

PUBLIC LAWS.

An act to provide more effectually for the Education of the Poor gratis and for laying the foundation of a general system of education throughout this commonwealth.

Section 1. That the citizens of every township, ward and borough, within the respective counties of this commonwealth, with the exceptions hereinafter mentioned, who are qualified to vote for members of assembly, shall, on the Friday preceding the third Saturday in the month of March next ensuing the passage of this act, at the place where they vote for township, ward, or borough officers, elect three reputable citizens to be called school men, to discharge the duties hereinafter directed, within the township, ward, or borough for which they shall have been so elected. One of the said school men shall be elected for the term of one year, another for the term of two years, and another for the term of three years. And every citizen voting at such election, shall, at the time of voting, designate the term that he intends each school man by him voted for shall serve. And annually thereafter the citizens of each township, ward or borough, qualified as aforesaid, shall, on the day and at the place aforesaid, elect one such reputable citizen, in the room of him whose term of office is about to expire, to discharge the duties of a school man under this act, who shall continue in office for three years: And the elections to be held by virtue of this act, shall be conducted in the same manner as the election of constables throughout the commonwealth is by law to be conducted, and held, by the same persons who may by law be authorised to hold the constables' election in each township, ward or borough: And it shall be the duty of the constable of each township, ward or borough, to give at least ten days notice of the time and place of holding each and every election under this act, by written or printed handbills, put up at five or more of the most public places in each township, ward or borough: And the judges of such election shall make out a separate return of the person or persons elected to the office of school men which shall be delivered by the constable of the township, ward or borough, to the county commissioners, at or before the next regular county court. And the said constable shall also within five days after such election, notify in writing the person or persons who may have been elected of his or their election to the office of school man. And on failure of the constable of any ward, township or borough, to perform any of the duties enjoined upon him by this act he shall for each and every such offence forfeit and pay the sum of ten dollars, to be sued for by the school men of such township, ward or borough in the name of the proper county, and recovered as debts of like amount are by law recoverable before a justice of the peace or alderman, and to be applied by them towards paying for the tuition of the poor children in such township, ward or borough. In which suit any citizen thereof shall be a competent witness. And if any vacancy shall occur in the office of school man by the death or removal from the township, ward or borough, of any person or persons who may have been elected to that office, the next or any subsequent court of quarter sessions shall appoint a reputable citizen to fill such vacancy, until the next election, when it shall be filled by the citizens of such township, ward or borough, under the provisions of this act.

Section 2. That if the inhabitants of any township, ward or borough, shall neglect to elect school men pursuant to the first section of this act, it shall be the duty of the judges of the court of general quarter sessions of the peace, at their first or any subsequent sessions, to appoint school men for such township, who shall be subject to the same rules, regulations and penalties, and vested with the same power and authority as if elected by the inhabitants of their proper township.

Section 3. That when any school man shall be elected or appointed agreeably to the provisions of this act, he shall without delay, take an oath or affirmation before a judge or justice of the peace of the proper county, well and faithfully to execute the duties of school man for his proper district with fidelity. And if any school man so elected or appointed, shall refuse to serve as such, or having taken upon himself the office shall neglect or refuse to perform the duties in this act enjoined upon him, such person for every offence herein before mentioned shall forfeit & pay the sum of 20 dollars, to be recovered in the name of the proper county as debts of equal amount are by law recoverable, and to be paid to the treasurer of the county for the aid of the education of the poor. Provided, That when any township or borough which has a school fund agreeably to the further provisions of this act, the sum before mentioned shall be paid to the proper school men of the township or borough in aid of said fund. And provided further, That no one person shall be compelled to serve as school man more than one term in any period of nine years.

