Georgia Normal and Industrial College, the North Georgia Agricultural College, and the Georgia State Industrial College for Colored Youths. No. 315, Aug. 5, 1910.
- Georgia:** Making the president of the board of trustees of the State Normal School ex officio a member of the board of trustees of the University of Georgia. No. 316, Aug. 3, 1910.
- Idaho:** Creating an "agricultural college fund" for the University of Idaho. Ch. 26, Feb. 28, 1911.
- Idaho:** Authorizing the issuance of \$75,000 of State bonds for the purpose of constructing a wing in the administration building of the State university. Ch. 84, Mar. 13, 1911.
- Idaho:** Authorizing a tax levy of three-fourths of a mill for the University of Idaho. Ch. 146, Mar. 3, 1911.
- Idaho (1911):** Liability stated of the regents of the State university for material furnished to contractors for the construction of a university building. Under Rev. Codes, sec. 491, held that the board of regents of the State university can not expend university funds raised for other purposes for the erection of buildings.
- The board of regents of the State university can not incur a debt against the State in the erection of university buildings for which it has not the funds to pay.
- Under Acts, Jan. 30, 1889 (Laws, 1889, p. 17), sec. 3, and const., Art. 9, sec. 10, the regents of the State university held empowered to contract for erection of building and to be sued for breach of contract.
- Remedy under Const., Art. 5, sec. 10, stated of a judgment creditor of the board of regents of the State university where the board has no money out of which to pay the judgment.—Moscow Hardware Co., Ltd., v. Regents of Univ. of Idaho et al., 113 Pac., 731.
- Illinois:** Providing by State tax for a fund for the support and maintenance of the University of Illinois.
- Levies for said purpose an annual tax of 1 mill for each dollar of the assessed taxable property. Proceeds shall await appropriation by the general assembly.
- (See appropriation, H. B. No. 641, and H. B. No. 642.)
H. B. 586, p. 484, June 10, 1911.
- Indiana:** To establish and maintain the Robert W. Long Hospital in connection with the Indiana University School of Medicine, and accepting a donation valued at \$200,000 therefor. Ch. 8, Feb. 7, 1911.
- Indiana:** Authorizing State institutions to acquire property by condemnation. Ch. 468, Mar. 4, 1911.

- Kansas:** Providing for surgical treatment at the hospital of the University of Kansas for certain children afflicted with deformity or other malady requiring such treatment. Ch. 292, Mar. 14, 1911.
- Kansas:** Providing for treatment at the hospital of the University of Kansas for certain indigent patients. Ch. 293, Mar. 14, 1911.
- Kansas:** Providing for treatment at the hospital of the University of Kansas for obstetrical patients from State institutions. Ch. 294, Mar. 14, 1911.
- Kentucky:** Providing for a committee to investigate the State university. Senate Res. No. 10, Feb. 1, 1912; Senate Res. No. 13, Feb. 8, 1912.
- Maine:** Relating to compensation of the trustees of the University of Maine. Said trustees shall serve without pay, but their actual expenses incurred in connection with their duties shall be paid by the State. (They formerly received \$2 a day for their regular visits to the institution and the same sum for every 20 miles travel.) Ch. 194, Mar. 31, 1911.
- Minnesota:** Requiring separate sealed bids for the different classes of work in the construction of new buildings for the State university and the State normal schools. Ch. 36, Mar. 20, 1911.
- Minnesota:** Prohibiting the location of a cemetery within three-quarters of a mile of the University of Minnesota. Ch. 4, Feb. 6, 1911.
- Minnesota:** See Q (b).
- Mississippi:** The governor and the State superintendent of education shall be members of the board of trustees of the university and the colleges of Mississippi. Repeals the law prohibiting legislators, State, and judicial officers from becoming trustees of State institutions. Ch. 169, Feb. 17, 1912.
- Mississippi:** Members of the board of trustees of the University of Mississippi and of State colleges shall be accepted from the State at large (instead of from each supreme court district). Omits provision as to occupation of members. Ch. 170, Mar. 5, 1912.
- Mississippi:** Forbidding Greek letter fraternities and sororities and all secret orders in the University of Mississippi and all other educational institutions supported in whole or in part by the State. Fraternity buildings may be purchased by trustees of institutions. Ch. 177, Feb. 27, 1912.
- Montana:** Requiring the president of the State university to report to State board of education annually before June 15 and to make special reports as requested. Ch. 44, Feb. 23, 1911.
- Nebraska:** Authorizing the State university to acquire property by gift or bequest subject to conditions. Ch. 136, Apr. 8, 1911.
- Nebraska:** Providing that duties ex officio performed as State botanist, State geologist, and State entomologist by certain members of the faculties of the State university shall be under the direction and control of the board of regents. Ch. 137, Apr. 8, 1911.
- Nebraska:** Providing for the establishment by the board of regents of the State university of a plant for the production of hog-cholera serum. Appropriation for buildings and equipment, \$15,000. Ch. 139, Apr. 7, 1911.
- Nevada:** Authorizing the governor to appoint a professor in the University of Nevada to investigate alleged diseases of potatoes. Ch. 125, Mar. 20, 1911.

Ohio: Relating to the irreducible trust fund of the Ohio university.

Unless otherwise directed in the deeds of gifts, donations, bequests, etc., to the university shall be paid into the said fund.

H. B. No. 157, p. 208, May 18, 1910.

Oregon: Providing that the board of regents of the University of Oregon shall consist of ten (instead of nine) members appointed by the governor, and the State board of education for the time being, who shall be ex officio members of said board of regents.

Ch. 59, Feb. 14, 1911.

South Carolina: Relating to the professorships in Clemson College. Removes the limit of number (was 10).

No. 316, Feb. 18, 1912.

Without signature of the governor.

South Carolina: Beneficiary students attending State colleges are released from obligation to teach if they become ministers of the gospel.

No. 338, Feb. 20, 1912.

Without signature of the governor.

Texas: Relating to the the approval of vouchers for expenditures by the regents of the University of Texas.

Ch. 57, Mar. 13, 1911.

Texas: Proposing an amendment to the State constitution authorizing the legislature to provide that members of the board of regents of the State university, and boards of trustees or managers of the educational, eleemosynary, and penal institutions may hold their respective offices for six years.

Said amendment shall be submitted to a vote of the people at the next general election.

H. J. R. No. 9, 1911.

Utah: Relating to courses of instruction in the University of Utah.

The university shall not give instruction in agriculture or domestic science, except as may be prescribed in the normal course.

Ch. 26, Mar. 9, 1911.

Utah: Providing a permanent fund for the maintenance of the University of Utah, including the branch of the State Normal School and the Agricultural College.

Sets aside 28 per cent of the general State tax, exclusive of State school and high-school funds.

Ch. 17, Mar. 3, 1911.

Utah: Relating to the board of regents of the University of Utah.

Said board shall consist of the secretary of state and 12 citizens appointed by the governor; terms, four years, one-half expiring every two years.

Ch. 36, Mar. 9, 1911.

Utah: See B (d).

Virginia: An act concerning the charter and transactions of the general alumni association of the University of Virginia and accepting the provisions of a certain deed of trust made by said association for the use and benefit of the University of Virginia.

Ch. 273, Mar. 16, 1910.

Wisconsin: Amending section 378 of the Statutes.

Increases the terms of regents of the State university from three to six years.

Ch. 303, June 8, 1911.

P. (d) Carnegie Fund.

Kentucky: Resolution concerning the State university and Carnegie Foundation.

Approves and sanctions the application of the State university for admission as a beneficiary of the Carnegie Foundation for the Advancement of Teaching.

S. Res. No. 8, p. 847, Jan. 23, 1910.

Mississippi: Resolution authorizing the trustees of the Agricultural and Mechanical College, the Industrial Institute and College, and the University of Mississippi to receive retiring allowances offered by the Carnegie Foundation for the Advancement of Teaching. Ch. 377, Mar. 8 and 9, 1910.

Virginia: An act that the University of Virginia do accept and be embraced within the benefits of the Carnegie Foundation for the Advancement of Teaching. Ch. 19, Feb. 12, 1910.

Q. PROFESSIONAL AND HIGHER TECHNICAL EDUCATION.

(a) Teachers' Colleges and Normal Schools.

See also G (b).

Ohio: Authorizing the location of a high-school building on the campus of the Ohio State University.

Such high school shall be used as an observation and practice school by the college of education of the Ohio State University upon such terms and conditions as agreed upon by the board of trustees of the university and the board of education of the city of Columbus.

H. B. No. 603, p. 296, June 7, 1911.

Rhode Island: The State board of education may provide, in cooperation with Brown University, postgraduate courses at Brown University in principles and practice of education. To prepare superintendents and high-school teachers and principals. The State board of education to appoint holders of scholarships to pursue said courses. Appropriates \$5,000 annually for the purpose. Ch. 839, May 3, 1912.

(b) Agricultural Colleges.

Alabama: Providing increased facilities, buildings, and maintenance for the Alabama Polytechnic Institute.

Appropriates for buildings and equipment \$40,000 annually for a term of four years and \$10,000 annually for increased maintenance.

Act 329, p. 388, Apr. 13, 1911.

Arizona: Assenting to the act of Congress approved June 20, 1910, providing grants of land for the Agricultural and Mechanical College and the School of Mines.

Reserves 150,000 acres and the proceeds thereof to the Agricultural and Mechanical College of the University of Arizona, and the same for the School of Mines.

Ch. 41, May 16, 1912.

Indiana: An act for the improvement and advancement of agriculture, domestic science, and rural life by the dissemination of information relative thereto.

Appropriates \$30,000 annually to be expended by the school of agriculture and the experiment station of Purdue University for farmers' short courses, farmers' institutes, contests, lectures, and other forms of agricultural extension work. Counties shall pay local costs, and each county council shall annually appropriate an amount equal to 25 cents for each square mile of territory in the county. Previous acts relating to the same subject are repealed.

Ch. 54, Feb. 27, 1911.

Iowa: Providing for the levy of special State taxes for the erection, repair, and equipment of buildings for the State University, State College of Agriculture and Mechanic Arts, and the State Teachers' College.

There shall be levied annually for five years for such purposes, one-fifth mill for State University; one-fifth mill for State College of Agriculture and Mechanic Arts, and one-tenth mill for State Teachers' College. Such levies shall be first made in 1912. Receipts shall be paid into the State treasury and drawn upon the requisition of the State board of education.

Ch. 101, Mar. 30, 1911

Kansas: Authorizing the board of regents of the State Agricultural College to lease public lands granted to said college. (Previous law required the sale of such lands and contained no provision for the lease thereof.)

Ch. 291, Mar. 13, 1911.

Kentucky: Appropriating \$50,000 annually to the State university for instruction in agriculture and domestic science; \$35,000 annually for such instruction in Eastern Kentucky State Normal School, and \$25,000 annually for such instruction in the Western Kentucky State Normal School.

Ch. 32, Mar. 11, 1912.

Kentucky: Appropriating \$50,000 annually to the agricultural experiment station of the State university at Lexington.

Ch. 28, Mar. 11, 1912.

Maryland: State commission to investigate present condition and future appropriations and possibilities of the Maryland Agricultural College.

J. Res. No. 7, p. 1662, 1912.

Massachusetts: Providing that annual payments be made to the Massachusetts Agricultural College and specifying such sums and for what purposes.

Ch. 592, June 26, 1911.

Massachusetts: The Massachusetts Agricultural College may sell to its professors, etc., or to college associations or fraternities, land not exceeding 1 acre to each, conditioned upon the right of the trustees of the college to repurchase at the option of the trustees at a fair price.

Ch. 638, May 23, 1912.

Massachusetts: The Massachusetts Institute of Technology may receive property by gift, etc.

Ch. 681, May 29, 1912.

Massachusetts: Appropriating \$250,000 for the Massachusetts Agricultural College.

Ch. 705, June 4, 1912.

Massachusetts: Appropriating \$80,000 for improvements for the Massachusetts Agricultural College.

Res Ch. 116, p. 920, May 24, 1912.

Minnesota: Relating to county demonstration and experiment farms.

Authorizes the board of commissioners of any county to appropriate not over \$200 annually to assist in maintaining a demonstration farm under the supervision of the department of agriculture of the University of Minnesota. The county commissioners of any county which owns and operates a farm of 80 acres or more may appropriate not over \$1,000 annually for experimental purposes on said farm under like supervision.

Ch. 69, Mar. 20, 1911.

Minnesota: Providing for a subexperiment and demonstration farm near Duluth and near Waseca, each as a dependent of the University of Minnesota.

Appropriation, \$65,000 for station near Duluth and \$35,000 for station near Waseca.

Ch. 142, Apr. 18, 1911.

New Hampshire: Amending chapter 52 of the Laws of 1891.

Provides that the governor and the president of the New Hampshire College of Agriculture and Mechanic Arts shall be members ex officio of the board of trustees of said college, that the alumni of said college may elect two trustees in such manner as the said board may direct, and that all other members shall be appointed by the governor.

Ch. 54, Mar. 15, 1911.

New Jersey: Relating to scholarships at the State Agricultural College.

Ch. 33, Mar. 15, 1911.

New Jersey: Providing for the furnishing, equipping, and arranging of an entomology building and of a physics laboratory at the State Agricultural College.

Ch. 23, Mar. 14, 1911.

New Jersey: Providing for the erection of greenhouses and the equipment of the same for floriculture for the use of the experiment station at the State Agricultural College.

Ch. 130, Apr. 7, 1911.

New Jersey: Providing for the establishment of a department of poultry husbandry at the experiment station of the State Agricultural College.

Ch. 52, Mar. 23, 1911.

New Jersey: Requiring additional equipment and instruction at the State Agricultural College when appropriation is made therefor.

Ch. 36, Mar. 8, 1912.

New Mexico: Making the professor of chemistry in each State institution an official inspector and tester of petroleum oils.

Ch. 65, June 11, 1912.

New York: Amending the education law in relation to the New York State School of Agriculture of St. Lawrence University.

The board of trustees of the St. Lawrence University shall acquire real property suitable for agriculture, horticulture, and forestry, and manage the same for the benefit of the said school. No land shall be purchased from State funds unless a special appropriation is made therefor. Prescribes method of handling State moneys appropriated for maintenance.

Ch. 443, June 8, 1910.

North Carolina: Authorizing the county commissioners to make appropriations to the farm demonstration work.

Said commissioners may cooperate with the State and National Departments of Agriculture in such work.

Ch. 1, Jan. 20, 1911.

North Carolina: A joint resolution authorizing the appointment of a commission, consisting of three members of the House and two members of the Senate for the purpose of investigating and reporting on the advisability of combining the agricultural department of the State and the Agricultural and Mechanical College.

Res. No. 34, Mar. 7, 1911.

North Carolina: Providing for the building and equipment of an animal husbandry building at the North Carolina College of Agriculture and Mechanical Arts. Appropriation, \$30,000.

Ch. 105, Mar. 6, 1911.

Oregon: Providing for the establishment and maintenance of an agricultural experiment station in Harney County, vesting the control and management of the same in the board of regents of the State Agricultural College.

Provides that the necessary land, permanent improvements, and initial equipment of said station shall be provided by Harney County, without cost to the State. Appropriates \$4,000 annually for the support of said station.

Ch. 75, Feb. 15, 1911.

Oregon: Appropriating \$15,000 annually for an investigation by the State Agricultural College of crop and fruit pests and diseases and horticultural problems; providing that the maximum amount of such appropriation which shall be paid as salaries of the special investigators thus employed shall be one-fifth of the salaries of the investigators and professors retained in the departments of investigation, and a maximum of 10 per cent of the appropriation may be used for additions to the library equipment of said college; and a maximum of 5 per cent of said appropriation may be expended for miscellaneous apparatus.

Ch. 144, Feb. 21, 1911.

Oregon: Appropriating \$7,500 annually for the support and maintenance of the Eastern Oregon Agricultural Experiment Station, at Udon; authorizing the board of regents of the State Agricultural College to cooperate in work in any special field of said experiment station with the Federal Government, or any department, bureau, or office thereof; and provides that said regents shall cause to be prepared and published at least once every two years full and complete reports of the work undertaken and accomplished by said station, such reports to be distributed free of charge. Ch. 147, Feb. 21, 1911.

Oregon: Establishing a branch experiment station of the State Agricultural College in southern Oregon.

Places said station under the management and control of the board of regents of the said State Agricultural College, and appropriating \$5,000 annually for the support and maintenance of said branch experiment station. Requires the said board of regents to cause to be prepared and published for free distribution, at least once every two years, a complete report of all work undertaken and accomplished by said station. Authorizes said board to cooperate with the Federal Government in any special field of work of said station. Ch. 176, Feb. 23, 1911.

Oregon: Creating the State Bureau of Mines.

The work of the bureau shall be conducted by the department of mines of the Oregon Agricultural College, and the head of the said department shall be the director of the said bureau. Appropriation, \$1,000 annually.

Ch. 227, Feb. 23, 1911.

Rhode Island: Appropriating \$75,000 for a building for the Rhode Island State College.

Res. 53, May 3, 1912.

South Carolina: Requiring Clemson Agricultural and Mechanical College to analyze fertilizers on demand of purchaser without requiring purchaser to furnish name of manufacturer or manufacturer's analysis of said fertilizer.

Act No. 60, Feb. 18, 1911.

South Carolina: Authorizing the board of trustees of Clemson Agricultural and Mechanical College to establish two or more experiment stations for the purpose of testing soil, climatic and other conditions, and farm demonstration work.

Act 1, Feb. 17, 1911.

South Carolina: Establishing 51 beneficiary agricultural scholarships in the Clemson Agricultural College, 44 from counties (1 each) and 7 from the State at large. To be recommended by county agricultural societies, etc., and given as prizes for meritorious agricultural achievements. Seven from the State at large, recommended by the State agricultural society, etc. (No stipulation of necessitous circumstances.)

Must pass examinations, etc. Value, \$100 per annum to pay board or other expenses.

No. 301, Feb. 19, 1912.

(No signature of governor.)

South Carolina: Authorizing the trustees of the estate of John de la Howe to institute legal proceedings to determine their right to establish scholarships in Clemson Agricultural College and Winthrop Normal and Industrial College.

If court decides favorably, said trustees may establish not over 12 scholarships in each institution at \$100 each.

No. 572, Feb. 25, 1912.

Texas: Authorizing the directors of the State Agricultural and Mechanical College to employ a competent civil engineer to instruct the students of said college in the art of terracing farm lands, and to devote half his time to giving practical demonstrations in terracing to the farmers of the State.

Salary provided, \$2,000 per annum.

Ch. 85, Mar. 20, 1911.

Utah: Establishing under the trustees of the agricultural college an agricultural experiment station on the property known as the Panguitch School, in Garfield County.

In connection with said station there shall be taught branches of learning relating to agriculture. Indian pupils shall be received without payment of tuition fees and on terms of equality with white pupils.

Ch. 88, Mar. 18, 1911.

Utah: Authorizing and directing the experiment station of the agricultural college to conduct investigations into the agricultural possibilities of the undeveloped sections of the State.

Annual appropriation, \$15,000.

Ch. 37, Mar. 9, 1911.

Utah: Relating to the board of trustees of the agricultural college of Utah.

Said board shall consist of the secretary of state and 12 citizens appointed by the governor; terms, four years, one-half expiring every two years.

Ch. 35, Mar. 9, 1911.

Utah: Authorizing the agricultural college to offer courses in agricultural engineering and to grant a degree of engineering in agriculture.

Ch. 33, Mar. 9, 1911.

Vermont: Refunding the agricultural college fund loan of 1912: \$135,500, which shall be made redeemable June 1, 1932.

No. 22, Oct. 31, 1910.

Q. (c) United States Grant.

Mississippi: An act to provide for one board of trustees who shall have control and supervision of the affairs of the University of Mississippi, the Agricultural and Mechanical College, the Industrial Institute and College, and the Alcorn Agricultural and Mechanical College.

SECTION 2. The governor, with the consent of the Senate, shall appoint seven trustees, two from each supreme court district and one from the State at large; one shall be a practical farmer, one a practicing lawyer, one a practical builder or architect or factory man. Two of the members shall be appointed for two years, two for four years, and three, including the member at large, for six years. No member of the legislature or State officer shall be a member or ex officio member of the said board. In addition to the above, one trustee, a citizen of De Soto County, shall be appointed for the University of Mississippi, to serve for a term of four years.

Sec. 4. The board of trustees shall receive their actual traveling expenses and \$5 per day while engaged in their duties, to be paid by the institution in whose behalf the services are rendered.

Sec. 5. The board of trustees shall have all the power and authority now granted to and vested in the several boards of trustees whom they replace.

Sec. 6. The terms of office of the present boards of trustees of the several institutions shall expire July 1, 1910, and the term of office of the new board shall then commence.

Ch. 114, Apr. 14, 1910.

Q. (d) Mining Schools.

Nevada: Amending an act creating a school of mines at Virginia City.

Fixes the salary of the principal at \$2,000 per annum and authorizes the State board of education to spend \$425 for the support of said school during 1911 and 1912.

Ch. 189, Mar. 20, 1911.

Q. (e) Military Schools.

Vermont: Incorporating the "Commons Club" of Norwich University, formed for the purpose of promoting moral, intellectual, and social culture, and of collecting a permanent library and cabinet of art and science, either or both.
No. 367, Jan. 23, 1911.

Vermont: Relative to militia.

Students of Norwich University may enlist in the National Guard as cavalry (instead of field artillery).
No. 174, Dec. 7, 1910.

Virginia: Relating to State cadets in the Virginia Military Institute.

In lieu of teaching in the public schools two years, as heretofore required, State cadets may serve an enlistment in the National Guard of Virginia, or serve two years as an engineer of the State highway commission.

Ch. 94, Mar. 7, 1912.

* **Wisconsin (1910):** Property of a corporation, organized under Rev. Stat. 1878, secs. 1771-1791, for the conduct and maintenance of a military academy, held exempt from taxation under Stat. 1898, sec. 1038, subd. 3.—*St. John's Mil. Acad. v. Edwards*, Co. Treas., 128 N. W., 113.

Q. (f) Other Technical and Professional.

Alabama: Authorizing certain incorporated educational institutions or societies engaged in teaching and instructing in what is commonly known as professional or trained nursing to issue to its graduates diplomas and certificates of proficiency and to confer the degree of "graduate nurse."

Act 361, p. 403, Apr. 13, 1911.

Alabama: Appropriating \$50,000 annually for four years for new buildings and equipment at the Alabama Girls' Technical Institute.

Act 325, p. 377, Apr. 12, 1911.

Arkansas: Relating to the department of medicine of the University of Arkansas.

The Arkansas Industrial University Medical Department, located at Little Rock, is made the medical department of the University of Arkansas. Control vested in the trustees of said university; property transferred; provision for State support.

Act 360, p. 338, May 30, 1911.

* **California (1910):** On application for admission of students of the Hastings College of the Law in the University of California, whether the college has affiliated with the university and whether the faculty of the university has granted diplomas under Stats. 1877-78, ch. 351, can not be tried.

Under Stats. 1877-78, ch. 351, it is the duty of the supreme court to license students of the Hastings College of the Law, who have secured a diploma, to practice as attorneys and counsellors in all courts of the State.—*In re Students of Hastings Col. of the Law*, 110 Pac., 341.

Georgia: Authorizing the board of trustees of the Georgia State Sanitarium to establish a training school for white female nurses connected with said sanitarium, to provide a two-years' course of instruction, lectures, etc., and to issue diplomas to all graduates thereof.

No. 517, Aug. 15, 1910.

Georgia: Providing for the control and management of the Medical College of Georgia, located at Augusta, as a branch of the State University.

No. 23, Aug. 1, 1911.

Georgia: Defining nonresident students at the Georgia School of Technology.

No. 280, Aug. 21, 1911.

Georgia: Georgia School of Technology.

Regulating the tuition fees of nonresidents. Legal name as above. Chairman of the local board of trustees shall be paid \$10 per day when actually employed. Maximum, 20 days per annum. The local board of the School of Technology may recommend persons for honorary degrees to the general board of the University of Georgia. No. 561, p. 182, Aug. 19, 1912.

Kentucky: Appropriating \$17,500 to the Kentucky Normal and Industrial School for Colored Persons to pay for debts and improvements; also \$2,000 annually for training the students in useful trades. Ch. 103, Mar. 15, 1912.

Louisiana: Regulating the practice of architecture.

Creates a State board of architectural examiners of five members, appointed by the governor. Practicing architects must register within 90 days. Hereafter no person shall enter upon the practice of architecture until he shall have presented to the State board of architectural examiners a diploma from an approved architectural college or school or shall have passed a satisfactory examination and shall have received a certificate and license from said board. Act No. 231, July 6 1910.

Massachusetts: Authorizing the school of commerce and finance of the Boston Young Men's Christian Association to grant the degrees of M. C. S. (master of commercial science) and B. C. S. (bachelor of commercial science).

Ch. 114, Mar. 8, 1911.

Massachusetts: Lowell Textile School may grant the degrees of bachelor of textile engineering and bachelor of textile dyeing. Ch. 62, Feb. 9, 1912.

Massachusetts: Appropriating \$50,000 annually for 10 years to the Worcester Polytechnic Institute. Such institution shall maintain 43 free scholarships—one for each senatorial district. Resolves, ch. 87, Apr. 30, 1912.

Massachusetts: A State scholarship to the Massachusetts Institute of Technology may be divided, if three or more qualified candidates make application from any senatorial district, so that two may receive half scholarships.

Ch. 168, Feb. 28, 1912.

Massachusetts: Appropriating \$100,000 for the Massachusetts Institute of Technology. Ch. 207, Mar. 8, 1912.

Mississippi: An act to permit graduates of the pharmaceutical department of the University of Mississippi to practice pharmacy without further examination. Ch. 165, Mar. 29, 1910.

Montana: Establishing a law school at Missoula to be conducted as a department of the University of Montana. Ch. 31, Feb. 17, 1911.

Nebraska: Relating to requirements of schools of medicine.

The State board of health shall have the right at all times to inspect the equipment and methods of teaching in all medical schools and colleges of the State, and may refuse examination to graduates of any school found not to be in good standing.

