

No. 316.

AN ACT

For the regulation and continuance of a system of education by common schools.

I. DISTRICTS.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a system of common school education, be and the same is hereby deemed, held and taken, to be adopted according to the provisions of this act, in all the counties of this commonwealth, and every township, borough or ward in this commonwealth, shall constitute and be a school district; but any borough which is or may be connected with a township in the assessment of county rates and levies, shall with the said township form one district, and the sum of two hundred thousand dollars is hereby annually appropriated as a common school fund to be apportioned as hereinafter prescribed: *Provided,* That the provisions of this act shall not extend to the city and county of Philadelphia.

SECTION 2. When a new district shall hereafter be formed, either by the division of a township or by any other means, such new district shall not be considered and recognized as a separate and independent school district, until after the termination of the current school year in which it became a new district, and until it have a full board of directors regularly elected, or appointed and organized; except that the directors thereof, shall have authority to levy, assess and collect tax, procure school houses, and do all other acts necessary to the commencement of teaching for the ensuing school year.

SECTION 3. If any balance of school funds shall remain on hand, or be due to the districts out of which any new district shall be formed, such balance shall, after all just claims against the old districts shall have been settled, be distributed between the old and new districts in the same proportion as said balance would have been expended for school purposes within the respective limits, if no such new district had been created, and such new district may recover the amount thus due, by suit against the old district or districts from which it was erected.

II. ELECTION OF DIRECTORS.

SECTION 4. School directors shall be elected annually in each district of the state, in the following manner, to wit: at the same time and place that elections are held for supervisors and constable, and in wards or boroughs at the time and place of the borough election, and in like manner, two qualified citizens shall be elected school directors for each district, whose term of office shall be three years; but in districts where directors have not been elected, or in new districts which may be established by the division of a township or otherwise, six directors shall be elected in such districts at the first election, two to serve one year, two to serve two years, and two to serve three years.

Duplicate returns to be made of the elections, and delivered to directors and courts of quarter sessions.

SECTION 5. Duplicate returns of all elections for directors shall be made out signed and sealed by the judges and delivered by the constable or proper officer of said election; one to the proper board of directors, and the other to the court of quarter sessions of the county, within ten days thereafter, and each person elected a director shall be notified thereof in writing, within five days after the election, by the constable or other officer who held the election; if the legality of any election for directors be contested in writing, by not less than ten qualified citizens of the district, the said court of quarter sessions is hereby authorized and required forthwith to examine into the election, and to confirm or set it aside as shall seem just and proper, and if set aside, to order a new election at the usual place and in the usual manner, on not less than two weeks' public notice by the proper officer.

Directors to be notified of their election.

Court of quarter sessions may set aside, and order a new election.

Power to fill vacancies.

SECTION 6. Each board of directors shall have power to fill any vacancy which may occur therein, by death, resignation, removal from the district, or otherwise, until the next annual election for directors, when such vacancy shall be filled by electing a person to supply the same.

Directors may declare seat vacant in certain cases.

SECTION 7. If any person duly elected a school director shall refuse to attend a regular meeting of the proper board, after having received written notice from the secretary to appear and enter upon the duties of his office; or if any person having taken on him the duties of his office as director shall neglect to attend any two regular meetings of the board in succession; or to act in his official capacity when in attendance, the directors present shall have power to declare his seat in the board vacant, and to appoint another in his stead to serve until the next regular election.

Where all directors refuse or neglect to serve, court may appoint others.

Directors exempt from services in any township or borough office, and from militia duty.

Directors elected under former acts, to continue, and taxes, &c., to be collected.

SECTION 8. If all the members of any board of directors shall refuse or neglect to perform their duties, by levying the tax required by law, and to put or keep the schools in operation so far as the means of the district will admit, the court of quarter sessions of the proper county shall, upon complaint in writing, by any six taxable citizens of the district, and on due proof thereof, declare their seats vacant, and appoint others in their stead, until the next annual election for directors; and all directors shall be exempted from serving in any township or borough office, and from the performance of militia duty.

SECTION 9. School directors, elected under the provisions of former acts, shall severally hold their offices during the term for which they were elected, and all appropriations authorized by former acts, whether by the state or county, and all taxes authorized to be raised for school purposes, shall be collected as they would have been collected if this act had not been passed.

