

TITLE XII.
EDUCATION.

- Chap. 1....SCHOOL FUND.
 “ 2....SOCIETIES INCORPORATED.
 “ 3....PUBLIC SCHOOLS.
 “ 4....DEAF AND DUMB.
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CHAPTER 1.

SCHOOL FUND.

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| 1. Who trustees. | 5. Secretary, his duty. |
| 2. Fund, how applied. | 6. Treasurer to pay in advance, |
| 3. Investments and interest. | 7. And be reimbursed. |
| 4. Treasurer's annual statement. | |

An Act to constitute and appoint trustees for the security and management of the fund for the support of free schools. REV. 649, 660.
MAR. 8, 189.

Revision....Approved April 17, 1846.

1. BE IT ENACTED *by the Senate and General Assembly of the* Trustees. *State of New Jersey,* That the governor of this state, the president of the Senate, the speaker of the House of Assembly, the attorney general and the secretary of state, and their successors in office for the time being, be and they are hereby constituted and appointed trustees of the fund for the support of free schools in this state, by the name, style and title of “the trustees for the support of free schools,” arising either from appropriations heretofore made, or which may hereafter be made by law, or which may arise from the gift, grant, bequest or devise of any person or persons whatsoever.

2. *And be it enacted,* That the public stock and moneys heretofore appropriated by law, shall constitute the fund in the hands of the trustees appointed by the first section of this act, and shall be held by the said trustees and their successors in office, for the time being, in trust; the interest and dividends arising therefrom to be applied by the said trustees, or a majority of them, and by their successors for the time being, for the support of free schools in this state, in the mode now prescribed or hereafter to be prescribed by any act or acts of the legislature, and for no other use or purpose whatsoever.

3. *And be it enacted,* That the fund above mentioned, together

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CHAP. I. §

Investments,
and the in-
terest.

with all moneys which shall be received by the treasurer, in payment of the principal or interest of the bank or turnpike stock belonging to the fund for the support of free schools, all the taxes which may hereafter be received into the treasury from any of the banking, insurance, or other incorporated companies in this state, the capital stock of which now is, or hereafter may be liable by law to be taxed, all appropriations to the said fund, made or to be made by any law of this state, and the amount of all gifts, grants, bequests or devises hereafter made by any person or persons to the said trustees, for the purposes contemplated by this act, shall be invested by the treasurer of this state, under the direction of the said trustees, or a majority of them, in public stock or on private security, the interest thereof to be applied to the support of public schools, in the mode which now is, or may hereafter be directed by law, and to no other use or purpose whatsoever; *provided*, that the trustees shall have power, until otherwise directed by the legislature, to put out to use, with sufficient security, all moneys in the fund, whether principal or interest, and the legislature reserve the power to change the existing fund in their hands, for any public stock, which in their opinion would be more productive, and an account of the management of the said fund shall be laid before the legislature, with the annual statement of the treasurer's accounts; *and provided*, that for no services to be performed, either by the said trustees or treasurer in pursuance of the directions of this act, shall any compensation be required.

Proviso.

Treasurer's
annual state-
ment.

4. *And be it enacted*, That the treasurer of this state shall annually make and furnish to the board of trustees for the support of free schools, on the first day of the stated annual meeting of the legislature, and at such other times as the majority of said trustees shall require the same, a particular statement of the school fund, containing an account of the stocks and all other securities belonging to said fund, with the dates of investment, their value and the interest arising from each denomination of stock and other securities, together with an account of moneys in the treasury belonging to said fund.

Secretary,
his duty.

5. *And be it enacted*, That the secretary of state, and his successor in office, for the time being, be and he is hereby constituted and appointed secretary of the said board of trustees, whose duty it shall be to record, in a book to be kept for such purpose, the proceedings of the said board, and the accounts to be furnished by the treasurer as herein before directed.

Treasurer to
pay in ad-
vance of re-
ceipts.

6. *And be it enacted*, That the said trustees shall, on or before the first day of March, in every year hereafter, cause to be invested for the benefit of said fund, an amount, as near as may be, equal to

the estimated receipts into the treasury on account of the same, during such year, to be advanced by the treasurer. TITLE XII.
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7. *And be it enacted*, That the treasurer shall pay the moneys to be invested as aforesaid, upon a warrant to be drawn by the governor or person administering the government, for that purpose, and the amount of all such advances shall be repaid to the treasury out of the moneys received on account of the school fund, from time to time, during the present or any other year wherein such investment shall be made in advance as aforesaid. To be reim-
bursed.