Section 4. That it shall be the duty of the commissioners of the several counties within this commonwealth, at the time of issuing their precepts to the assessor of each and every township, ward or borough, to receive from the parents, guardians or next friend, the names of all the children between the ages of six and fourteen years who reside therein, and whose parents, guardian or next friend, are poor and unable to pay for their education. And the said assessors are hereby required to make out correct lists of the names of such poor children as they shall have received, noting the age of each, and to deliver the same to one of the school men of their respective township, ward or borough, on or before the first day of April in each and every year, or as soon thereafter as any school man shall be appointed for such township, un-

der the penalty of ten dollars for every neglect thereof, to be sued for by the said school men, in the name of the proper county, and recovered as debts of like amount are recoverable before an alderman or justice of the peace, and to be applied by the school men towards paying for the tuition of the poor children; in which suit any citizen of the borough, township, ward or county shall be a competent witness; and the school men of each and every township, ward and borough, shall meet at the place where their township, ward or borough elections are usually held, on the third Saturday of April, or on any subsequent day, in every year, of which meeting they shall give ten days notice by advertisement put up in six or more of the most public places within the said township, ward or borough, and they shall there hear all such persons as shall apply for alterations or additions of names in the aforesaid list of poor children, and make all such alterations or additions as to them shall appear just and reasonable, and agreeable to the true intent and meaning of this act. The said school men may also meet on their own adjournment, at such place and at such times as they shall think necessary and most convenient for the transaction of the business appertaining to their office.

Section 5. That the said school men, after having adjusted the list of the names of all such poor children of their township, ward or borough, as shall have come to their knowledge by information or otherwise, shall transmit a correct copy of such list to the commissioners of the proper county, on or before the first day of June; but the said school men, or a majority of them may make alterations or additions to the said list as often as they shall think necessary and proper, they giving the commissioners of the proper county notice of such alterations or additions, at any time within three months from the time of making such alterations or additions.

Section 6. That the said school men shall superintend the education of all such poor children as aforesaid, within the township, ward or borough for which they shall have been elected, and direct their parents, guardians, or next friend, to send them to the most convenient school; and the said school men shall furnish the said children with all necessary books and stationery; they shall visit the said school or schools as often as they shall think necessary, and cause the said children to be properly taught and treated as all other children are treated at the said school, or cause them to be sent to such other school as they may think most proper. And every teacher of such poor children as aforesaid, shall keep a correct account of the number of days such poor child or children shall have been taught by him or her, and once in every three months present the said account to the school men of the township, ward or borough in which such child or children reside, any two of whom may settle the said account, and if they believe it to be just and reasonable, and agreeable to the usual rates of tuition of the said school, they shall make out a bill for the same, noting the names of the children, and the number of days tuition of each, and endorse on the same an order on the commissioners of the county in favor of such teacher for the amount of such bill; And the said commissioners are hereby required, when the said bill shall be presented to them, to grant an order on the county treasurer for the amount.

Section 7. That the accounts of the said school men for books and stationery furnished the poor children as aforesaid, and for the expenses necessarily incurred by them in the discharge of their trust shall be settled by the commissioners, and paid by the treasurer of the county on orders drawn by the said commissioners. And the said school men shall perform their duties without any pecuniary compensation; and during their term of service shall not be compelled to serve in any other city, borough ward or township office, nor in the militia except in time of war, insurrection or invasion.

Section 8. That the city and county of Philadelphia, and the city of Lancaster, be and they hereby are excepted out of the operation of this act, and whenever the provisions of this act hereinafter mentioned and declared shall be accepted by a majority of the boroughs and townships in the county of Lancaster, it shall not be lawful for the directors of the public schools, in the first section of the second school district, to draw any orders upon the treasurer of the county of Lancaster, for any sum or sums of money for the support of the public school established in the city of Lancaster, by virtue of an act passed on the first day of April 1822, entitled "An act to provide for the education of children at the public expense within the city and incorporated boroughs of the county of Lancaster": But it shall be the duty of the select and common councils of the city of Lancaster, to provide adequate funds for the future support and maintenance of the said public school, and the directors of the said school for the time being shall have the same power to draw upon the city treasury as by virtue of the last recited act, and a supplement thereto passed on the first of April 1823, they now have and possess to draw upon the county treasury for the support and continuance of such school, and so much of the acts aforesaid as is hereby altered or supplied be and the same is hereby repealed.