III. OFFICERS AND MEETINGS OF THE BOARD.

SECTION 10. Annually, and within twenty days after the election of directors, each board of school directors shall meet and organize, by choosing a president and secretary who shall be members of the board, and a treasurer who may be a member of the board, or otherwise, at the discretion of the directors.

SECTION 11. The president shall preside at the meetings of the board, call special meetings when necessary; issue the duplicate and warrant for the collection of the district tax; take sufficient bond from the district treasurer for the faithful discharge of his duty; sign the certificate of the assessment of the district tax, and all orders issued on the district

President to issue duplicate and warrant, and take bond of treasurer, sign orders, &c.,

treasurer by order of the board; also, the annual report of the district to the superintendent, and generally do and perform all other acts and duties lawfully pertaining to the office of president of the board. sign annual report to superintendent.

SECTION 12. The secretary shall keep full minutes of all the proceedings of the board in a book provided for that purpose, prepare the duplicate of school tax; keep an account of all abatements and exonerations made by the board; prepare, attest and forward to the superintendent the annual certificate of tax, and the annual report of the district; prepare and attest all orders on the treasurer, and do and perform all other acts and duties lawfully pertaining to the office of secretary of the board. Secretary's duties.

SECTION 13. If the president or secretary shall absent himself from any meeting of the board, or being present shall refuse to perform any of the duties of his office, a president or secretary pro tempore shall be appointed by the members present, an entry thereof being made on the minutes; and the acts necessarily performed by such president or secretary pro tempore during such meeting, shall be as valid and binding on the board and district, as if they had been performed by the regular officer of the board. President and secretary, pro tem., may be chosen.

SECTION 14. The treasurer shall give bond to the president for the use of the district, in such amount, and such sureties, as shall be approved by the board, for the faithful performance of his duty; he shall receive all state appropriations, district tax, and other funds of the district, and pay thereout all orders of the board, signed by the president, and attested by the secretary; he shall settle his accounts annually, before the township or borough auditors, in default of which, he shall not be re-appointed; he shall pay over the balance without delay to his successor in his office, and generally do and perform all acts and duties lawfully pertaining to his office as district treasurer. Treasurer to give bonds. To settle his account, and pay over balance.

SECTION 15. Each board of directors shall hold at least one stated meeting in every three months; and such other meetings as the circumstances of the district may require, shall be held, at such time and place as may be designated by the president and secretary, upon due notice given to each member of the board; if less than four members attend any meeting, no business shall be transacted thereat, except that of adjournment and of appointment, to fill vacancies in the board, as is hereinbefore directed. Directors to hold meetings once in three months. Business to be transacted.

IV.—GENERAL POWERS AND DUTIES OF THE DIRECTORS.

SECTION 16. The board of directors of every district shall possess and exercise the following powers, and perform the following duties, together with the other powers and duties given and enjoined by this act: General powers and duties.

I. They shall establish a sufficient number of common schools for the education of every individual between the ages of five and twenty-one years in the districts, who may apply for admission and instruction, either in person or by parent, guardian or next friend. Ages of scholars for admission fixed.

II. They shall cause suitable lots of ground to be purchased or rented, and suitable buildings to be erected, purchased or rented for school houses, and shall supply the same with the proper convenience and fuel, and shall have power with the directors of the adjoining districts, to establish joint schools, and the expense shall be paid, as may be agreed upon by the directors of the said districts: and in all cases where real estate has been, or is held by trustees, for the general use of the neighborhood, as a school house, or its appendages, and the same shall be held real estate, for the benefit of their respective districts. Shall erect, &c., suitable school houses. May establish joint schools, and hold real estate, for the benefit of their respective districts.

has been or shall be conveyed to the school directors of the proper district, by the surviving trustees, such conveyance shall be as valid to pass the legal estate in the premises to such school directors, as if executed by all of them pursuant to the fourteenth section of the act of thirteenth June, one thousand eight hundred and thirty-six.

Shall visit schools
once a month.

III. They shall exercise a general supervision over the schools of their respective districts, and shall by one or more of their number, visit every school in the district, at least once in each month, and shall cause the result of such visit to be entered on the minutes of the board.

Shall examine
teacher and
give certificate.

IV. They shall either themselves, or by such persons as they may appoint for that purpose, examine all persons who may apply for employment as teachers, and shall give to each teacher found qualified, and of good moral character, a certificate, setting forth the branches of learning, he or she is capable of teaching, which certificate shall be signed by a majority of the acting board of directors, and no person shall be employed as a teacher, without having procured such certificate, which shall be renewed annually.