CHAPTER 2.

SOCIETIES INCORPORATED.

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| <ol style="list-style-type: none"> 1. First trustees elected. 2. Corporate name and powers. 3. Officers elected. 4. Annual election of trustees. 5. Annual report. 6. Library companies. | | <ol style="list-style-type: none"> 7. Orders and regulations of. 8. Same, of associations. 9. Of the minutes and property. 10. Failure to elect trustees. 11. Property continue vested. 12. Capital stock. |
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An Act to incorporate societies for the promotion of learning.

REV. 154, 751.
HAR. 157, 406.
1838-9.
PAMPH. 97.
1845.
PAMPH. 204.

Revision....Approved April 16, 1846.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That each and every association of persons in this state for the promotion of learning, which now or hereafter may be, are hereby authorized and empowered, respectively, to meet together, at their usual place of meeting, at any time hereafter by them to be agreed upon, giving at least ten days notice of the time and purpose of meeting, by an advertisement, set up in some conspicuous place in the neighbourhood where the said association may be formed, and being so met, shall, by plurality of voices of the persons so associated and met, elect any number of their said association, not exceeding seven, to be trustees of the same; which said trustees and their successors are hereby constituted a body politic and corporate, in fact, name and law, to all intents and purposes, for ever, by whatever name the said trustees, elected as aforesaid, shall take and assume in the manner hereinafter directed, and by that name they shall have perpetual succession. First trus-
tees, how
elected.

Incorporat-
ed.

2. *And be it enacted*, That the trustees of any association, elected as aforesaid, upon taking on themselves any name, and certifying the same under their hands and seals, and causing such certificate to be recorded in the clerk's office of the county in which such Corporate
name and
powers.

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association shall be formed, such trustees, and their successors for ever, shall be known and distinguished in law, in all cases whatsoever, by the name they shall have so taken and recorded, as fully, to all intents and purposes whatsoever, as though they were herein particularly named and constituted; and by such name they respectively shall, for ever thereafter, be authorized, in law, to purchase, take, hold, receive and enjoy, any lands, tenements or hereditaments, in fee-simple or otherwise, by the gift, alienation or devise of any person or persons able to grant or devise the same; and also goods, chattels, legacies and donations granted and given to the said association, of which they shall be trustees as aforesaid, of what kind or quality soever, so that the yearly value of the same doth not exceed four thousand dollars; and also, that the said trustees of each respective association, as aforesaid, and their successors by the name assumed and recorded as aforesaid, shall and may grant, convey, assign and sell, or otherwise dispose of, all or any of their lands, tenements or hereditaments, goods, chattels and personal estate whatsoever as to them shall seem meet; and also, that the said trustees of each respective association as aforesaid, and their successors, by the name to be taken and recorded as aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all courts of judicature whatsoever; and also, that the said trustees of each respective association as aforesaid, and their successors, shall and may make, and for ever thereafter have and use a common seal, with such device or devices, as they shall think proper, for sealing all and singular deeds, contracts and other writings, touching and concerning the said corporation, and may, as often as they shall think fit, alter and new make the same, or any other their common seal.

President
and officers
elected.

3. *And be it enacted*, That it shall and may be lawful for the trustees, elected for each respective association as aforesaid, and their successors, from time to time, as they may find it necessary or expedient, to choose a president, being one of the said trustees, and such other officers and assistants as may be requisite for the keeping and preserving of the goods and chattels, moneys, books, charters, deeds, writings and accounts of the said corporation; which said president shall keep in his custody the common seal, and shall have power from time to time, and at all times hereafter as occasion may require, to call a meeting of the said trustees, at such convenient place in the neighbourhood of the association, as he shall think proper, for the execution of all or any of the powers hereby given them; and in case of sickness, absence or death of the president, all the powers hereby in him vested, shall vest and remain

in the senior trustee on record, until the recovery or return of the president, or until a new president shall be chosen, as aforesaid. TITLE XII
CHAP. 2.

