

the same, and the interest and dividends, or any part thereof upon her check, order, receipt or demand, without the concurrence of her husband, and such payment shall exonerate and discharge the said corporation from any further liability by reason thereof.

Deposit may be paid to minor who acquired same by his own labor.

67. SEC. 2. That it shall hereafter be lawful for any savings bank incorporated by special statute or under the general statutes of this state, at its discretion to pay to any depositor, being a minor, and orphan or half orphan, who made the deposit or deposits personally, and who acquired said deposits by his or her own labor, and who supports himself or herself by his or her own labor, and has no guardian by appointment of the surrogate or testamentary guardian; such sum as may be due to such depositor, and the receipt or acquittance of such minor shall be as valid as though the same were made by his or her guardian by appointment.

Schools.

I. STATE BOARD OF EDUCATION.

1. Constitution of board of education.
2. Their power and duty.
3. No compensation; expenses paid.
- 4 To report annually to legislature.

II. STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.

5. How elected, term, salary.
6. Office, where.
7. Duties.
8. Shall exercise sundry duties ex officio.
9. Have supervision of schools.
10. Apportion state school moneys.
11. Shall withhold appropriation, when.
12. To prepare forms of reports, etc.
13. Decide disputes.
14. Preserve books, apparatus, etc.
15. File reports, etc.
16. Official seal.
17. Make yearly report to board of education.
18. Deliver to successor seal, etc.
- 18a. May cause withholding of salary of county superintendents, &c.

III. COUNTY SUPERINTENDENTS.

19. How appointed, term of office.
- 19a. Appointment subject to approval of board of freeholders.
20. County superintendent's salary.
- 20a. Expenses to be paid.
21. County superintendent to apportion money among townships.
22. And school districts.
23. And shall issue orders therefor.
24. Shall license teachers, fix boundaries, etc.
25. When he may appoint trustees.
26. When he may withhold appropriation.
27. Shall examine candidates for state scholarships, &c.
28. Give opinion in disputes.
29. State association of superintendents.
30. Annual reports of superintendents.

IV. SCHOOL TRUSTEES.

31. Trustees, how elected.
- 31a. Township board, when to meet.
32. Trustees for how long.
33. New districts.
34. Shall elect district clerk.
35. His duties.
36. Census of children.
37. Repairs, supplies, etc.

38. Names of district and incorporation.
39. Duties of trustees.
40. Township board of trustees.

V. TEACHERS.

41. Teachers to keep register.
42. Teachers to made report.
43. When not entitled to salary.
44. School month.
45. Power of teachers to suspend pupil.
46. Compensation of teacher when dismissed.

VI. PUPILS.

47. Duties of pupils.

VII. BOARD OF EXAMINERS.

48. State board of examiners, constitution and duty of.
49. County board of examiners, constitution and duties of.
50. City board, constitution and duties of.

VIII. SCHOOLS.

1. STATE NORMAL SCHOOL.

51. School for training teachers.
52. Trustees of Normal school.
53. Expenses paid, but no compensation.
54. Powers and duties of trustees.
55. Number of pupils and conditions of admission.
- 55a. Further requisite to admission and scholarship fund.
56. Examination of applicants.
57. Quota of one county filled from others.
58. Further duties of trustees.
59. Model school.
60. Appropriation.
- 60a. School year when to end.

2. GRADED SCHOOLS.

61. Establishment of graded schools.

3. DISTRICT SCHOOLS.

62. Building to be provided.
63. Districts not keeping school five months denied share of school appropriation.
64. School year.

IX. REVENUE AND APPORTIONMENT.

1. STATE APPROPRIATIONS.

65. Trustees for the support of public schools.
66. Funds, what and how supplied.
67. Riparian funds appropriated.
68. Money for leases for lands under water appropriated.
69. Further provision, and how fund invested.
70. Fund to be loaned to build school houses.

71. Treasurer to make statement.
 72. Secretary of state to be secretary of board.
 73. Trustees to make appropriation from income of the fund.
 74. And from revenue of state.
 75. Amount divided and paid in instalments.
 76. Teachers' institutes, their expenses.

2. TAXATION.

77. State tax imposed.
 78. Comptroller to apportion same.
 79. County collector to pay quota by January 1, yearly.
 80. State superintendent to apportion money among counties.
 81. County superintendent to apportion money among townships and cities.
 82. Comptroller to draw on treasurer for apportionment.
 83. County collector to pay on order of county superintendent.
 84. Duty of township collector as to school moneys.
 85. Money of fractional districts.
 86. Districts may impose taxes, and how.
 87. Issue of district bonds, how authorized.
 88. Such bonds liens upon property of inhabitants.
 89. Interest how raised.
 90. Surplus revenue.

X. MISCELLANEOUS.

91. Money received how expended.
 92. Penalty for unlawful use of money.
 93. District clerks, reports of.
 94. No tuition fees to be charged.

95. Appropriation for library.
 96. Selection of.
 97. Rules of.
 98. Corporal punishment forbidden.
 99. County superintendent may administer oaths.
 100. Repealer.

XI. SUPPLEMENTS.

101. Trustees for support of public schools may buy in lands sold under foreclosure.
 102. May sell and convey lands so purchased.
 103. Children shall attend school twelve weeks in each year or be instructed at home.
 104. Penalty for non-compliance.
 105. Duties of district clerk.
 106. Repealer.
 107. New school districts to contain seventy-five children.
 108. When trustees of school district to give bonds for honest investment of moneys.
 109. Bonds heretofore issued by trustees validated.

XII. MISCELLANEOUS ACTS.

110. When school census taken.
 111. When reports shall be made.
 112. Election of school trustees.
 113. Repealer.
 114. Compensation to assessors and collectors.
 115. Compensation in cities and towns, how paid.
 116. Quorum of trustees of normal schools, &c.
 117. Trustees authorized to issue bonds to complete school building.
 118. Principal and interest of bonds to be raised by tax.

An act to establish a system of public instruction.

P. L. 1867, p. 360.
 " 1871, p. 94, 98,
 122.
 " 1872, p. 61, 63,
 65, 73.
 " 1873, p. 12, 61,
 110.

Revision—Approved March 27, 1874.

I. State board of education.

1. That the general supervision and control of public instruction in the state of New Jersey shall be vested in a state board of education, which board shall consist of the trustees of the school fund, the trustees of the state normal school, appointed as hereafter provided, together with the treasurer thereof.

Constitution of
 board of educa-
 tion.
 P. L. 1867, p. 360.
 § 1.

2. The state board of education shall have power, and it shall be their duty:

Their power and
 duty.
 Ib. § 2.

I. To frame and modify at pleasure such by-laws as may be deemed expedient for their own government, not inconsistent with the provisions of this act, and to prescribe and cause to be enforced all rules and regulations necessary for carrying into effect the school laws of this state.

Make rules.

II. To consider the necessities of the public schools, and recommend to the legislature from time to time such additions and amendments to the laws as are deemed necessary for perfecting the school system of the state.

Recommend
 laws.

III. To appoint the state superintendent of public instruction.

Appoint state
 superintendent.

IV. To appoint the county superintendents of the several counties of the state, subject to the approval of the board of chosen freeholders of the several counties at their first meeting after the appointments by the state board, but in all cases where no action is taken by any board of chosen freeholders approving or disapproving, then the appointments made by the state board shall be valid without such approval.

Appoint county
 superintendent.

V. To prescribe all rules and regulations for holding teachers' institutes.

Make rules for
 institutes.

VI. To order all necessary repairs to the grounds, buildings and furniture of the state normal school, and to keep said buildings and furniture insured, and the comptroller shall draw warrants for the payment of the same, upon the certificate of the president of said board.

Repair, &c.,
 normal school.

VII. To authorize the payment by the state treasurer upon the warrant of the state comptroller of all the necessary incidental expenses incurred by the state superintendent in the performance of his official duties.

Authorize ex-
 penses paid.

VIII. To decide all appeals from the decision of the state superintendent of public instruction.

Decide appeals.

- Compensation. 3. The members of the board shall receive no compensation for their
Ib. § 3. services, but the state treasurer shall pay the necessary expenses of the
said members upon the warrant of the state comptroller.
- Report annually. 4. The board shall report annually to the legislature in regard to all
Ib. § 4. matters committed to their care.