"The term 'medical school or college in good standing,' for the purpose of this act, shall be defined as follows: (1) A legally chartered medical school or college requiring for admission at least a diploma from an accredited high school of this or some other State, or a certificate from the State superintendent of public instruction showing that the applicant has successfully passed an examination covering the branches of study embraced in an accredited high-school course, which requirements shall be regularly published in all the advertisements and in each prospectus or catalogue issued by such medical college or school; (2) that said medical college or school in good standing shall show evidence of modern methods in all its branches of instruction and demonstration; (3) that its equipment and facilities for medical instruction shall be modern and shall be kept up to date by the purchase from time to time and use of such equipment as the State board of health shall prescribe; (4) that said medical college or school in good standing shall keep and maintain a library consisting of up-to-date text-

books and periodicals dealing with medical subjects and questions; (5) that each such medical college or school in good standing shall have access to, own, or control a hospital, and shall conduct a dispensary for poor patients, in both of which the students of said medical college or school shall be required to regularly participate in the treatment of cases; (6) that said medical college or school in good standing shall have a faculty of at least four who devote their entire time to the teaching of medicine and its associated branches in said school, and the remainder of the faculty shall be composed of representative members of the medical profession; (7) that such medical college or school shall also require as a requisite for granting the degree of M. D. attendance upon at least four courses of lectures of eight months each, no two of such courses to be held within one year, and having a full faculty of capable professors in all the different branches of medical education, to wit, anatomy, physiology, chemistry, toxicology, pathology, hygiene, materia medica, therapeutics, obstetrics, bacteriology, medical jurisprudence, gynecology, principles and practice of medicine and surgery, and specially requiring clinical instructions in the two last named of not less than four hours per week in each week during the last two courses of lectures."

Ch. 77, Apr. 10, 1911.

New Jersey: Relating to admission to medical colleges.

The State commissioner of education shall determine and certify the educational qualifications of applicants for admission to medical colleges.

Ch. 152, Mar. 25, 1912.

New York: Amending an act to incorporate medical societies.

Withdraws the authority granted to medical colleges to elect delegates to State medical society.

Ch. 198, Apr. 29, 1910.

New York: Amending the general municipal law.

The governing board of any town, city, or village may establish a public general hospital. The board of managers of any hospital under this act may establish and maintain in connection therewith and as a part of the public hospital a training school for nurses. The board may, in its discretion, appoint an advisory board for such training school.

Ch. 558, June 21, 1910.

New York: Establishing a State college of forestry at Syracuse University and appropriating therefor.

Ch. 851, July 28, 1911.

New York: Medical schools shall not matriculate conditionally students who are deficient in academic preparation (formerly permitted—conditions to be removed in a year).

Ch. 141, Apr. 4, 1912.

Rhode Island: To provide for State registration of trained nurses. For new nurses requires substantially a three-year course of instruction.

Ch. 805, Apr. 23, 1912.

Wisconsin (1911): Not to be presumed that because professional schools existed on a particular date they existed a year anterior thereto.—*Pierce v. Stolband*, 124 N. W., 250.

R. PRIVATE AND ENDOWED HIGHER INSTITUTIONS— STATE CONTROL.

(a) Higher Institutions.

California (1910): An oral agreement by trustees of a university to convey lots in exchange for material is unenforceable.—*Davis v. Judson et al.*, 113 Pac., 147.

Illinois (1911): The word "belonging" as used in Bennett Medical College charter (Priv. Acts 1869, p. 8, sec. 8) defined.

A leasehold for years, owned by the college and not taxed separately from the fee, held not exempt under Bennett Medical College charter (Priv. Acts 1869, p. 8, sec. 8) exempting the college's property.—*People ex rel. McCullough, App. of Law, App. v. Bennett Medical College*.

- **Indiana (1910)**: Acts 1907, ch. 244, authorizing the issuance of bonds of the State to pay the claim of Vincennes University, held not in conflict with Const., art. 10, sec. 5, nor to violate Const., art. 4, sec. 24.

An act authorizing the issuance of bonds of the State to pay the amount due a university on an accounting by the legislature held not invalid as a gift to the university.—*Hanly v. Sims, Sec'y of State, et al.*, 93 N. E., 228.

- **Kentucky (1910)**: A contract for a professorship in a college held not terminable at will of college.

One who has contracted for a professorship in a college, having afterwards voted for and consented to consolidation of the college with others in which he was not given the same professorship, held not entitled to be relieved of obligation to pay as he had contracted.—*Hospital Col. of Medicine v. Davidson*, 131 S. W., 1004.

- Louisiana**: An act to authorize St. Mary's Dominican Academy, of New Orleans, to confer degrees and diplomas. Act 23, June 17, 1910.

- Michigan**: Providing for the incorporation of colleges.

No college shall be incorporated until the incorporator shall have for the permanent use of the proposed corporation, real, personal, and mixed property of a value of \$100,000. Articles of incorporation shall be filed with the secretary of state, and upon satisfactory evidence of compliance with this act he shall issue a certificate of incorporation.

The supreme court shall have control over gifts, bequests, and trusts, and whenever it shall appear that circumstances have so changed as to render a strict compliance with the terms of the gift, etc., impracticable or impossible, the court, upon application, may order that the gift, etc., be expended or administered in the manner that will most nearly and effectively accomplish the general purpose of the gift.

The granting of honors and degrees shall be conditioned upon attainments and the completion of courses equivalent in time, application, and quality to those commonly required in like institutions in the United States.

Every corporation formed under this act shall be subject to the visitation of the superintendent of public instruction. Upon evidence that the corporation is not complying with the provisions of this act, the said superintendent shall serve reasonable notice to remedy the defects, and if the deficiency is not remedied in the time fixed by him he may institute proceedings at law for the dissolution of the corporation. No. 231, May 1, 1911.

- **Missouri (1910)**: Charter of a college construed and held not to forbid the trustees from meeting current expenses with money donated without direction as to purpose for which it is to be used.

A charter of a college requiring the trustees to hold inviolate moneys or endowment funds held not to forbid the trustees to use donations for current expenses.—*Bd. of Trustees of Park Col. v. Atty. Gen.*, 129 S. W., 27.

- **Nebraska (1911)**: Method by which an unincorporated college obtained funds held not to render it a religious or eleemosynary corporation precluding sale of its property by its trustees where the sale would not divert the property from the purposes for which it was obtained and used by the corporation.

That Laws 1909, ch. 125, creating a board of education was declared unconstitutional after enactment of Laws 1909, ch. 126, locating a State normal school and imposing upon such board of education the carrying of the act into effect, held not to invalidate the later act.

Time held not of the essence of the filing of application by cities competing for the location of a normal school established by Act, April 5, 1909 (Laws 1909, ch. 126).

Failure of the State board to visit applicants for location of a normal school and select a site within the time specified in Act, April 5, 1909 (Laws 1909, ch. 126), held immaterial where a later visitation and selection of site accomplished the substantial purposes of the act.—*Tash v. Ludden et al.*, State Bd. Edn., 129 N. W., 417.

- **New Jersey (1910)**: A provision of a will giving property to the trustees of a university for erection of a building upon the grounds of the university construed.

Grounds acquired by a university prior to a codicil in a will held to be embraced within a provision of the will providing for the erection of a build-

ing upon grounds belonging to the university.—Trustees of Princeton Univ. v. Wilson, Atty. Gen., et al., 78 At., 393.

New York: Amending the education law.

SECTION 50. Regents may register domestic and foreign institutions in terms of New York standards and fix the value of degrees, diplomas, and certificates issued by institutions of other States and countries and presented for entrance to schools, colleges, and the professions in this State.

Sec. 59. Forbids the incorporation of educational and like institutions under any general law other than that governing the regents.

Ch. 140, Apr. 22, 1910.

* **Pennsylvania (1910):** A farm and live stock necessary to its proper operation owned and operated by a purely public charitable industrial school and college, where some substantial attention is given to the training of its students in the common practical elements of agriculture, are exempt from taxation.—The Downingtown Indus. Sch. and Col. v. Co. of Chester et al., 37 Pa. Co. Courts, 703.

South Carolina: An act to change the name of the South Carolina Military Academy to "The Citadel, the Military College of South Carolina."

Act 352, Feb. 25, 1910.

South Carolina: An act to change the name and amend the charter of the Due West Female College, of Due West, S. C.

Name changed to Woman's College of Due West.

Act 563, Feb. 24, 1910.

* **Texas (1910):** Deed to the trustees of a college construed and held to contain but two express conditions of forfeiture.—Glen Rose Collegiate Inst. v. Glen Rose Ind. Sch. Dist. No. 1 et al., 125 S. W., 379.

* **Texas (1910):** Where a note for a college subscription was conditioned on the obtaining of \$50,000 within the county during the year, an oral agreement of the members of a society to pay \$1,000 should not be counted in making up the required amount.

In an action on a note given for a college subscription, conditional on the obtaining of subscriptions for a specified sum during the year, the burden was on the plaintiff to show that the conditions had been complied with.—Wasson v. Clarendon Col. and Univ. Train. Sch., 131 S. W., 852.

* **Texas (1910):** A lot of land purchased by a debtor's wife with an intent to erect a music room, to be used in connection with the debtor's teaching business and conveyed to him, held not to constitute a part of the debtor's business homestead.

Land on which the college building of a school-teacher was situated held exempt as his business homestead, but not so as to disconnected parcels of land on which students were boarded.

Where a debtor maintained a college, disconnected tracts of land used as a baseball ground and as a vegetable garden held not exempt as the debtor's business homestead.—Harrington et al. v. Mayo, 130 S. W., 650.

Vermont: Relating to exemptions from taxation of lands owned or leased by colleges, academies, or other public schools.

An exception to such exemption is made in the case of such lands or buildings as are rented for general commercial purposes, or farming or timberlands owned or leased thereby. This act not to apply to so-called school or college lands heretofore sequestered to their use.

No. 33, Jan. 28, 1911.

R. (b) Corporations of an Educational Character.

Alabama: Authorizing the acting trustees or directors having charge of the business and property of educational corporations whose stockholders are unknown or where the amount or number of shares are unknown to dispose of property of such corporations, and prescribing the manner of such disposal.

Act 277, p. 827, Apr. 8, 1911.

- **Alabama (1911):** A charitable trust requires that its beneficiaries shall be an uncertain body or class and that its purposes shall be public.
A charitable trust contemplates perpetuity, and a perpetual trust can not be created for individuals.
A charitable trust held invalid for indefiniteness.—*Moseley v. Smiley et al.*, 55 S., 143.

Arkansas: Providing for the incorporation of certain institutions of learning and prescribing their powers. Act 375, p. 348, May 31, 1911.

California: Providing for the incorporation of colleges and seminaries of learning. Ch. 344, Apr. 3, 1911.

Indiana: Amending act of March 9, 1901, relating to voluntary associations.
Such associations may be organized for the dissemination of useful knowledge. May acquire real estate. Ch. 57, Mar. 1, 1911.

Iowa: Adding \$4,000 to the annual appropriation (of \$7,500) for the State Historical Society. Ch. 149, Apr. 14, 1911.

Iowa: Relating to the exemption from taxation of property held by any educational institution as a part of its endowment fund.

Limits such exemption to 160 acres in any civil township. Ch. 61, Apr. 11, 1911.

- **Kentucky (1910):** Power given to trustees of county seminary incorporated authorized them to convey seminary property for use of a religious society.
In a suit to enforce a mechanic's lien on seminary property conveyed for use of a religious society, *held* that a petition might be filed by the county so that the question whether the fund coming to the trustees of the seminary vested in the graded-school district, or in the county court for the benefit of the common schools of the county, might be settled.—*Estill Co. v. Bd. of Trustees of Estill Col. Inst. of Irvine.*, 124 S. W., 412.

• **Maine (1911):** A bequest to the Baptist Theological Seminary situated in Newton, *held* good as a bequest to the Newton Theological Institution.—*Giddings et al. v. Gillingham et al.*, 81 At., 951.

• **Maryland (1910):** Where certain property was conveyed to trustees for the benefit of an academy, such trustees had a defeasible estate, and, on the property being abandoned by the academy, the title reverted to the grantor, giving him a right to reenter and take possession.—*Golding v. Gaither*, 77 At., 333.

Massachusetts: An act to incorporate the Society for the Preservation of New England Antiquities.

The said corporation is created for antiquarian, historical, literary, artistic, and monumental purposes, and for the purpose of preserving for posterity buildings, places, and objects of historical and other interest.

Chap. 336, Apr. 2, 1910.

• **Massachusetts (1911):** Under Rev. Laws, ch. 12, sec. 5, cla. 3, 7, the real estate of educational institutions is not exempt from taxation unless used and appropriated for their distinctive purposes.—*Hurr v. City of Boston*, 95 N. E., 208.

• **Missouri (1912):** A corporation running an osteopathic school and the president of its faculty were jointly liable for malpractice by the president.—*Atkinson v. American Sch. of Osteopathy et al.*, 144 S. W., 816.

• **Missouri (1910):** The business of a foreign corporation conducting a correspondence school *held* interstate business, so that Rev. Stat. 1899, secs. 1024-26, are void.

A foreign corporation conducting a correspondence school *held* to do business in Missouri within Rev. Stat. 1909, secs. 1024-26, regulating foreign corporations.—*International Textbook Co. v. Gillespie*, 129 S. W., 922.

New Jersey: A supplement to an act authorizing the sale of land granted or devised to religious corporations or to corporations formed or existing for the purpose of education, etc., approved April 17, 1905.

Validates the sale of such lands under certain conditions notwithstanding the fact that the lands sold had been devised or granted to the religious association or educational corporation before the passage of the act described.

Ch. 92, Apr. 6, 1910.

New Jersey: An act to amend "An act authorizing the sale of land granted or devised to religious associations or corporations formed or existing for the purpose of education," etc., approved April 17, 1905.

Under certain conditions lands granted or devised to such associations or corporations for specific purposes may be sold or used for other purposes.

Ch. 268, Apr. 12, 1910.

New Jersey: An act concerning corporations of this State organized for historical or library purposes.

Authorizes any such corporation to take by purchase, gift, or bequest and to hold real and personal property and to sell and convey same; and to take and hold in trust any such property as may be granted, bequeathed, or devised to it; and to fulfill the purposes and intent of any such trust with the same force and effect as if said corporation had been originally authorized to act in the capacity of a trustee.

Ch. 119, Apr. 8, 1910.

New Jersey: Empowering religious, educational, or charitable corporations, associations, officers, or trustees thereof, to sell, or otherwise dispose of lands and tenements which have heretofore been or may hereafter be granted or devised to them upon a trust.

Ch. 51, Mar. 23, 1911.

New York: Incorporating the Xavier Alumni Sodality of the City of New York.

For the encouragement of virtue and piety, and the perpetuation of friendships formed during college life.

Ch. 406, June 7, 1910.

New York: Incorporating the "Economic and General Foundation."

For economic, altruistic, artistic, scientific, and educational purposes.

Ch. 426, June 8, 1910.

New York: Providing for the disposition of property, etc., by institutions which have their charters revoked.

Ch. 860, July 29, 1911.

New York: Incorporating the trustees of the Phelps-Stokes Fund for the education of negroes, Indians, and needy white children through industrial schools, scholarships, etc.

Ch. 123, May 10, 1911.

New York: Authorizing the Methodist Episcopal Conference to increase or diminish the number of trustees of Drew Seminary and Female College.

Ch. 20, Mar. 16, 1911.

New York: Incorporates National Academy Association, to encourage the study and development of fine arts.

Ch. 305, Apr. 13, 1912.

New York (1910): A contract binding a lessee of the waterworks of a village to furnish water free of cost to parochial schools in the village held not void under Const. art. 9, sec. 4.

A lessee of the waterworks of a village held required to furnish water free of cost to a parochial graded-school building.—St. Patrick's Church Spc. of Corning v. Heermans. 124 N. Y. Sup., 705.

Oregon: Providing a method of establishing the existence of foreign corporations and associations organized for religious, benevolent, literary, educational, scientific, fine art, musical, sculptural, engraving, architectural or charitable purposes, and not formed for the purpose of gain.

Ch. 51, Feb. 13, 1911.

- Pennsylvania:** Making appropriations to institutions not wholly managed by the State liens on the premises of such institutions for the use of the State, and providing for the collection thereof. No. 304, June 9, 1911.
- South Carolina:** Incorporating Anderson College, at Anderson, S. C. Act 212, Feb. 14, 1911.
- South Dakota:** Amending the third paragraph of section 419 of the Revised Civil Code of the State.
Provides for the amendment of the articles of incorporation of religious and educational corporations. Ch. 104, Mar. 2, 1911.
- Tennessee:** Authorizing and empowering certain educational corporations to amend their charters and prescribing the manner of amendment. Ch. 19, Mar. 28, 1911.

S. LIBRARIANS AND MUSEUMS.

(a) General.

- Arkansas:** Amending section 5543 of Kirby's Digest [Code of 1904].
Raises the limit of taxation for libraries in cities of the first and second classes from one-fourth of 1 mill to one-half of 1 mill. Act 100, p. 125, Apr. 7, 1911.
- Arkansas:** Providing that money derived from fees for teachers' certificates be used to defray expenses of holding examinations and to constitute an institute library fund. Act 53, p. 31, Mar. 3, 1911.
- California:** Providing for the establishment and maintenance of county free libraries.
County boards of supervisors may establish free libraries at county seats for such parts of the county as lie outside of incorporated cities and towns having libraries and outside of library districts already existing, but such cities, towns, or library districts may elect to accept the provisions of the act. A State library commission is created to have general supervision of such libraries, to appoint librarians, and to establish branch libraries throughout the county. A tax levy of 1 mill is provided. Ch. 68, Feb. 26, 1911.
- California:** Amending section 1714 of the Political Code, relating to the library fund in cities.
Provides that in a city and county organization the fund shall equal an amount obtained by multiplying the number of teachers by \$10. Ch. 696, May 1, 1911.
- California:** Amending ch. 490, Acts of 1909, relating to public libraries in unincorporated towns and villages.
Requires two-thirds vote to issue bonds. Ch. 172, Mar. 18, 1911.
- Delaware:** Fixing a penalty for willfully detaining any book, magazine, etc., belonging to a public or incorporated library for 30 days after written notice. Ch. 278, Mar. 7, 1911.
- Florida:** Authorizing incorporated cities and towns to establish and maintain free public libraries and reading rooms.
Section 1. Whenever the city or town council of any incorporated city or town in this State shall deem it advisable to establish and maintain a public library and reading room free for the use of the inhabitants of such city or town they shall call an election to decide whether such public library and reading room shall be established in said city or town, and if a majority of the registered voters of such city or town, at such an election, shall vote in

favor of establishing and maintaining such public library, the city or town council of such incorporated city or town shall establish the same, and may levy a tax of not more than 2 mills on the dollar annually to be levied and collected in like manner as any other taxes of said city or town, and to be known as the "Library Fund." Ch. 6109 (No. 80), June 5, 1911.

Florida: Providing for a department of archives and history in the State library. Ch. 6136 (No. 17), June 2, 1911.

Idaho: See A (a).

Illinois: An act to convey certain submerged lands under the waters of Lake Michigan to the Field Museum of Natural History, and to authorize the reclaiming thereof and the erection thereon of a museum building for the collection and display of objects pertaining to natural history.

Grants a tract of 950 by 2,000 feet, now covered by shallow water, and provides that the museum shall be open free to the public three days each week, and that the grant shall be forfeited for nonuse.

S. B. No. 26, Mar. 8, 1910. (Sp. sess.)

Indiana: Concerning the legislative reference department of the State library.

May collect material upon municipal subjects and furnish same to city or town officials, and may cooperate with State educational institutions. Removes limit to salary of reference librarian (formerly \$1,500).

Ch. 275, Mar. 6, 1911.

Indiana: Authorizing school cities having a population of more than 100,000 (Indianapolis) to issue bonds for \$125,000 to purchase site or erect building for a public library.

Ch. 284, Mar. 7, 1911.

Indiana: Relating to public-library boards in towns and cities.

In order to participate in management of a city or town public library, the surrounding or contiguous township shall levy for such library a tax of five (instead of two) tenths of a mill. Other changes of minor character.

Ch. 241, Mar. 6, 1911.

Indiana: Extending library privileges to townships.

The privileges of the public library of any city or town may be extended to the inhabitants of any neighboring township and the advisory board of such township may levy a tax therefor of not less than 0.5 mill nor more than 1 mill. Such tax shall be levied if one-tenth the families of taxpayers of said township use said city or town library. If no such township tax is levied, the library board of a city or town public library may issue library cards to non-residents at reasonable rates.

Ch. 132, Mar. 4, 1911.

Indiana: Amending an act relating to public libraries.

The advisory board of any township may levy a tax of not over 1 mill for a public library. If the advisory board do not make such levy, an election shall be ordered upon petition of 50 legal voters to determine whether such tax shall be levied; minimum, one-half (instead of one-fifth) of 1 mill; maximum, 1 mill. Townships outside of cities may levy tax in aid of public libraries privately endowed to the value of \$10,000 (instead of \$25,000). Townships may unite to maintain a public library. Omits requirement that public library commission shall be consulted before books are purchased.

Ch. 50, Feb. 27, 1911.

Indiana: Authorizing any town board to transfer property for library purposes to the public-library board.

Ch. 108, Mar. 3, 1911.

Iowa: Increasing from \$14,000 to \$18,000 the annual appropriation for the State library and historical department.

Ch. 147, Apr. 14, 1911.

Kansas: Tax levy of cities having between 40,000 and 70,000 inhabitants shall not exceed for library fund one-fourth of 1 mill.

Ch. 81, Mar. 14, 1911.

Kansas: Providing for the custody and disbursement of public-library funds.

The directors of every public library shall elect a treasurer, who shall give bond and perform prescribed duties.

Ch. 78, Mar. 13, 1911.

Kansas: Conferring upon women the right to vote in cities upon public-library propositions. Ch. 185, Mar. 14, 1911.

Kansas: Requiring that all buildings or parts of buildings belonging to the State and containing museums or other exhibits shall be open to the public on Sunday afternoons. Ch. 306, Mar. 14, 1911.

Kansas: See A (b).

Louisiana: To aid public education by providing a general library law for the State.

Whenever not less than 25 citizens of any parish, city, town, village, or other political subdivision of this State shall desire to create, establish, maintain, and equip a public library in such parish, city, town, village, or other political subdivision, that such citizens shall address a petition or memorial, signed by such petitioners or memorialists, to the police jury, city council, or such other governing authority of such parish, city, town, village, or other political subdivision, petitioning and memorializing them to create, establish, maintain, and equip a public library in such parish, city, town, village, or political subdivision.

Upon the said petition or memorial being favorably acted on by such police jury, city council, or other governing authority, it shall be promulgated in the same manner that resolutions or ordinances of such police jury, city council, or other governing authority is published and promulgated; and if within 30 days from the last day of such promulgation or publication of such petition a number of citizens equaling or exceeding the number contained in the petition or memorial praying for the creation of said library of such parish, city, town, village, or other political subdivision do not by written protest signed by such protestants protest against the erection, creation, maintenance, and equipment of such public library in such political subdivision, the said police jury, city council, or other governing authority of such political subdivision shall have full power and authority to appropriate and set aside, out of any money or moneys in the treasury of such political subdivision not otherwise appropriated, a sufficient sum for the erection, creation, and equipment of such public library and shall have full power and authority to appropriate and provide for the maintenance of such library.

The police jury, city council, or other governing authority shall, at the same time and by the same ordinance as the appropriation for the erection, establishment, equipment of such library is made, as provided in section 2 hereof, nominate, appoint, and commission a board of control thereof, to be composed of not less than five or more than seven members, said members to be citizens of the city, town, or village or other political subdivision of this State appropriating such money for said library; which board of control, after taking an oath to well and faithfully perform their duties as members of such board of control, shall be vested with full control and supervision of the erection, establishment, maintenance, and equipment of such library, and shall, at its first meeting after its appointment and qualification, elect one of its members as chairman, another as secretary, and a third as treasurer, provided that the treasurer so elected shall furnish bond, with good and solvent surety, conditioned for the faithful performance of his duties, and provided that such bond shall be in an amount to be determined by such board, provided that such bond shall not be for a less amount than is appropriated by the police jury, city council, or other governing authority for such library.

That such board of control so appointed and commissioned shall be appointed and commissioned for a term of six years from the date of their appointment, provided that the first board appointed and commissioned under this act shall consist of six members, two to be appointed and commissioned for two years, two to be appointed and commissioned for four years, and two to be appointed and commissioned for six years, and provided further, that no officer of such board or any member thereof shall ever receive any remuneration whatsoever from said library or the funds appropriated for same. That said board of control shall have power and authority to make all necessary rules, regulations, and by-laws for the proper governing of such library and for their own body; that they shall have exclusive control of the expenditures of all funds appropriated, donated, or acquired in any other way, provided that all sums proposed to be expended over \$500 shall be first submitted to and approved by the police jury or other governing authority of such political

cal subdivision. That vacancies in said board, from whatsoever cause, shall be filled in the same manner as the original members thereof were appointed and commissioned.

All sums to be expended by said board shall only be withdrawn from its treasury upon the warrant of the treasurer, approved by the chairman and countersigned by the secretary; that such board of control shall have power and authority to purchase or otherwise acquire title to real estate whereon to establish such library, provided that the title to same shall be vested in such parish, city, town, village, or other political subdivision appropriating the funds for the same, and provided that such board of control shall not, in any one year, create debts for more than the estimated revenues of such board for one year's time, except that property donated or give to such board need not be calculated in or estimated as the annual estimated revenues thereof.

This act shall take effect from and after its promulgation, and shall not apply to libraries or library boards already in existence, or to cities, towns, or villages of over 100,000 inhabitants.

Act 149, July 6, 1910.
Maryland: Amending sections 95-115, article 77, of the Code of Public General Laws of 1904, relating to the public library commission and to public libraries.

Increasing the annual appropriation for the public library commission from \$1,000 to \$1,500.

Any board of county commissioners may establish a free public library and reading room at the county seat, with branches at such places throughout the country as may be desirable. They may levy an annual tax for the purpose not exceeding 5 cents on each \$100 of taxable property.