4. *And be it enacted*, That the trustees of each and every association incorporated under this act, and all such as shall be hereafter incorporated under said act, shall be elected annually on the third Tuesday of April, of each and every year, by the members of the said association, at the usual place of meeting of said association, or such other time or place as the board of trustees shall from time to time order and direct; six days notice of the time, place and purpose of the meeting shall be given by the board of trustees, by an advertisement set up in some conspicuous place in the neighbourhood of said association; but vacancies happening during the year, that is, between the annual elections, by death, resignation or otherwise, may be filled by the remaining trustees, at a regular meeting of the board; *provided*, that no person shall be admitted to vote for trustees, unless he or she shall have been duly admitted a member of said association, by a majority of the trustees, for the time being, and shall have paid to the said trustees, for the use of the association, at least three dollars; and that a majority of the members present, at each and every annual meeting, shall choose the trustees. Time and manner of electing trustees.
Vacancies filled.
Who may vote.

5. *And be it enacted*, That it shall be the duty of the board of trustees to lay before the associates, at each and every annual meeting, the state of the institution, the situation of the funds, and the accounts and transactions of the preceding year, previous to the election of trustees. Annual report.

6. *And be it enacted*, That this act, and every article and clause, the eighth section thereof excepted, shall extend unto and operate as an incorporating act for all library companies that now are, or shall hereafter be formed in any of the counties of this state, and which have not been already incorporated, previous to the eleventh day of November, one thousand seven hundred and ninety-nine. Library companies included.

7. *And be it enacted*, That the trustees, or heads of each associated library company, as aforesaid, and their successors, shall have full power and authority to make all such necessary and useful orders and regulations not inconsistent with the laws of this state, for the well ordering and governing the said library companies, and for promoting the interests thereof, as to them may seem proper; *provided always*, that there be a majority of the whole number of trustees present and agreeing, in order to make valid any such order, regulation, vote or proceeding. Orders and regulations of library companies.
Proviso.

8. *And be it enacted*, That the said trustees of each respective association, as aforesaid, and their successors, shall have full power and authority to make all such necessary and useful orders and Of associations.

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regulations (not inconsistent with the laws of the state) as to them may seem meet and proper, for promoting the cause of learning in the seminary under their superintendence, as well with respect to discipline, as to the different branches of education to be used therein; *provided nevertheless*, that there be a majority of the whole number of the said trustees present and agreeing, in order to make valid any such order, regulation, vote or proceeding.

Proviso.

Minutes kept.

Property delivered over.

9. *And be it enacted*, That all the proceedings of the trustees of each and every association, as aforesaid, shall, from time to time, be fairly entered in a book or books to be provided and kept for that purpose; which book or books, together with the common seal, and all moneys, charters, deeds, accounts and writings whatsoever, appertaining to the association, shall, upon the decease, resignation or removal of the former president, or other person having the custody of them, or any of them, be delivered to, or go over unto the next successor in office, to be kept and preserved for the use and benefit of the said association.

Failure to elect trustees, not to dissolve corporation.

10. *And be it enacted*, That no association of persons, in this state, for the promotion of learning, which has heretofore or shall hereafter become a body politic and corporate in law, under the provisions of this act, shall be considered as dissolved, for or by reason of its neglecting or failing, or having neglected or failed, to elect trustees yearly and every year, on the day designated by law; and any trustees that may heretofore have been, or that may hereafter be duly elected trustees of any such association, shall continue in office until others shall be duly elected in their place, with all the rights, powers, privileges and duties vested in and devolving upon trustees duly elected, yearly and every year, on the day designated by law.

Property to continue vested.

11. *And be it enacted*, That any property, whether real or personal, which any association, incorporated as aforesaid, may lawfully have acquired, by gift, alienation, devise or otherwise, shall continue to be vested in and held by such association, in their corporate name, notwithstanding such association may have neglected or failed to elect, annually, trustees, as provided for by law, on the day when by law they ought to have been elected, as fully, to all intents and purposes, as if such association had elected trustees yearly and every year, on the day appointed by law, from the time of its incorporation.

Capital stock may be created.

12. *And be it enacted*, That it shall and may be lawful for any association incorporated under and by virtue of this act, with the consent in writing of all the members thereof, by their articles of association, to create a capital stock of not more than thirty thousand dollars, divided into shares of not more than fifty dollars each,

and to provide that such shares shall be personal estate, and assignable and transferable in such manner, and according to such rules, as the said association shall adopt; and that the owner or holder of each share shall be a member of such association, and entitled, at all meetings thereof, to give one vote, either in person or by proxy, for every such share by him or her owned or held; and that no person, other than the owners or holders of such shares, shall be admitted as members of such association, or entitled to vote at the meetings thereof; *provided*, that if the legislature shall at any time hereafter, alter or repeal this section, any association which shall have been incorporated, or shall have acted under or by virtue of the same, shall be subject to, and bound by such alteration or repeal.