II. State superintendent of public instruction.

- State superin- 5. The state superintendent of public instruction shall be elected by the
tendent, how state board of education by ballot, and shall hold office during the pleasure
elected, term of of the board, not to exceed the term of three years, receiving annually a
office, salary. salary of two thousand dollars; *provided*, that nothing herein contained
Ib. § 5. shall prevent his re-election.
- Office where. 6. He shall be required to have his office in the state house at Trenton.
- Duties. 7. It shall be his duty to carry out the instructions of the board, and to
Ib. § 7. enforce all rules and regulations prescribed by them.
- Shall be what, 8. He shall be *ex-officio* secretary of the board of education, president
ex-officio. of the state association of school superintendents, and a member of the
Ib. § 8. state board of examiners, and of all county and city board of examiners.
- Have supervision 9. He shall have the supervision of all the schools of the state receiving
of schools. any part of the state appropriation, and shall be the general adviser and
Ib. § 9. assistant of the county superintendents; he shall from time to time, as he
shall deem for the interests of the schools, address circular letters to said
superintendents, giving advice as to the best manner of conducting
schools, constructing school houses, furnishing the same and procuring
competent teachers.
- Apportion 10. The state superintendent, under the direction of the trustees of the
moneys. school fund, shall apportion to the several counties the state school moneys
How apportion- to which each may be entitled, which apportionment shall be made in the
ment made. ratio of the number of children between the ages of five and eighteen in
Ib. § 10. the said counties, as ascertained by the last annual report of the state
superintendent; he shall furnish to the state comptroller, and to the county
superintendent, and the county collector of each county, an abstract of
such apportionment, and shall draw his order on the state comptroller for
the amount to which each county is entitled, in favor of the county
collector of said county.
- Withhold appro- 11. He shall have power, and it shall be his duty to direct and cause the
priation. county superintendent of any county, or any board of trustees or other
Ib. § 11. school officers, to withhold from any officer or district, or teacher, that
part of the state appropriation derived from the revenue of the state,
until such officer, district, or teacher shall have complied with the
provisions of this act and its supplements, relating to his, its, or their
duties, and with all the rules and regulations made in pursuance thereof by
the state board of education; he shall forbid the payment of said part
of the state appropriation to any district in which the school or schools
have not been kept according to law, or in which a public school has not
been kept for at least five months, during the year next preceding the
demand for payment.
- Prepare forms 12. He shall prepare and cause to be printed suitable forms for making
for reports. all reports and conducting all necessary proceedings under the school laws
Ib. § 12. of this state, and shall transmit them to the local school officers and
teachers; he shall cause all school laws to be printed in pamphlet form,
and shall annex thereto forms for making reports and conducting school
business.
- Decide disputes. 13. He shall decide, subject to appeal to the state board of education,
Ib. § 13. and without cost to the parties, all controversies or disputes that may
arise under the school laws of the state or under the rules and regulations
prescribed by the state board of education the facts of which controversies
or disputes shall be made known to him by written statements by the
parties thereto, verified by oath or affirmation, if required, and accompanied
by certified copies of all documents necessary to a full understanding of
the question in dispute; and his decision shall be binding until a different
decision shall be given by the state board of education.
- Preserve books, 14. He shall preserve in his office such school books, apparatus, maps,
apparatus, etc. charts, works on education, plans for school buildings, and other articles
Ib. § 14.

of interest to school officers or teachers, as may be secured without expense to the state.

15. He shall file all school reports of this state and of other states which may be sent to his office, and shall keep a record of all the acts connected with his official duties, and preserve copies of all the decisions given by him. File reports, etc.
Ib. § 15.

16. He shall provide a seal with suitable device for use in his office, by which all his official acts and decisions may be authenticated. Seal.
Ib. 16.

17. He shall report to the state board of education, at its annual meeting in December of each year, a statement of the condition of the public schools and of all the educational institutions receiving support from the state, which report shall contain full statistical tables of all items connected with the cause of education that may be of interest to the school officers or people of the state, together with such plans and suggestions for the improvement of the schools and the advancement of public instruction in the state as he shall deem expedient. Report to board.
Ib. § 17.

18. He shall, at the expiration of his term of office, deliver to his successor his official seal, together with all property, books, and documents, maps, records, reports, and other papers belonging to his office, or which may have been received by him for the use of his office. Deliver to successor, seal, etc.
Ib. § 18.

18a. He shall (unless the state board of education shall, for good cause shown, otherwise direct) have power, and it shall be his duty to direct and cause the county collector of any county to withhold from any county superintendent any portion of his salary, until he has fully complied with the provisions of the act to which this is a supplement, or any of its supplements relating to his duties; and (unless the state board of education shall, for good cause shown, otherwise direct) it shall be his duty to direct and cause the county superintendent of any county, or any board of trustees or school officers, to withhold from any officer, or district, or teacher, that part of the state appropriation derived from the revenue of the state, until such officer, district, or teacher, shall have complied with the provisions of the act to which this is a supplement, or any of its supplements, relating to his, its, or their duties, and with all the rules and regulations made in pursuance of any of these acts by the state board of education; and by and with the advice and consent of the state board of education, he shall have power, and it shall be his duty to suspend or revoke the license of any teacher, when the county superintendent shall make formal report that such teacher does not possess the attainments or qualifications which are essential to his office, or that the school or department of a school under the charge of such teacher is suffering from his or her incompetency, or from his or her failure or inability to govern or instruct the children who are under his or her care. To cause county collector to withhold from county superintendent his salary until he has complied with this act.
P. L. 1872, p. 73, § 1.

III. County superintendents.

19. The state board of education shall appoint for each county one person as provided in the fourth provision of section two, of suitable attainments, as the county superintendent of the public schools for that county, who shall hold office during the pleasure of the board, not to exceed the term of three years; *provided*, that nothing herein contained shall prevent his re-appointment. County superintendent, how appointed, term of office.
P. L. 1867, p. 360, § 19.

19a. The state board of education shall appoint the county superintendents of the several counties in the state, subject to the approval of the board of chosen freeholders of the several counties, but in all cases where a month elapses and no action is taken by any board of chosen freeholders approving or disapproving, then the appointments made by the state board shall be valid without such approval. Appointment subject to approval of chosen freeholders of the county.
P. L. 1872, p. 73, § 2.

20. The yearly salary of the county superintendent shall be at the rate of ten cents for each child in the county between the ages of five and eighteen, as ascertained from the last annual report of the state superintendent, which salary shall be paid by the county collector, on the warrant of the state superintendent; *provided*, that the salary shall in no case be less than five hundred dollars, nor more than twelve hundred dollars; *and provided*, that in case any city shall have a city superintendent of schools, who is not also the county superintendent, the children belonging to such Salary.
P. L. 1867, p. 360, § 20.
How paid.
Proviso.
City superintendent.

city shall not be counted in determining the salary of the county superintendent, and the supervision of the schools of said city, which would otherwise belong to the county superintendent, shall devolve upon the city superintendent.

Expenses of county superintendents to be paid.

P. L. 1871, p. 122.

Proviso.

Salaries of superintendents, how determined.

Duties to apportion moneys among townships.

P. L. 1867, p. 360, § 21.

And among school districts. Ib. § 22.

And shall issue orders therefor. Ib. § 23.

License teachers, fix boundaries of districts, etc. Ib. § 24. Amended.

School districts.

When he may appoint trustees. Ib. § 25.

Proviso.

When he may withhold appropriation. Ib. § 26.

20a. In order to enable county superintendents of schools to discharge their duties with greater efficiency, they shall receive annually, in addition to the salary now allowed them, such sums as they may need to pay the actual expenses incurred by them in the performance of their official duties, which sums shall be paid by the collector of the county on the order of the state superintendent of public instruction; *provided*, that no such order shall be given in favor of any county superintendent until such county superintendent shall have furnished the state board of education a certified statement under oath, by items, of the expenses he has incurred, and that, during the year for which such order is drawn, he has performed faithfully, all the duties imposed by the school law and by the regulations of the state board of education; *and provided further*, that in no case shall the expenses aforesaid exceed three hundred dollars annually; and after the passage of this act the salaries received by the county superintendents shall be determined by the school census report for the year eighteen hundred and seventy.

21. The county superintendent shall apportion annually among the several townships of his county, and to the city or cities therein, not included in said townships under the direction of the board of chosen freeholders, the school moneys belonging to said county, in the ratio of the number of children between the ages of five and eighteen, as ascertained by the last preceding annual report of the state superintendent of public instruction.

22. He shall further apportion among the several school districts of each township the state appropriation to which they are entitled, together with the township appropriation, in the ratio of the number of children between the ages of five and eighteen, as reported by the district clerk.

23. He shall issue orders on the county collector in favor of each township collector and of each city treasurer for that portion of the state appropriation to which said township or city is entitled; and shall file with each township collector and the clerk of each school district in any township a copy of the apportionment of the township school funds made by him for said township within twenty days after making said apportionment.

24. He shall examine and license teachers, fix the boundaries of school districts, divide and unite districts, form new districts, provide for graded schools, and discharge other duties of general supervision and superintendence over the public schools of the county in accordance with the regulations prescribed from time to time by the state board of education; but no school district shall hereafter be formed which shall contain less than seventy-five children, between five and eighteen years of age; and each incorporated city or town shall hereafter constitute but one school district for all school purposes, and such consolidated district shall hold all the property, and be liable for all the lawful debts of the district so consolidated. (See *Sec. 107*).

25. He shall have power, and it shall be his duty, to appoint trustees for any district which for any cause fails to elect at the regular time; to appoint trustees to fill vacancies; to appoint the first trustees for any new district; *provided, however*, that when a new district is organized, such of the trustees of the old district as reside within the limits of the new one shall be trustees of the new one, and the vacancy in the old district shall be filled by his appointment.

26. He shall have power to withhold that part of the state appropriation derived from the revenue of the state from any district in which the inhabitants fail to provide a suitable school building and outhouses, or in which the existing buildings shall be pronounced by him and a majority of the trustees unfit for use; and for that purpose he may serve a notice on the township collector to withhold the payment of the same from such district.

27. It shall be the duty of the county superintendent, at such time and place as the state superintendent may appoint, to examine such candidates for state scholarships at the agricultural college, as may present themselves, and the candidates shall be subjected to such examination as the faculty of the said college and the state superintendent shall prescribe; and the candidates who shall receive certificates of appointment to the agricultural college in any one county, shall be those who obtain on such examination the highest average for scholarship; and the number of certificates thus granted, shall in no case exceed the number of state scholarships to which such county is entitled.

Examine candidates for agricultural college.
Ib. § 27.

28. In all controversies arising under the school law the opinion and advice of the county superintendent shall first be sought, and from him appeal may be made, if necessary, to the state superintendent of public instruction.

Give opinion in disputes.
Ib. § 28.

29. The county and city superintendents shall together constitute an association, to be called "The State Association of School Superintendents," which association shall meet annually at such times and places as the state board of education may appoint, and at such other times as they may agree upon.