Certificate to be
renewed

Shall appoint
teachers.

V. They shall have the appointment of all the teachers of common schools in the district; fix the amount of teachers' salaries, and may dismiss them at any time for incompetency, cruelty, negligence or immorality.

May dismiss.

May determine
what books to be
used.

VI. They shall determine and direct what branches of learning shall be taught, and what books shall be used in the schools, and may suspend or expel from the school all pupils found guilty on full examination and hearing, of refractory or incorrigible bad conduct.

May expel pupils

Shall pay all ne-
cessary expenses.

VII. They shall pay all necessary expenses of the schools by drafts on the district treasurer, signed by the president, and attested by the secretary of the board, the same being entered on the minutes.

May purchase
and sell certain
real estate, for
school purposes.

VIII. They shall have power to purchase and hold such real and personal property as may be necessary for the establishment and support of the schools, and the same to sell, alien and dispose of, when it shall no longer be necessary for the purposes aforesaid, and in all cases where real estate is held by trustees or others, for the general use of a neighborhood, as a school house, or its appendages, it shall be lawful for the said trustees or others, or the survivor or survivors of them, to convey the same to the directors of the proper district; and thenceforward, the directors and their successors shall hold the said property for the same term, and for the same uses, for which it was originally granted to said trustees or others.

May appoint an
inspector.

IX. The board of directors of any district, may if they deem it expedient and conducive to the advantage of such district, annually, appoint an inspector of the common schools thereof, who shall attend to the visitation, inspection and care of the said schools, and to the performance of such other duties connected therewith, as shall be assigned him by said board in their regulations, for which service he shall receive such compensation as the proper board shall determine at the commencement of each school year; but the directors shall not thereby be exempted from performing their general duties as directed by this act.

His duty.

Shall make report
annually, to the
superintendent,
on or before 1st
Monday in June.

X. Each board of directors shall annually, on or before the first Monday in June, make a report to the superintendent of common schools, setting forth the number and situation of the schools in their district, the character of the teacher; designating whether male or female; the number and sex of the scholars admitted during the year; the branches of study taught in each school; the number of months in the year during which each school shall have been open; the cost of school houses, either for building, renting or repairing, and all other expenses which may have been incurred in maintaining the schools of

their districts, together with such other information as may be beneficial in forming a just estimate of the operation of the school system.

XI. The directors of each district shall have power to determine into which school each pupil shall be admitted, and if it shall be found, that on account of great distance from, or difficulty of access to, the proper school house in any district, some of the pupils thereof, could be more conveniently accommodated in the schools of an adjoining district, it shall be the duty of the directors of such two adjoining districts, to make an arrangement by which such pupils may be instructed in the most convenient school of the adjoining district, and the expense of such instruction shall be paid as may be agreed upon by the directors of such adjoining districts.

May make arrangements with directors of adjoining districts in certain cases.

V.—SUB-DISTRICTS.

SECTION 17. The directors of each district may, if they deem it expedient, divide the same into sub-districts, the bounds of which shall be entered on the minutes of the board, and said sub-districts shall not be altered or abolished, except with the consent of a majority of the citizens of the sub-district, ascertained at a public meeting held for that purpose, or by writing, signed by their names, and addressed to the board of directors.

May create sub-districts.

Not to be abolished, except by a vote of a majority of the citizens or by written consent.

SECTION 18. The qualified voters of each sub-district shall meet on the second Tuesday in June next, and every year thereafter, and choose a committee of three of their number to serve for one year, which committee shall select their teacher for the sub-district, subject to the examination and approval of the board of directors; fix the time of opening the school; admit pupils; visit the school by one or more of their number, at least once in each week; have the care and repair of the school house; provide fuel, and generally, attend to all the local concerns of the sub-district; subject to the advice and control of the board of directors; for all necessary expenses of fuel and repairs, they shall exhibit their accounts to the board, who shall pay the amount by orders on the district treasurer in the usual manner. If a difference shall arise between the board of directors of any district, and the committee of a sub-district respecting the appointment of a teacher; or if the directors shall refuse to approve a properly qualified teacher selected by such committee, it shall be lawful for the qualified voters of such sub-district, to meet upon ten days' public notice, signed by the committee, or by any four of such qualified voters, and elect by ballot, a teacher for such sub-district, which election shall be as valid as an appointment by the board: *Provided*, That the teacher so elected, shall have been first duly examined by the board of directors, or by some person authorized by them, and have from them a certificate of his qualifications as directed by this act.