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CHAPTER 3.

PUBLIC SCHOOLS.

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| <ol style="list-style-type: none"> 1. Annual appropriation. 2. To counties. 3. To townships. 4. Townships to raise money. 5. Town superintendent elected. 6. Notice of district meetings. 7. District trustees elected. 8. Examiners elected. 9. Duties of district trustees. 10. Of town superintendent. 11. Free schools established. | <ol style="list-style-type: none"> 12. Of particular schools. 13. Annual township report. 14. State superintendent. 15. To prepare forms. 16. Town superintendent's compensation. 17. Of school districts. 18. Selection of books. 19. Names of officers to be reported. 20. Moneys, how applied. 21. State superintendent's term. 22. Penalties, collected and applied. |
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An Act to establish public schools.

1846.
PAMPH. 164.

Approved April 17, 1846.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That it shall be the duty of the trustees of the school fund of this state, for the time being, on or before the first Monday of April next, and on or before the first Monday of April in every year thereafter, to appropriate out of the annual income of said fund for the support of public schools the sum of thirty thousand dollars; and if the annual income of said fund shall not have been received in full, or shall be insufficient for that purpose, then the said trustees are hereby authorized and empowered to draw for any sum necessary to make up the deficiency, by warrant signed by the governor, upon the treasurer of the state, who is directed to pay the same; which sum so drawn from the treasury as aforesaid, shall be replaced by the annual income of said school fund, so soon as the same shall be received.

\$30,000 to be appropriated annually.

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CHAP. 3.Trustees to
make appor-
tionment.Annual re-
port to the
legislature.Board of cho-
sen freehold-
ers to make
apportion-
ment to
townships.

How paid.

Amount to
be raised by
town meet-
ing.Town super-
intendent
to be elect-
ed.

2. *And be it enacted*, That as soon as the said appropriation shall be made, it shall be the duty of the said trustees to apportion the same among the several counties of this state, in the ratio of the last taxes paid for the support of the government of this state by the said counties, respectively, a true list of which apportionment shall be made out and filed with the treasurer, whose duty it shall be forthwith to give notice in writing to the collectors of the several counties, of the sum apportioned to each county, and the said collectors shall thereupon have power to draw for the same ; and it shall also be the duty of the trustees of the school fund to prepare and submit to the legislature an annual report, containing estimates and accounts of expenditures of all moneys appropriated by them, together with such other matters connected with the school fund as they shall deem advisable.

3. *And be it enacted*, That the boards of chosen freeholders in the several counties of this state shall, at their annual meetings in each year, apportion among the several townships in their respective counties the money so as aforesaid received from the treasurer, in the ratio of the county tax paid by the several townships, a true list of which apportionment shall be filed by the clerk of the said board, and a duplicate copy thereof filed with the county collector ; and it shall be the duty of the clerks of the said boards of chosen freeholders, respectively, as soon as such apportionment shall be made and filed as aforesaid, to give notice in writing to the collectors of the several townships in their respective counties of the amount so apportioned to the respective townships ; and it shall be the duty of the said township collectors, on the receipt of such notice, to draw upon the county collector for the same.

4. *And be it enacted*, That the inhabitants of the several townships in this state are hereby authorized, empowered, and required, at their annual town meetings, to raise, by tax or otherwise, in addition to the amount so apportioned to their use, such further sum or sums of money as they may deem proper for the support of public schools, at least equal to and not more than double the amount of such apportionment.

5. *And be it enacted*, That the inhabitants of the several townships in this state are hereby authorized and empowered, at their annual town meetings, to elect and choose, in the same manner as other township officers are elected, one suitable person, who shall be denominated a town superintendent of public schools for the respective townships, whose duty it shall be, on or before the second Monday in May next succeeding, to set off and divide their respective townships into convenient school districts, with power to alter and change them, as circumstances may require ; and in case

a district can be more conveniently formed of parts of two or more adjacent townships or counties, it shall be lawful for the town superintendents of such adjacent townships to make such division. TITLE XII.
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6. *And be it enacted*, That it shall be the duty of the town superintendent in each township, within twenty days after the school districts shall have been set off and divided as aforesaid, to prepare a notice in writing, describing such districts, and appointing a time and place for the first district meetings, a copy of which notice shall be set up in three of the most public places within each of the said districts, at least ten days previous to the time of such meeting; and that district meetings shall be held annually, on the first Monday of April thereafter, of the time and place of which annual meeting ten days notice in writing shall be given by the town superintendent. Notice to be given of district meetings.