Association of superintendents.
Ib. § 29.
P. L. 1872, p. 73, § 3.

30. Each county superintendent and each city superintendent, on or before the first of October of each year, shall make an annual report to the state superintendent in the manner and form prescribed by him; which report shall specifically set forth any and all such facts within his purview as touch and describe the location and capacity of each school healthfully to accommodate the pupils in attendance, to the end that a full observation may be deduced, favorable or otherwise, as to an ample supply of sittings, suitability of conveniences, eligibility of position, attention to ventilation, and as to all such other pertinent subjects as may clearly and fully exhibit the sanitary condition of the public schools under his official inspection.

Annual reports of superintendents to be specific on certain facts.
P. L. 1873, p. 152.

IV. School trustees.

31. An annual meeting for the election of school trustees shall be held in each district, on the first Monday in September of each year, at the district school house, if there be one, and if there be none, at a place to be designated by the district clerk, who shall post notices thereof, specifying the day, time, object, and place of such meeting in at least three public places in the district, one of which shall be at the school house, if there be one, at least five days previous to the time of meeting; the voters shall be legal voters of the district, (a) and a plurality of voters shall elect; and no person shall be eligible to the office of trustee, unless he is a resident in the district; and further, no person shall be eligible to the office of school trustee unless he or she can read or write; but women who are residents in the district and over the age of twenty-one years shall also be eligible to the office of school trustee, and may hold such office and perform the duties of the same when duly elected by the legal voters of the district.

Trustees, how elected.
P. L. 1867, p. 360, § 31.

Women shall be eligible to the office of school trustee.
P. L. 1873, p. 61.

31a. The township boards of trustees of the several townships of this state shall meet semi-annually at such times and places as the county superintendent may appoint.

Township boards, when to meet.
P. L. 1872, p. 73, § 4.

32. In all districts in which elections have been previously held, one trustee shall be elected for the term of three years, and if there are vacancies to be filled, a sufficient number shall be elected to fill them for the unexpired terms.

Trustees, for how long.
P. L. 1867, p. 360, § 32.

33. In new districts acting under trustees appointed by the county superintendent, three trustees shall be elected, for one, two, and three years, respectively; the term of office of any trustee which would otherwise expire in April of any year, shall expire on the first Monday in September of the same year.

New districts.
Ib. § 33.

34. Each board of trustees shall, within ten days after the annual election, meet at the school house, or at some other convenient place, and proceed to elect one of their number clerk of the board, who shall be known and referred to as "district clerk;" and on their failure to do so, the county superintendent shall appoint said clerk.

Shall elect district clerk.
Ib. § 34.

(a) An alien has no right to vote at an election, held in a school district, for the purpose of altering such district, *State, Vanderbilt v. Desher*, 1 *Dutch*. 177.

His duties.
Ib. § 35.

35. He shall record, in a suitable book, all proceedings of the board, and of the annual school meetings, and of special school meetings; and pay out, by orders on the township collectors, in the manner prescribed by law, all school moneys of the district, received from the state, township or district; he shall keep a correct and detailed account of all expenditures of school moneys in his district, and report the same to the county superintendent, and also to the township committee; at each annual school meeting he shall present his record book and his accounts for public inspection, and shall make a statement of the financial condition of the district and of the action of the trustees.

Take census of children.
Ib. § 36.

36. He shall take annually in the month of August between the first and twentieth day of said month, an exact census of all children residing in the district between the ages of five and eighteen, not including the children who may be inmates of poor houses, asylums or almshouses, and shall specify the names and ages of such children and the names of their parents or guardians (all children who may be absent from home, attending colleges, boarding schools, and private seminaries of learning, shall be included in the census list of the city, town or district in which their parents or guardians reside, and not be taken by the district clerk of the city, town or district where they may be attending such institutions of learning); and that he shall make a full report thereof, verified by him under oath or affirmation, that the same is correct and true, on the blanks furnished for that purpose, to the county superintendent, on or before the first day of September next after his appointment, and keep a copy of the same for the use of the school trustees, and shall receive for his services such compensation as the board of trustees may allow. (a) (See Sec. 110).

Make repairs and furnish supplies.
Ib. § 37.

37. He shall keep the school buildings in repair; he shall provide the necessary fuel, and obtain for the schools such supplies of crayons for blackboards, for the use of the pupils, as are necessary in carrying out the course of study prescribed therein; which repairs and supplies shall be paid for out of the moneys raised by the district.

Name of district.
Ib. § 38.

38. Every school district shall be known by the name and number assigned to it by the county superintendent, in accordance with the general regulations of the state board of education, and the trustees thereof shall be a body corporate, to be called and known by the name of "The Trustees of School District Number —, in the county of —," and shall be capable of suing and being sued in all courts and places whatever, and of purchasing, holding and conveying real and personal property for the use and benefit of the schools of such district, and may have a corporate seal.

Duties of trustees.
Ib. § 39.

39. The board of trustees of any school district shall have power, and it shall be their duty:

To employ teachers, etc.

I. To employ and dismiss teachers, janitors, mechanics, and laborers, and to fix, alter, allow, and order paid their salaries and compensations.

Make rules.

II. To make and enforce rules and regulations, not in conflict with the general regulations of the state board of education for the government of schools, pupils and teachers.

Erect buildings, buy lots and borrow money.

III. To erect, enlarge, repair or improve school buildings, and purchase, lease, mortgage or sell school lots or school houses, to borrow money, with or without mortgage, and to raise money by taxation for any such purpose, or to pay debts incurred therefor, or for the current expenses of any schools; *provided*, that for any such acts they shall have the previous authority of a vote of the district.

Rent buildings.

IV. To rent, furnish and repair school buildings, and keep the same insured.

Purchase property.

V. To purchase personal property, and to receive, lease, and hold in fee, in trust for their district, any and all real or personal property, for the benefit of the schools thereof.

Enforce regulations.

VI. To enforce the regulations prescribed by the state board of education; and in connection with the county superintendent to prescribe the

(a) An action will not lie by the inhabitants of a township to recover from the trustees of a school district, moneys erroneously apportioned to such district by the town superintendent, though such apportionment be procured by

false and fraudulent lists of children within the district, made and furnished by the trustees, *Morris v. Carey*, 3 *Dutch*. 377. The accuracy or good faith of such list cannot be questioned collaterally, *Ibid*.

course of study to be pursued, and a uniform series of text books to be used in the school or schools under their charge.

VII. To suspend or expel pupils from school.

VIII. To provide books for indigent children.

IX. To require all pupils to be furnished with suitable books, as a condition of membership in the school.

X. To require every teacher to keep a state school register.

XI. To call a special meeting of the legal voters of the district, at any time when, in the judgment of said trustees, the interests of the school may require it, which meeting shall be called in the manner provided in section eighty-six of this act, for calling the annual district meeting, and no business shall be transacted at such special meeting, except such as has been set forth in the notices by which said meeting was called.

XII. To permit a school house to be used for other than school purposes, when a majority of the trustees present shall so agree, at a meeting regularly called for that purpose.

XIII. To make an annual report, on or before the first of September, to the county superintendent, in the manner and form prescribed by the state superintendent of public instruction.

40. The district trustees of each township shall together constitute an association to be called "The Township Board of Trustees;" said board shall meet at such times and places as the county superintendent may appoint, for the purpose of hearing from him communications and suggestions in regard to the management of the schools, and of submitting to him questions for advice or opinion relating to the same.

V. Teachers.

41. Every teacher of a public school shall keep a school register in the manner provided therefor, and no salary shall be paid to such teacher until said register is exhibited to the district clerk or other officer authorized to make payment, and until said officer finds by examination, that the register has been properly kept for the time for which salary is demanded, and enters upon the register a certificate to that effect.(a)

42. Every teacher who shall leave a school before the close of the school year, shall, at the time of leaving, make to the county superintendent a report of the school for all that portion of the current school year that the school has been in his or her charge, and shall at the same time give a duplicate of said report, and surrender the school register to the district clerk, and any teacher who may be teaching any school at the close of the school year, shall, in his or her annual report, include all the statistics from the school register for the entire school year, notwithstanding any previous report for a part of the year; no school money shall be paid to any teacher for the last month of his or her services, until the report herein required shall have been made and received, and the register exhibited; *provided*, that in graded schools, in which there are more teachers than one, the principal teacher alone shall be responsible for the school report and register.

43. No teacher shall be entitled to any salary unless such teacher shall be the holder of a proper teacher's certificate in full force and effect.

44. In every contract, whether written or verbal, between any teacher and board of trustees, a school month shall be construed and taken to be twenty school days, or four weeks of five school days each; and no teacher shall be required to teach school on Christmas day, the first day of January, the fourth day of July, and such days of fasting or thanksgiving as may be appointed by the president of the United States, or the governor of this state; and no deduction from the teacher's time or wages shall be made by reason of the fact that a school day happens to be one of the days referred to in this section; any contract made in violation of this section shall have no force or effect as against the teacher.

45. Every teacher shall have power to hold every pupil accountable, in school, for any disorderly conduct on the way to or from school, or on the

Suspend pupils.
Provide books
for poor.

Require pupils
to have books.

Require teacher
to keep register.

Call meeting of
voters

Permit school
house to be used
for other pur-
poses.

Make report.

Township board
of trustees.

Ib. § 40.

Teachers to keep
register.

Ib. § 41.

Make report.

Ib. § 42.

When not entit-
led to salary.

Ib. § 43.

School month.

Ib. § 44.

When no school.

May suspend
pupils.

Ib. § 45.