When requested to do so by the majority of voters in any election district, the board of county commissioners shall establish and control a public library in the said district, and may levy therefor a tax of 7 cents on each \$100.

The legislative authority of any municipality may likewise establish and maintain a public library and reading room and may levy a tax therefor not to exceed 7 cents on each \$100. Each library established under this act shall be controlled and administered by a board of nine directors, appointed by the county commissioners or by legislative authority by which the said library is established. Each library board shall make a detailed annual report to the county commissioners or legislative authority of the municipality.

The State public library commission may expend not over \$100 for books for any library established under the foregoing provisions.

No. 505, Apr. 11, 1910, Laws 1910, pp. 221-226.

Maryland: Repealing sections 14, 15, and 16, chapter 367, Laws of 1902, authorizing the governor to appoint five library commissioners.

This act does not affect the Maryland public library commission.

Ch. 332, Apr. 7, 1910, Laws 1910, p. 899.

Massachusetts: Authorizing public libraries of cities and towns to lend books and library material to the public libraries of other cities and towns.

Ch. 140, Mar. 14, 1911.

Michigan: Relating to arrangements for the use of the public library of any city, village, or township by the inhabitants of an adjoining township.

Terms and conditions of such use shall be fixed by contract, which shall in no case run for a longer term than three years. Former provisions relating to participation in control of and division of expenses are repealed.

No. 272, May 2, 1911.

Michigan: Appropriating \$5,000 annually for books for the State library and \$3,000 annually for books and equipment for the Michigan traveling libraries.

Payment for printing and binding required for the State library and for traveling libraries shall be made from the general fund of the State. The sums appropriated by this act shall be paid out of the general fund to the State librarian.

No. 19, Mar. 24, 1911.

Michigan: Amending an act relating to public free libraries and reading rooms in cities, incorporated villages, and townships.

When authorized by popular vote, a tax not exceeding 1 mill may be levied in any city containing not over 10,000 inhabitants for the establishment and maintenance of a free public library. No. 178, Apr. 28, 1911.

Michigan: Amending an act to protect public and other libraries.

Increases the maximum fine for damaging books and other property of such libraries and extends the list of protected articles to include photographs, periodicals, etc. No. 58, Apr. 7, 1911.

Michigan: Increasing the salary of the assistant State librarian from \$900 to \$1,200 per annum. No. 31, Mar. 31, 1911.

Minnesota: Authorizing the board of park commissioners of any city of the first class to accept any gift or devise to be used for a public park, museum, gallery, or school of arts and crafts.

Authorizes a tax levy of one-eighth of 1 mill to maintain such museum, gallery, or school of arts and crafts. Ch. 85, Apr. 7, 1911.

Missouri: Authorizing school districts to vote bonds for the purpose of erecting library buildings. S. B. 124, p. 394, Mar. 30, 1911.

Nebraska: Authorizing the establishment of law libraries in counties containing over 150,000 inhabitants for the use of public officers.

Ch. 74, Apr. 10, 1911.

Nebraska: Establishing the Nebraska Legislative Reference Bureau.

Said bureau shall gather, arrange, catalogue, and publish information upon subjects of legislation and administration. It shall be affiliated with the University of Nebraska and shall be under the direction of the board of regents of the university, who shall appoint a director and assistants authorized by law. Ch. 72, Apr. 7, 1911.

Nebraska: Extending the free public library law (formerly applicable only to incorporated cities and towns) to villages, counties, townships, and school districts.

The authorized tax rate is raised from 2 to 3 mills. The library board of any public library may contract to furnish the privileges of such library to any inhabitants of any neighboring village, county, township, or school district. The authority of city councils over library boards is withdrawn, except in relation to reports. Ch. 73, Mar. 23, 1911.

Nevada: Providing for an assistant State librarian, at \$1,800 per annum.

Ch. 104, Mar. 18, 1911.

Nevada: To provide a temporary structure for the preservation and exhibition of the library, manuscripts, museum, and collections of the Nevada Historical Society.

Appropriates \$5,000, not more than \$2,000 of which shall be used for a site. Ch. 203, Mar. 28, 1911.

New York: Providing for the establishment of the State library and making an appropriation therefor, and authorizing contracts for furnishing the State education building.

The commissioner of education is authorized to enter into contracts for not exceeding \$1,250,000 to reestablish and enlarge the State library and for not exceeding \$200,000 to furnish the education building.

Ch. 901, Oct. 24, 1911.

New York: Authorizing the establishment of county libraries.

Ch. 815, July 28, 1911.

North Carolina: Providing for the establishment and maintenance of public libraries.

The board of aldermen or town commissioners of any incorporated city or town shall, upon petition of 25 per cent of the registered voters, submit the question of establishment at next municipal election. If majority is favorable, the board of aldermen or town commissioners shall establish such library and levy a tax therefor of not exceeding 1 mill. The government of such library shall be by a board of six trustees, appointed for six years, the terms of two expiring every two years.

Ch. 83, Mar. 4, 1911.

North Dakota: Relating to library funds.

Authority to levy 4-mill tax for library limited to cities of not exceeding 50,000 inhabitants [no city exceeding the limit] and to villages and townships containing over 400 inhabitants.

Ch. 179, Mar. 3, 1911.

Oklahoma: Authorizing cities of the first class to establish and maintain public libraries and to levy a tax of 2 mills therefor.

Former law restricted such authorization to cities of over 5,000 inhabitants.

Ch. 91, Mar. 16, 1911.

Oregon: Authorizing a tax levy of 1½ mills for public-library buildings in counties containing 50,000 or more inhabitants.

Ch. 17, Feb. 20, 1911.

Oregon: Establishing farm libraries and providing for their operation and maintenance.

Authorizes the county commissioners of any county, at their discretion, to appropriate a maximum of \$200 of the general fund of the county for the purpose of establishing at various points in such county farm libraries, consisting of standard books on agriculture, animal husbandry, or poultry husbandry under recommendation of the Oregon Agricultural College. Such libraries shall be maintained without cost to the county, and shall be free to all residents thereof.

Ch. 124, Feb. 20, 1911.

Oregon: Amending an act relating to public libraries.

Authorizes any county (instead of any county containing 50,000 or more inhabitants) to levy a tax of not over one-half (instead of one-fifth) mill for such libraries. Said library funds may be used for public libraries, branch libraries, reading rooms, lectures, and museums.

Ch. 157, Feb. 21, 1911.

Rhode Island: Authorizing the State board of education to provide for the visitation and examination of free public libraries and the management of free public libraries.

Increases annual appropriation for such purposes from \$1,000 to \$2,000.

Ch. 678, Apr. 25, 1911.

Rhode Island: State librarian shall be State record commissioner. He shall prepare a report of number, kind, and condition of public records in control of State, city, and town officers and in churches and other States relating to Rhode Island.

Ch. 822, Apr. 26, 1912.

Utah: Amending certain acts relating to free public libraries and public gymnasiums in cities of the third class and incorporated towns.

Election to determine establishment of such libraries and gymnasiums shall be called upon petition of 10 per cent (instead of 50) of the legal voters. Maximum tax for free public library, 8 mills (instead of 1 mill); maximum tax for free public library and public gymnasium, 4 (instead of 2) mills. Specific provision for board of directors for such institutions. Such cities and towns may cooperate with school districts to maintain free public libraries.

Ch. 78, Mar. 18, 1911.

Utah: See A (2).

Vermont: Establishing a legislative reference bureau in the State library.

Appropriation, \$1,000 annually.

No. 9, Jan. 12, 1911.

Vermont: Relating to libraries in penal institutions.

The board of library commissioners shall provide and maintain suitable libraries in the State penal and charitable institutions. Appropriations, \$500 in 1911 and \$200 annually thereafter. No. 235, Jan. 4, 1911.

Vermont: Authorizing the village of Jeffersonville to establish and maintain a public library and reading room. No. 308, Jan. 20, 1911.

Vermont: Prohibiting the purloining of books from public and certain other libraries. Penalty, fine of not over \$50, one-half to the use of the library. No. 227, Jan. 20, 1911.

Wisconsin: Amending chapter 50 of the laws of 1907, being an act entitled "An act relating to the maintenance of public libraries in cities having a population of 150,000 or more."

Reduces the amount of tax levy for the support of libraries.

Ch. 109, May 10, 1911.

Wisconsin: Amending section 3751 of the Statutes, relating to the Wisconsin free library commission, and making an appropriation therefor.

Increases appropriation from \$15,000 to \$20,000. Provides for investigation of various legislative matters. Ch. 550, July 7, 1911.

Wisconsin: Amending section 932 of the Statutes, relating to the membership of library boards. Ch. 320, June 8, 1911.

S. (b) Public-School Libraries.

Alabama: To provide for the establishment of libraries in the rural, town, and village schools of Alabama; to make an appropriation therefor; to provide for their maintenance and for their improvement; to authorize the commissioners' court or the board of revenue of the several counties to make an appropriation for the establishment and support of said libraries; and to provide rules and regulations under which said libraries shall be established and maintained.

SECTION 1. *Be it enacted by the Legislature of Alabama,* That the sum of \$100 for each county, in all \$8,700, be, and the same is hereby, appropriated annually out of any moneys not otherwise appropriated for the purpose of establishing and maintaining libraries in the public schools of Alabama: *Provided,* That the provisions of this act shall not apply to any school located in a town or city of more than 1,000 inhabitants.

SEC. 2. That any commissioners' court or board of revenue, or other similar court in any county of this State, be, and the same is hereby, authorized to appropriate not less than \$10 to each district public school in the county in any one year for the purpose of establishing, maintaining, enlarging, or improving public libraries in rural, village, or town schools: *Provided,* That no appropriation shall be made to any school located in a town of more than 1,000 inhabitants.

SEC. 3. That in order to obtain the benefits of the provisions of this act the patrons or friends of any district school shall first raise a sum of not less than \$10 and deposit the said amount with the county superintendent of education. He shall within ten days certify to the commissioners' court or other similar court or board of the said county the fact of the said deposit and request action thereon. Thereupon the said court or board shall at once, or at the first term following the receipt of the notice, consider the application, and shall either dismiss the same or make an appropriation of not less than \$10. If the appropriation shall be made, the probate judge or other presiding officer of the court or board shall on the same date certify the fact to the county superintendent of education, who shall immediately thereafter transmit the same to the State superintendent of education. On receipt of notice the State superintendent shall make a requisition upon the State

auditor for the sum of \$10 in order to meet such donation and appropriation. The said warrant shall be drawn in favor of the county treasurer of school funds, to whom shall also be at once paid over by the county superintendent of education the amount first collected by voluntary subscription and the sum appropriated by the county. An account of the said sums so received shall be kept separate, and they shall be paid out by him as hereinafter directed.

Sec. 4. That the State superintendent of education, with the assistance of the director of the department of archives and history, shall compile and publish a carefully selected and annotated list of books, from which the libraries herein provided shall be chosen, and they shall also adopt and publish rules and regulations for the choice of books, their use, preservation, and circulation, the erection of book shelves or bookcases, and the equipment of library rooms or buildings, and the training of librarians or custodians for the libraries. The selections shall be, as nearly as possible, representative of the whole field of literature and maximum prices for purchase shall be indicated.

Sec. 5. That the local board of trustees of the district in which the school is located and to which a library is granted shall constitute a library board, charged with the administration of the library as other school property, and they are hereby charged with the same care and attention in connection therewith as of the school grounds, the school building or buildings, and the school equipment. They shall select the librarian or custodian, who shall be the teacher, if he or she will consent to act, and they shall see that the rules prescribed herein are carried out; but if the librarian is other than the teacher, such person shall be under the direction of the teacher as the representative of the district board of trustees. They shall provide a suitable bookcase or bookcases, with lock and key, for the preservation of the library.

Sec. 6. That the selection and purchase of the books from the authorized list shall be made by the district board of trustees, upon the recommendation of the teacher or of any patron or friend of the school. After the order therefor shall be placed, on receipt of notice of the delivery of the books, the county treasurer of school funds shall draw a warrant or check to cover the charges, including the freight. Vouchers or bills in duplicate shall be made out, one copy for the county treasurer of school funds and one copy to be sent by the bookseller or dealer to the State superintendent of education.

Sec. 7. That all unexpended balances on the 1st day of October each year shall be reapportioned equally among all the counties of the State.

Sec. 8. That no person charged with any duties hereunder shall receive any compensation or commission for his or her services.

Act 345, p. 391, Apr. 13, 1911.

Arizona: District trustees may use 3 per cent of all school funds (not to exceed \$300 per year) for library books, books of reference, and schoolroom decorations.

Libraries shall be under control of district trustees, and if practicable in schoolhouse, free to pupils and accessible to others on payment of reasonable fee.

Trustees shall report to county superintendent.

Ch. 77 (Ch. XV), May 20, 1912.

California: Allowing union high-school districts to establish, equip, and maintain public libraries; providing for the formation, government, and operation of such library districts; for the acquisition of property thereby; for the calling and holding of elections in such districts; for the assessment, collection, custody, and disbursement of taxes therein. Ch. 279, Mar. 24, 1911.

Iowa: Relating to vacancies in the office of library trustees.

Absence of any such trustee from six regular meetings without due explanation shall vacate his office.

Ch. 36, Apr. 15, 1911.

Nebraska: Relating to school-district libraries.

The school board of any school district may (instead of "shall") set aside from the funds of the district 10 cents per pupil for the purchase of books.

Ch. 126, Apr. 7, 1911.

Nevada: See 4 (s).

Pennsylvania: *See A (a).*

Virginia: An act to amend and reenact an act to provide for the establishment of libraries in the public schools of the rural districts, and to appropriate money therefor, approved March 14, 1908, so as to extend its provisions to the libraries of city schools.
Ch. 317, Mar. 17, 1910.

T. EDUCATION OF SPECIAL CLASSES.

(a) General.

See also J (b).

Indiana: *See D (c).*

Kentucky: Changing names of insane asylums, etc., to "hospitals." Increases from \$150 to \$155 per capita appropriation for pauper inmates. Like increase for inmates of institution for the feeble-minded.
Ch. 85, Mar. 14, 1912.

Nebraska: Proposing an amendment to the State constitution creating a board of commissioners for State institutions to manage and control all charitable reformatory and penal institutions of the State.

To be submitted to the people at the general election in November, 1912.
Ch. 225, Apr. 10, 1911.

New Jersey: An act to amend an act for the instruction and maintenance of indigent deaf and dumb, blind, and feeble-minded persons, etc., approved March 12, 1873, as amended by an act approved March 15, 1893.

Any deaf and dumb, blind, or feeble-minded person of a suitable age and capacity for instruction may be entitled to the benefits of the said act. [Removes the limitation "not under five years of age."] Ch. 123, Apr. 8, 1910.

New Jersey: An act concerning admissions to institutions for the feeble-minded, epileptic, tubercular, and blind.

Applications for admission to such institutions supported in whole or in part by the State shall be made to the commissioner of charities and corrections.
Ch. 208, Apr. 9, 1910.

New Jersey: A further supplement to an act for the instruction and maintenance of indigent deaf and dumb, blind, and feeble-minded persons, inhabitants of this State, approved March 12, 1873.

The commissioner of charities may parole male inmates of such institutions into the custody of his parents, guardians, or any fit persons.
Ch. 212, Apr. 9, 1910.

New Jersey: Supplementing an act entitled "An act to establish a thorough and efficient system of free public schools, and to provide for the maintenance, support, and management thereof," approved October 19, 1903.

"1. Each board of education in this State shall ascertain what children, if any, there are in the public schools who are three years or more below the normal. In each school district in this State in which there are 10 or more children three years or more below the normal, the board of education thereof shall establish a special class or classes for their instruction, no class, however, to contain more than 15 children. In each school district in this State where there are 10 or more blind or deaf children who are not now cared for or who can not be cared for in an institution, a special class or classes shall be organized for their education, no such class, however, to contain more than 15 pupils. Such classes shall be discontinued when proper provision is made for the care and education of such blind and deaf children by the State. The medical examiner of the district shall examine the children in special classes at least once in every three months."
Ch. 234, Apr. 27, 1911.

New York: Amending the education law.

Section 827. Instead of the specific appropriation of not over \$1,000 annually for the support and education of 10 Indians in State normal schools, the amount and the number of beneficiaries are left to the action of the legislature in making appropriations.

Sec. 940 et seq. Places the education of Indians more directly under the control of the commissioner. Eliminates the provisions for superintendents of Indian schools. Ch. 140, Apr. 22, 1910.

North Dakota: See A (b).

Ohio: See A (b).

T. (b) Deaf and Dumb.

Connecticut: Empowering the governor to appoint deaf persons to any school within the State for instruction. Ch. 47, Apr. 27, 1911.

Idaho: Authorizing a tax levy of one-third of a mill on the dollar for purposes of the school for the deaf and blind at Gooding. Ch. 34, Mar. 3, 1911.

Illinois: Authorizing school directors and boards of education to establish and maintain classes and schools for deaf and dumb and blind, and providing for payment from the State treasury of the excess cost of maintaining and operating such classes and schools over the cost of maintaining and operating elementary schools for normal children.

The excess cost to be paid by the State shall not exceed \$110 for each deaf pupil or \$160 for each blind pupil. All classes and schools established under this act shall be subject to the supervision of the superintendent of public instruction. H. B. No. 400, p. 502, June 2, 1911.

Kentucky: An act for the benefit of the Kentucky School for the Deaf.

Appropriates \$600 annually for employing a teacher for the deaf and blind, no provision for which has hitherto been made.

Provides that the schools for the white and colored deaf shall be operated as separate institutions, but under same board of commissioners and same superintendent. Ch. 99, Mar. 25, 1910.

Kentucky: Kentucky Institute for the Education of Deaf Mutes changed to Kentucky School for the Deaf. Status changed from an eleemosynary to an educational institution. Ch. 71, Mar. 13, 1912.

New York: Amending the education law in relation to the amount and payment of expenses for tuition and maintenance of deaf children in certain institutions.

Increases the maximum cost allowable from public funds from \$300 to \$325 per year for each child. Ch. 322, May 18, 1910.

North Carolina: To enable the North Carolina School for the Deaf and Dumb to secure an adequate water supply.

May join with other corporations, persons, or firms to provide water system. Ch. 125, Mar. 7, 1911.

North Carolina: Relating to the allowance for clothing for indigent pupils in the State School for the Blind and the Deaf.

Increases the allowance from \$20 to \$25 per year. Ch. 212, Mar. 6, 1911.

Pennsylvania: See A (a).

South Carolina: An act to increase the efficiency of the South Carolina Institution for the Education of the Deaf and Dumb.

Said institution may provide for the higher education of any graduate thereof in any chartered college. Not more than four graduates may be thus aided in any one year. Appropriates \$600 for such purpose.

Act 468, Feb. 15, 1910.

Utah: Relating to the board of trustees of the Utah School for the Deaf.

Said board shall consist of the attorney general and five citizens.

Ch. 98, Mar. 18, 1911.

Vermont: Providing for the care and education of defective children.

Appropriates \$50,000; payable in annual installments for six years, for erecting buildings, etc., for the Austin Institution at Brattleboro. Said institution shall be subject to the visitation of the board of visitors of State institutions and shall receive, care for, and instruct at actual cost such deaf and dumb children as may be designated by the governor under chapter 169 of the General Statutes.

No. 74, Jan. 27, 1911.

Vermont: See A (d).

Washington: Appropriating \$50,000 for the erection of buildings for the school for the blind.

Ch. 58, Mar. 11, 1911.

T. (c) Blind.

Arizona: State board of education shall have power to provide care and maintenance and instruction for blind children under school age when parents are unable to care for them.

Board of education may contract with any proper institution for care, maintenance, and instruction of such children, at rate not over \$1 per day, provided parents or surviving parent give written consent. Contract to continue until child reaches age of 6, and board of education may continue same till child reaches age of 12.

Twenty-five hundred dollars shall be included in tax to be levied for school purposes, and that sum is applied for purposes of this act.

Does not repeal any existing law. Special session, ch. 9, June 8, 1912.

Colorado: Relating to the education of the adult blind of Colorado; creating and establishing the office of a "State teacher of the adult blind in the State of Colorado," prescribing the duties of said office, and providing for the qualifications, appointment, term of service, salary, and travelling expenses of such officer.

Ch. 2, June 1, 1911.

Iowa: See A (b).

Iowa: Fixing the minimum monthly allowance for the support of the College of the Blind at \$3,600.

Ch. 139, Apr. 15, 1911.

Mississippi: An act to allow the trustees of the blind institution to furnish the tools to the graduates of said institution necessary to begin their trade.

It shall be the duty of said trustees to furnish to the graduates of the institution tools not to exceed \$100 in cost, to be paid from the funds of the institute.

Ch. 131, Apr. 11, 1910.

New Jersey: State will assist blind persons desiring higher education in any college, university, or technological school of the State. Will pay \$200 for tuition fees and \$300 per annum to read to the student.

State commissioner of education shall administer law. Applicants must be duly qualified and unable to defray the expense.

Ch. 336, Apr. 1, 1912.

New York: Relating to the compulsory education of blind children.

Ch. 710, July 20, 1911.

New York: Blind babies and children under 12, not living in New York City, needing kindergarten instruction, may be appointed to receive such instruction as State pupils in certain institutions for blind children. May later be certified to an institution for the blind.

Ch. 60, Mar. 22, 1912.

New York: Term of instruction of State pupils in institutions for the deaf and for the blind. Regular term of instruction of State pupil is five years; may be extended three years by commissioner of education (according to old law). Commissioner of education may extend term three years additional for higher course of study: Not more than 30 in one institution, and only selected pupils.
Ch. 223, Apr. 8, 1912.

Pennsylvania: *See A (a).*

Rhode Island: Authorizing the State board of education to provide instruction for the adult blind at their homes.

Appropriates \$3,000 annually for said purpose. Ch. 680, Apr. 25, 1911.

T. (d) Crippled and Deformed.

Florida: Authorizing the State board of health to establish a hospital for indigent crippled children.
Ch. 6133 (No. 14), May 30, 1911.

Pennsylvania: *See A (a).*

T. (e) Feeble-Minded.

Idaho: Establishing a school for feeble-minded and epileptic persons.

Ch. 41, Mar. 4, 1911.

Indiana: Pertaining to manner of admission of feeble-minded and idiotic children and adult feeble-minded women into the Indiana School for Feeble-Minded Youth; providing for maintenance fees in certain cases.

Ch. 102, Mar. 4, 1911.

Maine: Consolidating under a single board of hospital trustees the management of the Maine Insane Hospital at Augusta, the Eastern Maine Insane Hospital at Bangor, and the Maine School for Feeble-Minded at Pownal.

Ch. 107, Mar. 31, 1911.

Michigan: Providing a tax levy to meet the amounts disbursed by the State for the several asylums, etc.

The tax levy for 1912 shall include, for the Michigan Home for Feeble-Minded and Epileptic, \$104,364.73.
No. 48, Apr. 8, 1911.

New Jersey: Every medical inspector of schools shall report to the local board of health every pupil mentally deficient or suffering from epilepsy. Local board of health shall report same to State board of health.

Every person so afflicted shall be deemed to be under guardianship of the commissioner of charities and corrections, who may commit to an institution or supervise care and treatment. Shall be authorized to enforce proper care and discipline of sufferer.
Ch. 182, Mar. 27, 1912.

North Carolina: Establishing the North Carolina School for the Feeble-Minded.

For the care and education of idiotic and feeble-minded persons 6 years of age and upward. Management and supervision vested in a board of trustees of nine members appointed by the governor, the State superintendent of public instruction being president. Proper subjects for said school who are indigent and destitute may be admitted as State charges; when parents or guardians are able to do so, they shall pay such sums for maintenance, care, and instruction as the trustees may determine. Commitment shall be made by the clerk of the proper county court upon application and after due notice and hearing. Discharge shall be by any three trustees or by a

justice of the State supreme or superior court when further detention seems no longer necessary. Board of trustees shall select and acquire site with approval of governor and council of State, and trustees shall erect and equip the necessary buildings. Appropriation, \$60,000 for the biennium.

Ch. 87, Mar. 4, 1911.

North Dakota: Fixing the tuition of inmates of the institution for the feeble-minded at \$15 per month (instead of \$50 semiannually).

Ch. 165, Feb. 10, 1911.

North Dakota: Requiring the superintendent of the institution for the feeble-minded to cover quarterly into the State treasury all [instead of proceeds remaining after clothing of inmates is provided] the sums received from the persons legally responsible for the support of the inmates.

Ch. 164, Mar. 6, 1911.

North Dakota: See A (b).

Ohio: Amending section 1815 of General Code relating to support of inmates in benevolent institutions (including the institution for the feeble-minded) by adding 10 supplemental sections wherein is provided that a husband or wife, or son or daughter, or a father or mother, or both, may be held liable for the support of inmates in such institutions; providing a maximum expense in each case to be \$4 per week; and exempting honorably discharged soldiers and sailors of the United States who are inmates of the institutions named.

H. B. No. 108, May 2, 1910.

Washington: Directing the State board of control to acquire additional lands of not less than 320 acres for the State Institution for the Feeble-Minded.

Ch. 122, Mar. 17, 1911.

Wyoming: Changing name of "Wyoming Home for the Feeble-Minded and Epileptic" to "Wyoming School for Defectives," and providing for commitments, care of inmates, etc.

Ch. 103, Mar. 1, 1911.

T. (f) Tuberculous Children.

Ohio: Authorizing city boards of education to establish special elementary schools for youth afflicted with tuberculosis and to exclude such youth from the regular elementary schools and to provide for and pay from the school funds the expense of transportation of said youth to and from such special schools.

S. B. No. 44, p. 319, May 19, 1910.

Rhode Island: The school committee of any city or town may establish open-air schools for children not in physical condition to be instructed in ordinary schools. May furnish medicine, food, and other supplies.

Ch. 816, Apr. 28, 1912.

U. WELFARE OF DEPENDENTS AND DELINQUENTS.

(a) General.

Alabama: Establishing a reform school for the training of juvenile negro lawbreakers at Mount Meigs and appropriating therefor.

Provides for instruction in the common branches and in agriculture and industries.