7. *And be it enacted*, That it shall be lawful for the taxable inhabitants of the several school districts in this state, when assembled in pursuance of the notice given as aforesaid, to elect, by a plurality of votes, three or more discreet persons, who shall constitute the trustees for the respective districts, and who shall hold and exercise their offices for one year and until others are duly elected; and the said trustees may resolve and determine how many months in the year a school shall be kept and maintained within their respective districts, and may also designate a site for the district school-house. District trustees to be elected.

8. *And be it enacted*, That it shall be the duty of the board of chosen freeholders in each of the several counties of this state, at their annual meetings, to elect and choose two persons, citizens of said county, who shall constitute a board of examiners and visitors in and for said county, whose duty it shall be to meet at such times and places as the said board of examiners shall determine and appoint, and, in common with the town superintendents of the respective townships, to examine and license, by certificate under their hands and seals, suitable persons as teachers of public schools within said county, having regard always to their scholarship and moral character; which license shall be restricted to the county where the same may be given, but may be revoked and renewed at the pleasure of the board of examiners; and that the members of the said board of examiners shall receive, as a compensation for their services, the sum of one dollar for each and every day by them actually employed in the duties of their office, to be paid to them by the county collector; and in case the board of chosen freeholders of any county shall neglect to appoint examiners as aforesaid, then it shall be the duty of the town superintendent of each and every township in such county to examine such teachers, Chosen freeholders to elect examiners.
Licensing of teachers.
Compensation.

TITLE XII.
CHAP. 3.

Duties of
district trus-
tees.

and give such license as aforesaid; and no teacher shall be entitled to receive any amount of public money, unless possessed of a license.

9. *And be it enacted*, That it shall be the duty of the trustees of the several school districts in the state, as soon as may be after their election as aforesaid, to provide a suitable house or room, where a school shall be taught, and to contract with and employ a competent teacher, having a certificate of license for such county, and to pay the wages of such teacher, as far as the same shall be paid out of the public money or money appropriated by the township, by an order in writing, signed by them, or a majority of them, stating the purpose for which it is given, and in favour of the one entitled to receive it; and it shall also be the duty of the said trustees, within twenty days after their election, to make out a list of the children capable of attending school between the ages of five and sixteen years, within their said districts, together with the names of the parents or guardians of such children, and to transmit the same to the town superintendent of the township of which such district forms a part; and in case the trustees shall neglect or refuse to render such report, they shall be subject, respectively, to a penalty of ten dollars for each and every neglect.

Duties of
town super-
intendent.

10. *And be it enacted*, That it shall be the duty of the town superintendents in the several townships of this state, upon the receipt of the lists of children within the respective districts, transmitted to him as aforesaid, to apportion the money received by their respective township collectors as herein before provided for, and also, all other moneys which may be raised by their respective townships for the support of public schools, among the several school districts so as aforesaid formed, in the ratio of the number of children capable of attending school, between the ages of five and sixteen years, in each district, a true list of which apportionment shall be made out, and a copy thereof filed with the trustees of the respective townships; it shall also be the duty of the town superintendent in each and every township, within ten days after his appointment, to receive from the town collector all moneys appropriated to school purposes, and who shall also enter into a bond to the inhabitants of said township, in their corporate name, with two good and sufficient securities, being freeholders and resident in said township, to be approved by the township committee; and the said town superintendent to pay over no money so appropriated as aforesaid, except upon the written order of the trustees, or a majority of them, which order shall state the purpose for which it is given, and be made payable to the order of the person entitled to receive the money, and endorsed by him; and the township

collector is hereby authorized to pay over to the person so appointed town superintendent, all the money which he may receive, either from the county collector or collected by himself, and take a receipt therefor, which shall be sufficient evidence of such payment.

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11. *And be it enacted*, That it shall and may be lawful for the trustees of two or more of the school districts in any township, city, or borough of this state, to unite and consolidate the respective quotas of the school money apportioned to them, for the purpose of establishing one or more free schools in said township, city, or borough; which school or schools, so determined upon, shall be under the supervision of the town superintendent, whose duty it shall be to determine what pupils shall be admitted, and upon what terms, and in general to discharge the office of trustees of such school or schools.

Free schools
may be esta-
blished.