(a) A school teacher who has rendered services according to the requirements of the school law, and is refused compensation out of the fund specially provided for that purpose, is entitled to a *mandamus* to compel the proper officers

to perform their duty, and to make payment of what is justly due, *Appar v. School Trustees of District No. 4*, 5 Vr. 308. As to the necessity of the teacher proving that he has kept a register, as required by section 41, see *Ibid.*, p. 311.

play grounds of the school, or during recess, and to suspend from school any pupil for good cause; *provided*, that such suspension shall be reported by the teacher to the trustees as soon as practicable; and if such action is not sustained by them, the teacher may appeal to the county superintendent, whose decision shall be final.

Compensation of
teacher when
dismissed.
Ib. § 46.

46. In case of the dismissal of any teacher before the expiration of any contract entered into between such teacher and trustees, the teacher shall have the right of appeal to the county superintendent, and if the county superintendent shall decide that the removal was made without good cause, said teacher shall be entitled to compensation for the full time for which the contract was made; but it shall be optional with the trustees whether he or she shall or shall not teach for the unexpired term.

VI. Pupils.

Duties of pupils.
Ib. § 47.

47. The pupils of the public schools shall comply with the regulations established in pursuance of law for the government of such schools; shall pursue the course of study, and use the series of text books prescribed by the trustees and county superintendent, and shall submit to the authority of the teachers; continued and wilful disobedience, or open defiance of the authority of the teacher, the use of habitual profanity or obscene language, shall constitute good cause for suspension or expulsion from school; any pupil who shall in any way cut, deface or otherwise injure any school house, fences or out-buildings thereof, shall be liable to suspension and punishment, and the parents of such pupil shall be liable for damages to the amount of injury, on complaint of the teacher, the amount to be determined by the trustees, and collected by the district clerk, by an action in debt therefor, in any court having jurisdiction, in his name as district clerk, together with the costs of said action.

Parents liable
for damages.

VII. Boards of examiners.

Constitution and
duty of state
board of exam-
iners.
Ib. § 48.

48. There shall be a state board of examiners, consisting of the state superintendent of public instruction and the principal of the state normal school; they shall have power, and it shall be their duty to hold examinations of teachers, and to grant state certificates or revoke the same, under such rules and regulations as the state board of education may prescribe, and a certificate thus granted shall entitle the holder, without further examination, to teach in any part of the state, so long as the certificate remains valid by the terms thereof, and in any school not of a higher grade than that for which the certificate represents him as qualified.

Certificates of
state board.

Constitution and
duties of county
board of exam-
iners.
Ib. § 49.

49. There shall be in each county a county board of examiners, which shall be composed of the county superintendent, who shall, *ex-officio*, be chairman, and of a number of teachers, not to exceed three, to be appointed by him, who shall hold office for one year from the time of their respective appointments; but no person shall be appointed as county examiner unless he holds either a state or a first grade county certificate; the county superintendent shall fill vacancies that occur from absence or other causes, but if he cannot find any teacher in his county qualified under the provisions of this section willing to serve, he shall conduct the examination himself; the board shall meet at such times and places as may be designated by the chairman, and shall hold a session at least as often as once in every three months, and at the place and during the session of any teachers' institute held in the county; each member of the board, except the county superintendent, shall be paid for his services, in addition to his traveling expenses, a sum not exceeding three dollars for each session of said board, to be paid by the county collector on the order of the county superintendent; *provided*, that this compensation shall be paid only for the regular quarterly examinations; and that whenever said board shall hold sessions at any other time, no compensation shall be allowed from the county; but in cases of such special examinations, said board may charge each applicant an examination fee not exceeding two dollars; the county board of examiners shall have power to conduct examinations and to grant certificates of different grades, in accordance with the general regulations on the subject prescribed by the state board of education, and the highest grade of certificate thus granted shall entitle the holder,

Compensation
of board.

Certificates of
county board.

without further examination, to teach in any part of the state so long as this certificate remains valid, and in any school not of a higher grade than that for which the certificate represents the holder as qualified; any county certificate lower than the highest grade will only entitle the holder to teach a school of a corresponding grade in the county, for which such certificate was granted.

50. In every city having a board of education governed by special laws, there shall be a city board of examiners to consist of such members as said board of education of that city may appoint; said examiners shall have power, subject to such rules and regulations as may be prescribed by the city board of education, to grant certificates of qualification, which shall be valid for all schools of that city; and no teacher shall be employed in any of the schools of that city unless possessing such certificate, or a state certificate, nor in any school of a higher grade than that for which said certificate represents the holder to be qualified; any city board of examiners may recognize the certificates of any other city, and without examination issue to the holders certificates of a corresponding grade.

City board.
Ib. § 50.

Certificates of.

VIII. Schools.

1. STATE NORMAL SCHOOL.

51. There shall be a normal school, or seminary, for the training and education of teachers in the art of instructing and governing the common schools of this state, the object of which normal school or seminary shall be the training and education of its pupils in such branches of knowledge, and such methods of teaching and governing as will qualify them for teachers of our common schools.

School for training teachers.
Ib. § 51.

52. There shall be a board of trustees of said normal school, to consist of two trustees from each congressional district; the trustees already appointed shall continue in office severally for the terms for which they have been appointed, namely, seven whose terms expire in eighteen hundred and seventy-four, and seven whose terms expire in eighteen hundred and seventy-four, and annually thereafter, in the place of those whose terms are about to expire, the governor shall nominate, and by and with the advice and consent of the senate, shall appoint one trustee of said school from each congressional district, to hold office severally for the term of two years and until their successors are appointed, so that there shall always be two trustees from each congressional district, and in case of any vacancy by death, resignation or otherwise, a successor for the unexpired term, shall in like manner be appointed; the state superintendent of public instruction shall be ex-officio a member of said board of trustees.

Trustees of normal school.
Ib. § 52.

Term of office.

How appointed.

P. L. 1873, p. 12.

Vacancy.

53. The said trustees shall receive no compensation for their services, but the expenses necessarily incurred by them in the discharge of their duties shall be defrayed out of the funds hereinafter appropriated for the support of said school.

Compensation.
Ib. § 53.

54. To the said board of trustees shall be committed the control and use of the buildings and grounds owned and used by the state for the use of the normal school, the application of the funds for the support thereof, the appointment of teachers and the power of removing the same, the power to prescribe the studies and exercises of the school, and rules for its management, to grant diplomas, to appoint some suitable person treasurer of the board, and to frame and modify, at pleasure, such by-laws as they may deem necessary for their own government; and they shall report annually to the legislature their own doings and the progress and condition of the school.

Duties of trustees.
Ib. § 54.

55. The number of pupils shall not exceed three for each member of the senate and general assembly, and each county shall be entitled to fill three times as many seats in the school as it has representatives in the legislature; the applicants shall give on admission a written declaration, signed with their own hands, that their object in seeking admission to the school is to qualify themselves for the employment of public school teachers, and that it is their intention to engage in that employment in this state for at least two years.

Number of pupils.
Ib. § 55.

Declaration of applicants.

Further requisite to admission and scholarship fund.

P. L. 1872, p. 73, § 5.

55a. The applicants for admission to the normal school shall give on admission a written obligation, signed by their own hands, that their object in seeking admission to the school is to qualify themselves for the employment of public school teachers, and that it is their intention to engage in that employment in this state for at least two years, or refund to the state the cost of their tuition; and, in addition to the annual sum appropriated to the support of the normal school, there is hereby appropriated annually the sum of five thousand dollars, to be paid out of the treasury of the state in like manner, which shall constitute a scholarship fund, to be applied as follows: there shall be fifty scholarships of one hundred dollars each, two of which shall be allotted to each county, to be competed for by the pupils in the normal school from that county; and the remainder shall be open to free competition by pupils in the normal school from the state at large; the competitive examinations above mentioned shall be conducted by the principal of the state normal school and his assistants; *provided*, that scholarships shall be awarded to those pupils only who shall first enter into a satisfactory bond to the treasurer of the state, obligating themselves to teach in the public schools of this state for the term of five consecutive years, or to refund the amount paid them upon a failure to do so from any cause save continued sickness or death; *provided*, that until such system of scholarships shall be perfected by the board of trustees of the state normal school, said scholar's life fund shall be paid toward and for such purposes connected with the state normal school and boarding house property belonging to the state, as in the judgment of said trustees will be for the best interest of the state and the advantage of the cause of education.

Proviso.

Board of trustees authorized to expend fund.

P. L. 1873, p. 110.

Examination of applicants.

P. L. 1867, p. 360, § 56.

Quota of one county filled from another.

Ib. § 57.

Further duties of trustees.

Ib. § 58.

Model school.

Ib. § 59.

Appropriation.

Ib. § 60.

Amended by

P. L. 1872, p. 63.

Day when normal school year shall terminate.

P. L. 1872, p. 65.

Establishment, etc., of graded schools.

P. L. 1867, p. 360, § 61.

56. At the opening of each term of the normal school, the principal, with his assistants, shall proceed to examine applicants, and to admit to the school such as appear to be possessed of the proper qualification to the number to which each county may be entitled.

57. In case any county is not fully represented, additional candidates may be admitted from other counties on sustaining the requisite examination.

58. The board of trustees shall appoint and procure the number of teachers which may be necessary to carry out, in the best and highest sense, the purposes and designs of this act, and shall furnish for the use of the pupils the necessary apparatus and text books, so far as the funds hereafter to be named and appropriated for the support of the school will allow; and the tuition in the normal school shall be gratuitous.

59. The board of trustees are authorized to maintain a model school under permanent teachers, in which the pupils of the normal school shall have opportunity to observe and practice the modes of instruction and discipline inculcated in the normal school, and in which pupils may be prepared for the normal school.