Election of sub-committee.

Their duties.

Voters may choose a teacher in certain cases.

Proviso.

SECTION 19. In case the school directors deem it inexpedient to divide their district into sub-districts, or if the voters of any sub-district shall neglect or refuse to elect a committee, as provided for in the preceding section, then the duties of said committee shall devolve on, and be performed by the board of directors.

Certain duties to be performed in case of neglect, &c.

VII. ENDOWED SCHOOLS, AND SCHOOLS UNDER THE CARE OF RELIGIOUS SOCIETIES.

SECTION 20. If any common school is, or shall hereafter be endowed by request or otherwise, the board of directors of the district in which such school may be situated, are hereby authorized to allow said school

Endowed schools.

Proviso. to remain under the immediate direction of the regularly appointed trustees of the same, and to appropriate so much of the district fund to the said school, as they may think just and reasonable: *Provided*, Such school shall be open to the visits of the directors of the district, and conducted in conformity with the common school system, so far as the same is applicable thereto.

Schools under care of religious societies to be paid. SECTION 21. When a free school of the common grade in any district, shall be maintained under the care and direction of any religious society, it shall be lawful for the directors of such district, to cause to be paid to the proper person or persons for the support of such school, any portion of the school funds of the district, which they may deem just and reasonable, not exceeding the rateable share of the inhabitants, whose children, wards or apprentices, shall be taught in such school: *Provided*, That said directors shall be satisfied, that such payment is not injurious to the common schools of such district, and that such free school shall be opened to the visits of the directors, and conducted in conformity with the common school system.

Proviso. SECTION 22. The school directors of every district shall annually, on or before the first Monday of May, and by the votes of not less than four members of the board, levy such an amount of tax on their district, as shall, together with such additional sums as the district may be entitled to receive out of the State appropriation and from other sources, be sufficient and necessary to keep the schools of the district in operation not less than four, nor more than ten months in the year.

VIII. ASSESSMENT AND COLLECTION OF SCHOOL TAX.

Directors may lay a tax sufficient to keep schools open from four to ten months. SECTION 23. For the purpose of enabling the board of directors to assess and apportion the tax for the ensuing school year, the county commissioners shall, when required, furnish the president or secretary of the board, with a correct copy of the last adjusted valuation of proper subjects and things made taxable in the same, for state or county purposes, which said property, subjects and things are hereby made taxable for school purposes, according to the provisions of this act: *Provided*, That if any error in the certificates of taxables shall occur, whereby a district shall receive more, or less of the State appropriation than is justly due said district, the county commissioners shall have authority, and they are hereby required, immediately to forward to the superintendent a corrected list of taxables, and the superintendent shall thereupon, make it the basis of the appropriation due said district.

County commissioners to furnish a copy of valuation. SECTION 24. Whereupon the board of directors shall, on or before the first Monday of June annually, proceed to levy and apportion the said school tax as follows, to wit: they shall first assess upon all offices and posts of profit, professions, trades and occupations, and upon all single freemen above the age of twenty-one years who do not follow any occupation, any sum which they shall deem proper and sufficient, not exceeding the amount assessed on the same for state and county purposes, except that the sum assessed on each, shall in no case be less than fifty cents; having ascertained the amount thus assessed, the directors shall, in the second place, assess and apportion the balance necessary to make up the whole amount of tax to be raised, upon the property of the district made, or to be made taxable, for state or county purposes as aforesaid.

Taxable for school purposes. SECTION 25. When the school tax is thus levied and apportioned, the secretary of the board of directors shall make out a correct duplicate of the same, and the president shall issue his warrant, with the duplicate aforesaid, to the district treasurer, to collect the said tax; and the board

Proviso. **Appportionment of tax.** **Profession tax.** **Single freemen to be taxed not less than fifty cents.** **Other property taxable.** **Secretary of board to make out duplicate.**

shall have the right at all times to make such abatements or exonerations for mistakes, indigent persons or unseated lands, as to them shall appear just and reasonable, and the secretary shall enter on the minutes the names of all persons in whose favor such abatements or exonerations were made, together with the reasons therefor.

Abatements and exonerations.