12. *And be it enacted*, That where the patrons or proprietors of any school already organized and established under the care of any religious society or denomination of christians, whose church discipline provides for the establishment of schools and the appointment of trustees, are unwilling to relinquish such school, and become subject to all the provisions of this act, it shall be the duty of the trustees of said school to transmit to the town superintendent of their respective townships a certificate of their organization, together with a list of the children of such patrons and proprietors, between the ages of five and sixteen years, who are capable of attending school; whereupon every such school shall be entitled to receive its just and ratable proportion of the money assigned to said township out of the income of the school fund, and of such additional sum as may be raised or appropriated by said township for the support of public schools; which apportionment shall be made by the town superintendent of the respective townships, and a copy thereof filed with the township collector, whose duty it shall be to pay to the trustees of said school their just proportion of such moneys, for the use and benefit of said school.

Patrons, etc.,
of organized
schools to
receive rata-
ble propor-
tion of mone-
y assigned
to township.

13. *And be it enacted*, That it shall be the duty of the town superintendent, in each and every township in this state, to visit every school in said township, at least once in every quarter, to examine into the condition of the same, to advise and consult with the trustees and teachers, and cause the result of such visit to be entered upon a book to be kept for that purpose in each and every school, and to make out a report in writing, and to transmit the same to the state superintendent of common schools, on or before the fifteenth day of December, in each and every year, of the state and condition of the schools within their respective townships, the

Town super-
intendent to
make annual
report.

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CHAP. 3.

Penalty for
neglect or
refusal.

number of scholars taught therein, the terms of tuition, the length of time the school has been kept open therein, the amount of money received by him, and the manner in which it has been appropriated and expended, together with such other information as he may think necessary or may be required by the state superintendent, a copy of which report shall be read at the next annual town meeting; and in case the said town superintendent shall neglect or refuse to make such report, he shall incur the penalty of ten dollars: the town superintendent of each and every township shall, within ten days after the expiration of his office, render to his successor in office a just and true account in writing of all school moneys received by him before the time of rendering such account, and of the manner in which the same has been appropriated and expended by him; and the account so rendered shall be delivered by such successor to the town clerk, to be filed in his office, and recorded by him in a book to be kept for that purpose; and if, on rendering such account, any balance shall be found remaining in the hands of the town superintendent, the same shall immediately be paid over by him to his successor in office: every town superintendent who shall refuse or neglect to render such an account as is above required, or neglect or refuse to pay over any balance in his hands, shall forfeit for each offence the sum of fifty dollars.

State super-
intendent,
his powers
and duties.

14. *And be it enacted*, That there shall be a state superintendent of public schools, whose duty it shall be to see that the laws respecting public schools are faithfully executed, and the moneys appropriated for their support fairly applied, to ascertain from examination, and suggest from experience, such amendments or alterations in the school law as may be required, to visit the different counties, and as far as practicable the different towns, and consult and advise with the county examiners, visitors, and town superintendents thereof, and, on or before the fifteenth day of January, in each and every year, to make a written report to the legislature, containing a statement of the condition of the public schools throughout the state, and such other matters as he may deem expedient; *provided*, that the provisions of this section shall not extend to any county in this state until the board of chosen freeholders of such county, desirous to come under the provisions of the same, shall first give notice to the trustees of the school fund of such desire; and upon and after the receipt of such signification by the secretary of state, the provisions of this section shall apply to and extend to such county.

State super-
intendent to
prepare
forms, etc.

15. *And be it enacted*, That it shall be the duty of the state superintendent of common schools to prepare suitable forms and regulations for making all reports and conducting all proceedings

prescribed by law in relation to public schools, together with a copy of all the acts in relation thereto, and to transmit the same, with such suggestions as he shall deem necessary and proper for their better organization and government, to the town superintendents of the several townships throughout the state; and the trustees of the school fund are hereby authorized to allow such sum as they may deem just and reasonable, as a compensation for the labour and expense attending the same, which sum shall be paid by the treasurer, on the order of the governor, out of any money in the treasury not otherwise appropriated.

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CHAP. 3.

16. *And be it enacted*, That the said town superintendents shall receive, as a compensation for the services required of them by this act, the sum of one dollar per day, to be paid to them by the township collector, out of the funds of the township; *provided*, that no compensation shall be paid by the said township collector, until the said town superintendents shall produce an acknowledgment of the state superintendent that he received from them a copy of the report required to be made by the preceding section of this act.

Compensation to town superintendents.

17. *And be it enacted*, That in the erection or alteration of a school district, the trustees of any district to be affected thereby, may apply to the township committee to be associated with the town superintendent, and their action shall be final.