60. For the support of the normal school and to carry out the purposes and designs of this act, there is appropriated hereby the annual sum of fifteen thousand dollars to be paid out of the treasury of the state upon the warrant of the comptroller.

60a. The school year, so far as regards the state normal school, shall hereafter terminate on the last day of June.

2. GRADED SCHOOLS.

61. Any two or more districts, by a majority vote of the inhabitants at a meeting regularly called or advertised by the county superintendent or superintendents of the counties or county in which said districts are situated, may cause to be established and maintained a graded school, which shall be entitled, according to the number of children in attendance, to its proper share of the state appropriation, and of the township school taxes belonging to the districts which have caused said graded school to be erected; and a school thus established shall be governed by a joint board, combined of the trustees of the combining districts, and subject to such regulations as they may prescribe.

3. DISTRICT SCHOOLS.

62. The inhabitants of every school district shall be required to provide a suitable school building and outhouses for the accommodation of their children; and in case such buildings are not provided, or those already in use shall be pronounced by the county superintendent and a majority of the trustees of said district, unfit for the purposes for which they are applied, such district shall be deprived of the benefit of that part of the state appropriation derived from the revenues of the state until suitable buildings shall be erected. Buildings to be provided.
Ib. § 62.
Else, no appropriation.
63. No school district shall be entitled to receive any part of the school appropriation which shall not have maintained a public school for at least five months during the then next preceding school year; *provided*, that any new district, or a district in which the school is discontinued on account of the repairing of an old, or the erection of a new school building, shall not be deprived of its full share of the public school funds on account of the restrictions of this section. School to be kept five months.
Ib. § 63.
Proviso.
64. The school year shall begin on the first day of September, and end on the last day of August. School year.
Ib. § 64.

IX. Revenue and apportionment.

1. STATE APPROPRIATIONS.

65. The governor of this state, the president of the senate, the speaker of the house of assembly, the attorney general, the secretary of state, and the comptroller, and their successors in office, be and they are hereby constituted and appointed trustees of the fund for the support of public schools in this state, 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, which trustees shall be known by the name, style and title of "The Trustees for the Support of Public Schools;" *provided*, that it shall not be lawful for any teacher, trustee or trustees to introduce into or have performed in any school receiving its proportion of the public money, any religious service, ceremony or forms whatsoever, except reading the Bible and repeating the Lord's Prayer. Trustees for the support of public schools.
Ib. § 65.
Religious services in school.
66. The public stocks and moneys heretofore appropriated by law, shall constitute the funds in the hands of the trustees appointed by the foregoing section of this act, and shall be held by the said trustees in trust; the interest and dividends arising therefrom to be applied by the said trustees, or a majority of them, for the support of public 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. Funds, how supplied.
Ib. § 66.
67. All moneys hereafter received from the sales and rentals of the land under water, belonging to this state, shall be paid over to the trustees of the school funds and appropriated for the support of free public schools, and shall be held by them in trust for that purpose, and shall be invested by the treasurer of the state, under their direction, in the same manner as the funds now held by them are invested; the same to constitute a part of the permanent school fund of the state, and the interest thereof to be applied to the support of public schools, in the mode which now is, or hereafter may be, directed by law, and to no other use or purpose whatever; and all acts and parts of acts inconsistent herewith, be and the same are hereby repealed. Riparian funds appropriated.
P. L. 1871, p. 98.
68. All leases which shall hereafter be made of lands belonging to the state, now or formerly lying under water, or which have been made since the sixth day of April, one thousand eight hundred and seventy-one, shall be transferred to the trustees of the school fund of this state, and become a portion of the free school fund; and that the annual income arising from said leases shall be distributed by the said trustees for the support of free public schools, in the same manner that other moneys are now distributed for that purpose. Money for leases of lands under water to be a portion of the free school fund.
P. L. 1872, p. 61.
69. The fund above mentioned, together with all the 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 Further provision and how invested.
P. L. 1867, p. 810,
§ 67.

- free schools, all the taxes which may hereafter be received into the treasury from any of the banking and insurance companies in this state, the capital stock of which now is, or hereafter may be, liable by law to be taxed, all appropriations to said funds, 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 the bonds of the United States, or of New Jersey, or in bonds secured by mortgage on land in New Jersey, the interest thereof to be applied to the support of the public schools in the mode which now is, or may hereafter be, directed by law, and to no other use or purpose whatsoever; an account of the management of the said fund shall be laid before the legislature, with the annual statement of the treasurer's account; and no compensation shall be paid to said trustees or treasurer for any services performed in pursuance of the direction of this act; and all investments of money and property belonging to said fund now held or existing in the name of "The Trustees for the Support of Free Schools," are hereby and shall hereafter be vested in and held, and any proceedings or action whatever relative thereto may be taken, had, made and maintained by said trustees, in the name of the trustees for the support of public schools.
- Report to legislature.**
Compensation.
- Trustees for the support of free schools to make loans for the purpose of building school houses.**
P. L. 1872, p. 91, § 1.
- Treasurer to make statement.**
P. L. 1867, p. 360, § 68.
- Secretary of state to be secretary of board.**
Ib. § 69.
- Trustees to make appropriation from income of fund.**
Ib. § 70.
- And from revenue of state.**
Ib. § 71.
- Amount divided and paid in instalments.**
Ib. § 72.
- Expenses of institutes to be paid by treasurer from revenue of state.**
Ib. § 73.
70. The treasurer of this state, under the direction of "The Trustees for the Support of Free Schools," is authorized to invest the fund for the support of public schools in this state, in addition to the securities mentioned in the preceding section of this act, in the bonds of the several school districts of this state, and in the bonds of any city or municipality of this state, legally issued, for the purpose of building school houses, either by authority of special acts of the legislature, or by the consent of the inhabitants of the district, as hereafter herein provided for.
71. The treasurer of this state shall annually make and furnish to the board of trustees for the support of public schools on the first day of the stated annual meeting of the legislature, and at such other times as the majority of the said trustees shall require the same, a particular statement of the school fund, containing an account of the securities belonging to said fund, with the dates of investment, their value, and the interest arising from each denomination of securities, together with an account of the moneys in the treasury belonging to said fund.
72. The secretary of state 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 that purpose, the proceedings of the said board, and the accounts to be furnished by the treasurer as hereinbefore stated.
73. It shall be the duty of the trustees of the school fund of this state on or before the first Monday of April in every year, to appropriate out of the annual income for the support of the public schools the sum of forty 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 comptroller upon the treasurer of the state, who is directed to pay the same; which sum so drawn from the treasury aforesaid, shall be replaced by the annual income of said school fund so soon as the same shall be received.
74. From the revenue of the state the sum of sixty thousand dollars per annum shall be appropriated in addition to the sum of forty thousand dollars from the annual income of the school fund, as mentioned in the preceding section of this act.
75. The trustees of the school fund of this state shall have authority to divide the aforesaid sum of one hundred thousand dollars into two or more annual instalments, which shall be paid by the state treasurer to the several county collectors on the warrants of the state comptroller.
76. For the purpose of defraying the expenses of teachers' institutes, the procuring of teachers and lecturers for said institutes, and other necessary expenses of the same, the state superintendent of public schools may draw upon the treasurer of this state for a sum not exceeding one hundred dollars for any one institute, and the said amount may be paid annually

thereafter, in like manner, to one teachers' institute in any county, or in any two or more adjoining counties of this state, the same to be paid by the treasurer out of the revenue of the state.

2. TAXATION.

77. For the purpose of maintaining free public schools there shall be assessed, levied and collected annually on the inhabitants of this state, and upon the taxable real and personal property therein, as exhibited by the last abstracts of ratables from the several counties, made out by the several boards of assessors, and filed in the office of the comptroller of the treasury, a state school tax of two mills on each dollar of valuation contained in said abstracts, which tax shall be assessed, levied and collected at the same time and in the same manner in which other state taxes are assessed, levied and collected, and shall be in lieu of all township school taxes imposed by this act; but if the moneys received by any township from the tax imposed by this act shall not be sufficient to maintain free schools for at least nine months in each year, then the inhabitants thereof shall raise, by township tax such additional amount as they may need for that purpose in the same manner as such taxes have heretofore been raised; and if the inhabitants of any township at their annual town meeting, shall not provide for the raising of such necessary additional amount, then the county superintendent of the county wherein such township is situated shall, unless the state board of education shall, for good cause shown, otherwise direct, shall withhold from such township all that part of the state appropriation derived from the revenue of this state, and shall apportion and distribute the same among such of the townships in said county as shall have complied with the requirements of this act.
78. It shall be the duty of the comptroller aforesaid to apportion the said tax, and at the rate aforesaid, among the several counties in proportion to the amount of taxable real and personal estate of said counties respectively, as shown by the abstracts respectively, as aforesaid; and it shall be his further duty to transmit, on or before the first day of May of each year, to the county collector of each county, a statement of the amount of said tax apportioned to said county, and said county collector shall lay said statement before the board of assessors of the townships and wards within his county at their next annual meeting, to apportion the taxes among said townships and wards, and said assessors shall thereupon proceed to apportion said school taxes as other taxes are apportioned, and to assess the same according to law.
79. It shall be the duty of the county collectors of the several counties of this state to pay to the treasurer of this state the quotas due from their respective counties of the taxes imposed by this act on or before the first day of January, annually, next ensuing the assessment thereof.
80. It shall be the duty of the state superintendent of public instruction, under the direction of the trustees of the school fund, on or before the first day of January of each and every year, to apportion the moneys received from the tax imposed by this act, among the several counties of this state, in proportion to the number of children included in the last published school census of the said counties respectively; *provided*, that all the children residing in fractional districts, situated in two or more adjoining counties, shall be included in the census of that county in which the fraction containing the school house is situated; and it shall be his further duty, on or before the tenth day of January of each and every year, to draw orders on the comptroller of the treasury, and in favor of the county collectors, for the payment of the money thus apportioned, and the said county collectors shall apply for and be entitled to receive the moneys thus apportioned as soon as the orders for the same are received; *and provided further*, that no portion of said moneys shall be apportioned to or be used for the support of sectarian schools.
81. It shall be the duty of the county superintendent of each county to apportion to the several townships of his county, and to the towns and cities therein, not included in said township, and also to the several school districts, the state school money, together with the interest of the surplus revenue belonging to said county, and such other moneys as may
- State tax imposed.
P.L. 1871, p. 94, § 1.
- Additional amount may be raised by townships.
- State appropriation, may be withheld.
- Comptroller shall apportion.
Ib. § 2.
- And transmit statement.
- Assessors, duty of.
- County collector, duty of.
Ib. § 3.
- State superintendent shall apportion moneys among the counties.
Ib. § 4.
Proviso.
- County superintendent shall apportion moneys among the townships, cities and districts.
Ib. § 5.