Act 336, p. 677, Apr. 24, 1911.

Alabama: Appropriating \$30,000 for new buildings and equipment for the Alabama Industrial School for White Boys.

Act 472, p. 486, Apr. 18, 1911.

Alabama: Appropriating \$65,000 for new buildings and equipment to the Alabama schools for the deaf and blind. Act 238, p. 413, Apr. 11, 1911.

Arizona: Providing for destitute, homeless, and depraved women, and for neglected, abandoned, and homeless children. The judge of the superior court or county boards of supervisors may commit to any suitable nonsectarian institution in the State. Expenses to be paid by the county from which the commitment is made. Ch. 57, May 17, 1912.

Arkansas: Amending section 4129 and repealing sections 5965 and 5966 of Kirby's Digest [Code of 1904].

Abolishes board of trustees of the Confederate Soldiers' Home. Increases the board of trustees of the school for the blind, the deaf-mute institute, and the insane asylum from six to seven in number and gives this board control of the Confederate Soldiers' Home. Act 184, p. 154, Apr. 12, 1911.

California: Providing for the supervision and control of the State board of charities and corrections, of the placing of dependent children in homes, and for the supervision of all societies or organizations known as home-finding societies. Ch. 569, Apr. 24, 1911.

Colorado: Authorizing the placing of poor orphan children in charitable educational institutions and binding them thereto. Ch. 80, June 2, 1911.

Connecticut: Amending section 2795 of the General Statutes, relating to commitments of neglected children to industrial or reform schools.

Ch. 107, Aug. 1, 1911.

Florida: Appropriating \$5,000 to pay the indebtedness of the State Reform School. Ch. 6123 (No. 9), June 3, 1911.

Idaho: Appropriating \$14,000 for the benefit of the Children's Home Finding and Aid Society of Idaho. Ch. 25, Feb. 27, 1911.

Idaho: See A (a).

Illinois: Providing for a system of probation for certain offenders.

Any defendant, adult or juvenile, who has never previously been convicted of any crime or misdemeanor, who has entered a plea of guilty or been found guilty of certain enumerated offenses or crimes, may be released on probation upon specified conditions. Provides for the appointment of probation officers and prescribes their duties. H. B. No. 1, p. 277, June 10, 1911.

Illinois: Amending an act relating to the treatment, control, and maintenance of dependent, neglected, or delinquent children.

If the parent or parents of a dependent or neglected child whose case is before the juvenile court are poor and unable to properly care for said child, but are otherwise proper guardians and it is for the welfare of such child to remain at home, the court may by order find such facts and fix the amount of money necessary to enable the parent or parents to properly care for such child, and the county board shall pay to such parent or parents the amounts designated in the order. S. B. No. 403, p. 126, June 5, 1911.

Indiana: Relating to children in eleemosynary institutions.

No child between 6 and 21 shall be received in any correctional, charitable, benevolent, or educational institution or training school without a school transfer issued by the proper school officer. Children in such institutions shall be sent to school under penalty of fine of \$5 to \$25 for each day that any child is willfully kept from school during the school term. Ch. 134, Mar. 4, 1911.

Iowa: Amending an act relating to the enticing away of children.

If any person shall maliciously, forcibly, or fraudulently take, decoy, or entice away any child under the age of 16 years, with intent to detain or conceal such child from its parents, guardian, or other person or institution having the lawful custody thereof, he shall be imprisoned in the penitentiary not more than 10 years or imprisoned in the county jail not more than 1 year, or be fined not exceeding \$1,000. Ch. 11, Mar. 23, 1911.

Louisiana: Providing for the disposition, care, and custody of abandoned children.

Only when taken from them by violence can parents reclaim foundlings raised by others in charity. Claim for such child must be made within six months of its receipt in an institution. A child shall be considered as abandoned who has been left without assistance in an institution for three years. No abandoned child shall be removed from a charitable institution except after 10 days' notice to its parents, if their whereabouts be known.

With the consent of a charitable institution, under certain conditions, a child may be given to such institution by its parents or surviving parent.

No. 173, July 6, 1910.

Maryland: Authorizing the National Junior Republic to receive and retain and exercise authority over such white minors as may be lawfully committed thereto.

Grants to the said National Junior Republic all powers and privileges prescribed by the laws of the State with respect to juvenile institutions and societies.

Ch. 732, Apr. 11, 1910, Laws 1910, p. 99.

Maryland: The name of the Children's Aid Society of Baltimore changed to Henry Watson Children's Aid Society of Baltimore. Powers increased. May receive commitments of minors.

Ch. 85, Apr. 8, 1912.

Massachusetts: Directing the tax commissioner to report regarding the taxation of private, charitable, and educational institutions.

Resolves, ch. 50, p. 883, Apr. 10, 1912.

Massachusetts: Governor shall appoint committee of three to investigate and report upon support of dependent children of widowed mothers.

Resolves, ch. 32, Apr. 27, 1912.

Massachusetts: Directing the board of education to investigate and report on compensation of cities and towns for schooling furnished to wards of the State or of Boston.

Resolves, ch. 138, May 29, 1912.

Massachusetts: A neglected child without an attorney may be represented by anybody with the consent of the court.

Ch. 165, Feb. 24, 1912.

Michigan: Amending certain acts relating to dependent, neglected, and delinquent children.

Forbids the confinement of such children in any jail, lockup, police station, or place of confinement of criminals or persons accused of crime.

County agents shall be appointed by the governor on the recommendation of the State board of charities and corrections, and such agents shall make reports to said boards. In proceedings against a dependent, neglected, or delinquent child, the court shall instead of "may" in Act No. 164] give the county agent or a probation officer an opportunity to investigate.

The judge of probate shall notify the board of corrections and charities of all appointments of probation officers made by him.

No. 262, May 1, 1911.

Missouri: Requiring each county containing between 250,000 and 500,000 inhabitants and having a juvenile court (referring to Jackson County, including Kansas City) to provide for the partial support of poor women whose husbands are dead or convicts when such women are mothers of children under 14 years of age.

The allowance to each of such women shall not exceed \$10 a month when she has but one child under the age of 14 years, and if she has more than one child under the age of 14 years, it shall not exceed the sum of \$10 a month for the first child and \$5 a month for each of the other children under the age of 14 years.

Such allowance shall be made by the juvenile court and only upon the following conditions: (1) The child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when, in the absence of such allowance, the

mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children; (3) the mother must, in the judgment of the juvenile court, be a proper person morally, physically, and mentally for the bringing up of her children; (4) such allowance shall in the judgment of the court be necessary to save the child or children from neglect; (5) no person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance."

H. B. 626, p. 120, Apr. 7, 1911.

Missouri: Authorizing cities having 500,000 inhabitants or more to create a board of children's guardians.

S. B. 405, p. 349, Apr. 3, 1911.

Nebraska: Amending law relating to dependent and neglected children.

Any child under 18 who pleads guilty to or is convicted of any crime may be committed to the State industrial school.

Ch. 41, Apr. 3, 1911.

Nebraska: Creating a board of control for the care and custody of all the dependent and neglected children in the State.

Said board shall succeed the board of control for the State school for dependent children, the responsibilities of the new board being greater than those of its predecessor.

Ch. 62, Mar. 25, 1911.

Nevada: Amending the act relating to neglected, dependent, or delinquent children.

Makes said act apply to all persons under 18 (was "under 17" for males). Appointment of one probation officer at \$150 per month and one assistant at \$75 per month is required (instead of authorized) in each county containing over 15,000 inhabitants. In counties less populous the district judge or county commissioners shall determine whether such officer shall be appointed. If appointment is made, salary shall be \$125 per month in counties having from 8,000 to 15,000 inhabitants, \$100 per month in counties having from 5,000 to 8,000 inhabitants, and \$75 per month in counties having less than 5,000. A proper allowance shall be made for expenses of truant officers. The judge or judges of the district court of each county shall appoint a "probation committee" of five persons; terms, two years; no compensation; duties, to examine and report upon qualifications and fitness of societies and corporations applying for custody of any dependent or delinquent child and to control and manage internal affairs of county detention home. When any person under 18 is duly charged with felony other than a capital offense, the proper district judge may investigate the charge and determine whether said person shall be tried upon the indictment or dealt with as a juvenile delinquent. If such person be committed as a juvenile delinquent and prove not amenable to the discipline of the school to which he is committed, he shall be returned to the sheriff of the proper county and shall be tried for the offense alleged in the original information. Each county containing over 10,000 (instead of 15,000) inhabitants shall provide and maintain a suitable detention home.

Ch. 197, Mar. 27, 1911.

Nevada: Providing educational facilities for the children in the State Orphans' Home.

Said children shall be included in the school census of Carson City school district, and a further appropriation of \$1,000 shall be made from the general fund of the State for their instruction. In consideration whereof the said children shall be entitled to attend and shall attend the Carson City public schools.

Ch. 122, Mar. 20, 1911.

New Hampshire: Appropriating \$80,000 for new buildings and equipment of the State Industrial School.

Ch. 191, Apr. 15, 1911.

New Jersey: No person shall furnish tobacco in any form to any minor under 18.

Ch. 138, Mar. 21, 1912.

New Jersey: Misdemeanor to cause or contribute to delinquency of a child.

Ch. 103, Mar. 23, 1912.

New York: Amending the general municipal law in relation to trusts for aiding and instructing children.

Such trusts legalized and placed upon the same basis with trusts for public parks and libraries. Ch. 163, Apr. 25, 1910.

New York: Providing for the construction of buildings and improvements for the New York Training School for Boys.

Appropriates \$119,000 for a spur railroad track, highways, water and sewage systems, repairs, etc. Ch. 526, June 18, 1910.

New York: Amending the State charities law generally.

Changes relate principally to the number of members and duties of the boards of managers, etc., of State institutions, and the internal affairs of such institutions. In relation to the State Agricultural and Industrial School at Industry and the State Training School for Girls, certain restrictions relating to the classes of children committed have been repealed. The minimum age of females who may be committed to the reformatories is reduced from 16 to 15 years. Ch. 449, June 9, 1910.

North Dakota: Relating to the placing of dependent children in family homes for adoption and otherwise.

Forbids any person or organization not authorized by law to so place dependent children and to receive any valuable consideration therefor. [Aimed at "baby-farming," so called.] Ch. 81, Mar. 6, 1911.

Ohio: Providing for the appointment of a joint committee to thoroughly investigate the conditions at the Girls' Industrial Home and to suggest legislation relating to the management, discipline, and employment of its inmates, and the advisability of providing means for the separation of the more incorrigible or debased from the younger and more innocent.

Laws 1910, p. 452, H. J. Res. No. 20, Apr. 6, 1910.

Ohio: Relating to the guardianship and control of inmates of county children's homes by the trustees of said homes. Such guardianship shall continue until said inmates are 18 (instead of 16) years of age.

H. B. No. 91, p. 52, Apr. 8, 1911.

Ohio: Providing for a commission to revise, consolidate, and suggest amendments to the laws of the State pertaining to illegitimate, defective, neglected, dependent, and delinquent children, to the end that the statute law of the State may be brought into harmony with the best thought on this subject.

Said commission shall consist of two members to be appointed by the governor, and shall report not later than July 1, 1912. Appropriation for expenses, \$3,000.

H. B. No. 469, p. 123, May 18, 1911.

Rhode Island: An act in amendment of chapter 140 of the General Laws entitled, "Of provision for the support of delinquent, neglected, or dependent children," etc.

Whenever any agent of the Rhode Island Society for the Prevention of Cruelty to Children shall make any complaint under the provisions of this chapter, such agent shall not be required to enter into any recognisance for costs. All costs and expenses attending the making of such complaint by such agent shall be paid by the State.

Ch. 551, Apr. 20, 1910.

Rhode Island: Establishing curfew regulations for certain minors.

The police authorities of any city or town may designate certain streets as curfew streets. No minor under 16 years of age shall be allowed on such curfew street after 9 o'clock p. m. unless accompanied by an adult.

Ch. 718, May 12, 1911.

Tennessee: Appropriating \$50,000 for buildings and equipment at the Tennessee Reformatory for Boys.

Ch. 1, Feb. 1, 1911.

Virginia: An act, providing for detention or confinement of minors under 17 years of age for certain offenses, etc.

1. Any court of record of general criminal jurisdiction, any judge thereof in vacation, and any police and justice court may commit to the care and custody of any society, association, or institution approved by the State board of charities and corrections chartered for the custody, protection, or discipline of children any child under 17 who is charged with any felony except rape and has never before been convicted of a felony or misdemeanor, or who is charged with or convicted of petty crime or misdemeanor, or any child under 17 who is vicious, persistently truant, incorrigible, destitute, or neglected. Such commitment shall cease when such child shall reach the age of 21. Said associations may with the approval of the board of charities place such children under contract in suitable family homes or institutions. All juvenile offenders controlled under the provisions of this act shall not be deemed criminals or treated as such.
2. No court shall commit any such child to a jail, workhouse, police station, or penitentiary unless the offense is aggravated or the ends of justice demand otherwise. When no society, association, or reformatory will accept such child the court may make such disposition of commitment as it may deem best.
3. Probation officers may be appointed by societies, associations, etc., with the consent of the court.
4. The court or judge may release any such juvenile delinquent under the care of a probation officer for a period not exceeding one year, subject to such future action as the conduct of the probationer shall justify.
5. Policemen or constables in cities or towns may be detailed as probation officers.
6. Any child under 17 charged with an offense embraced in section 1 shall have a private hearing or trial in chambers.
7. Removal or attempt to remove a child committed under this act shall be punished as contempt of court.
8. Right of appeal is not affected by this act.
9. Societies and associations receiving children under this act shall be subject to the visitation and inspection of the State board of charities and corrections, and shall make reports.
10. Cognizance upon complaint and punishment of violations of this act.

Ch. 289, Mar. 16, 1910.

Virginia: To require inspection and supervision of State board of charities and corrections of persons and corporations placing children in family homes; said board to visit and report upon children placed in homes; authorizing courts to commit destitute and delinquent children to said board, and board to place said children in homes or institutions.

Ch. 309, Mar. 14, 1912.

Virginia: Relating to designation of probation officers in incorporated towns. Police officers so designated shall not be relieved of ordinary police duties.

Ch. 322, Mar. 24, 1912.

Ug (b) Wrongs to Children.

Alabama: Authorizing courts of county commissioners to appoint and fix compensation of officers to enforce the provisions of law for the prevention of cruelty to children.

Act 127, p. 112, Mar. 11, 1911.

Arizona: Providing for the punishment of persons guilty of contributory dependency or contributory delinquency.

Definitions, court procedure, etc.

Sp. sess. ch. 18, June 11, 1912.

Arizona: Making it a felony for a parent to fail to provide for his or her minor child or children.

Ch. 64, May 17, 1912.

Connecticut: Concerning the sale of tobacco to minors.

Every person who shall sell, give, or deliver to any minor under 16 years of age tobacco in any form shall be fined not more than \$25 for the first offense, and not less than \$25 nor more than \$100 for each subsequent offense.
Ch. 90, June 13, 1911.

Connecticut: Amending section 1360 of the General Statutes, relating to the protection of children from improper amusements. Ch. 154, July 13, 1911.

Kentucky: An act to provide for the punishment of persons responsible for, or directly promoting or contributing to, the conditions that render a child dependent, neglected, or delinquent. (Modifies and replaces previous act.)
Ch. 76, Mar. 23, 1910.

Louisiana: Defining the crime of kidnaping and prescribing a penalty therefor.

Whosoever shall forcibly seize, take, and carry out of this State or from any part of this State to another any male child under the age of 14 years or any female child under the age of 12 years, from the custody of his or her parent, tutor, or guardian without authority of law, and all persons aiding, advising, or abetting therein shall be guilty of the crime of kidnaping, and on conviction thereof shall suffer death (penalty increased from 20 years' imprisonment).
Act No. 271, July 7, 1910.

Massachusetts: Prohibiting the use of solitary-confinement rooms or cells in juvenile reformatory schools. Ch. 265, Apr. 10, 1911.

New York: Relating to the punishment of parents, guardians, and other persons for contributing to the delinquency and offenses of children.

A parent, guardian, or other person having custody of a child actually or apparently under 16 years of age who omits to exercise reasonable diligence in the control of such child to prevent such child from becoming guilty of juvenile delinquency as defined by statute, or from becoming adjudged by a children's court in need of the care and protection of the State as defined by statute, or who permits such a child to associate with vicious, immoral, or criminal persons, or to grow up in idleness, or to beg or solicit alms, or to wander about the streets of any city, town, or village late at night without being in any lawful business or occupation, or to furnish entertainment for gain upon the streets or in any public place, or to be an habitual truant from school, or to habitually wander around any railroad yard or tracks, to enter any house of prostitution or assignation, or any place where gambling is carried on, or any gambling device is operated, or any policy shop, or to enter any place where the morals of such child may be endangered or depraved or may be likely to be impaired, and any such person or any other person who knowingly or willfully is responsible for, encourages, aids, causes, or connives at, or who knowingly or willfully does any act or acts to produce, promote, or contribute to the conditions which cause such child to be adjudged guilty of juvenile delinquency, or to be in need of the care and protection of the State, or do any of the acts hereinbefore enumerated, shall be guilty of a misdemeanor.

The proper magistrate to whom complaint is made under this act or upon his own instance may issue a summons and inquire into the subject matter of the charge. Whenever he is satisfied that there is sufficient cause for the warrant to issue, he may issue the same, or instead of issuing the warrant he may adjourn the investigation from time to time for a period aggregating not more than one year and place the person summoned under the oversight of a probation officer, or may cause the person summoned to give a bond, not to exceed \$250, conditioned upon the exercise of reasonable diligence to prevent a continuance or repetition of the condition or conduct of the child who, was the special cause of the investigation.

Whenever a person is convicted of misdemeanor under this act the court may suspend sentence and place the defendant upon probation for not more than a year, and may cause the defendant to give bond in a sum not to exceed \$500, conditioned upon the exercise of reasonable diligence to prevent a continuance or repetition of the condition or conduct of the child who was the cause of the prosecution. Judgment and execution in all proceedings under this act is limited to the special sessions, police and

city courts presided over by magistrates who are assigned to children's courts, except in New York, where the jurisdiction is conferred upon the city magistrates.
Ch. 699, June 25, 1910.

Ohio: Amending section 12965 of General Code by making it illegal to sell, give, or furnish cigarettes or tobacco in any form to minors under 18 years of age, instead of 16 years of age; and repealing the provision that one-half of fine collected from violation of said section be given to the person furnishing the information upon which conviction results.
Laws 1910, p. 133, Apr. 25, 1910.

Ohio: Amending section 12427 of the General Code by making life imprisonment the penalty for kidnaping a child under the age of 12 years, instead of imprisonment from 3 to 30 years; but upon recommendation of mercy by the jury the imprisonment may be for a term not less than 10 years nor more than 30 years, and upon a plea of guilty the court may pass either sentence at its discretion.
H. B. No. 26, p. 263, May 17, 1910.

Ohio: Supplementing section 12970 of the General Code, relating to torturing and neglecting children by two additional sections, 12970-12971 and 12970-12972; providing for the payment by the county from which the convicted person is sentenced of 40 cents for each day he is so confined, to be expended for maintenance of such child or children under 16 years of age; and providing further that the trustee receiving such moneys shall serve without compensation, and that the court may require such trustee to give bond for faithful performance of duty.
S. B. No. 90, p. 233, May 17, 1910.

Rhode Island: An act in amendment of chapter 139 of the General Laws, entitled "Of wrongs to children."

Every person having the custody or control of any child under the age of 17 years who shall entirely abandon such child or who shall treat such child with gross and habitual cruelty or who shall wrongfully cause or permit such child to be an habitual sufferer for want of food or clothing, proper care or oversight, or who shall use or permit the use of such child for any wanton, cruel, or improper purpose, or who shall compel, cause, or permit such child to do any wanton or wrongful act; or who shall cause or permit the home of such child to be the resort of lewd, wanton, drunken, or dissolute persons, or who, by reason of neglect, cruelty, drunkenness, or depravity, shall render the home of such child a place in which it is unfit for such child to live, shall be guilty of a misdemeanor and shall for every such offense be imprisoned for not exceeding one year or be fined not exceeding \$250, or be both fined and imprisoned as aforesaid, and shall forfeit any right which he may have had to the custody of such child.

Ch. 550, Apr. 20, 1910.

Utah: Prohibiting any person to sell or give tobacco or opium or other narcotic in any form to any person under 21 years of age, and prohibiting any minor from purchasing, accepting, or having in his possession any tobacco, opium, or narcotic in any form.
Ch. 51, Mar. 9, 1911.

U. (c) Juvenile Courts.

Arizona: Superior courts of several counties shall have exclusive and original jurisdiction in all matters and proceedings affecting dependent, neglected, incorrigible, and delinquent children under 18.

May appoint probation officers.

May commit child to suitable institution or to care of individual or association, etc.
Ch. 63, June 29, 1912, sp. sess.

Arkansas: Establishing a juvenile court in each of the several counties of the State and defining the jurisdiction and powers thereof.

Section 7. If the court shall find any male child under 17 years of age or any female child under the age of 18 years to be dependent or neglected or delinquent within the meaning of this act, the court may allow such child to remain at its own home, subject to the friendly visitation of a probation officer, or to report to the court or probation officer from its home or school at such times as the court may require. And if parent, parents, guardian, or custodian consent thereto, or if the court shall further find that the parent, parents, guardian, or custodian of such child are unfit or improper guardians or are unable or unwilling to care for, protect, train, educate, correct, or discipline such child and that it is for the interest of such child and of the people of the State that such child be taken from the custody of its parents, custodian, or guardian, the court may make an order appointing as guardian of the person of such child some reputable citizen of good moral character and order such guardian to place such child in some suitable family home or other suitable place which such guardian may provide for such child, or the court may enter an order committing such child to some suitable State institution organized for the care of dependent or neglected children or to some training or industrial school or children's home-finding society or to some association embracing in its objects the purpose of caring for or obtaining homes for neglected, dependent, or delinquent children, which association shall be approved by the court.

Act 215, p. 166, Apr. 25, 1911.

California: Amending the "juvenile court law," approved March 8, 1909.

Various minor amendments: Raises from 18 to 21 years the age to which the act is applicable; increases number of probation officers in each county and reduces their salaries; extends powers of juvenile court judges.

Ch. 369, Apr. 5, 1911.

California: Defining the words "dependent child" in the "juvenile court law," approved March 8, 1909.

Ch. 48, Feb. 17, 1911.

Delaware: Providing for a juvenile court for the city of Wilmington.

Creates a special court which shall have sole jurisdiction in all cases relating to children, including juvenile delinquents, truants, neglected, incorrigible, and dependent children, and all other cases where the custody and legal punishment of children is in question.

Ch. 262, Apr. 4, 1911.

Florida: Regulating the treatment and control of dependent and delinquent children.

Applies to children under 17 years of age; county judge made judge of juvenile court; provision made for probation officer in each county; provisions for adoption, putting into family homes or approved institutions, etc.; county judge may require reports from institution or home having custody of child.

Ch. 6216 (No. 97), June 6, 1911.

Georgia: Clerk of the county court shall be clerk of the juvenile court.

Ch. 125, Mar. 18, 1912.

Louisiana: Proposing an amendment to the constitution of the State relating to juvenile courts.

Makes the adoption of the provisions relating to juvenile courts dependent upon the action of the police juries of the several parishes, except in parishes containing cities or towns. See also Act No. 48. This amendment was ratified by the people November 8, 1910.

Act No. 135, July 5, 1910.

Louisiana: Suspending Act No. 83, 1908, approved June 30, 1908, relating to neglected and delinquent children, except in parishes which contain incorporated towns of over 7,000 inhabitants.

Said act may be adopted for any parish by resolution of the police jury thereof. The juvenile court of the Parish of Orleans and the district courts outside of said parish shall have jurisdiction of the trial of all children under 17 years of age charged as neglected or delinquent children, except for capital crimes, and of all persons charged with contributing to the neglect or delinquency of children.

physical, moral, or mental well-being of children not punishable by death or hard labor. Act No. 48, June 29, 1910.

NOTE.—In effect January 1, 1911, in the event of the ratification of the constitutional amendment proposed by Act No. 135. The said amendment was ratified by the people on November 8, 1910.

Maryland: Changing the name of the Female House of Refuge to the name of the Maryland Industrial School for Girls.

Laws 1910, p. 393, ch. 302, Apr. 7, 1910.

Maryland: Amending the law relating to kidnaping.

Penalty for kidnaping and forcibly or fraudulently carrying any person out of the State, imprisonment for 21 years (increased from 5 to 12 years). Similar penalty provided for kidnaping any child under 16.

Ch. 46, Mar. 31, 1910, Laws 1910, p. 92.

Maryland: Increasing the powers of magistrates for juvenile cases.

Ch. 482, Apr. 8, 1912.

Maryland: Amending the laws relating to the probation of vagrant, dependent, and vicious children in Baltimore. No radical change. Makes law more specific.

Ch. 618, Apr. 11, 1912.

Michigan: Relating to proceedings upon petition concerning a delinquent, dependent, or neglected child.

The court may [instead of shall] give opportunity for a preliminary investigation by the county agent or probation officer.

No. 164, Apr. 25, 1911.

Missouri: Relating to juvenile courts in counties containing a population of 50,000 or more.

Applies to all counties above the prescribed limit and repeals the separate provisions relating to counties with a population between 100,000 and 150,000 and omits the exception in favor of counties containing first or second class cities.

Minor changes.

S. B. 115, p. 177, Apr. 11, 1911.

Montana: Providing for a juvenile court procedure, providing for the appointment of probation officers, outlining their duties and specifying their compensation, defining juvenile delinquent persons and a delinquent child, providing a lawful method of procedure against juvenile delinquents, their parents and guardians, specifying places for their temporary and permanent detention and the compensation for their care, providing for time and place of trial, providing methods and means to carry the provisions of this act into effect.

Ch. 122, Mar. 7, 1911.

New Jersey: An act relating to juvenile offenders and enlarging and defining the powers of the court for the trial of juvenile offenders and enlarging the powers and duties of the State board of children's guardians.