Section 9. That from and after the first day of May, 1825, the act entitled "An act to provide for the education of the poor gratis," passed the fourth day of April 1809, and the act entitled "An act for the more convenient education of the poor gratis within the counties of Cumberland, Dauphin and Lancaster," passed the 27th day of March 1821, shall be and the same are hereby repealed. Provided however, That such repeal shall in no wise affect or impair any rights or interests that may at that time be vested in any person under the said recited acts, but all such rights and interests, and all remedies for the recovery thereof, shall be and remain as theretofore. And provided fur-

ther, That if in any township, ward or borough, the proper assessor shall fail to furnish the school men thereof with a correct list of the names of the poor children resident therein, on or before the first day of May next, pursuant to the provisions of this act, then the school men of such township, ward or borough, shall procure from the commissioners of the county a copy of the list of names of poor children of such township, ward or borough, last adjusted, by the said commissioners under the provisions of the act entitled "An act to provide for the education of the poor gratis," and with such list the said school men shall proceed in such manner as is prescribed by the provisions of this act, in relation to the list there directed to be furnished to them by the assessor of their township, ward or borough.

Section 10. And Whereas a general system of education and the diffusion of knowledge are necessary to the prosperity and happiness of this commonwealth, Be it therefore enacted &c. That the citizens of every borough and township throughout this commonwealth entitled to vote for school men, agreeably to the first section of this act, may on any day on which the election shall be held, determine by a majority of votes whether they will accept the provisions of this act hereinafter mentioned and declared, notice having been given by any six taxable inhabitants of the proper borough or township, by six written or printed advertisements in public places, that a vote will be taken for a general tax for the support of schools in the said borough or township, and for that purpose it shall and may be lawful for all those in favor thereof to vote a ticket with the word "schools" written or printed thereon, and for all those opposed thereto to vote a ticket with the words "no schools" written or printed thereon, and if, after ascertaining the number of votes at any such election, it shall appear that there is not a majority in favor of accepting the further provisions of this act, then and in that case the same shall not extend to such borough or township the year then next ensuing.

Section 11. That whenever the citizens of any borough or township shall have determined in the manner directed by the preceding section of this act, for laying the foundation of a general system of education, it shall be the duty of the school men of the proper township or borough to give notice thereof in writing to the commissioners of the proper county, who shall proceed to make out and deliver to the said school men a duplicate of the assessment for the county rates and levies, on the township or borough so requiring it, and shall annually thereafter deliver the same; whereupon the said school men shall make out an assessment upon all taxable property within their proper township or borough, sufficient to support the schools therein for the current year, and cause the same to be levied and collected by issuing their warrant to some competent person, to levy and collect the same and make return to them in sixty days, by virtue of such warrant, the person so appointed collector of the school funds shall have the like compensation, and be entitled and bound to proceed in all respects as directed by the laws regulating the collection of county rates & levies. Provided, That the said school men shall, in assessing the said tax, apportion it on the inhabitants of the township or borough, and owners of property, precisely in the same ratio as the county tax is assessed and apportioned.

Section 12. That it shall be the duty of the school men in the township or borough which shall have determined as before mentioned, to accept the further provisions of this act, to divide each township or borough into as many school districts as may be found necessary, to establish the site and provide for the erection of school houses and cause the same to be erected where necessary, within their respective townships or boroughs, to settle all disputes which may arise respecting the same, and to furnish all necessary stationery and books for the use of the schools so established. It shall also be the duty of the school men to carefully examine all teachers, and judge of their qualifications and character, and to contract with teachers either by yearly salary or a certain sum for each scholar. They shall also have a general supervision and control over the school or schools in their respective township or borough with the right of visitation. Provided, That no child shall be taught at the public expense under the provisions of this act, for a longer period than three years. And provided further that the parents may send them for that length of time, at such times between the ages of six and fourteen years as will best suit their convenience.

Section 13. That it shall be the duty of the school men of each borough and township, elected or appointed in pursuance of the general provisions of this act, to appoint one of their number treasurer, who shall continue in office for one year, and the treasurer so appointed, and each school man whose accounts are settled in the manner hereinafter directed, shall be personally liable and chargeable with all moneys received by him in his official capacity, and an action of debt may be instituted against the person in the name of the proper county, and recovered as debts of equal amount are by law recoverable immediately after his accounts are settled, or when he refuses to settle the same. Provided, That when judgment is obtained against any delinquent under this act, there shall be no stay of execution.