Proviso.

be raised for school purposes upon the basis of the last published school census; *provided*, that all the children residing in fractional districts situated in two or more adjoining townships, shall be included in the census of that township in which the fraction containing the school house is situated; *and provided also*, that no districts, except those which have less than forty-five children, shall receive less than three hundred and fifty dollars; and it shall be his further duty, on or before the tenth day of February of each and every year, to draw orders on the county collector, and in favor of the township collectors and city treasurers of his county, for the payment of said moneys so apportioned, and said collectors and treasurers shall apply for and be entitled to receive the same as soon as such orders are received.

Comptroller to draw on treasurer for apportionment.

P. L. 1867, p. 360, § 74.

Duty of county collector as to school moneys. *Ib.* § 75.

Duty of township collector as to school moneys. *Ib.* § 78.

Fractional districts.

P. L. 1874, p. 94, § 6.

Districts may impose taxes.

P. L. 1867, p. 360, § 80.

82. The state comptroller, annually, after having received from the state superintendent of public instruction a statement of the apportionment of the state appropriation among the several counties, shall draw his warrant on the state treasurer in favor of the county collector of any county for the portions to which said county is entitled, whenever such county collector shall present an order for the same, drawn by the state superintendent of public instruction in favor of such county.

83. The county collector of each county shall receive and hold in trust that part of the state appropriation belonging to his county, and shall pay out the same to the collectors of the several townships, and to the city treasurer of the cities of his county only on the orders of the county superintendent; *provided*, that in townships where there are less than two hundred children between the ages of five and eighteen, the inhabitants may raise such a sum per child as will be sufficient to maintain their schools. *(a)*

84. It shall be the duty of the township collector of each township to receive and hold in trust all school moneys belonging to the township or to any of the districts thereof, whether received from the state appropriation, from township or district tax, or from other sources, and to pay out the same only on the orders of the district clerks of the several districts of his township, which order shall specify the object for which it is given, and shall be signed by at least one other trustee beside said clerk, and shall be made payable to the order of, and be endorsed by the person entitled to receive it, and he shall, on the order of the township committee, pay over any balance of school funds remaining in his hands, to his successor in office, and he shall procure a suitable book, in which he shall keep a separate account with each school district in his township, crediting each with the amounts apportioned to it by the county superintendent, and the amount raised by tax in the district, and charging each with the orders paid for said district, and he shall present his accounts to be examined and settled by the township committee at the close of the year, a copy of which settlement certified by the committee showing the amounts received, the amounts expended by him for school purposes during the year (and the balance remaining in his hands), he shall transmit said copy within ten days to the county superintendent, and another copy of the same he shall file with the clerk of the township, and as compensation for such service the township collector shall be entitled to receive three-fourths of one per centum on all school funds received and paid out by him, for such purposes during the year, to be paid by the township committee from the funds of the township.

85. All school moneys belonging to fractional districts shall be held, subject to the order of the trustees, by the collector of that township in which the fraction containing the school house is situated.

86. In addition to the tax imposed by the seventy-seventh section of this act, each city and school district may raise by tax such other sums of money as they may need for school purposes, in the following manner, unless otherwise authorized by any special act *(b)* applicable to such city school district:

(a) The county collector has no discretion as to how much of the state appropriation the several township collectors are entitled to receive from him; neither can he set off any claim of his own or of the county against the township or its collector, *State, Herder v. Hunterdon*, 7 Vr. 363.

(b) See *State v. Belvidere*, 1 Dutch. 563. *Industrial School v. Whitehead*, 2 Beas. 290. *State Superintendent, &c. v. Hammell*, 2 Vr. 446.

The legal voters of such district are hereby authorized and required to meet on the Tuesday of the week following the annual town meeting, for the purpose of determining what additional school tax, if any, shall be levied upon the district; said meeting shall be held at some convenient public place within the district, and notice thereof, setting forth the time, place and object of such meeting and the amount of money desired to be raised, shall be given by the district clerk, and set up in at least three public places within the district, ten days before the day of meeting; (a) and the said inhabitants so met, shall have power, by the consent of a majority of those present, to authorize the trustees of said district to purchase land for school purposes, to build, enlarge, or repair a school house or school houses, and to borrow money therefor, or to sell or mortgage a school house or school houses, and to raise by taxation for these purposes, or to pay a debt of the district incurred for such purposes, and for the current expenses of the school or schools, such sum of money as a majority of the inhabitants so assembled shall agree to; and in case any money shall be ordered by a vote of a majority of said meeting, to be raised by taxation, the district clerk shall make out and sign a certificate thereof, under oath or affirmation, that the same is correct and true, and deliver the same to the assessor or assessors of the township or townships in which said district is situate, and to the county superintendent, which said assessor or assessors shall assess on the inhabitants of said school district and their estates, and the taxable property therein, in the same manner as township taxes are assessed, such sum of money as shall have been ordered to be raised by the said meeting, in the manner aforesaid; and said money shall be assessed, levied and collected at the time and in the manner that other township moneys are assessed, levied and collected; and it shall be the duty of the collector or collectors of the township or townships in which said district is situate, to pay over all moneys by him or them received, which shall have been assessed by virtue of such a vote of a district meeting as aforesaid, on the order of the district clerk of said district to be used for the purposes directed by the district meeting so held

Voters of district to meet to levy tax.
Amended by P. L. 1872, p. 73, § 5.
Notice.

Power of district meeting.

Certificate of clerk.

Assessment.

Collection.

(a) To sustain an assessment ordered by the inhabitants of a school district called together for that purpose, the proof must be clear that ten days' legal notice of the time, place and purposes of such meeting was given, *State v. Van Winkle*, 1 *Dutch*. 73. Where an assessment of a tax for the purpose of building a school house is ordered, the sworn certificate delivered by the trustees to the assessor, stating that notice of the meeting was given "in accordance with the act," is not sufficient. The certificate should state what the notice was, when and where copies were put up, and all the facts necessary to show that the law has been complied with, *State v. Hardcastle*, 2 *Dutch*. 143; 3 *Dutch*. 551. The notice of the meeting should state, that the meeting is to consider and decide whether the taxable inhabitants will authorize the trustees to raise additional money by tax, for the purpose of maintaining a free school or schools in the district, *Ibid.* The sworn certificate should show that those facts are within the knowledge of at least two of the trustees, and should be verified by their oaths, *Ibid.* The act of March 27th, 1862, (P. L. 1862, p. 307), is not a supplement to the act of March 14th, 1851, (P. L. 1851, p. 270, § 11), but a distinct and independent act, and does not, in order to raise the necessary money by taxation, require a resolution of two-thirds of the inhabitants present at a meeting of the taxable inhabitants of the district, nor the certificate of the school trustees to be under oath, *State v. Ryerson*, 1 *Vr.* 268. A notice indicating that the object of the meeting is to purchase a school house, will not warrant a resolution to pay for a house already built, *State, Lamb v. Hurff*, 9 *Vr.* 310, 312. *Reed, J.* It is essential to the validity of the certificate of the district clerk, that it set forth that due notice has been given of the amount of money proposed to be raised at the district meeting, *State, Slack v. Palmer*, 10 *Vr.* 250. Where a special meeting is called, it is also necessary that it appear by the certificate that the meeting was ordered by the trustees, *Ibid.* Where a meeting of the inhabitants of a school district is held, and money voted to be raised by taxation at a special meeting, the previous action of the trustees in calling the meeting, should appear in the certificate of the clerk to the assessor, *State, Lamb v. Hurff*, 9 *Vr.* 310. The certificate of the trustees of the proceedings of a meeting to order money to be raised by taxation, need not set forth the places at which the notices of the meeting were set up; if in the words of the act, "in at least three public places in said district," it is sufficient, *State v. Donahay*, 1 *Vr.* 404. The school trustees cannot proceed under both a special law and the general law, or abandon the former and resort to the latter, in building and paying for a school house, *State, North Hudson Co. R. R. Co. v. Kelley*, 5 *Vr.* 75. A special meeting of the legal voters of a school district, duly called, may vote to