1. The court for the trial of juvenile offenders may commit juvenile delinquents to the care and custody of the State board of children's guardians.

2. If the parents of a child so committed are able to maintain the child the order of commitment may contain an order requiring said parents to pay to the State board of children's guardians not less than \$1.50 per week for maintenance, not less than \$2 per month for clothing, and such as may have been expended for medical attendance.

3. If the said delinquents have no means of support nor relatives legally chargeable therefor, the court shall order the charges for the maintenance of the delinquent to be made against the county in which is the legal settlement of the delinquent.

4. Upon the making of such commitment as aforesaid the State board of children's guardians shall thereupon become the guardian of the person of said juvenile delinquent in the same manner as if the said delinquent had been committed to said board by a public charge. The said board shall not surrender the guardianship or custody of said juvenile delinquent to his parents without the written approval of the court which committed the same.

New Jersey: A supplement to an act establishing a court for the trial of juvenile offenders and defining its duties and powers, approved April 8, 1903.

From and after the establishment in the respective counties of this State of a house of detention, all complaints lodged against juvenile defendants before any police judge, recorder, or magistrate in such county shall be transferred to the juvenile court of said county and all proceedings following such complaint and arrest shall be before the said county juvenile court; and all detentions, overnight commitments, to await trial of juvenile defendants not paroled shall be in said house of detention in such county and not in any police station or county jail. (Previous provision was that "it shall be lawful" to transfer, the case of juvenile defendants. Such transfer was apparently in the discretion of the judge.) Ch. 182, Apr. 9, 1910.

New Jersey: Creating a juvenile court in each county of the first class and defining the jurisdiction and powers thereof. Ch. 353, Apr. 1, 1912.

New York: Relating to inferior courts of criminal jurisdiction in the city of New York.

There shall always be at least one separate part of the court in each county designated as the children's court for the hearing and disposition of proceedings and cases involving the trial of children, and each of such courts shall be held in some building separate and apart from one used for the trial of adults; except that in the Borough of Richmond the children's court may be held in the same building, but in a room separate and apart from that used for the trial of adults.

Whenever under any provision of law a child is taken into custody it shall be the duty of the officer having the child in charge and with all convenient speed to take such child to the children's court, if in session, and, if not, then to the rooms of a duly incorporated society for the prevention of cruelty to children; and it shall be unlawful for any such officer to take such child to any police station.

The children's courts and the justices thereof shall hear and adjudicate all charges against children of the grade of or under section 2186 of the penal law, permitted to be tried as misdemeanors and all charges against children for which they can be found guilty of juvenile delinquency, and all other cases in which the court or any justice thereof has power to commit children as provided by law.

In addition to the powers and jurisdiction now conferred by law, whenever a child is charged with an offense of the grade of a misdemeanor, or under section 2186 of the penal law permitted to be tried as a misdemeanor, the justice sitting in the children's court shall so far as is consistent with the interest of the child and of the State consider the child not as upon trial for the commission of a crime but as a child in need of the care and protection of the State; to that end he may, if the child or either parent or any guardian or custodian of such child shall so request, before proceeding with the trial of the child for the offense charged, or at any stage of the trial and before conviction, suspend the trial and inquire into all the facts and surrounding circumstances of the case, and if the justice shall so find, he may in his discretion, in lieu of proceeding with the trial, adjudge the child to be in need of the care and protection of the State, and thereupon he shall deal with such child in all respects in the manner provided in section 486 of the penal law in the case of a child not having proper guardianship.

Ch. 659, June 25, 1910.

New York: Establishing the court of special sessions of the city of Syracuse.

There shall always be a separate part of the court designated as the children's court, which shall have in the first instance exclusive jurisdiction to determine all offenses committed by children not punishable by death or life imprisonment. The justice sitting in said court shall, as far as consistent with the interest of the child and of the State, consider the child not as upon trial for the commission of a crime, but as a child in need of the care and protection of the State. The city shall provide a separate place of detention for children.

Ch. 676, June 25, 1910. (Sept. 1, 1910.)

New York: Charter of the city of New Rochelle.

Section 107, providing for strict separation of trials of juveniles.

North Dakota: Providing for a juvenile court.

Provides that all dependent, neglected, and delinquent children under 18 shall be considered, for the purposes of this act, wards of the State. The district courts of the several counties shall have original jurisdiction in all cases under this act. Said court shall keep a separate juvenile record, and may be called the juvenile court. As far as possible proceedings shall be held in chambers. Said courts may appoint any number of juvenile officers of either sex, to serve without pay, and to furnish the court such information and assistance as the court may require. After petition, summons, and investigation in prescribed form, the court may allow any dependent, neglected, or delinquent child to remain in its own home subject to the friendly visitations of a juvenile officer, or may commit said child to some suitable institution. In its discretion the court may dismiss the petition filed under this act and permit proceedings against a child for crime or misdemeanor. Any child under 18 arrested with or without a warrant shall be taken before the juvenile court instead of before a justice of the peace or police magistrate. The said court, under proper conditions, may authorize the legal adoption of any child who is before the court. If the person or persons liable in law for the support of a child committed to an institution are able to contribute to the support of such child, the court shall enter an order requiring such person or persons to pay to said institution a reasonable sum for the maintenance of said child.

Ch. 177, Mar. 3, 1911.

Ohio: Defining the jurisdiction of the juvenile court.

H. B. No. 326, p. 425 June 12, 1911.

Tennessee: Care of dependent and neglected children.

Defining and regulating the treatment and control of dependent, neglected, and delinquent children; providing for their disposition, care, education, protection, support, maintenance, and punishment; providing for their guardianship and adoption; prescribing the powers and duties of courts with respect thereto; establishing and providing for the maintenance of juvenile courts in the several counties of the State; prescribing their jurisdiction and powers and the procedure therein; providing for the appointment and pay of probation officers of such courts and prescribing their duties and powers; providing for the separation of children from adults when confined in jails or other institutions; providing for the supervision and control of all corporations, societies, and associations receiving children under this act; providing a method by which parents shall be required under certain conditions to support or to contribute to the support of their neglected, dependent, or delinquent children; making it a misdemeanor for parents, guardians, or other responsible persons to cause, contribute to, or encourage dependency or delinquency or neglect of children and fixing the punishment therefor; and providing for the suspension of such punishment under certain conditions.

Ch. 58, July 3, 1911.

Tennessee: Creating a juvenile court for Knox County and defining its jurisdiction. (The city of Knoxville is in Knox County.)

Ch. 522, Private Acts, July 3, 1911.

Tennessee: Creating a juvenile court for the County of Hamilton and defining its jurisdiction. (Hamilton County contains the city of Chattanooga.)

Ch. 162, Private Acts, Mar. 28, 1911.

South Carolina: To enlarge and define duties and powers of probate court in relation to minors.

Probate court may assume supervision, care, and custody of any child under 18 who is neglected or ill-treated or is a persistent truant from school, or habitually associates with criminals or immoral persons, or is growing up in ignorance and idleness, or is liable to arrest, or has been arrested, etc. Court may appoint a probation officer without pay to look after child. May take child from parents and bind him over to an institution or some responsible person willing to care for child and give him a reasonable amount of education. If confinement is necessary before hearing, child shall not be incarcerated in same room with adult criminals, but in a separate room of detention in the jail or guardhouse.

No. 429, Feb. 26, 1912. The governor's signature.

Utah: Amending certain acts relating to juvenile courts.

Clerk provided for juvenile court in first-class cities. Jurisdiction of juvenile court shall extend to certain offenses by or against children under 18 (instead of 18 and under). Parents may be required to contribute to support of children committed. Provision for juries in trials of adults of offenses against children. Term "delinquent child" shall not include persons guilty of an offense punishable by death or imprisonment for life.

Ch. 56, Mar. 9, 1911.

Utah: Giving the juvenile court jurisdiction over offenses under the act relating to the encouragement of juvenile offenses.

Ch. 55, Mar. 9, 1911.

Washington: Amending sections 3, 7, 10, 13, and 16 of chapter 190, acts of 1909, relating to the powers of juvenile courts and the care of delinquent children.

In counties having a population of 30,000 or more the judges of the superior court may designate one of their number to be judge of the juvenile court. County commissioners fix salaries of probation officers and persons in charge of detention houses. Hearings of juvenile cases shall be held apart from other court proceedings and may be in secret. Counties having 50,000 population or more may maintain a detention room or house.

Ch. 56, Mar. 11, 1911.

U. (d) Conduct of Children.

Nebraska: Making it unlawful for any minor under 18 to smoke cigarettes or to use tobacco in any form.

Ch. 181, Apr. 10, 1911.

Nevada: Prohibiting any minor to remain in any saloon.

Ch. 152, Mar. 22, 1911.

North Dakota: Prohibiting children under 15 years of age from carrying or using firearms.

Ch. 134, Mar. 3, 1911.

U. (e) Truant, Detention, Reform Schools, and Schools for Dependents.

Illinois: Relating to the amount to be paid by the counties for the tuition, maintenance, and care of dependent girls committed to the Industrial School for Girls.

Amount fixed at \$15 per month for each girl under 18 years of age.

S. B. 482, p. 509, May 29, 1911.

Illinois: Authorizing school directors and boards of education to establish and maintain classes and schools for delinquent children committed by courts of competent jurisdiction, and providing for the payment from the State treasury of the excess cost of maintaining and operating the said classes and schools over the cost of maintaining and operating elementary schools for normal children.

The excess cost for each pupil shall not exceed \$100 each. All classes and schools established under this act shall be subject to the supervision of the superintendent of public instruction.

H. B. No. 461, p. 504, June 2, 1911.

Indiana: Concerning commitments to Indiana Girls' School.

Specifies form of commitment. Incurable girls over 18 may be transferred to the Indiana Woman's Prison or recalled therefrom. If within six months a girl committed proves to be physically or mentally unfit, after examination by specified physicians and officials, she shall be returned to the county whence she came.

Ch. 256, Mar. 9, 1911.

Iowa: Authorizing, in the discretion of the court, the commitment of girls to any reputable institution for the detention and reformation of wayward and fallen girls instead of to the State Industrial School.

Allowance, \$18 per month for each girl so committed, payable by the county of the legal settlement of the girl.
Ch. 138, Apr. 15, 1911.

Iowa: Fixing the minimum monthly allowance for the support of the boys' department of the State industrial school at \$6,100 (instead of \$5,500), and of the girls' department at \$3,600 (instead of \$3,000).

Ch. 138, Apr. 15, 1911.

Iowa: Fixing the ages of children who may be committed to the industrial school at 10 to 18, instead of 9 to 16.

Ch. 136, Apr. 15, 1911.

Kansas: Raising from 16 to 18 years the maximum age of girls who may be committed to the State Industrial School for Girls.

Ch. 301, Mar. 14, 1911.

Kentucky: Creating a parental home and school commission in counties containing a city of first class (Louisville).

Seven members (two women) appointed by county judge.
Superintendent appointed at \$2,000.

Provision for lands, buildings, etc., for care and maintenance of dependent and neglected children committed to it by county judge or juvenile court judge. Fiscal court may levy tax of 2 cents per \$100 for said institution.

Ch. 106, Mar. 15, 1912.

Kentucky: Appropriating \$37,928.09 to pay debts of reform schools.

Prohibits officers from exceeding appropriations in future.

Ch. 136, Mar. 19, 1912.

Maine: Consolidating the management of the State juvenile institutions, namely, the State School for Boys, at South Portland, and the Maine Industrial School for Girls, at Hallowell.

Control of both institutions vested in a board of "trustees of juvenile institutions."

Ch. 150, Mar. 20, 1911.

Massachusetts: Establishing a board to be known as trustees of Massachusetts training schools.

Abolishes the boards of the Lyman School for Boys, at Westborough; the State Industrial School for Girls, at Lancaster; and the industrial school for boys at Shirley, and creates a central board of control for such institutions, to be composed of nine members appointed by the governor.

Ch. 568, June 22, 1911.

Minnesota: Relating to detention homes for dependent, neglected, or delinquent children.

Such children may be placed by the juvenile court in any detention home or orphans' home conducted by any charitable institution where the inmates are taught the branches of study usually pursued in our public schools and where agriculture, horticulture, or gardening is studied and carried on by the inmates thereof.

Ch. 358, Apr. 20, 1911.

Missouri: Increasing from 100 to 300 acres the area of land that may be acquired for a parental school by any county containing between 150,000 and 500,000 inhabitants.

Authorizes the county court of any such county to condemn land.

H. B. 972, p. 128, Apr. 8, 1911.

Missouri: Increasing from \$75 to \$120 per annum the amount payable by the proper county for the support of each inmate of the Industrial Home for Girls.

H. B. 919, p. 119, Mar. 24, 1911.

Missouri: Amending an act relating to truant or parental schools.

Omits age limitation of pupils, and also the provision that they shall be deemed juvenile disorderly persons. Such schools may receive children committed thereto by any court of competent jurisdiction. For every child so committed the board of education maintaining the school shall receive \$10 per month from the city or county from which such child was committed.

S. B. 263, p. 403, Apr. 3, 1911

Nebraska: Making Howard Day, September 2, a legal holiday in all the penal and reformatory institutions of the State.

Ch. 135, Mar. 6, 1911.

New Hampshire: Amending chapter 284, section 14, as amended by chapter 34 of the laws of 1900.

"SECTION 14. Whenever a minor under the age of 17 years shall be convicted of an offense punishable by imprisonment, otherwise than for life, and shall be sentenced accordingly, the court or justice, upon application of the minor, his friends, or the State's attorney, may order that, instead of such imprisonment, the minor may be sent to and be kept employed and instructed at the industrial school for such term, not extending beyond the age of 21 years, as the court or justice shall judge most for his true interest and benefit, provided he shall conduct himself according to the regulations of the school. A copy of such order shall be sufficient authority for his commitment and detention at the school."

Ch. 155, Apr. 14, 1911.

New Jersey: An act to further amend an act to establish schools of detention, approved March 27, 1906.

When the number of commitments in any county of dependent and delinquent children is not sufficient to justify the maintenance of a house of detention within such county, the board of chosen freeholders may, with the consent of the judge of the juvenile court, arrange with any reputable incorporated institution in the State for homeless or neglected children for the board and care of such children as may be committed by the said judge. The said children shall be sent regularly to a public district school or to a school maintained by such society. The board of chosen freeholders of any county may purchase lands near such institution wherever it may be located in the State and erect and furnish buildings thereon for the care of children committed from said county. Not over \$3,000 may be expended for such purpose, and such amount may be raised by the sale of bonds or by taxation.

Ch. 99, Apr. 6, 1910.

New Jersey: Providing for the maintenance of detention homes for juvenile offenders in cities of the first class.

Ch. 50, Mar. 21, 1911.

New Jersey: Counties of first class may establish parental schools for juvenile delinquents under 18. Special attention to industrial training and agriculture.

Five trustees (one woman) appointed by judge or judges of court of common pleas.

Parents may be required to contribute to support of inmates.

Ch. 327, Apr. 1, 1912.

New York: Amending the State charities law relative to the age of inmates committed to the New York State Training School for Girls.

Ch. 486, June 28, 1911.

New York: An incorrigible child may be transferred from one institution to another better suited to care for him.

Ch. 100, Apr. 5, 1912.

North Carolina: Establishing a Reform and Manual Training School for Colored Youths.

Control by board of 15 trustees; contemplates State aid, but not entire support by State. May receive delinquent colored children between 7 and 16, duly committed, and retain them during minority or until reformed.

Ch. 122, Mar. 7, 1911.

Ohio: Providing that any girl committed to the Girls' Industrial Home shall be conveyed thereto by a suitable woman.

H. B. No. 814, p. 303, June 6, 1911.

Ohio: Providing for the parole of inmates of the Girls' Industrial Home.

Contemplates the appointment of four discreet women to act as parole officers.

H. B. No. 229, p. 351, June 13, 1911.

Oregon: Changing the name of the State Reform School, located in Marion County, to the Oregon State Training School.

Ch. 47, Feb. 11, 1911.

South Carolina: An act to amend an act to establish an industrial school for boys, etc., approved February 24, 1906.

Extends the age limits for admission to the seventeenth birthday; provides for the retention of all inmates throughout their minority unless sooner released by proper authority; provides for the conveyance of boys committed and expense of same.

Act 411, Feb. 28, 1910.

South Carolina: Providing for the custody of destitute, abandoned, or unprotected children.

Act 75, Feb. 14, 1911.

South Carolina: Industrial school for boys shall be supported by State (instead of by counties in proportion to number of inmates from each).

Vetoed by governor and passed over veto.

No. 298, 1912.

Texas: Providing for the employment of a chaplain for the State Institution for the Training of Juveniles.

All inmates shall be required to attend at least one religious service every Sunday. The chaplain shall devote his time to the religious and moral training and education of said inmates.

Ch. 166, Mar. 25, 1911.

Utah: Amending law relating to detention homes for dependent and delinquent children.

Extends the requirement for the establishment of such homes to counties containing cities of the second class, if recommended by the juvenile court commission.

In lieu of teaching the common-school branches at the said detention homes the superintendents thereof, with the consent of the juvenile court commission, may arrange to send the inmates to the nearest public schools.

Ch. 54, Mar. 9, 1911.

Utah: Relating to the board of trustees of the State Industrial School.

Said board shall consist of the attorney general, superintendent of public instruction, and five citizens, not more than three of the five citizens being of the same political party.

Ch. 39, Mar. 9, 1911.

Vermont: Relating to commitments to Vermont Industrial School.

Repeals provision for alternative sentences. City and municipal as well as county courts may commit persons over 16 to said school. Any person confined in said school who does not obey the regulations thereof may be transferred to the house of correction upon written order of governor.

No. 234, Jan. 19, 1911.

Virginia: An act to allow compensation to the "Virginia Home and Industrial School for Girls" for caring for girls committed to its custody and control under a commitment of a court, judge, or justice.

Ch. 165, Mar. 14, 1910.

Virginia: An act to establish a free public school on the grounds of the Negro Reformatory Association of Virginia, in Hanover County, etc.

Said school to be for boys confined in such institution; appropriates \$600 per annum.

Ch. 206, Mar. 15, 1910.

Virginia: An act to amend an act to provide places of abode and for the custody and guardianship of vicious or neglected children, approved March 19, 1908.

Provides that such children may not be "placed out" by custodial institutions, etc., as apprentices to any occupation in violation of any law against child labor. Provides that children "placed out" shall be visited at least once in six months (instead of three).
Ch. 157, Mar. 14, 1910.

West Virginia: Establishing the West Virginia Colored Orphans' Home, near Huntington, County of Cabell, providing for the management thereof, and authorizing the board of control of the State to purchase the farm and buildings used by the West Virginia Normal Industrial School for Colored Orphans.
Ch. 24, Feb. 24, 1911.

Wyoming: Establishing a reform institution within the State to be known as "The Wyoming Industrial Institute."
Ch. 107, Mar. 1, 1911.

BIBLIOGRAPHY OF RECENT EDUCATIONAL LEGISLATION.

SCHOOL LAW.

- Alan, J. S. Law in school and State. *Education*, 30: 509-11, April 1910.
- Beard, Charles A. Education. *In his American government and politics*. New York, Macmillan company, 1910. p. 746-51.
- Boykin, James C. Educational legislation in 1911. *In U. S. Bureau of education. Report of the Commissioner, 1911*. Washington. Government printing office, 1911. p. 67-113.
- Educational legislation in 1912. Washington, Government printing office, 1913. 49-82 p. 8°. (Reprint from the report of the Commissioner of education for the year ended June 30, 1912)
- Brown, Samuel W., The secularization of American education as shown by state legislation, state constitutional provisions, and state Supreme court decisions. New York city, Teachers college, Columbia university, 1912. 100 p. 8°. (Teachers college, Columbia university. Contributions to education, no. 49)
- Bibliography: p. 159-60.
- Alabama.** Important school laws. *Progressive school journal*, 1: 13-14, July 1911.
- Summary of school legislation. *Progressive school journal*, 1: 24-25, April 1911.
- Arizona.** Bolton, T. L. The schools in the new constitution. *Arizona journal of education*, 1: 113-15, December 1910.
- California.** Wood, Job, jr. Educational bills passed by the Legislature and signed by the Governor. *Western journal of education*, 16: 169-75, April 1911.
- Colorado.** New laws. *Colorado school journal*, 26: 490-92, May 1911.
- Remington, W. W. Legislation. *Colorado school journal*, 26: 325-26, March 1911.
- Georgia.** Our new school law. . . . Some history and its meaning. *School and home*, 3: 7-8, September 1911.
- What's the matter with our school laws in Georgia? *School and home*, 3: 7-8, April 1911.
- White, H. S. Our new school law. *School and home*, 4: 10-12, June 1912.

The names laws, the compiled school laws, and the Revised Statutes of the several States are not here given.

- Indiana.** Park, Richard. Indiana's new school laws. *American school board journal*, 42: 37, June 1911.
- Some new school laws. *Educator-journal*, 11: 499-500, May 1911.
- Iowa.** School legislation [1911] *Midland schools*, 25: 259-65, May 1911.
- Tuition bill becomes a law. *Midland schools*, 25: 228, April 1911.
- Kansas.** New school laws. *Interstate schoolman*, 9: 4, 5-6, April 1911.
- Maryland.** School legislation for 1910. *Atlantic educational journal*, 5: 350-51, May 1910.
- Massachusetts.** B., R. L. The Massachusetts legislature. Review of the principal educational acts. *Journal of education*, 74: 159-60, August 17, 1911.
- Michigan.** Educational bills. *Moderator-topics*, 31: 682, 701, May 4, 11, 1911.
- Montana.** School legislation. *Intermountain educator*, 6: 14, April 1911.
- Nebraska.** New school laws. *Nebraska teacher*, 13: 506-507, May 1911.
- New Jersey.** Murray, John P. New Jersey school conditions. *Educational review*, 44: 397-412, November 1912.
- Shows what recent legislation has done for education conditions in the state, etc.
- [New Jersey educational bill, 1911] *Journal of education*, 73: 556-57, May 18, 1911.
- Also in *American primary teacher*, 29: 397-99, June 1911.
- New York.** Finegan, Thomas E. A textbook of New York school law, including the revised education law, the decisions of courts, and the rulings and decisions of state superintendents and the commissioner of education. 7th ed., rev. to January 1, 1913. Albany, N. Y., M. Bender & company, 1913. 302 p. 8°.
- The school law of 1910. *School bulletin*, 36: 180-85, May 1910.
- North Carolina.** Barwick, Allen J. New school legislation. *North Carolina high school bulletin*, 2: 62-65, April 1911.
- Ohio.** Clarke, J. R. A résumé of the recent school legislation. *Ohio teacher*, 30: 485-86, June 1910.
- Educational legislation, 1911. *Ohio teacher*, 31: 342, March 1911.
- Oklahoma.** Educational bills. *Oklahoma school herald*, 19: 9-11, March 1911.
- School laws passed by the third Legislature, 1911. *Oklahoma school herald*, 19: 8-13, May 1911.
- Oregon.** New school laws. *Oregon teachers' monthly*, 15: 425-27, 429, 431, 433, 435-40, 560-61, 563, March, May 1911.
- Pennsylvania.** Old and new school codes in contrast. *Pennsylvania school journal*, 59: 253-59, December 1910.
- The Pennsylvania school code. *American school board journal*, 43: 9, 36, July 1911.
- The proposed new school code of Pennsylvania. *Pennsylvania school journal*, 59: 3-56, July 1910.
- Signed by Governor Tener May 18, 1911.
- Willis, B. F. The Pennsylvania school code and the planning of elementary schoolhouses. *American school board journal*, 44: 16-17, 48, 50-51, April 1912.
- South Carolina.** Tate, W. K. Good educational legislation. *Southern school news*, 3: 9-10, March 1912.
- Texas.** Educational legislation, 32d Legislature. *Texas school magazine*, 14: 24, April 1911.
- The new county high school law. *Texas school magazine*, 13: 8-9, March 1911.

- Texas.** Department of education. The rural high school law. Austin, Texas, Austin printing company, 1911. 15p. 8°. (Bulletin no. 3, July 1, 1911.)
- Virginia.** Stearnes, R. C. New school laws by the last Legislature. Virginia journal of education, 3: 474-77, May 1910.
- Washington.** Washington school enactments, 1911. Northwest journal of education, 22: 21-22, May 1911.
- West Virginia.** Marsh, J. F. School legislation by the present Legislature. West Virginia school journal, 39: 9-10, March 1911.
- Important school legislation. West Virginia school journal, 39: 9-12, April 1911.
- Summary of new educational laws. West Virginia educator, 5: 6-7, March 1911.
- Wisconsin.** Progress of educational legislation, 1911. Wisconsin journal of education, 43: 80-81, 110-12, 158-59, March, April, June 1911.

SCHOOL ADMINISTRATION.

- Bagley, William C.** The Illinois educational commission. School review, 18: 667-73, December 1910.
- Bralley, F. M.** County supervision of schools. Texas school magazine, 15: 7-9, February 1913.
From eighteenth biennial report of the State superintendent of public instruction of Texas.
- Cubberley, Ellwood P.** The reorganization of the State board of education. Sierra educational news, 9: 25-30, January 1913.
California.
- Dutton, Samuel Train and Snedden, David.** The administration of public education in the United States. . . . New York, The Macmillan company, 1912. x. 614p. 8°. "References" at end of chapters.
- Illinois.** Educational commission. Report to the forty-seventh General assembly of the state of Illinois, 1911. Springfield, Ill., Illinois state journal co., state printers, 1911. 120p. 8°. F. G. Blair, chairman.
- Moore, Ernest C.** How New York city administers its schools. A constructive study. Yonkers-on-Hudson, N. Y., World book company, 1913. x. 321p. 12°. (School efficiency series, ed. by P. H. Hanus, vol. 1)
- New Jersey.** Legislature. Senate. Report of Senate committee to investigate the methods and practices, expenses and disbursements of the public schools, March 1911. Trenton, N. J., MacCrellish & Quigley, state printers, 1911. 67p. 8°.
- North Dakota.** Temporary educational commission. Report . . . to the governor and Legislature of the state of North Dakota. [Bismarck] 1912. 61p. 8°.
- Perry, Arthur Cecil.** Outlines of school administration. New York, The Macmillan company, 1912. 452p. 12°. Bibliography: p. 434-45.
- School boards in cities.** Pennsylvania school journal, 59: 180-81, October 1910. Statistical, regarding circular letter addressed to 63 superintendents of city schools.