SECTION 26. On the receipt of the said warrant and duplicate, the district treasurer shall give at least thirty days' notice, by not less than ten written or printed advertisements, to be put up in the most public places in the district, that he will attend at the usual place of holding township, ward or borough elections, on a day to be named in said advertisements, for the purpose of collecting and receiving the school tax for said district, and shall collect and receive the same, giving receipts therefor in all cases when required by the person paying the same, and as compensation therefor, the treasurer shall receive two per cent. for all moneys so collected.

Treasurer shall give notice of time and place of receiving tax, shall give receipts, two per cent. allowed for collecting.

SECTION 27. In case any school tax shall remain unpaid for a period of sixty days from and after the day on which the district treasurer shall have attended for the purpose of receiving the same as aforesaid, it shall be the duty of the district treasurer to issue his warrant, with a schedule of all such unpaid school tax, and the names of the persons respectively to whom the same is charged in the proper duplicate, directed to the constable of the proper ward, township or borough, whose duty it is hereby made, to receive the same, authorizing and requiring him to demand and receive from the persons named in the said schedule, the sums with which they are therein charged respectively, together with five per cent. on the amount thereof, which per centage shall in all cases be collected and retained by such constable for his compensation; in case any person so charged with school tax fail to pay the amount, together with the per centage aforesaid, within twenty days after the demand made therefor by said constable, the constable may levy the same by distress and sale of the goods and chattels of said delinquent, giving ten days' notice of such sale, by written or printed advertisements; and in such case, said constable shall, in addition to the per centage hereinbefore allowed, be entitled to retain out of the proceeds of such sale, after first deducting the school tax and the per centage aforesaid, the same fees as are now allowed by law to constables for a levy and sale upon a writ of execution.

If not paid in sixty days, treasurer to issue his warrant for collection.

Five per cent. allowed to the constable.

May levy and sell, if not paid in twenty days.

Fees to be allowed on sale.

SECTION 28. Before the delivery to the constable of the warrant and schedule as aforesaid, the district treasurer shall require from him sufficient bond and security for the payment of the amount of school tax contained in said schedule; and if said constable shall fail to give the security required, the district treasurer may appoint another person to collect the said unpaid school tax, who shall have the same power, and receive the same compensation for the performance of this duty, as the constable aforesaid.

Constable to give bond.

SECTION 29. Whenever school tax assessed on unseated lands in any district, shall not be voluntarily paid by the owner or owners thereof, the district treasurer shall certify the same to the proper county commissioners, who shall enforce the collection thereof with the taxes assessed on unseated lands for county purposes, and when so collected, shall pay the same to said district treasurer, by orders drawn on the county treasurer.

Tax on unseated lands.

SECTION 30. As soon as the president of the board of directors of any school district, shall have issued his warrant for the collection of a school tax as directed by the twenty-fifth section of this act, he shall certify the same, stating the amount of such tax, and also the name of the district treasurer to the superintendent of common schools, who, with name of district treasurer.

President to certify the tax to the superintendent, with name of district treasurer.

Warrant to be drawn on state treasurer.
 Proviso.

upon the receipt of the same, shall draw his warrant on the state treasurer for the whole amount such district is entitled to receive from the annual state appropriation: *Provided*, Said board of directors shall also have made report of the condition of the schools in their district, as directed in the sixteenth section of this act, and no resident shall be compelled to pay any school tax who has no school house to which he or she may send his or her scholar within four miles of his or her residence.

IX.—THE SUPERINTENDENT—HIS POWERS AND DUTIES.

Superintendent his duties.

SECTION 31. The secretary of the commonwealth shall be superintendent of the common schools, and shall possess and exercise the following powers and perform the following duties:

To settle controversies.

I. He shall decide without appeal and without cost to the parties, all controversies or disputes that may arise or exist among the directors of any district; between directors of adjoining districts; between subcommittees and directors, or between collectors or treasurers and directors, concerning the duties of their respective offices, the facts of which controversies or disputes shall be made known to him by written statements, by the parties thereto, acting in their official capacities, verified by oath or affirmation if required, and accompanied by certified copies of all necessary minutes, contracts, orders or other documents.

Shall give advice and information to district officers and citizens.

II. He shall whenever required give advice, explanation, construction or information, to the district officers and to citizens, relative to the common school law; the duties of common school officers; the rights and duties of parents, guardians, pupils, and all others; the management of the schools, and all other questions and matters calculated to promote the cause of education.