raise money for school purposes, although such appropriation has been refused at the annual meeting, *State v. Lewis*, 6 *Vr.* 377. When a school district is to be assessed, the taxable inhabitants are required to meet, upon a notice stating one or more of the purposes specified in the section. When assembled they must direct the particular purpose for which the money is to be raised, which must be one of the purposes mentioned in the act, and in the notice. The certificate of these proceedings must show a compliance with these requirements. And the money, when raised, is to be applied only to the purposes directed by the meeting, *State, Cochrane v. Garrabrant*, 3 *Vr.* 444. A certificate setting forth that the money was to be used for school purposes generally, is insufficient, *Ibid.* The certificate upon which a school tax is assessed must show how the money ordered to be raised, is to be apportioned, *State, Banghart v. Sullivan*, 7 *Vr.* 89. The material facts set forth in the certificate must be verified by the oath of the clerk, *Ibid.* At a special meeting of the voters of a school district pursuant to notice, it was voted to build a new school house and to borrow money to buy a lot and pay for the house. The meeting then voted a special tax of \$500, and ordered \$1600 to be raised in three years, for the lot and school house. *Held*, that the order to raise the \$500 was void, no purpose to which it was to be applied having been specified as required by law, *State, Duryee v. Greenleaf*, 5 *Vr.* 441. The clerk of the district having directed the assessor to raise, by assessment, the sum of \$600 for 1869, towards the expenses of the school house and lot. *Held*, that the clerk had no right to make such apportionment, and that such order was without authority, and the assessment must be set aside, *Ibid. Query.* As to the constitutionality of the school law in regard to the territory assessed, *State, McCloskey v. Chamberlin*, 8 *Vr.* 338, 391, *Van Syckel, J.* The special act passed April 11th, 1867, to enable the school trustees of West Hoboken school district to purchase land, and to erect a school house thereon, prescribing the manner of paying for the same, and repealing all acts inconsistent therewith, supersedes the general school law, and makes void all proceedings thereunder to levy a tax on said district to pay for said land and school house, *State, North Hudson Co. R. R. Co. v. Kelley*, 5 *Vr.* 75. School taxes must be assessed upon the same property and in the same manner as all other taxes, *State, Roll v. Perrine*, 5 *Vr.* 254. School taxes illegally assessed, will be set aside on application of the persons aggrieved, but the whole assessment will not be set aside, although the alteration of the school district be illegal, and the notice to the assessor be defective, *State v. Browning*, 3 *Dutch*. 527; 4 *Dutch*. 556. Construction of a special act authorizing the building of a school house and the issuing of bonds therefor, *State, Trustees v. Readington*, 7 *Vr.* 66.

Proviso.

P. L. 1871, p. 94, § 7.

Inhabitants to authorize the issuing of bonds.

P. L. 1872, p. 91, § 2.

" 1877, p. 115.

Bonds of school district to be a lien upon the personal property of inhabitants of said districts.

P. L. 1873, p. 58.

Proviso.

Interest, how raised.

P. L. 1872, p. 91, § 3.

Surplus revenue.

Money, how expended.

P. L. 1874, p. 94, § 10.

Penalty for unlawful use of money.

Ib. § 11.

as aforesaid; *provided*, that whenever any district school meeting shall be held as aforesaid, or at the call of the trustees, as provided in the eleventh division of the thirty-ninth section of this act, it shall not be lawful for such meeting to order a greater sum of money to be raised by district tax than shall have been mentioned and designated in the notice of such meeting set up in the manner required by law; *and provided further*, that whenever in the judgment of the trustees of any district it shall be necessary to levy a district tax for school purposes, the district clerk thereof shall not set up the notices directed to be given as aforesaid.

87. It shall and may be lawful for the inhabitants of each district, when met in conformity to the provisions of the eighty-sixth section of this act, or at the call of the trustees, as provided in the eleventh division of the thirty-ninth section of this act; and the inhabitants so met shall have power by the consent of a majority of those present, to authorize the trustees for the purpose of purchasing land for school purposes, or for the purpose of building a school house or school houses in such district, to issue bonds of the district in the corporate name of such district in such sums and in such amounts, and payable at such times as the inhabitants so met may direct, with interest, at the rate of seven per centum per annum, payable half yearly; which bonds shall be signed by the trustees of such district and attested by the clerk under the seal of the district; and the bonds so issued shall be a lien upon the property of the said district.

88. The bonds of the several school districts of this state, heretofore or hereafter legally issued for the purpose of building school houses, shall be a lien upon the real and personal estates of the inhabitants of the said districts, as well as the property of the said districts; and the property of the inhabitants as well as the property of the districts, shall be liable for the payment of the same; *provided*, such bonds are seven per centum bonds, and the interest is payable semi-annually, and coupons shall be attached thereto; and that in all cases copies of all papers and proceedings authorizing the issuing of such bonds shall be submitted to the attorney general for his approval of the legality of the same, who shall receive such compensation for the examination of the same as shall be fixed by the trustees for the support of public schools, which sum shall be paid by the districts seeking such loan.

89. Whenever any district shall order and authorize the issue of bonds, for the purpose aforesaid, it shall be the duty of the district clerk of such district, each and every year, to issue the warrant of the district, signed by the trustees, and attested by the clerk under the seal of the district, to the assessor or assessors of the township or townships in which such district is situate, directing him to assess upon the inhabitants of said school district, and their estates and the taxable property therein, an amount sufficient to pay the bond or bonds of the district maturing in such year, together with the interest accruing upon the whole issue of the unpaid bonds of such district, which warrant so issued as aforesaid, shall be executed in the same way and manner as is provided by the eighty-sixth section of this act.

90. The several townships in this state are authorized and required to appropriate the interest of the surplus revenue received by them, and from other funds not raised by tax, such sums for the support of the public schools as they shall order and direct at their annual town meetings, in addition to the amount received from the state appropriation and the amount which they raise by tax.

X. Miscellaneous.

91. Not more than twenty dollars annually, of the school moneys received by any school district, except such as may be raised within the district, shall be used for any other purpose than the payment of teachers' salaries and for purchasing fuel.

92. In case any school district or city shall use any of the school money apportioned to it for any other than public school purposes, such district or city shall forfeit out of the next annual apportionment a sum equal to twice the amount thus used; and it shall be the duty of the county

superintendent to re-apportion the money thus forfeited among the other districts and cities of his county; *provided*, the state superintendent may remit such penalty for cause. Proviso.

93. In case of the failure of any district clerk or city superintendent to send his annual report to the county superintendent of his county in the form prescribed, on or before the first of September, such county superintendent shall make up his report for such district or city from the last published report of the state superintendent; in making up such report, however, he shall deduct one-fifth from the school census; *provided, however*, that all such cases of delay or negligence shall be reported to the state superintendent of public instruction, whose duty it shall be to investigate the same, and to restore the number deducted from the school census in all cases, when he receives satisfactory reasons for such delay or negligence.

District clerks,
reports of.
Ib. § 12.

Proviso.

94. After the expiration of the present school year it shall not be lawful to charge tuition fees for the support of public schools in this state, but that all such schools shall be free to all persons over five and under eighteen years of age residing within the district, so long as such schools can be thus maintained with the public school funds.

No tuition fees to
be charged.

P. L. 1871, p. 94, § 9.

95. The treasurer of the state, upon the order of the state superintendent of education, is hereby authorized and directed to pay over the sum of twenty dollars out of any money that may be in the public treasury to every school district, which shall raise by subscription a like sum for the same purpose, to establish within such district a school library, and to procure philosophical and chemical apparatus, and the further sum of ten dollars annually, upon a like order, to the said districts, upon condition that they shall have raised by subscription a like sum for such year, for the purposes aforesaid.

Appropriation
for library.

P. L. 1871, p. 103.

96. The selection of books and apparatus shall be approved by the school trustees of such district.

Selection of
books, &c.

97. The school trustees of each district shall make proper rules and regulations for the management, use and safe keeping of such libraries.

Rules of.

98. No teacher shall be permitted to inflict corporeal punishment upon any child in any school in this state.

No corporeal
punishment.

99. The county superintendent shall have power to administer all necessary oaths or affirmations to district clerks and other school officers, for which he shall receive no compensation.

County superin-
tendent may ad-
minister oaths.

100. All acts and parts of acts of a general character on the subject of public schools and of the normal school and its appropriations, passed before the twenty-first day of March, one thousand eight hundred and sixty-seven, are hereby declared to be repealed.

Repealer.

XI. Supplements.

Supplement.

Approved April 9, 1875. P. L. 1875, p. 88.

101. SEC. 1. That the "Trustees for the Support of Public Schools," be and they are hereby authorized and empowered to bid for and purchase any lands and premises exposed to sale under the order and decree of any court, for the payment and satisfaction of any mortgage encumbrance thereon held by the said trustees, and to take and hold the title to the lands and premises so purchased in and by their official name, style and title, and as part of the assets of the school fund of New Jersey; *provided*, that said trustees shall not bid a higher price for such lands and premises than shall be sufficient to save the amount due upon their said mortgage encumbrance and costs, the taxed costs attending such proceedings and sale, if any, to be paid by the treasurer of this state out of the state funds, on warrant of the comptroller, and not out of the school fund.

Trustees for the
support of public
schools, may pur-
chase and hold
lands and premi-
ses sold to satisfy
mortgage, held
by them.
Proviso.

102. SEC. 2. That the said "Trustees for the Support of Public Schools," be and they are hereby empowered and directed to sell and convey to any purchaser any lands and premises by them acquired under the provisions of this act, at such times, for such prices and on such terms of payment as the governor of this state for the time being shall, in writing under his hand, approve, and the consideration received therefor shall be assets of the school fund of this state.

May sell and con-
vey any lands
and premises so
purchased.

P. L. 1875, p. 105.

Children shall attend school twelve weeks in each year, or be instructed at home for same period.