Erection and alteration of school districts.

18. *And be it enacted*, That it shall be the duty of the trustees, together with the town superintendent, to select such books as they shall deem proper to be introduced into the several schools of said township or district.

Trustees and superintendent to select books.

19. *And be it enacted*, That it shall be the duty of the clerk of the several boards of chosen freeholders in this state, to report to the state superintendent the names and residences of the persons appointed visitors and examiners in the different counties; and it shall also be the duty of the town clerk in each township in this state, to report to the state superintendent the name and residence of the person elected as town superintendent, within ten days after such election.

Names of examiners and town superintendent to be reported to state superintendent.

20. *And be it enacted*, That all moneys received by the town superintendent shall be applied exclusively to the purposes of education.

Moneys, how applied.

21. *And be it enacted*, That the state superintendent of common schools shall be appointed by the trustees of the school fund, and shall hold his office for two years.

Term of office of state superintendent.

22. *And be it enacted*, That all the penalties imposed by the provisions of this act, shall be enforced and collected by the township committee of the several townships in this state, and applied for the benefit of public schools in said townships.

Penalties, how collected and applied.

23. *And be it enacted*, That this act shall go into effect immediately.

When act to take effect.

CHAPTER 4.

DEAF AND DUMB.

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| <ul style="list-style-type: none"> 1. Annual appropriation for. 2. Term of instruction. 3. Age of pupils admitted. 4. Governor to decide on applications. 5. Annual allowance for each pupil. | | <ul style="list-style-type: none"> 6. When part expense only allowed. 7. Of deaf and dumb poor. 8. Not bound out unless instructed. 9. To whom act applies. 10. Allowance may be withdrawn. |
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HAR. 3, 128,
314.
1837-8.
PAMPH. 82.

An Act for the instruction of indigent deaf and dumb persons, inhabitants of this state.

Revision....Approved April 10, 1846.

Annual ap-
propriation
for.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That a sum not exceeding five thousand dollars, be appropriated annually, out of any moneys in the treasury not otherwise appropriated, to be applied under the direction of the governor or person administering the government, for the instruction or placing for instruction, in some suitable and convenient institution established for that purpose, such indigent deaf and dumb persons, inhabitants of this state, as may be selected under this act.

Term of in-
struction.

2. *And be it enacted*, That the term of instruction may extend to five years, and indigent deaf and dumb persons who may have been under instruction for three or four years, under acts of the legislature, may be readmitted for the residue of the term hereby allowed, on making application in the same manner and under the same limitations, (except with respect to age) as is hereinafter provided in the case of other indigent deaf and dumb persons; *provided*, that no one person shall be under instruction at the expense of the state for more than five years in all.

Age of pu-
pils.

3. *And be it enacted*, That hereafter, all applicants for the benefit of the provisions of this act, shall be of the age of twelve and under the age of twenty years; *provided however*, that the governor or person administering the government, shall have discretionary power, when he may deem it equitable and expedient, to admit upon the list of pupils instructed at the expense of the state, applicants in other respects suitable, who may be over twenty years of age; such persons not to continue on the list for a longer term than two years, unless they shall be recommended at the close of said term of two years, by the principal of the institution to which they may have been sent, as being capable of making good progress in the acquisition of written language, in which case, such persons may be continued for the full term of five years.

Governor to
decide on
applications.

4. *And be it enacted*, That the governor or person administering the government, shall have the power to receive and decide

upon all applications for the benefit of the legislative provisions, made or to be made for the instruction of indigent deaf and dumb persons, inhabitants of this state, provided such application be accompanied by the certificate of any two respectable individuals, attested before a magistrate, to the age, circumstances and capacity of the deaf mute, in whose behalf such application may be made.

5. *And be it enacted*, That the annual expense for each deaf mute instructed at the charge of the fund created by this act, shall not exceed the sum of one hundred and thirty dollars; unless the governor or person administering the government, shall be satisfied that the means of such deaf mute, or those of his or her parents or guardians are insufficient to keep such deaf mute supplied with suitable clothing, during his or her term of instruction; in which case, clothing may be supplied at the charge of said fund, at an expense not exceeding thirty dollars in any one year for any one pupil so supplied.

Annual allowance for each pupil.