SCHOOL FUNDS.

- Blair, J. E. The maintenance of the common schools. *In* Conference for education in Texas. Proceedings, 1910. p. 10-22.
Also in Texas school magazine, 13: 13-16, June 1910.
- Brumbaugh, M. G. A state school fund. Pennsylvania school journal, 61: 383-87, March 1913.
- Davison, J. Taxation for school purposes in Ohio. *In* Ohio school improvement federation. Proceedings, 1911. p. 312-13.
- Ellis, Alston. State support of public schools in Ohio. Ohio teacher, 33: 291-94, February 1913.
- Indiana. Association of city and town superintendents. Supplementary report of Committee on needed school legislation relating to the apportionment of public school funds. made to the Association . . . November 4, 1910. Educator-Journal, 11: 237-40, January 1911:
Chairman, George L. Roberts.
- Myers, W. A. Relation of the Indiana accounting board to public schools. *In* National education association. Journal of proceedings and addresses, 1911. p. 1002-5.
- Schaeffer, Nathan C. Disbursement of state money. Pennsylvania school journal, 59: 444-46, March 1911.
[School revenue] Pennsylvania school journal, 61: 379-81, March 1913.
- Updegraff, Harlan. Study of expenses of city school systems. Washington, Government printing office, 1912. 96p. 8°. (U. S. Bureau of education, Bulletin, 1912, no. 5)

CERTIFICATION OF TEACHERS.

- Brittain, M. L. System of certification for Georgia teachers adopted by the State board of education. High school quarterly, 1: 174-78, April 1913.
- Chandler, A. B. Certification of teachers—new legislation. Virginia journal of education, 4: 398-400, March 1911.
- Georgia. Department of education. System of certification for Georgia teachers. Atlanta, Ga., 1913. 11p. 16°.
- Kennedy, Joseph. The preparation and certification of teachers in North Dakota. Quarterly journal of the University of North Dakota, 2: 331-30, July 1912.
- Nebraska. Department of public instruction. Employment and certification of teachers. Complete rules, 1913. [University Place, Nebr., The Clafin printing co., 1913] 48p. 16°.
- Nebraska's certification plan. Journal of education, 74: 294-95, September 21, 1911.
- Robertson, C. B. Requirements for a provisional college certificate under the new code. Pennsylvania school journal, 60: 425-23, March 1912.
- Russell, I. H. How to improve certification of teachers in Pennsylvania. *In* Pennsylvania state educational association. Department of county superintendence. Proceedings, 1910. p. 1-4.
- Smalley, A. J. A new plan of certification. Journal of education (Pierre, S. D.) 12: 9-10, January 1911.
- Standardizing state certificates. Midland schools, 26: 174-75, February 1912.
Resolutions adopted by the state superintendents at Topeka, Kans.
- [Texas] New certificate plan [in effect June 9, 1911] Texas school journal, 23: 35, 37, 39, April 1911.
Also in Texas school magazine, 13: 5-6, April 1911.

- Updegraff, Harlan. Teachers' certificates issued under general state laws and regulations. Washington. Government printing office, 1911. 269p. 8°. (U. S. Bureau of education. Bulletin. 1911. no. 18)
- Wheelock, Charles F. Function of the state board of education in the licensing of teachers. *Pennsylvania school journal*, 59: 311-15, January 1911.
- Zeller, John W. The new certification law. *Ohio teacher*, 30: 506-507, June 1910.

TEACHERS' SALARIES.

- Crawford, A. W. Higher education in Pittsburgh: a comparative study of salaries. *Science*, n. s. 32: 244-46, August 19, 1910
- New York (City) Board of education. The question of equal pay for teachers; action of the Board of education of the city of New York . . . [New York] Printed by order of the Board of education, 1910. 106p. 8°.
- Commission on teachers' salaries. Report to the Board of estimate and apportionment . . . October 17, 1910. [New York, M. B. Brown printing and binding co., 1910] 143p. 8°.
- Strachan, Grace Charlotte. Equal pay for equal work; the story of the struggle for justice being made by the women teachers of the city of New York. New York, B. F. Buck & company, 1910. 570p. 8°.
- Vermont schoolmasters' club. Committee on salaries and pensions. Report, Minimum salaries for teachers. *In Vermont*. Superintendent of education. Report, 1910. Montpelier, Vt., Capitol city press printers, 1910. p. 120-46.

TEACHERS' PENSIONS.

- Best, Lyman A. Teachers' retirement funds. *Pittsburgh school bulletin*, 4: 4-23, January 1911.
Laws in six states and thirty cities of the United States, p. 20-21.
- Binford, J. H. Some facts concerning the retired teachers' fund. *Virginia journal of education*, 4: 593-95, June 1911.
- Borden, J. B. The problem of teachers' pensions in Wisconsin. *Wisconsin journal of education*, 43: 35-37, 64-66, February, March 1911.
- Carnegie foundation for the advancement of teaching. Rules for the admission of institutions and for the granting of retiring allowances. New York city, 1910. 7p. 8°.
- Herrick, Cheesman A. Teachers' retirement funds. *Pennsylvania school journal*, 59: 305-308, January 1911.
- Indiana. Laws, statutes, etc. A bill for an act to provide for an Indiana state teachers' disability and retirement law; from the report of the Joint committee . . . Rev. and reprinted. November 1, 1910. n. p. 1910. 12p. 8°.
- Jones, El. A. A state wide pension system. *Ohio educational monthly*, 59: 317-24, July 1910.
- Kansas city, Mo. Teachers' pension committee. Report on teachers' pensions. *Missouri school journal*, 27: 868-64, August 1910.
- Massachusetts. Board of education. Special report on teachers' retirement allowances . . . [Boston? 1913] 48p. 8°. ([General court, 1913] House [doc.] no. 1923)
- New Jersey state teachers' association. Report of retirement fund department. *In its Annual report and proceedings, 1910*. p. 160-75.
General secretary, Miss Elizabeth A. Allen, Hoboken, N. J.

- [Oregon] Retirement fund [law] Oregon teachers monthly, 15: 560-61, 63, May 1911.
- Teachers' pension laws in the United States and Europe. [Washington, Government printing office, 1911] 53p. 8°. (61st Cong., 3d sess., Senate doc. 823)
- Data presented by Senator Gallinger. Ordered to be printed February 17, 1911.
- Thompson, W. O. Retiring allowances. Journal of education, 75: 121-22, February 1, 1912.
- Arguments in favor of retiring allowances for the Ohio state university.
- United States. Congress. Senate. Committee on the District of Columbia. Public-school teachers' retirement fund . . . Report. [Washington, Government printing office, 1911] 6p. 8°. (61st Cong., 3d sess. Senate Rept. 1215.)
- [Wisconsin] Teacher's pensions a reality in Wisconsin . . . The law in full. Wisconsin journal of education, 43: 160-64, June 1911.

VOCATIONAL EDUCATION.

- Davis, Benjamin M. State department of education and state legislation. *In his Agricultural education in the public schools.* Chicago, University of Chicago press, 1912. p. 19-26.
- Summary of state legislation and of work of state departments of education for 1910-1911. *In his Agricultural education in the public schools.* Chicago, University of Chicago press, 1912. p. 27-37.
- Elliott, Edward C. Industrial education. Summary of legislation concerning industrial education in public elementary and secondary schools [in the United States] [New York, 1910] 16p. 8°. (American association for labor legislation. Legislative review, no. 2)
- and Prosser, C. A. Legislation upon industrial education in the United States; prepared for the American association of labor legislation and the National society for the promotion of industrial education 1910. 76p. 8°. (National society for the promotion of industrial education. Bulletin, no. 12)
- Leavitt, F. M. Federal aid for vocational secondary education. School review, 19: 694-96, December 1911.
- Prosser, C. A. Vocational education: legislation of 1910-1911. American political science review, 6: 586-95, November 1912.
- Simpkins, R. R. Legislation for the last three years on vocational education. School review, 20: 407-16, June 1912.

COMPULSORY ATTENDANCE AND CHILD LABOR.

- Clopper, E. N. Ohio's child labor relief law. Survey, 23: 981-82, March 26, 1910.
- Eight-hour day for children. Journal of education, 74: 354, October 5, 1911.
- States establishing the eight-hour law, and states reducing the work hours.
- Guild, C., jr. Child labor legislation in Massachusetts. Annals of the American academy of political and social science, 35: 7-12, March 1910.
- Haney, John D. Digest of the compulsory education laws of the several states. *In his Registration of city school children.* New York city, Teachers college, Columbia university, 1910. p. 51-55. (Teachers college, Columbia university. Contributions to education, no. 30)
- Hollis, J. P. Child labor legislation in the Carolinas. Annals of the American academy of political and social science, 33: 114-17, July 1911.

- Indiana's new child labor law. *Survey*, 26: 9-10, April 1, 1911.
- Lovejoy, Owen R. Better child labor laws. *Survey*, 26: 773-78, September 2, 1911.
 Important legislative changes, sessions 1910-1911, p. 776-77.
- Year's progress in child labor legislation. *Survey*, 24: 570-72, July 2, 1910.
- Mangold, George B. Child labor legislation. *In his Child problems*. New York, Macmillan company, 1910. p. 201-17.
- Morrison, H. C. Enforcement of child labor laws in New Hampshire. *Annals of the American academy of political and social science*, 35: 103-10, March 1910.
- Smikins, J. D. Compulsory school laws. *Ohio educational monthly*, 59: 335-41, July 1910.
- United States. Bureau of education. Compulsory education and child labor laws. *In its Report of the Commissioner, 1910*. Washington, Government printing office, 1910. p. 148-53.
- Watson, E. J. Enforcement of child labor laws in South Carolina. *Annals of the American academy of political and social science*, 35: 96-102, March 1910.
- Willingham, H. J. Local taxation and compulsory school attendance. *In Alabama educational association. Proceedings, 1912*. p. 101-105.

HEALTH PROVISIONS.

- Ayres, Leonard P., *comp.* Medical inspection legislation. New York city, Russell Sage foundation. Dept. of child hygiene [1911] 53p. 8°. ([Russell Sage foundation. Dept. of child hygiene. Pamphlet] Health, education, recreation, no. 99)
- Carrigan, Thomas Charles. The law and the American child. *Pedagogical seminary*, 18: 121-83, June 1911.
 Bibliography: p. 181-83.
 Medical inspection of schools: Laws, p. 145-50.
- Cooper, Frank Irving. [Chart showing status of regulation of schoolhouse construction in the United States in 1910 and 1912] *American school board journal*, 44: 2, 45: 38, April 1911, December 1912.
- Gulick, Luther Halsey and Ayres, Leonard Porter. Medical inspection of schools. [4th ed., rev. and reprinted, January 1913] New York, Survey associates etc., 1913. 224p. illus. 8°.
 Bibliography: p. 203-206.
 Legal provisions, p. 165-80.

INDEX.

A.

Academies, Ky., 216; Mass., 219; N. H., N. J., 220.
 Accounting, uniform system, State institutions, Ariz., 241.
 Age, school, Mass., 170.
 Agricultural colleges, 247-251. *See also under names of States.*
 Agricultural education, 14, 203-204, 225, 230-236, 244. *See also under names of States.*
 Agricultural extension, Del., 244.
 Agriculture, elementary, added to electives in examinations for high school teachers, Ohio, 129.
 Agriculture, instruction, La., Mass., Minn., 201; Neb., N. Y., Va., 202; Wyo., 203.
 Alabama, agricultural education, 213, 225, 230; appropriations for public schools, 72; child labor, 171; county boards of education, 32; county high schools, State aid, 91-92; county superintendents, 79; deaf and blind, schools, 272; domestic science, teaching, 225; educational corporations, 256-257; farmers' institutes, 213; industrial school for white boys, 271; public school libraries, 265-266; qualifications of teachers, 120; reform school, juvenile negro lawbreakers, 271; school attendance, 162-163; school buildings, 114; school funds, 32; school holidays, 164; school lands, selling, 73; State department of education, 24; State normal schools, 154; teachers' institutes, 160-161; trade schools, 237; training of nurses, 252; wrongs to children, 276.
 Alabama, University of, appropriations, 243.
 Alabama Girls' Technical Institute, appropriation, 252.
 Alabama Polytechnic Institute, appropriations, 247.
 Alcoholism and narcotics, N. Mex., 200.
 Aliens, adult and minor, classes for, N. Y., 205.
 Anderson College, S. C., incorporated, 259.
 Appropriations, public schools. *See Finance and support, State.*
 Arbor Day, Idaho, 13.
 Architecture, practice, La., 253.
 Arizona, bonded indebtedness, schools, 94; compulsory school attendance, 169; county school tax, 80-81; county superintendents, 32; dependents and delinquents, 272; employment of teachers, 133; employment of women and minors, 171-172; high schools, 214; juvenile courts, 278; manual training, 201; military organizations, schools, 243; music and drawing, instruction, 200; official bonds for State officers, 24; public school libraries, 266; public school system, general and uniform, 9-11; school district bond election, 68; schools for the blind, 269; State normal schools, 154; State school tax, 80; system of accounting, State institutions, 241; teachers' pensions, 237; textbooks, 194-195; vocational education, 225; wrongs to children, 276.
 Arizona, University of, funds for technical education, 247; government, 248; military organization, 248; scholarships, 248.

Arkansas, agricultural education, 230; assistant deputy superintendent, 24; consolidation of school districts, 63; corporal punishment, 187; dependents and delinquents, 272; educational corporations, 257; juvenile courts, 279; libraries, 259; prohibition districts, 119; school directors, 41; school districts, 40, 59, 63; school holidays, 165; secretaries of school boards, 40; State high school board, 24; teachers' contracts, 133; teachers' institutes, 161.
 Arkansas, University of, medical department, 252; selection of treasurer, 243.
 Art association, admission of school children and teachers, Ind., 42.
 Art commissions, cities, Wis., 57-58.
 Attendance, compulsory school, 13, 18-19, 22, 50, 162-165. *See also under names of States.*

B.

Requests to schools, 93-94.
 Bibliography, 287-293.
 Blind, schools, 269-270. *See also under names of States.*
 Boards of education, bonds of treasurers, Ohio, 55; cities and towns, secretaries, Ark., 40; high school, powers and duties, N. Dak., 30; irregularly elected, Ill., 41; liability for contracts, W. Va., 57; parish, clerical printer, La., 46; publication of proceedings, N. Mex., 49; reports of financial transactions, N. C., 65; township, discontinuance, Ind., 65; township school districts, organization, Ohio, 55. *See also Directors, school.*
 Boards of education (city), appointment of members, N. J., 48-49; borrowing money on bonds, Neb., 48; duties of clerks, Utah, 56; election and term of office, N. Mex., 49; firing employees, N. Y. City, 54; powers and duties, Cal., 33, Ga., 41, Kans., 43, Ky., 44-45, Me., 46, N. Y. City, 50, N. Dak., 19.
 Boards of education (county), appointing members, N. C., 37; disbursements, Ky., 35; powers and duties, Ala., 82, Ga., 83, Ky., 34, Ore., 38; president, failure to qualify, W. Va., 57; salaries, Minn., 36.
 Boards of education (district), compensation and expenses, Minn., 47; employment of lecturers, Wis., 57; forbidden interest in school contracts, Mich., 93; pay of clerks, Va., 57; suits against, N. Y., 54.
 Boards of education (State), 24-32; appointment of members, Mass., 29, Penn., 21; contingent fund, Ala., 24; powers and duties, Ariz., 9, Del., 24-25, Idaho, 11, Iowa, 25, Nev., 15, N. J., 27-29, Ohio, 31, Utah, 32; term of office, R. I., 31, S. C., 32.
 Boards of education, State, district, parochial, and municipal, term of office, La., 46.
 Bonds and indebtedness (schools), county, district, and municipal, 12, 19, 58, 60-61, 94-108. *See also under names of States.*
 Brown University, R. I., teachers' training, 247.

- Buffalo, N. Y., school bonds, 100.
Buildings (school), Penn., 20-21; used as civic and social centers, Ky., 110, Mass., 110.
Buildings, State educational, Ill., 13; N. Y., 18.
Buildings and sites (school), decoration and sanitation, 115-119; general information, 108-114; prohibition districts, 119; State aid, 114; United States flag and schools, 110-125. *See also under names of States.*
- C.
- California, agricultural education, 230; board of education, city and county of San Francisco, 33; child labor, 172; colleges and seminaries of learning, incorporation, 257; consolidation of school districts, 165; conventions of district trustees, 41; county superintendents, 32; demands against school districts, 94; dependents and delinquents, 272; farmers' institutes, 244; health instruction, 190; high schools, 214; industrial education, 201; instruction in Spanish, German, and Italian, 204; juvenile courts, 279; libraries, 259; private and endowed higher institutions, 254; public-school libraries, 266; school bonds, 95; school census, 164; school districts, 64; school funds, 79, 83-84; school lands, 41, 73; school trustees, 41; schoolhouses, use of for social and civic purposes, 41; State normal schools, 154; State university fund, 243; teachers' contracts, 133-134; teachers' institutes, 161; teachers' pensions, 137; teachers' salaries, 130; vaccination of school children, 188.
California, University of, law school, 252.
Carnegie fund, and State universities, 246-247.
Census, school, Cal., Colo., Fla., Mont., N. Dak., Va., 164.
Census marshals, Nev., 17.
Certificates (teachers), elementary and secondary schools, 126-133; Idaho, 12; Nev., 16; new system, N. Dak., 10; Pa., 22.
Charleston, W. Va., independent school district, 72.
Child labor, 130, 171-185. *See also under names of States.*
Children, conduct, Nev., N. Dak., 283; wrongs to, 276-278.
Cities, taxation for schools, 103-107.
City boards of education. *See* Boards of education, city.
Civic centers, use of school buildings, Kans., 110; Mass., 110; Mo., 110.
Civics, instruction, N. Mex., 108.
Civil service commission, powers and duties, N. J., 49.
Classification, plan, 6-8.
Clemson College, S. C., professorships, 246; work, 250.
College fraternities. *See* Fraternities, college.
Colleges and universities, State, 241-247; teachers' diplomas, 132-133.
Colorado, agricultural education, 280; child labor, 172; condemnation of private property for public purposes, 62; dependents and delinquents, 272; education of the blind, 289; financial statement, school districts, 92; physical examination of children, 190; qualifications of teachers, 120; school census, 164; school elections, 69; school fund, permanent emergency, 84; school lands, 73; school taxes, 108; State normal school, 154; teachers' summer normal schools, 161; transportation of pupils to school, 165.
Colorado, University of, appropriations, 242.
Colored schools, employment of teachers, Okla., 55.
Commerce and finance, school, Mass., 253.
Commissioners of education, duties, N. Y., 20; terms of office, Wapertown, N. Y., 50.
Commissioners (school), vacancies in board, Rutland, Vt., 57; State, removal, N. Y., 55.
Committees (school), powers and duties, R. I., 50; Cambridge, Me., 47; reducing number of members, Newton, Me., 47.
Compulsory school attendance. *See* Attendance, compulsory school.
Connecticut, child labor, 172-173; deaf and dumb schools, 268; dependents and delinquents, 272; sale of tobacco to children, 277; school districts, 64; school hygiene, 188-189; State aid to public schools, 84; superintendents of schools, 41; transportation of children to school, 165.
Consolidation of schools, Ark., 63; Cal., 64, 165; Ga., 64; Idaho, 12; Iowa, 65; Kans., 65; Minn., 67-69; Nebr., 69; N. C., 37; R. I., 167; S. C., 167; S. Dak., 71; W. Va., 72; Wis., 168-169. *See also* Transportation of pupils to school.
Continuation schools, Mass., 237; Wis., 237-241.
Contracts, teachers, 133-154.
Corporal punishment, Ark., Mass., Mo., 187.
Corporations of an educational character, 256-259.
County boards of education. *See* Boards of education, county.
County school commissioners. *See* School commissioners, county.
County superintendents of schools. *See* Superintendents of schools, county.
Crime, rewards for detection and punishment, La., 46.
Crippled children, indigent, hospital, Fla., 270.
- D.
- Dartmouth College, N. H., appropriation, 242.
Deaf and dumb schools, 268-269. *See also under names of States.*
Decorations of school buildings, 115-119.
Defective classes, education. *See* Special classes, education.
Degrees, academic, N. J., 242; Mass., 241, 253.
Delaware, gifts in trust for public schools, 92; juvenile courts, 279; libraries, 259; school buildings, 114; school fund, 84; school tax, 81; State board of education, powers and duties, 24-25; State normal schools, 153; teachers' pensions, 137.
Delaware College, agricultural extension, 244; chair of history, 244.
Delinquent children, Idaho, 13.
Delinquents and dependents, welfare, 271-287.
Dental clinics, schools, N. J., 191.
Departments of education, vocations of employees, N. Y., 50.
Dependent children, schools, 283-287.
Dependents and delinquents, welfare, 271-287. *See also under names of States.*
Detroit, school district, 60-67.
Diplomas (teachers), normal school, college, and university, 132-133.
Directors (school), city boards, Wis., 58; conspiracy to extort money from school teacher, Ark., 41; election and duties, Pa., 20; employment of teachers, Mo., 48; powers and duties, Oreg., 56, Pa., 58; removal, La., 35; salary and term of office, Pa., 21.
Discipline (school), corporal punishment, 187; fire drills, 187-188; general information, 186-187; school fraternities, 188. *See also under names of States.*
Diseases, prevention, Idaho, 13; N. Dak., 20.
District school, abandonment, Ind., 42-43.
District trustees, conventions, Cal., 41; powers and duties, Idaho, 13.

- Districts, prohibition, Ark., Ky., Md., N. Y., R. I., S. C., Tenn., 119.
- Districts (school), action against, S. C., 56; altering and forming, Wis., 32; annexation of territory, Cal., 64; appropriations, Minn., 87; authority of officers, Wash., 57; bond elections, Ariz., 58; boundary lines, Kans., 66, Ky., 66, Minn., 69, Mo., 69, Wis., 72, Tex., 59; claim of clerk, Mont., 48; consolidation, Ark., 63, Minn., 67-69; county, dissolution, S. C., 70; county line, Tex., 71; creation and modification, Utah, 72; division of moneys, etc., Minn., 60; financial statement, Colo., 62; formation, Conn., 64, Nev., 17; high school, liability for indebtedness, S. C., 70; independent, Idaho, 13, W. Va., 72, Wis., 72; finance and support, 93-95; instruction of pupils in an adjoining district, Minn., 69; legal organization, Nebr., 48; manner of holding elections, Ark., 59; naming, S. Dak., 71; organization, Ill., 64-65, Mont., 69, Tex., 71; organization of township, 66; Pa., 23; power of legislature to create, etc., Ark., 63-64; powers, Ark., 40, 63; primary, changing of boundaries, Oreg., 70; reestablishing boundary lines, Kans., 65; responsibility of officers, 58; special, N. Dak., 70, N. H., 70; special tax, N. C., 70; suits against, Tex., 56; State and county aid, Kans., 85-86; taxation (See Taxation, schools); vacancies in office, S. Dak., 56; validity of organization, Utah, 56; village, Ohio, 70; warrants, Wash., 40.
- Division superintendent of schools, salary, Va., 40.
- Domestic science, instruction, Ala., 225; Ariz., 201; La., 291.
- Donations to schools. See Requests to schools.
- Drawing, instruction, Ariz., Miss., 200.
- Drinking cups, use of common, forbidden, Conn., 188-89; Ill., Kans., Md., Mass., N. H., N. J., 189.
- Due West Female College, S. C., name changed, 266.
- E.**
- Educational commissions, Mont., 26; N. Dak., 30.
- Elections, school, Ariz., 58; Colo., 59; Ga., 59; Ill., 59; Kans., 60; Ky., 60; La., 60-61; Tex., 63; Mich., 61; Minn., 61; Mo., 61; N. Y., 62; N. Dak., 62; Okla., 62; S. C., 62-63; S. Dak., 62; Wash., 63; W. Va., 63.
- Elementary education (administrative control and supervision), administrative units, 63-72 (See also Districts; Townships; etc.); county boards and officers, 32-40; district, township, and municipal boards and officers, 40-58; general, 9-24; school meetings, 58-63; State boards and officers, 24-32.
- Elementary education, special State aid, 83-91. See also under names of States.
- Elementary schools, teachers, 120-132.
- Ethics, teaching, Del., Ill., 200.
- Evening schools, Ind., Md., 205-206; Mass., Oreg., 206.
- Examinations, eighth grade, Idaho, 13.
- Examinations, teachers, elementary and secondary schools, 126-138.
- Expenditures, school, Ind., 42.
- Explanatory note, 5.
- F.**
- Farmers' institutes, Ala., 213; Cal., 244; La., Md., 213.
- Farms, demonstration, S. Dak., 208-204.
- Feeble-minded, education, 270-271.
- Finance and support (county, district and municipal), general, 92-94; local bonds and indebtedness, 94-103; local taxation for school purposes, 103-107. See also under names of States.
- Finance and support (State), general, 72-73; general apportionment of school funds, and special State aid for elementary education, 83-91; permanent school funds, 79-83; special aid for secondary education, 91-92; school lands, 73-78; taxation for school purposes, 80-83. See also under names of States.
- "Financial officer," term defined, N. J., 49.
- Fire drills, Iowa, 187-188; Mich., 188; Mont., 205; N. Y., 188; Pa., 200; R. I., 188.
- Fire escapes, school buildings, Iowa, 108; Kans., 108; Md., 189; Mich., 110.
- First aid to the injured, instruction, Mass., 205.
- Flag, United States, and public schools, 119-125.
- Flag day, Mass., 203.
- Florida, certification of teachers, 132; dependents and delinquents, 272; higher education, 241; hospital for indigent crippled children, 270; juvenile courts, 270; libraries, 259-260; school bonds, 95; school census, 164; school holidays, 165; school lands, 73; State textbook commission, 195; State university, law school, 244; teachers' summer training schools, 161.
- Forestry, instruction, N. Y., 254.
- Fraternities, college, Greek letter, Miss., 245; school, Cal., Mich., 188.
- Funds, school, 70-80, 83-91; Ala., 32; Idaho, 12; Ind., 14, 33; Kans., 25; Ky., 35; Mich., 93; Nev., 17-18; Ohio, 55; Okla., 55; Pa., 24. See also Finance and support; Taxation.
- G.**
- Georgia, agricultural education, 230; appropriations for public schools, 72; board of education, Cartersville, 41; child labor, 173; contracts for education, 163; county boards of education, 33; county school commissioners, 33; high schools, 214-215; juvenile courts, 270; medical education, 252; school bonds, 95; school buildings, 108; school discipline, 186; school districts, 64; school elections, 59; school taxes, 103; State normal schools, 155; State school officers, 25; teachers' salaries, 130; treasurers in local tax districts, bonds, 41.
- Georgia, Medical College of, branch of State University, 252.
- Georgia, University of, appropriation, 242; board of trustees, 244.
- Georgia School of Technology, students, 252-253.
- Georgia State Sanitarium, training school for nurses, 252.
- Grade supervisors. See Supervisors, grade.
- Greek letter fraternities, Miss., 245.
- Grounds, school, Pa., 20-21.
- H.**
- Hawaii, public schools, maintenance, 11; teachers with tuberculosis forbidden, in schools, 134.
- Health regulations, schools, 188-193.
- Heating apparatus, contract for school-houses, N. J., 49.
- High school board, State, powers and duties, N. Dak., 80.
- High school inspection, Ohio, 224.
- High schools, 18, 22-23, 38, 91-92, 120-132, 214-224. See also Academies; Secondary education; and under names of States.
- Higher educational institutions, 241-247. See also Colleges and universities; and under names of States.