Penalty for non-compliance.

Duties of the district clerk of each school district.

Proviso.

Repealer.

P. L. 1876, p. 24.

When new school district may contain less than seventy-five children.

Proviso.

P. L. 1877, p. 66.

When trustees of school districts to give bonds for honest investment of moneys.

Supplement.

Approved April 9, 1875.

103. SEC. 1. That every parent, guardian or other person having control and charge of any child between the ages of eight and fourteen years, shall cause such child to attend some public or private school, at least twelve weeks in each year, six weeks at least of which attendance, shall be consecutive; or to be instructed at home at least twelve weeks in each year, in the branches of education commonly taught in the public schools, unless the physical or mental condition of the child is such as to render such attendance inexpedient or impracticable.

104. SEC. 2. That any person failing to comply with the provisions of this act shall, on written notice of such failure from the district clerk of the school district, or the person designated by the board of education of the city where such offence has occurred, forfeit for the first offence, and pay to the township collector or city treasurer, the sum of two dollars; and after such first offence, shall, for each succeeding offence in the same year, forfeit and pay to the township collector or city treasurer, the sum of three dollars for each and every week, not exceeding twelve weeks in any one year, during which they, after written notice as aforesaid, shall have failed to comply with the provisions of this act.

105. SEC. 3. That it shall be the duty of the district clerk of each school district, and of some person in each city to be selected by the city board of education, to report to the township collector of the township, or city treasurer of the city where the offence has occurred, the names of all parents, guardians or other persons who fail to comply with the provisions of this act; and the officer to whom such report is made, shall proceed to collect the penalties imposed by this act, in any court of competent jurisdiction, in the county in which such city, town, township or school district may be situated; the said penalties, when paid, to be added to the public school money of said school district in which the offence occurred; *provided*, this law shall not be operative in those school districts of the state where there are not sufficient accommodations to seat the children compelled to attend school under the provisions of this act.

106. SEC. 4. That all acts and parts of acts inconsistent with this act, be and the same are hereby repealed, and this act shall take effect immediately.

Supplement.

Approved March 7, 1876.

107. SEC. 1. That no new school district shall hereafter be formed which shall contain less than seventy-five children, between five and eighteen years of age, by the county superintendent of any county except the circumstances of the case be in his opinion extremely urgent, in which case he shall certify to the state superintendent of public instruction, the facts of the particular case with his recommendation in the premises, and upon the state superintendent endorsing his approval thereon in writing, a new district may be formed; *provided*, that no such new district shall contain less than twenty-five children between the ages aforesaid.

Supplement.

Approved March 8, 1877.

108. SEC. 1. That whenever the trustees of any school district, in any township in this state, shall have been or shall be authorized to receive any moneys for the purpose of establishing a sinking fund, for the redemption of any bonds, or the payment of any indebtedness, or the extinguishment of any lien upon the school property of such district, the said trustees shall be required to execute, and to deliver to the township committee of their respective townships, their several bonds to the inhabitants of such townships, by their corporate name, in such sums and with such sufficient freehold security as shall be approved by such committee; the said bonds to be conditioned for the honest and faithful investment and appropriation of all such moneys, and the interest thereon, for the purposes aforesaid; and, in case of the breach of the condition of any of said bonds, the same shall be prosecuted by the said committee, in the name of said township, and all moneys to be collected thereupon shall be paid over to the trustee

or trustees of said district, for the purposes aforesaid; and that if any trustee shall refuse or neglect to make and deliver any such bond as aforesaid, within thirty days after he shall be thereunto required by a resolution of the said committee, he shall thereby be held to have resigned his office as such trustee, and such office shall be thereby vacated, and may be filled in the manner provided by law for the filling of vacancies in such board of trustees.

Supplement.

[For SEC. 1 see *Sec. 87 ante*].

Approved March 9, 1877.

P. L. 1877, p. 115.

109. SEC. 2. That any and all bonds which have been heretofore issued by the trustees of any district in this state, the proceeds of which have been applied to school purposes in such district, and the issue of which bonds shall have been authorized by a majority of the inhabitants or legal voters present at any meeting, had in pursuance of the eighty-sixth section of the act to which this is a supplement, or at any meeting held at the call of the trustees of such district, and all proceedings in relation thereto, notwithstanding the provisions of the act to which this act is a supplement, have not been complied with, are hereby made valid and binding in all respects on the inhabitants and property of such district; the same as if such bonds had been issued and proceedings had, in compliance and conformity with all the provisions of said act, to which this is a supplement.

Bonds heretofore issued by trustees validated.

XII. Miscellaneous acts.

A supplement to the act entitled "An act to make free the public schools of the state," and supplemental to the act entitled an act to establish a system of public instruction, approved March twenty-first, one thousand eight hundred and sixty-seven.

Approved March 21, 1874.

P. L. 1874, p. 63.

[Sec. 1 and 2 repealed by P. L., 1875, p. 29].

110. SEC. 3. That the required school census shall be taken between the first and the twentieth day of July.

When school census taken.

111. SEC. 4. That the annual reports required of city superintendents, district clerks and township collectors, shall be made on or before the first day of August, and that the reports of the county superintendents shall be made on or before the first day of September of each and every year.

When reports shall be made.

112. SEC. 5. That the time for the election of school trustees shall be the first Monday in August.

Election of school trustees.

113. SEC. 6. That all acts and parts of acts inconsistent with this act are hereby repealed, and that this act shall be deemed a public act and take effect immediately.

Repealer.

A supplement to the act entitled "An act to establish a system of public instruction," approved March twenty-first, eighteen hundred and sixty-seven.

Approved April 8, 1875.

P. L. 1875, p. 105.

WHEREAS, it is required by section eighty of the act to which this is a supplement, that all district school taxes shall be assessed, levied and collected at the time and in the manner that other township taxes are assessed, levied and collected; and whereas, by section thirty of the act entitled "A further supplement to the act concerning taxes," approved April eleventh, eighteen hundred and sixty-six, it is provided that the several assessors and collectors of the townships and wards of this state shall be entitled to receive twelve cents, and no more, for each name on their respective duplicates for assessing, levying and collecting all the taxes by them assessed and collected; *provided*, that no name occurring on the duplicate more than once be counted more than as one man; therefore,

Preamble.

114. SEC. 1. That the several assessors and collectors of the townships and wards of this state shall be entitled to receive five cents and no more for each name for assessing, levying and collecting district school taxes.

Compensation to assessors and collectors.

115. SEC. 2. That in the cities and towns of this state, where boards of education are established under their charters or by special acts, when the assessors or persons appointed by the board of education, are required to take the census of children within the school age, the said assessors or

Compensation, how paid in cities and towns where boards of education are established.

SCIENTIFIC SCHOOL.

persons appointed by the board of education shall be allowed at the rate of five cents per name for taking said census, to be paid by the board of education of said city or town.

An act to fix the quorum of the board of trustees of the state normal school and of the state board of education.

P. L. 1875, p. 19.

Approved March 2, 1875.

Quorums of trustees of normal school, &c.

116. SEC. 1. That a quorum of the board of trustees of the state normal school shall consist of six members, and that a quorum of the state board of education shall consist of eight members.

An act for the relief of school districts having school buildings in course of construction within this state.

P. L. 1876, p. 223.

Approved April 20, 1876.

Trustees authorized to issue bonds to complete school building.

Proviso.

117. SEC. 1. That a majority of the board of trustees (one of whom shall be the district clerk) of any school district in this state having in the district a school building in course of erection at the time of the passage of this act, and not having sufficient money to complete the same, shall for that purpose have power and are hereby authorized to issue, in the name of the inhabitants of such district, coupon bonds not exceeding ten thousand dollars in the aggregate, payable at such times as the said trustees may determine, with legal rates of interest, payable semi-annually; *provided*, that not more than two thousand dollars of such bonds shall be made payable in any one year, and the final payment of all the bonds shall not exceed twenty years; *provided further*, that the said bonds shall not be negotiated, sold or disposed of at less than their par value, and that the said board, or a majority of them, shall give to the inhabitants of said school district a good and sufficient bond for the full and faithful performance of their duty in connection therewith, for twice the amount of said bonds so proposed to be issued, which bond shall be approved by a majority of the town committee of the township in which said school district is situated, or the common council of the city or borough in which said school district is situated, as the case may be, which approval shall be had before said bonds shall be issued.

Principal and interest of bonds to be raised by tax.

118. SEC. 2. That for the purpose of providing for the payment of the interest and the principal of said bonds as they shall severally become due, the district clerk of any such district shall notify the assessor or assessors having jurisdiction therein, annually before the first day of July in each and every year, of the amount of money that will be required to pay the interest and principal of such bonds as they shall severally become due, and it shall be the duty of said assessor or assessors to assess the same upon the taxable property in said district in the same manner as all other taxes are assessed, and it shall be the duty of the collector or collectors of such district to collect the said taxes in the same manner as all other taxes are collected, and pay out the same upon the order signed by a majority of the trustees of such district, one of whom shall be the district clerk.

Scientific School.

1. Commissioners to sell scrip granted by the United States.
2. Interest of fund to be paid to trustees of Rutgers College.
3. To be devoted to maintenance of Scientific School.
4. Gratuitous education to be furnished.
5. Annual report.
6. When interest to be paid.
7. Board of visitors.
8. Powers of board.
9. Public lectures on agriculture.
10. Students, how to be admitted.
11. Reservation of power by legislature.
12. Board of visitors, how constituted.
13. Present members to remain until expiration of term.
14. Public lectures to be under direction of board of visitors.
15. Term of office of board.
16. Personal expenses of board to be paid out of state treasury.