6. *And be it enacted*, That whenever the governor or person administering the government, shall be satisfied that the resources of any deaf mute applying for the benefit of the fund aforesaid, or those of his or her parents or guardians, are sufficient to defray a part of the expense of instructing such deaf mute, but not sufficient to defray the whole expense, then the governor or person administering the government aforesaid, may cause to be paid out of the said fund, such proportion as to him may seem just and equitable of the annual expense of educating such deaf mute, subject to all the other regulations and limitations prescribed in the case of applicants wholly indigent.

When part of expenses allowed.

7. *And be it enacted*, That whenever any uneducated deaf and dumb persons entitled to the benefit of the fund aforesaid, shall become a legal charge upon the overseers of the poor of any township in this state, it shall be the duty of such overseers to make immediate application in behalf of such deaf and dumb person, in the manner herein before prescribed; and if such deaf and dumb person shall be placed in an institution for instruction, at the charge of the fund aforesaid, then the expense of conveying him or her to and from the institution, and of supplying him or her with suitable clothing during his or her term of instruction, shall be defrayed by such township.

Of deaf and dumb poor.

8. *And be it enacted*, That from and after the passing of this act, no person under seventeen years of age, either totally deaf, or so deaf as to be unable to learn to read in ordinary schools, shall be indentured as an apprentice, before such deaf person shall have been taught to read; and any indenture made in contravention to

Not bound out, unless able to read.

TITLE XII. the provisions of this section, shall be voidable by the said apprentice
 CHAP. 5. —————
 or by some person acting by or in behalf of said apprentice.

To whom act applies. 9. *And be it enacted*, That this act may be construed to apply to persons who are only partially deaf, if so deaf as to be unable to learn to read in ordinary schools, and to persons who may have lost their hearing before learning to read, though still able to speak, as well as to persons who are both deaf and dumb; but shall not be construed to apply to persons become deaf, who may have learned to read before they became deaf, unless such persons may have afterwards lost by disease the ability to read.

Governor may withdraw the allowance. 10. *And be it enacted*, That the governor or person administering the government, shall have power to erase the name of any deaf and dumb person from the list of those instructed at the charge of the fund created as aforesaid, for the instruction of the indigent deaf and dumb of this state, if it shall appear that such person was improperly admitted to share in the benefit of said fund, not having the requisite qualification, or if such deaf and dumb person shall, after a fair trial, be found incapable of instruction; and for that purpose it shall be the duty of the governor or person administering the government, to request the principals of the institutions to which such deaf and dumb persons shall be sent, to transmit to him every six months, statements in writing, of the progress in learning and general standing of each pupil supported in whole or in part by this state.

Semi-annual statement required.

CHAPTER 5.

BLIND.

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| 1. Appropriation for. | | 2. Term of instruction. |
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An Act to provide for the instruction of indigent blind persons, inhabitants of this state.

1835-6.
 PAMPH. 305.
 1842-3.
 PAMPH. 59.

Revision....Approved April 10, 1846.

Annual appropriation for. 1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*, That a sum not exceeding four thousand dollars be appropriated annually, out of any moneys in the treasury not otherwise appropriated, to be applied under the direction of the governor or person administering the government, for the instruction or placing for instruction, in some suitable or convenient institution established for that purpose, such indigent blind persons, inhabitants of this state, as may be duly recommended to him by the board of chosen freeholders of the county in which such indigent

How to be recommended.

blind person may reside, stating that said blind person is in such indigent circumstances as to be unable from their own resources, or those of their parents or guardians, to obtain instruction for themselves, and is of good natural capacity; *provided*, each person so to be instructed shall have attained the age of six years; *and* ^{Age.} *provided also*, the amount per annum for any one individual shall not exceed the sum of two hundred dollars; *provided further*, that if the said sum of four thousand dollars herein appropriated shall not be used or exhausted in any one year, then the balance may be applied to the purposes mentioned in this act, in any subsequent year or years, in addition to the appropriation for such subsequent year or years.

2. *And be it enacted*, That the term of instruction allowed, may ^{Term of in-} extend to any time not exceeding eight years, at the discretion of ^{struction.} the governor or person administering the government of this state; and indigent blind persons, inhabitants of this state, who may have been under instruction for five years only under the law of this state, may be readmitted for the residue of the term hereby allowed, whenever the governor or person administering the government of this state, shall receive a written communication signed by the principal and one or more of the directors of the institution, in which such indigent blind persons are placed, setting forth that such blind persons are capable of making good progress in the acquisition of knowledge, and recommending their readmission to such institution.

TITLE XII.
CHAP. 5.