History, instruction, Me., N. Mex., 198.
 Holidays, school, Ala., 164; Ark., Fla., Ky., La., Mass., Miss., N. Mex., Ohio, R. I., W. Va., 165.
 Houses of ill-fame, location near schools forbidden, Nev., 18.
 Hygiene, school, 22, 188-193. *See also* Medical inspection of schools.

I.

Idaho, deaf and blind, schools, 268; delinquent school taxes, 41; dependents and delinquents, 272; feeble-minded, education, 270; public-school system, code of laws, 11-12; school bonds, 95; school lands, 73; school sanitation, 189; State normal schools, 155.
 Idaho, University of, agricultural college fund, 244; appropriations, 244; buildings, 244.
 Illinois, board of education, irregularly elected, 41; common drinking cups prohibited, 189; delinquent children, 282; dependents and delinquents, 272, 283; high school districts, 215; libraries, 240; medical education, 254; museums, 260; school districts, 64-65; school elections, 59; school fund, 79; school lands, 73-74; school taxes, 81, 103; school trustees, 42; State educational building, 13; teachers' pensions, 138; textbooks, 193; township high schools, 215.
 Illinois, University of, fund, 244.
 Indiana, agricultural education, 247; art association, admission of teachers and school children, 42; boards of school commissioners, 42; boards of school trustees, 42; centennial commission, 15; commitment of incorrigible girls, 283; condemnation of property for State institutions, 244; county superintendents, 33; dependents and delinquents, 272; educational corporations, 257; evening schools, 205; high schools, 215; industrial and agricultural education, 14; kindergartens, 205; libraries, 240; loss of State school fund entrusted to county, right of action, 33; new constitution to supersede that of 1851, provisions relating to education, 14-15; medical inspection of schools, 100-101; playgrounds, 208; private and endowed higher institutions, 255; school boards, 65; school bonds, 95; school buildings, 108, 115-117; school cities, finance and support, 92; school expenditures, 42; school lands, 74; school taxes, 103; State fund for persons afflicted with hydrophobia, 80; teachers' examinations, 131; teachers' contracts, 134; teachers' institutes, 161-162; teachers' salaries, 136; textbooks, 195; trade schools, 237; United States flag upon school buildings, 119.
 Indiana University School of Medicine, hospital, 244.
 Indianapolis, Ind., boards of school commissioners, powers and duties, 42.
 Industrial education, Ala., 271; Cal., 201; Ind., 14; Ky., 225; Me., 227; N. Mex., 229; Okla., 229; R. I., 229.
 Insane asylums, Ky., 237.
 Inspection, school buildings, 115-119.
 Inspectors of schools, State, salary, Okla., 81.
 Institutes, teachers, *See* Teachers' institutes.
 Instruction, sectarian, forbidden, Idaho, 13; subject matter of, 198-205. *See also under topics and names of States.*
 Iowa, agricultural education, 248; board of control of State institutions, term of office, 25; certification of teachers, 126; commitment of wayward girls, 284; county permanent school fund, testamentary gift in trust, 98; dependents and delinquents, 272; education of the blind, 269; educational corporations, 257; fire drill in schools, 187-188; high

schools, 216; libraries, 260; school buildings, 108; school district treasurer, accountability, 43; school districts, 65, 95; State board of education, 25; State industrial school, 289; State Historical Society, 257; training of teachers, rural schools, 159.

J.

Janitors, public school, employment and discharge, N. J., 48; violation of duties, N. Y., 54.
 Joint schools, Pa., 23.
 Juvenile courts, 278-283. *See also under names of States.*

K.

Kansas, agricultural education, 248; boards of education, 43; claims against Day County, 80; certification of teachers, 126-127; county normal institutes, 162; county superintendents of public instruction, 33-34; dismissal of teachers, 134; equal suffrage, 15; high schools, 216; investment of sinking funds, 93; libraries, 260-261; playgrounds, 206; school attendance, 165; school bonds, 95; school buildings, fire protection, 108-110; school districts, 65; school elections, 60; school funds, 86-89; school lands, 74-75; school taxes, 104; State industrial school for girls, 284; teachers' pensions, 138-140; traveling library commission, secretary, 25; uniform system of blank books and records, 194.
 Kansas, University of, hospital, 245.
 Kentucky, agricultural education, 248; child labor, 174; city boards of education, 44-45; common drinking cups prohibited, 189; compulsory school attendance, 170; contract for professorship in college, 255; county academics and seminaries, 216; county boards of education, 34-35; county superintendents, 34-35; county textbook commission, 195-196; deaf and dumb, schools, 208; educational corporations, 257; industrial education, 225; insane asylums, changing names, 207; inspection of school funds, 25; parental home and school commission, 284; payment of debts of reform schools, 284; prohibition districts, 119; school bonds, 96; school buildings as civic centers, 110; school districts, 66; school funds, 35; school holidays, 165; school taxes, 104; school trustees, 45-46; separation of races, 185-186; teachers' contracts, 134; teachers' pensions, 139-140; wrongs to children, 277.
 Kentucky, State university of, Carnegie fund, 246; investigation, 245.
 Kentucky Normal and Industrial School for Colored Persons, appropriation, 253.
 Kindergartens, Idaho, 18; Ind., Wash., 205.
 Lackawanna, N. Y., compulsory attendance, 50.
 Lands, school, 89, 41, 73-78, 82. *See also under names of States.*
 Languages, modern, instruction, Cal., 204.
 Law schools, Mont., 253.
 Lectures, public, 213.
 Legislative reference bureau, Nebr., 263; Vt., 264.
 Libraries, public, 259-265; public school, 18, 18, 24, 265-267. *See also under names of States.*
 Library commissions, State, Idaho, 48; Me., 26; Oreg., 31.
 Liquors, intoxicating, sale forbidden near schoolhouses, 119.

L.

Lackawanna, N. Y., compulsory attendance, 50.
 Lands, school, 89, 41, 73-78, 82. *See also under names of States.*
 Languages, modern, instruction, Cal., 204.
 Law schools, Mont., 253.
 Lectures, public, 213.
 Legislative reference bureau, Nebr., 263; Vt., 264.
 Libraries, public, 259-265; public school, 18, 18, 24, 265-267. *See also under names of States.*
 Library commissions, State, Idaho, 48; Me., 26; Oreg., 31.
 Liquors, intoxicating, sale forbidden near schoolhouses, 119.

- Louisiana, boards of education, legal services, 25; dependents and delinquents, 273; farm demonstration work, 213; high schools, 217; inheritance tax for schools, 72; instruction in agriculture, 201; juvenile courts, 279-280; libraries, 261-262; parish board of education, 46; parish superintendents, 35; practice of architecture, 253; St. Mary's Dominican Academy, New Orleans, degrees and diplomas, 255; school assessments, 163; school attendance, 103; school board printer, 49; school bonds, 96-97; school directors, 35; school election, 60-61; school holidays, 105; school lands, 75; school taxes, 104-105; school year, 164; State textbook commission, 107; teachers' institutes, 162; teachers' pensions, 140; United States flag upon school buildings, 110-120; wrongs to children, 277.
- Lowell Textile School, Mass., degrees, 253.
- M.**
- Maine, bequest to Baptist Theological Seminary, 257; board of education, Biddeford, 46; feeble-minded, education, 270; high schools, 217; industrial education, 225-227, 284; library commission, 26; school privileges, equalization, 87; school taxes, 105; State normal schools, 155; superintendents of schools, 46-47; teaching history and geography, common schools, 198; union of towns for employment of superintendent of schools, 40; unorganized townships, compensation of agents of schools, 20; unorganized townships, increasing appropriation for schools, 87.
- Maine, University of, compensation of trustees, 245.
- Manchester, N. H., school board, compensation, 48.
- Manual training, Ariz., 201; Mont., 229.
- Maryland, agricultural education, 230; appointment of teachers, 134; approved colleges and universities, list, 241; bureau of sanitary engineering, 117; changing name of Female House of Refuge, 280; child labor, 174-175; classification of teachers' certificates, 120; common drinking cups prohibited, 189; dependents and delinquents, 273; education of colored children, 213; educational corporations, 257; evening schools, 205-206; farmers' institutes, 213; fire escapes in schools, 189; grade supervisors, 35; high schools, 217-219; juvenile courts, 280; libraries, 262; lobbying forbidden, 72; penalty for kidnaping children, 280; prohibition districts, 119; school board, Garrett County, appropriation, 87; school bonds, 97; school taxes, 81, 105-106; State normal schools, 155; teachers' salaries, 136; teachers' pensions, 140-141; trade schools, 237.
- Massachusetts, admission of children to places of amusement, 186; age and schooling certificates of minors, 170; agricultural education, 201, 230, 248; board of education, State, 26; certification of teachers, 131; child labor, 175-178; common drinking cups prohibited, 189; compulsory instruction of thrift, 205; compulsory school attendance, 170; corporal punishment, 187; dependents and delinquents, 273; educational corporations, 257; evening schools, 206; female trunks, 170; Flag Day, 203; granting of degrees, 241; high schools, 92, 219; instruction in first aid to the injured, 205; investigating methods of supporting public schools, 72; libraries, 262; military drill, public schools, 204; playgrounds, 206-207; school attendance officers, 170; school buildings, 110, 118; school committees, powers and duties, Cambridge, 47; school fund, 80; school holidays, 165; school savings banks, 205; school superintendency unions, 47; school superintendents, 47; schools as social centers, 206-207; State normal schools, 155-156; teachers' pensions, 141; teachers' salaries, 136; technical education, 253; trade schools, 237; training schools, board established, 284; traveling school tuberculosis exhibit, 199; United States flag upon school buildings, 120; vocational education, 227-229; wrongs to children, 277.
- Massachusetts Institute of Technology, appropriation, 252; scholarships, 252.
- Medical education, Ark., 252; Ga., 252; Nebr., 253-254.
- Medical inspection of schools, 19, 22, 190-193. *See also under names of States.*
- Medical schools, N. J., 254; N. Y., 254.
- Medical societies, incorporation, N. Y., 254.
- Merit system, teachers, Ohio, 121-122.
- Michigan, agricultural education, 230-231; boards of education, 47; certification of teachers, 127; condemnation of private property, 26; county school commissioners, 35; dependents and delinquents, 273; deposits of school moneys, 93; district school fund, 93; feeble-minded, education, 270; high schools, 219-220; incorporation of colleges, 255; juvenile courts, 280; libraries, 262-263; physical education, State normal schools, 198-199; playgrounds, 207; primary school interest money, apportionment, 87; school bonds, 97; school buildings, fire escapes, 110; school elections, 61; superintendent of public instruction, 26; teachers' contracts, 135; township school districts, 66-67.
- Military drill, public schools, Mass., 204.
- Military schools, Vt., Va., Wis., 262.
- Mining schools, Nev., 251.
- Minneapolis, school district, 60.
- Minnesota, agricultural education, 231, 248; certification of teachers, 132; county boards of education, 36; county superintendents of schools, 30; dependent children, 284; district school boards, 47; medical examination of schools, 191; museums, 263; observance of "Minnesota Day," 201; playgrounds, 207; school bonds, 97-98; school districts, 67-69; school extension work, 213; school funds, 80; school lands, 76; school taxes, 106; State aid for schools, 87; teachers' pensions, 141; textbooks, 194, 197.
- Minnesota, University of, buildings, 245; prohibiting location of cemetery near, 245.
- Mississippi, admission of children to public pool or billiard room forbidden, 186; agricultural education, 231-232; Carnegie fund and institutions of higher education, 247; certification of teachers, 127; child labor, 176; county superintendents, 36; education of the blind, 269; Greek letter fraternities, etc. forbidden, 245; indictment for forgery of a school trustee's certificate, 47; instruction in music and drawing, 201; municipalities, release of territory outside of corporate limits, 69; normal graduates and teaching profession, 132; number of assistants in school district, 135; practice of pharmacy, 253; purchase of school supplies, 93; reports from State institutions of education, 241-242; school bonds, 98; school buildings, 110; school fund, Chickasaw, 72; school holidays, 165; school taxes, 72, 106; State and judicial officers as trustees of the university and colleges, 245; State aid for county schools, 47; State institutions of higher education, one board of trustees, 251; State normal schools, 156-157; study, treatment, and prevention of tuberculosis, 199; superin-

- tendent of education, salary, 72; textbooks, 197-198; transportation of children to school, 166.
- Mississippi, University of, board of trustees, 245.
- Missouri, certification of teachers, 127-128, 132; charter of college construed, 255; corporal punishment, 187; county or township treasurers, 37; county superintendents, 36; dependents and delinquents, 273-274; educational corporations, 257; Industrial Home for Girls, support, 284; juvenile courts, 280; liberal construction of school statutes, 15; libraries, 263; osteopathic school, 257; parental schools, 284-285; school auditorium, public gatherings, 110; school bonds, 98; school directors, 48; school districts, 69; school elections, 61-62; school fund, 80, 87-89; schoolhouses, intoxicated persons prohibited from entering, 110; school taxes, 106; school year, 164; State aid for schools, 87; teachers' contracts, 135.
- Montana, educational commission, 26; fire drills, public schools, 205; juvenile courts, 280; manual and industrial training, 220; qualifications of teachers, 132; school bonds, 98; school census, 164; school districts, 48, 69; superintendents of schools, 48; transportation of pupils to school, 166.
- Montana, University of, law department, 253; special reports, 245.
- Moral and ethical education, Del., Ill., 200.
- Museums, Ill., 260; Minn., 263.
- Music, instruction, Ariz., 200; Miss., 201.
- N.
- Nature study, N. Dak., 20.
- Nebraska, agricultural education, 232; certification of teachers, 128; charitable, reformatory, and penal institutions, 267; city boards of education, 48; conduct of children, 283; county superintendents, 37; dependents and delinquents, 274; establishing "State Fire Day," 202; high schools, 220; "Howard Day," legal holiday in penal institutions, 285; libraries, 263; medical schools, 263; normal training in high schools, 159; private and endowed higher institutions, 253; school buildings, 110; school district warrants, 48; school districts, 69; school elections, 62; school lands, 76; school taxes, 48, 106; secretary of board of education, State normal schools, 48; State normal schools, 157.
- Nebraska, University of, gifts and bequests, 245; plant for production of hog-cholera serum, 245.
- Negroes, admission to white school, Okla., 168; education, Md., 213, Okla., 38; juvenile offenders, reform school, Ala., 271; orphan's home, W. Va., 287; provision of school fund, Tenn., 80; reform school, N. C., 285.
- Nevada, conduct of children, 288; dependents and delinquents, 274; educational (supervision) districts, 26; high schools, 220; libraries, 263; mining school at Virginia City, 251; public-school system, general revision of laws, 15-18; school bonds, 98-99; school funds, 89; school tax, 81.
- Nevada, University of, investigation of diseases of potatoes, 245.
- New Hampshire, agricultural education, 245; appropriations to Dartmouth College, 242; certification of teachers, 128; child labor, 176-178; common drinking cups prohibited, 189; dependents and delinquents, 274; high schools, 220; industrial school, 255; school attendance, 103; school board, Manchester, 48; school districts, 70; teachers' contracts, 135; transportation of pupils to school, 166.
- New Jersey, agricultural education, 249; bidders for school supplies, see, 49; certification of teachers, 129; child labor, 178-181; city boards of education, 48-49; civil service commission, 49; conferring of degrees, 242; county superintendents, 37; custodian of school district moneys, 49; dental clinics in schools, 191; dependents and delinquents, 274; education of special classes, 267; education of the blind, 269; examinations, 29; feeble-minded, education, 270; free instruction, residents over 20 years of age, 163; higher and endowed institutions of learning, 255-256; juvenile courts, 280-281; medical colleges, 254; normal-school diplomas, 133; parental schools, 285; playgrounds, 207-209; private secondary schools, 220; public-school janitors, 48; public-school system, 27-29; religious and charitable corporations, 259; resignation of teachers, 135; school bonds, 99; school buildings, 111, 114; school taxes, 106; school fund, 89; schools of detention, 285; State normal school, 157; teachers' pensions, 141-142; truant officers, 170; violation of school law, fines, 93.
- New Mexico, agricultural education, 249; alcoholism and narcotics, study, 200; appointment of school officers, 29; boards of education, 49; county superintendent of schools, 37; high schools, 220; industrial education, 229; public officers, contracting debts in excess of appropriations, 73; school bonds, 80, 99; school holidays, 165; school lands, 76; school taxes, 81-82, 106; teaching history and civics, common schools, 198; uniform system of accounting, public officers, 73.
- New York, admission of children to public pool or billiard rooms forbidden, 186; agricultural education, 232-233, 249; amending education law, 268; appropriations for State education building, 78; attendance at theaters and motion-picture exhibitions, 186; boards of education, union free district, 54; certification of teachers, 129; child-labor, 181-182; classes for adult and minor aliens, 205; deaf and dumb, schools, 268; dependents and delinquents, 275; district superintendent of schools, 50; education fund, 99; education of special classes, 268; education of the blind, 269-270; education law, amendment, 29; educational and religious corporations, 258; employment of teachers, 136; fire drill in schools, 129; free education for inhabitants of Buffalo, at University of Buffalo, 242; high schools, 221; incorporation of medical societies, 254; incorrigible children, 285; instruction in agriculture, 202; juvenile courts, 281; libraries, 263; medical inspection of schools, 191; medical schools, 254; playgrounds, 209; practice of pharmacy, 29; prohibition district, United States Military Academy, West Point, 119; public records, 29; qualifications of teachers, 120; recreation grounds, 50; restoration of data destroyed by fire, 37; school bonds, 106; school district trustees, and salaries of teachers, 50; school elections, 62; schoolhouses, acquiring sites, 111; school taxes, 106; State College of Forestry, 254; State education building, 18; State normal schools, 157; State school commissioner, 58; teachers' contracts, 135; teachers' pensions, 142-145; teachers' salaries, 136-137; teachers' training courses, 160; training of nurses, 254; vacations of employees, 50; wrongs to children, 277.
- New York City, board of education, power to dispose personal property, 50; care of public school premises, 54; fines, 44; letters for violation of duties, 54; salaries of statisticians, 50.

- New York State Training School for Girls, age of inmates committed, 285.
- Newton, Me., school committee, reducing number of members, 47.
- Normal schools, county and local, 159-160; diplomas, 132-133; State, 154-159. *See also under names of States.*
- North Carolina, agricultural education, 233-234, 248; consolidation of schools, 37; county boards of education, 37; deaf and dumb schools, 268; disbursement of school funds, 93; feeble-minded education, 270; high schools, 38; libraries, 264; medical inspection of schools, 191; reform school for colored youths, 285; school boards, 55; school bonds, 100; school census, 37; school taxes, 38, 62, 70, 106-107; teachers' salaries, 37; textbook commission, 30; State normal schools, 158.
- North Dakota, agricultural education, 234-235; conduct of children, 283; courses of study, common schools, 198; county superintendent, 38; dependents and delinquents, 275; feeble-minded education, 271; juvenile courts, 282; libraries, 264; prohibitory games on Memorial Day, 210; public-school libraries, 266; public-school system, codification of laws, 18-20; school buildings, 111, 118-119; school elections, 62; school lands, 76; State aid to elementary education, 89-90; State board of control, reformatory, etc., institutions, 30; State high school board, 30; State normal schools, 158; temporary educational commission, 30; textbooks and supplies, 194.
- Northwestern University, Watertown, Wis., name changed to Northwestern College, 242.
- Norwich University, Vt., incorporating "Commons Club," 252.
- Nurses, trained, registration, R. I., 254.
- Nurses, training, Ala., 252; Ga., 252; N. Y., 254.
- O.
- Officers, school, 24-40. *See also under names of States.*
- Ohio, agricultural education, 235-236; boards of education, 55; centralization of township schools, 166; certification of teachers, 129, 131; child labor, 182; city school districts, appointment of superintendents, 55; commitments and paroles, Girls' Industrial Home, 288; dependents and delinquents, 275; deposit of school funds, 55; education of tuberculous children, 271; extending merit system to school teachers, 121-122; feeble-minded education, 271; furnishing water to public schools, 98; high-school inspection, 224; higher education, 242-243; neglecting children, 278; penalty for kidnaping children, 278; playgrounds, 210; sale of tobacco to children, 278; school bonds, 100; school holidays, 166; schoolhouses, building code, 111-114; school tax, 82; State institutions, single board of administrators, 30; State normal schools, 158; teachers' pensions, 148; teachers' salaries, 137; township school districts, organization of school boards, 55; transportation of pupils to school, 167; village-school district, 70.
- Ohio State University, high-school building, 247, trust fund, 246.
- Oklahoma, colored schools, employment of teachers, 88; county superintendents of schools, 38; industrial education, 229; libraries, 264; public school system, matter of general State concern, 20; school attendance, 163; school bonds, 100; school buildings, 115; school elections, 62; school fund, 38, 62-63; State board of education, 31; teachers' contracts, 137; transportation of pupils to school, 167.
- Open-air schools, tuberculous children, Ohio, R. I., 271.
- Oregon, agricultural education, 249; board of school directors, 56; certification of teachers, 122-125; changing name of State reform school, 286; county educational board, 38; county school superintendent, 38; educational corporations, 258; evening schools, 206; high schools, 221; higher education, 243; libraries, 264; library commission, 31; primary school districts, 70; school funds, 80; school hygiene, 189; school laws, compilation, 31; school taxes, 37; State bureau of mines, 250; State normal school, 158; teachers' pensions, 148.
- Oregon, University of, board of regents, 246.
- P.
- Parish superintendents. *See Superintendents of schools, parish.*
- Parkersburg, W. Va., independent school districts, 72.
- Parochial schools, Md., 213.
- Part-time schools, Mass., 237.
- Patriotism. *See Civics.*
- Penal institutions, board of commissioners, Nebr., 267.
- Pennsylvania, boards of school directors, 56; child labor, 182; deficiency in appropriation for schools, cities, 101; educational buildings, charitable trusts, 100; educational corporations, 259; exemption from taxation, farm and live stock of public charitable industrial school, 256; fire drills, schools, 200; playgrounds, 210-211; school code, 20-24; school hygiene, 190; school taxes, 107.
- Pensions, teachers', 137-154. *See also under names of States.*
- Pharmacy, practice, Miss., 353; N. Y., 29.
- Physical education, instruction, Mich., 198-199. *See also Playgrounds.*
- Physical examination of children, Colo., 160.
- Physiology and hygiene, instruction, Cal., Mass., Miss., N. J., 199; N. Mex., Pa., 200.
- Playgrounds, 206-213. *See also under names of States.*
- Porto Rico, maintaining students in colleges and universities of United States, 242; school bonds, 101; school taxes, 101.
- Poughkeepsie, N. Y., board of education, constitution and term of office, 50.
- Principals, supervising, salaries and duties, Pa., 21.
- Printer, school board, La., 46.
- Private and endowed higher institutions, State control, 254-259.
- Private and endowed schools, Md., N. C., 212.
- Professional and higher technical education, 247-254. *See also under names of States.*
- Professional education, teachers, 154-163.
- Prohibition districts, 119.
- Property, public school, disposition, Va., 57.
- Public schools, appropriations. *See Finance and support, State; and under names of States.*
- Punishment, corporal, Ark., Mass., Mo., 167.
- Purdue University, Ind., agricultural education, 247.
- Q.
- Qualifications of teachers, elementary and secondary schools, 120-126.
- R.
- Races, separation, Ky., Va., 166.
- Reform schools, 271, 282-287. *See also under names of States.*