Section 14. That it shall and may be lawful when two or more townships adjoin, and the year, has not come this year, and will not come lines of the said townships divide a population next year?" "It certainly must be our arrears that can be conveniently divided and united into of pay," said a distressed officer, at the same time, standing up on his feet. The king was so pleased that he commanded him to be paid for his school districts in such manner as up, and also increased his allowance. An Irishman stated that the first meat he had in America was a boiled potatoe, which was roasted; and that if any body doubted the fact, he could shew them the potatoe for he had it in his pocket.

tached to the respective schools, or in such other proportion as the school men of the respective townships shall agree upon. Provided, that the school men of the township in which the school is situated, shall be bound to visit and superintend the school in the same manner as if the boundaries of the whole school district were in their proper township.

Section 15. That if it shall so happen, that in the laying off of school districts agreeably to the provisions of this act, there should be any family or families too remote from the schools to enjoy for their children or those under their care the benefit and advantage of such school, the school men may at their discretion exempt the family or families so situated from the payment of taxes for the support of such schools.

Section 16. That the accounts and expenditures of the school men in each township and borough shall be settled audited and adjusted by the township auditors in the same manner that other township accounts are settled, audited and adjusted, and preparatory to the settlement of their accounts, it shall be the duty of the school men to make out duplicate accounts of the monies received by them, arising from assessment and collection, or otherwise, and of all monies paid by them, and for what purpose, stating particularly the children instructed during the preceding year, and the period of time each child attended, one copy thereof they shall lay before the auditors of their respective townships, with their vouchers, for settlement, and the other copy shall be filed among the papers of the school men. As soon as the township auditors shall settle the accounts of the school men, they shall enter the same at length in a book to be kept for that purpose, particularly stating the amount paid to each teacher, the expenses for books and stationery, the number and sex of the children taught, and the incidental expenses attending each school.

Section 17. That it shall be the duty of the county commissioners, in the month of April in each year, when any borough or township has accepted the general provisions of this act, to make an equitable estimate of the proportion of the moneys raised and expended off the borough or township so establishing schools for the education of the poor in the said county, for the year preceding, and having made such estimate and entered the same in a book, to be by the said commissioners kept for that purpose, they shall draw their order in favour of the school men of the borough or township so accepting the general provisions of this act, on the county treasurer, for the said equitable proportion so paid to the county funds.

Section 18. That it shall be the duty of the commissioners of every county to make a report on or before the 1st day of December in each and every year, to the Secretary of the commonwealth, stating the names of the townships and boroughs in their respective counties, which shall have elected school men and established schools agreeably to the provisions of this act: And it shall be the duty of the Secretary of the commonwealth to make report to the legislature in the month of December in each and every year of the number of counties, townships or boroughs, which shall have established schools under the said provisions.

Section 19. That in any borough or township in which the provisions of this act shall have been adopted, at any election agreeably to the provisions of the 10th section, the school men in determining upon the location and establishment of school-houses, shall have due regard to school-houses already erected, and schools already established, unless in their opinion the public interest shall require a change. And whenever a school shall belong, or be under the immediate direction and supervision of any religious society, the school men shall not employ a teacher for such school, contrary to the wishes or consent of such religious society: And such school shall be entitled to its proper share of the funds raised by virtue of this act. Provided, That the trustees or society having the control of such school as aforesaid, shall at all times admit into such school any children which the school men shall direct to be taught at such schools in the same manner as at other schools.

Approved, March 29, 1824.

Miss Bennet was a great beauty in the days of Swift and Arbuthnot. The latter speaking of her presentation at the French court, says, "amongst other things, I had the honor to card an Irish lady to court that was admired beyond all the ladies in France for her beauty.— She had great honor done her: the hussar himself was ordered to bring her the King's cat to kiss." Perhaps kissing hands came into fashion after the saluting of tabbies went out.

A French author considers, that one nation ought to excuse another; that an ancient and long custom may make a thing innocent in one country, that is indecent in another. He instances the case of English women walking with other men than their husbands!

Patience and perseverance.

In a letter from Mr. Brune to Mr. Rawlins, June 14, 1735, in the Roddeian collection, he states, that one Mr. Vernon followed a butterfly nine miles before he could catch him!

At a banquet, when solving enigmas was one of the amusements, Alexander said to his courtiers—"What is that which did not come last year, has not come this year, and will not come lines of the said townships divide a population next year?" "It certainly must be our arrears that can be conveniently divided and united into of pay," said a distressed officer, at the same time, standing up on his feet. The king was so pleased that he commanded him to be paid for his school districts in such manner as up, and also increased his allowance.

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