Sign all orders on state treasurer.

III. He shall sign all orders on the state treasurer for the payment of such moneys to the treasurers of the several school districts as they may be entitled to receive from the state.

To prepare blank forms.

IV. He shall prepare blank forms for the annual district reports, with suitable instructions, and forms for conducting the various proceedings and details of the system, in a uniform and efficient manner.

Report to legislature annually.

V. He shall prepare and submit to the legislature and annual report; containing a full account of the condition of the common schools in the state; the expenditure of the system during the year; estimates of the sums requisite for the ensuing year; the whole number of pupils; the cost of teaching each; the number of districts; plans for the improvement of the system, and all such matters relating to the concerns of common schools and to the duties of his office, as he may deem it expedient to communicate.

Transmit to county commissioners a statement of money due.

SECTION 32. He shall annually, in the month of April, transmit to the commissioners of each county, a statement of the amount every district therein may be entitled to receive out of the annual appropriation of two hundred thousand dollars, and the commissioners shall immediately cause such statement to be printed three times, in one or more newspapers published in said county.

X.—DUTIES OF COUNTY COMMISSIONERS.

County commissioners to make triennial returns to superintendent, on or before 1st of April, in

SECTION 33. It shall be the duty of the commissioners of each county, to ascertain triennially, with the assistance of the respective assessors, the exact number of the taxable citizens of each school district in their several counties, and to certify the same under their hands and seals of office to the superintendent of common schools, who is hereby directed to adopt the number of taxables thus certified to him,

as the basis of distribution of the state appropriation, which said certificates shall be prepared and transmitted on or before the first day of commencing April, in every third year, commencing with the first day of April, one April 1st, 1850. thousand eight hundred and fifty; and if the commissioners of any county shall neglect to forward such certificates on or before said day, the superintendent may in such case, adopt the number of taxables set forth in the next preceding certificate or return.

SECTION 34. Whenever a new district shall be formed in any county of this commonwealth, it shall be the duty of the commissioners thereof to certify to the superintendent of common schools, before the commencement of the next succeeding school year, the number of taxable inhabitants therein, and also the number in the district or districts from which it was taken, separately, according to the last preceding triennial enumeration of taxables, made for school purposes, so that the whole number in such new district, and in that or those out of which it was taken, being added together, shall be neither greater nor less than the number that was therein before the change was made, and according to the last triennial certificate or return of taxables thereof made by said commissioners.

Duty of county commissioners to certify to superintendent, where new districts are formed, the number of taxables therein.

XI. GENERAL AND REPEALING SECTIONS.

SECTION 35. The act and its supplements now in operation in the city and county of Philadelphia, entitled "An Act to provide for the education of children at the public expense within the city and county of Philadelphia," are declared to be concurrent with the provisions of this act, and are in no wise to be considered as altered, amended or repealed, except so far that the said city and county shall be entitled to receive their due proportion and share of the annual state appropriation, nor shall any thing contained in this act be deemed and taken to alter, or in any manner to interfere with the system of public schools now in operation in the said city and county.

Certain acts declared to be concurrent with this act.

SECTION 36. No person shall hereafter be incompetent to give evidence in any suit or action in which any school district, or any officer thereof, is a party, for or on account of the said person being an inhabitant of the township or district, or by reason of his being liable to the payment of any tax in which said school district may be interested.

Inhabitaney not to disqualify a witness, or liability to pay district tax.

SECTION 37. That the unexpended balance of moneys remaining in the treasuries of certain counties, appropriated by the act of April first, one thousand eight hundred and thirty-four, shall be distributed to and among the several school districts in said counties, according to the number of taxables in said districts: *Provided*, That if any district shall have received any part of said sum, it shall be included in such district's proportionable share.

Unexpended balances, how distributed.

SECTION 38. All former acts and parts of acts relative to the common school system which are supplied by, or are inconsistent with the provisions of this act are hereby repealed.

Repeal.

SECTION 39. Immediately after the passage of this act, the superintendent shall prepare and forward a copy of it to the president and secretary of each board of directors, and to the commissioners of each county in the state.

WILLIAM F. PACKER,

Speaker of the House of Representatives.

GEORGE DARSIE,

Speaker of the Senate.

APPROVED—The seventh day of April, one thousand eight hundred and forty-nine.

WM. F. JOHNSTON.