- Reformatory institutions, single board of control, Ohio, 80; State board of control, 30.
- Religious and political tests, law against, Pa., 24.
- Rensselaer, N. Y., tax election for school purposes, 50.
- Rhode Island, agricultural education, 250; assistant commissioner of public schools, 31; child labor, 182; dependents and delinquents, 275; education of the blind, 270; education of tuberculous children, 271; fire drill in schools, 188; industrial education, 229; libraries, 264; medical inspection of schools, 162; playgrounds, 211; prohibition districts, 119; public lectures, 254; registration of trained nurses, 254; school committees, 58; school holidays, 165; State board of education, 31; State normal school, 158; teachers' training, 247; transportation of pupils to school, 167; wrongs to children, 278.
- Rural high schools, Idaho, 13.
- Rural schools, training of teachers for, Iowa, 159.
- Rutland, Vt., board of school commissioners, 57.
- S.
- Salaries, boards of school trustees, Ind., 42; county boards of education, Minn., 36; county school commissioners, Mich., 35; county superintendents, Ala., 32, 79, Cal., 32, Ind., 33, Kans., 33-34, N. J., 37, Minn., 56, Nebr., 37, Oreg., 38, W. Va., 40; division superintendents of school, Va., 40; school commissioners, Indianapolis, Ind., 42; school directors, Pa., 21; State inspector of schools, Okla., 31; State superintendents, Miss., 72, N. H., 27, N. Dak., 18, Utah, 32; township superintendents, Me., 46-47; teachers, 37, 136-137. *See also under names of States.*
- Sanitation, school, 115-119, 188-193. *See also under names of States.*
- Scholarships, Massachusetts Institute of Technology, 253; Worcester Polytechnic Institute, Mass., 253.
- School bonds. *See Bonds, school.*
- Schoolbooks. *See Textbooks.*
- School census. *See Census, school.*
- School commissioners, county, election, Ga., 33; salaries, Mich., 35; salaries and duties, Indianapolis, Ind., 42.
- School committees, reducing number of members, Newton, Me., 47.
- School directors. *See Directors, school.*
- School districts. *See Districts, school.*
- School elections, Nebr., 62.
- School fraternities, Colo., Mich., 168.
- School funds. *See Funds, school.*
- School grounds. *See Grounds, school.*
- School holidays. *See Holidays, school.*
- Schoolhouses, contract for heating, N. J., 49; social and civic uses, Cal., 41.
- School hygiene, Ind., 117, school.
- School lands. *See Lands, school.*
- School laws, compilation, Oreg., 31, Vt., 32; revision, S. C., 31-32.
- School officers. *See Officers, school.*
- School population and attendance, 162-165. *See also under names of States.*
- School savings banks, Mass., 205.
- School superintendency unions, Mass., 47.
- School supplies, bidders for, N. J., 49; purchase, Miss., 33, Wis., 58.
- School trustees. *See Trustees, school.*
- School year, month, and day, 164.
- Science, lecturers, employment, Wis., 57.
- Secondary education, 63-72, 91-92, 314-324. *See also High schools, and under names of States.*
- Secondary schools, teachers, 120-132.
- Secular instruction, forbidden, Idaho, 13.
- Social centers, public schools, 209-212. *See also under names of States.*
- Society for the Preservation of New England Antiquities, Mass., incorporated, 257.
- South Carolina, agricultural education, 250; Anderson College, incorporated, 259; assistant county superintendent, 39; beneficiary students at State colleges, 246; child labor, 183; consolidated and graded schools, 167; county superintendents, 39; deaf and dumb, schools, 268; destitute children, 266; fees for high schools, 163; high schools, 221; high-school districts, 70-71; industrial school for boys, 286; juvenile courts, 282; Military Academy, name changed, 256; minors prohibited from playing pool or billiards, 186; prohibition districts, 119; revision of school laws, 31; school bonds, 101; school buildings, 115; school districts, 56, 70; school elections, 62-63; school hygiene, 190; school taxes, 107; State aid for schools, 91; State board of education, 32; State normal school, 159; uniform method of awarding scholarships, 242.
- South Dakota, certification of teachers, 129; county superintendents, 39; educational and religious corporations, 259; independent school districts, adjusting property interests, 94-95; normal school diplomas, 133; school bonds, 101; school buildings, 119; school districts, 71, 93; school lands, 76; school taxes, 107; State normal school, 159; transportation of pupils to school, 167-168.
- South Dakota, University of, improvements, 243.
- Special classes, education, 267-271. *See also under names of States.*
- Special types of schools, 205-213.
- State aid to schools, 114.
- State boards of education. *See Boards of education, State.*
- State education buildings, appropriations, N. Y., 73.
- State finance and support. *See Finance and support, State.*
- State normal schools. *See Normal schools, State.*
- State school lands. *See Lands, school, State.*
- Suffrage, equal, Kans., 15.
- Summer schools and teachers' institutes, 13, 160-162. *See also under names of States.*
- Superintendent of schools, Old Town, Me., salary, 46.
- Superintendents of public instruction. *See Superintendents of schools, State.*
- Superintendents of school unions, term of office, Mass., 47.
- Superintendents of schools (city), appointment, Ohio, 55; districts employing, N. Dak., 18; powers and duties, Cal., 41, Ky., 44-45.
- Superintendents of schools (county), *See also* N. Mex., 37; election, Idaho, 11-12, Ind., 33, Mo., 36, N. Dak., 38, N. J., 37; employment of counsel, Ky., 34; employment of assistants, Okla., 38; examination, Ky., 34, Miss., 38; official acts, S. Dak., 39; powers and duties, Ala., 70, Ky., 35, Pa., 21, Wis., 40; qualifications, Ind., 33, Minn., 36, Mo., 36, Tenn., 39, Utah, 40; salaries, Ala., 32, Cal., 32, Minn., 36, Nebr., 37, N. J., 37, N. Dak., 18, Oreg., 33, W. Va., 40, Wis., 58, Utah, 39; terms of office, S. C., 39; vacancies, Kans., 34.
- Superintendents of schools (district), employment, Mont., 43; powers and duties, N. Dak., 19, N. Y., 50-54.
- Superintendents of schools (division, township, and district), employment, Conn., 41; powers and duties, Mass., 47.
- Superintendents of schools (parish), election and term of office, La., 33, 46.

Superintendents of schools (State), bond. Ariz., 24; office abolished, N. J., 28; powers and duties, Idaho, 11, Nev., 15-16, Mich., 26; providing for discharge, Me., 46; removal, Me., 47; salaries, Me., 47, Miss., 72, N. Dak., 18; union of towns for employment, Me., 46. *See also* Commissioners of education.

Supervising principals. *See* Principals, supervising.

Supervision, school, Vt., 58.

Supervisors, grade, appointment, Md., 35.

Supplies, school, 21, 193-194.

Syracuse University, forestry school, 254.

T.

Taxation, school, 38, 41, 48, 50, 59, 62, 72, 80-83, 103-107. *See also* under names of States.

Teachers, certificates (*See* Certificates, teachers); employment, contract, appointment and dismissal, 133-154 (*See also* under names of States); examinations and certificates, 126-133; qualifications, 23, 120-125 (*See also* under names of States); pensions (*See* Pensions, teachers); *see also* under names of States); powers and duties, Nev., 16; professional training and education, 154-162 (*See also* under names of States); salaries (*See* Salaries, teachers); retirement funds, Pa., 23.

Teachers' colleges and normal schools, Ohio, R. I., 247.

Teachers' institutes and summer schools, 12-13, 20, 23, 160-162. *See also* under names of States.

Technical, industrial, and vocational education, elementary and secondary, 225-241, 247-254. *See also* under names of States.

Tennessee, child labor, 183-184; county superintendent, 39; dependents and delinquents, 275; Federal aid to agricultural colleges, 80; educational corporations, 259; juvenile courts, 282; prohibition districts, 119; school bonds, 101-102.

Texas, agricultural education, 236, 250; certification of teachers, 129-130; employment of chaplain, State Institution for Training of Juveniles, 286; high schools, 221-223; private and endowed higher institutions of learning, 256; sales of county school lands, 39; school bonds, 102; school districts, 39, 56, 71-72; school elections, 63; school lands, 76-78; school taxes, 107.

Texas, University of, board of regents, 246; vouchers for expenditures, 246.

Textbook commission, State, Idaho, 11; N. C., 30.

Textbooks, free, 194; general information, 18, 20, 21, 193-194; uniformity of, 104-198. *See also* under names of States.

Textile schools, Mass., 229, 253.

Thrift, compulsory instruction, Mass., 205.

"Towns," word does not include special-school districts, N. H., 70.

Townships, unorganized, Me., 26; school government, Wis., 72.

Trade schools, Ala., Ind., Md., Mass., Wis., 237.

Training of teachers, 154-162.

Transportation of pupils to school, 65, 85-86, 165-169. *See also* Consolidation of schools, and under names of States.

Treasurers, county or township, annual settlement, Mo., 37; school district, Iowa, 48.

Truancy, Mass., 170.

Truant officers, Mass., N. J., 170.

Trustees (school), certificate, Miss., 47; duties, Ill., 42, Ind., 42, Ky., 45-46, Nev., 16-17; election, N. Y., 63; interest in school contracts, forbidden, N. Y., 50; salaries and terms of office, Ind., 43; term of office, Cal., 41.

Tuberculosis, act concerning, Miss., 199; open-air schools, Ohio, R. I., 271; prohibiting employment of teachers, etc., afflicted, Ariz., 133; Hawaii, 134; traveling exhibit, Mass., 109.

U.

Unions, school, superintendents, Mass., 47.

United States, grants to agricultural and mechanical colleges, Miss., 251.

United States Military Academy, West Point, N. Y., prohibition district, 119.

Universities and colleges, State, 243-246. *See also* Colleges and universities; and under names of States.

University and school extension, Minn., R. I., Wis., 213.

Utah, agricultural education, 251; board of trustees, State Industrial School, 286; city boards of education, 56; county officers, salaries, 30; county school districts, 39; county superintendents, 40; deaf and dumb, education, 269; dependent and delinquent children, 286; high schools, 92, 223; juvenile courts, 283; libraries, 264; physical examination of school children, 192; public gymnasiums, 264; school districts, 56, 72; school tax, 82-83; State superintendent of public instruction, 32; wrongs to children, 278.

Utah, University of, board of regents, 246; fund, 246; instruction in agriculture and domestic science, 246; providing permanent income, 82-83.

V.

Vacation schools, 206-213. *See also* under names of States.

Vermont, agricultural education, 236, 251; board of school commissioners, 57; certification of teachers, 130-131; compilation of school laws, 32; contagious diseases, schools closed, 91; deaf and dumb, schools, 289; exemptions from taxation, lands of colleges, academies, etc., 256; high schools, 223-224; industrial school, commitments, 286; libraries, 264-265; medical inspection of schools, 192; military education, 252; school supervision, 58; State normal school, 159; teachers' pensions, 148; teachers' training courses, high schools and academies, 160; United States flag upon school buildings, 120.

Virginia, agricultural education, 236; child labor, 184; clerks, district school boards, 57; dependents and delinquents, 276; district school boards, 57; division superintendent of schools, 40; donations for schools, 94; educational institutions, expansion, 82; free public school, Negro Reformatory Association of Virginia, 286; industrial school for girls, 286; instruction in agriculture, 202; instruction in domestic science, 202; instruction in manual training, 202; maintenance of rural graded schools, 168; military education, 252; neglect to support children, 186-187; playgrounds, 211; public school libraries, 267; public school property, disposition, 57; school bonds, 102; school census, 164; school tax, 83; school year, 194; separation of races, 186; State normal school, 159; teachers' pensions, 148-150; teachers' salaries, 137; textbooks, 194; vicious or neglected children, custody, 287.

Virginia, University of, Carnegie fund, 247; fund, 246.

Virginia Military Institute, 252.

Vocational education, Ariz., 225; Mass., 227-229; Pa., 23.

W.

Warrants, school district, Nebr., 48.

- Washington, action for board and lodging, boarding school, 183; apportionment of school moneys, 91; blind, school, 269; county treasurer ex officio treasurer of school districts, 40; feeble-minded, education, 271; juvenile courts, 283; kindergartens, 205; qualifications of teachers, 125; school bonds, 102; school districts, 57; school district warrants, 40; school election, 63; school taxes, 107; State College, lands, 243; teachers' contracts, 136.
- Watertown, N. Y., commissioners of education, terms of office, 50.
- West Point. *See* United States Military Academy.
- West Virginia, boards of education, 57; certification of teachers, 132; child labor, 184; county superintendents, 40; examination of teachers, 125; high schools, 224; independent school districts, 72; medical inspection of schools, 192-193; school election, 63; school holidays, 165; school lands, 78; school tax, 83; State normal schools, 159.
- West Virginia Colored Orphans' Home, management, 287.
- Whitman College, Oreg., lands, 243.
- Wisconsin, agricultural education, 236; art commissions in cities, 57-58; certification of teachers, 125, 132; child labor, 184-185; city boards of school directors, 58; consolidation of schools, 168-169; county superintendents, 40, 58; county training schools for teachers, 160; courses of study, common schools, 198; eligibility of women to school offices, 24; high schools, 92, 224; independent school districts, 72; judicial and school officers, nomination and election, 24; lectures on natural science, etc., 57; libraries, 265; military education, 252; physical education, common schools, 199; playgrounds, 211-213; prevention of dangerous communicable diseases, 193; professional schools, 254; qualifications of teachers, 125; school boards, 58; school bonds, 103; school buildings, 114; school district officers, 58; school taxes, 107; State board of industrial education, 237-241; State superintendent of public instruction, authority to review proceedings of town board in altering school district, 32; stamp-pulling machines for farm demonstration work, 213; superintendents, 57; teachers' contracts, 136; teachers' pensions, 150-154; teachers' salaries, 137; testamentary gifts to schools, 94; township system of school government, 72; trade schools, 237; transportation of pupils to school, 189.
- Wisconsin, University of, legislation, 242; terms of agents, 248.
- Women, authorized to vote at school elections, Ky., 60; eligibility to school offices, Wis., 24; employment, Ariz., 171-172; voting at school election, Mich., 61, N. Dak., 62; widows entitled to vote at special-tax election, La., 61.
- Worcester Polytechnic Institute, Mass., appropriation, 253.
- Wyoming, board of farm commissioners, 203; changing name of institution for feeble-minded, 271; school lands, 78; school taxes, 91, 107.
- Wyoming Industrial Institute, establishment, 287.
- Wyoming, University of, appropriations, 243.

BULLETIN OF THE BUREAU OF EDUCATION.

[NOTE.—With the exceptions indicated, the documents named below will be sent free of charge upon application to the Commissioner of Education, Washington, D. C. Those marked with an asterisk (*) are no longer available for free distribution, but may be had of the Superintendent of Documents, Government Printing Office, Washington, D. C., upon payment of the price stated. Remittances should be made in coin, currency, or money order. Stamps are not accepted. Documents marked with a dagger (†) are out of print.]

1906.

- †No. 1. Education bill of 1906 for England and Wales as it passed the House of Commons. Anna T. Smith.
- *No. 2. German views of American education, with particular reference to industrial development. William N. Hallmann. 10 cts.
- *No. 3. State school systems: Legislation and judicial decisions relating to public education, Oct. 1, 1904, to Oct. 1, 1906. Edward C. Elliott. 15 cts.

1907.

- †No. 1. The continuation school in the United States. Arthur J. Jones.
- *No. 2. Agricultural education, including nature study and school gardens. James R. Jewell. 15 cts.
- †No. 3. The auxiliary schools of Germany. Six lectures by B. Maennel.
- †No. 4. The elimination of pupils from school. Edward L. Thorndike.

1908.

- †No. 1. On the training of persons to teach agriculture in the public schools. Liberty H. Bailey.
- *No. 2. List of publications of the United States Bureau of Education, 1867-1907. 10 cts.
- *No. 3. Bibliography of education for 1907. James Ingersoll Wyer, jr., and Martha L. Phelps. 10 cts.
- †No. 4. Music education in the United States: schools and departments of music. Arthur L. Manchester.
- *No. 5. Education in Formosa. Julian H. Arnold. 10 cts.
- *No. 6. The apprenticeship system in its relation to industrial education. Carroll D. Wright. 15 cts.
- *No. 7. State school systems: II. Legislation and judicial decisions relating to public education, Oct. 1, 1906, to Oct. 1, 1908. Edward C. Elliott. 30 cts.
- No. 8. Statistics of State universities and other institutions of higher education partially supported by the State, 1907-8.

1909.

- No. 1. Facilities for study and research in the offices of the United States Government in Washington. Arthur T. Hadley.
- No. 2. Admission of Chinese students to American colleges. John Fryer.
- *No. 3. Daily meals of school children. Caroline L. Hunt. 10 cts.
- †No. 4. The teaching staff of secondary schools in the United States: amount of education, length of experience, salaries. Edward L. Thorndike.
- No. 5. Statistics of public, society, and school libraries in 1908.
- *No. 6. Instruction in the fine and manual arts in the United States. A statistical monograph. Henry T. Bailey. 15 cts.
- No. 7. Index to the Reports of the Commissioner of Education, 1867-1907.
- *No. 8. A teacher's professional library. Classified list of 100 titles. 5 cts.
- No. 9. Bibliography of education for 1908-9.
- No. 10. Education for efficiency in railroad service. J. Shirley Eaton.
- *No. 11. Statistics of State universities and other institutions of higher education partially supported by the State, 1908-9. 5 cts.

1910.

- No. 1. The movement for reform in the teaching of religion in the public schools of Saxony. Arley B. Show.
- No. 2. State school systems: III. Legislation and judicial decisions relating to public education, Oct. 1, 1908, to Oct. 1, 1909. Edward C. Elliott.

- †No. 3. List of publications of the United States Bureau of Education, 1867-1910.
- No. 4. The biological stations of Europe. Charles A. Kofoid.
- No. 5. American schoolhouses. Fletcher B. Dresslar.
- †No. 6. Statistics of State universities and other institutions of higher education partially supported by the State. 1900-10.

1911.

- *No. 1. Bibliography of science teaching. 5 cts.
- No. 2. Opportunities for graduate study in agriculture in the United States. A. C. Monahan.
- *No. 3. Agencies for the improvement of teachers in service. William C. Duediger. 15 cts.
- *No. 4. Report of the commission appointed to study the system of education in the public schools of Baltimore. 10 cts.
- *No. 5. Age and grade census of schools and colleges. George D. Strayer. 10 cts.
- No. 6. Graduate work in mathematics in universities and in other institutions of like grade in the United States.
- *No. 7. Undergraduate work in mathematics in colleges and universities. 5 cts.
- *No. 8. Examinations in mathematics, other than those set by the teacher for his own classes. 5 cts.
- *No. 9. Mathematics in the technological schools of collegiate grade in the United States.
- †No. 10. Bibliography of education for 1900-10.
- †No. 11. Bibliography of child study for the years 1908-9.
- *No. 12. Training of teachers of elementary and secondary mathematics. 5 cts.
- *No. 13. Mathematics in the elementary schools of the United States. 15 cts.
- *No. 14. Provision for exceptional children in the public schools. J. H. Van Sickle, Lightner Witmer, and Leonard P. Ayres. 10 cts.
- *No. 15. Educational system of China as recently reconstructed. Harry E. King. 15 cts.
- No. 16. Mathematics in the public and private secondary schools of the United States.
- †No. 17. List of publications of the United States Bureau of Education, October, 1911
- *No. 18. Teachers' certificates issued under general State laws and regulations. Harlan Updegraff. 20 cts.
- No. 19. Statistics of State universities and other institutions of higher education partially supported by the State. 1910-11.

1912.

- *No. 1. A course of study for the preparation of rural-school teachers. Fred Mutchler and W. J. Craig. 5 cts.
- *No. 2. Mathematics at West Point and Annapolis. 5 cts.
- No. 3. Report of committee on uniform records and reports.
- No. 4. Mathematics in technical secondary schools in the United States.
- *No. 5. A study of expenses of city school systems. Harlan Updegraff. 10 cts.
- *No. 6. Agricultural education in secondary schools. 10 cts.
- No. 7. Educational status of nursing. M. Adelaide Nutting.
- †No. 8. Peace day. Fannie Fern Andrews. [Later publication, 1913, No. 12.]
- No. 9. Country schools for city boys. William S. Myers.
- *No. 10. Bibliography of education in agriculture and home economics. 10 cts.
- †No. 11. Current educational topics, No. I.
- †No. 12. Dutch schools of New Netherland and colonial New York. William H. Kilpatrick.
- *No. 13. Influences tending to improve the work of the teacher of mathematics. 5 cts.
- *No. 14. Report of the American commissioners of the international commission on the teaching of mathematics. 10 cts.
- †No. 15. Current educational topics, No. II.
- *No. 16. The reorganized school playground. Henry S. Curtis. 5 cts.
- *No. 17. The Montessori system of education. Anna T. Smith. 5 cts.
- *No. 18. Teaching language through agriculture and domestic science. M. A. Leiper. 5 cts.
- *No. 19. Professional distribution of college and university graduates. Bailey B. Burritt. 10 cts.
- *No. 20. Readjustment of a rural high school to the needs of the community. H. A. Brown. 10 cts.
- *No. 21. Urban and rural common-school statistics. Harlan Updegraff and William R. Hood. 5 cts.
- No. 22. Public and private high schools.
- *No. 23. Special collections in libraries in the United States. W. Dawson Johnston and Isadore G. Mudge.

- No. 24. Current educational topics, No. 111.
 †No. 25. List of publications of the United States Bureau of Education, 1912.
 †No. 26. Bibliography of child study for the years 1910-11.
 No. 27. History of public-school education in Arkansas. Stephen B. Weeks.
 *No. 28. Cultivating school grounds in Wake County, N. C. Zebulon Judd. 5 cts.
 *No. 29. Bibliography of the teaching of mathematics, 1900-1912. David Eugene Smith and Charles Goldziner. 10 cts.
 No. 30. Latin-American universities and special schools. Edgar E. Brandon.
 No. 31. Educational directory, 1912.
 No. 32. Bibliography of exceptional children and their education. Arthur MacDonald.
 †No. 33. Statistics of State universities and other institutions of higher education partially supported by the State. 1912.

1913.

- No. 1. Monthly record of current educational publications, January, 1913.
 *No. 2. Training courses for rural teachers. A. C. Monahan and R. H. Wright. 5 cts.
 *No. 3. The teaching of modern languages in the United States. Charles H. Handachin. 15 cts.
 *No. 4. Present standards of higher education in the United States. George E. MacLean. 20 cts.
 *No. 5. Monthly record of current educational publications, February, 1913.
 *No. 6. Agricultural instruction in high schools. C. H. Robinson and F. B. Jenks. 10 cts.
 *No. 7. College entrance requirements. Clarence D. Kingsley. 15 cts.
 *No. 8. The status of rural education in the United States. A. C. Monahan. 15 cts.
 No. 9. Consular reports on continuation schools in Prussia.
 No. 10. Monthly record of current educational publications, March, 1913.
 No. 11. Monthly record of current educational publications, April, 1913.
 *No. 12. The promotion of peace. Fannie Fern Andrews. 10 cts.
 *No. 13. Standards and tests for measuring the efficiency of schools or systems of schools. Report of the committee of the National Council of Education, George D. Strayer, chairman. 5 cts.
 No. 14. Agricultural instruction in secondary schools.
 *No. 15. Monthly record of current educational publications, May, 1913. 5 cts.
 *No. 16. Bibliography of medical inspection and health supervision. 15 cts.
 No. 17. A trade school for girls. A preliminary investigation in a typical manufacturing city, Worcester, Mass.
 *No. 18. The fifteenth international congress on hygiene and demography. Fletcher B. Dresslar. 10 cts.
 *No. 19. German industrial education and its lessons for the United States. Holmes Beckwith. 15 cts.
 No. 20. Illiteracy in the United States.
 †No. 21. Monthly record of current educational publications, June, 1913.
 No. 22. Bibliography of industrial, vocational, and trade education.
 *No. 23. The Georgia Club at the State Normal School, Athens, Ga., for the study of rural sociology. E. C. Branson. 10 cts.
 *No. 24. A comparison of public education in Germany and in the United States. Georg Kerchensteiner. 5 cts.
 *No. 25. Industrial education in Columbus, Ga. Roland B. Daniel. 5 cts.
 *No. 26. Good roads arbor day. Susan B. Sipe. 10 cts.
 *No. 27. Prison schools. A. C. Hill. 10 cts.
 No. 28. Expressions on education by American statesmen and publicists.
 No. 29. Accredited secondary schools in the United States. Kendrick C. Babcock.
 *No. 30. Education in the South. 10 cts.
 *No. 31. Special features in city school systems. 10 cts.
 No. 32. Educational survey of Montgomery County, Md.
 †No. 33. Monthly record of current educational publications, September, 1913.
 No. 34. Pension systems in Great Britain. Raymond W. Sies.
 *No. 35. A list of books suited to a high-school library. 15 cts.
 No. 36. Report on the work of the Bureau of Education for the natives of Alaska, 1911-12.
 No. 37. Monthly record of current educational publications, October, 1913.
 No. 38. Economy of time in education.
 No. 39. Elementary industrial school of Cleveland, Ohio. W. N. Hallmann.
 *No. 40. The reorganized school playground. Henry S. Curtis. 10 cts.
 No. 41. The reorganization of secondary education.
 *No. 42. An experimental rural school at Winthrop College. H. S. Browne. 10 cts.
 *No. 43. Agriculture and rural-life day; material for its observance. Eugene C. Brooks. 10 cts.

IV . BULLETIN OF THE BUREAU OF EDUCATION.

- *No. 44. Organized health work in schools. E. B. Hoag. 10 cts.
- No. 45. Monthly record of current educational publications, November, 1913.
- No. 46. Educational directory, 1913.
- No. 47. Teaching material in Government publications. F. K. Noyes.
- No. 48. School hygiene. W. Carson Ryan, Jr.
- No. 49. The Farragut School, a Tennessee country-life high school. A. C. Monahan and Adams Phillips.
- No. 50. The Fitchburg plan of cooperative industrial education. M. R. McCann.
- No. 51. Education of the immigrant.
- No. 52. Sanitary schoolhouses. Legal requirements in Indiana and Ohio.
- No. 53. Monthly record of current educational publications, December, 1913.
- No. 54. Consular reports on industrial education in Germany.
- No. 55. Legislation and judicial decisions relating to education, October 1, 1909, to October 1, 1912. James C. Boykin and William R. Hood.
- No. 56. Some suggestive features of the Swiss school system. William Knox Tate.
- No. 57. Elementary education in England, with special reference to London, Liverpool, and Manchester. I. L. Kandel.
- No. 58. Educational system of rural Denmark. Harold W. Fought.
- No. 59. Bibliography of education for 1910-11.
- No. 60. Statistics of State universities and other institutions of higher education partially supported by the State, 1912-13.

1914.

- No. 1. Monthly record of current educational publications, January, 1914.
- No. 2. Compulsory school attendance.
- No. 3. Monthly record of current educational publications, February, 1914.