

COMMON SCHOOL LAWS.

ACT OF 1849.

An Act for the regulation and continuance of a system of education by common schools.

[Concluded.]

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 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.

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 members, at least once in each week; have the care and repair of the school house; provide fuel, & generally, attend to 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 of 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.

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 is provided for in the preceding section, then the duties of said committee shall devolve on, and be performed by the board of directors.

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

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

SECTION 21. When a free school of 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 school of such district, and that such free school shall be open to the visits of the directors, and conducted in conformity with the common school system.

VIII. ASSESSMENT AND COLLECTION OF SCHOOL TAX.

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.

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 taxable 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 correct list of taxable, and the superintendent shall thereupon, make it the basis of the appropriation due said district.

SECTION 24. Whereupon the board of directors shall, on or before the first day of June annually, proceed to assess and apportion 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.

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 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.

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 monies so collected.

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 person 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 demanded 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 a constable for a levy and sale upon a writ of execution.

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 should 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.

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.

SECTION 30. As soon as the president of the board of directors of any school district, shall have issued his warrant for the 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 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.

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

tween sub-committees 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.

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.

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.

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.

V. He shall prepare and submit to the legislature an annual report; containing a full account of the condition of the common schools in the state; the expenditure of the system during the year; the whole number of pupils; the cost of teaching each; the number of districts; plans for 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.

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.

SECTION 33. It shall be the duties 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 to him, or before the first day of April, in every third year, commencing with the first day of April, one 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.

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, 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 or in any manner to interfere with the system of public schools now in operation in the said city and county.

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 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.

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.

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.

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. JOHNSON.

ADDENDA. The following section was passed in the general appropriation bill, April 10, 1849: "The several school districts which were non-accepting districts, but were made accepting districts by an act to provide for the ordinary expenses of government, the repairs of canals and railroads belonging to the state, and the payment of other claims upon the commonwealth, passed the eleventh day of April, A. D. one thousand eight hundred and forty-eight, and which did not avail themselves of the provisions of said act, shall have the privilege to do so, by complying with the provision of said act, by levying and assessing a tax, as is required by law, to enable school districts to receive their portion of the state appropriation, at any time before the first day of June, one thousand eight hundred and fifty."

MONEY SAVED. FARMERS LOOK HERE. Four Horse Power Trampling Shaft and Strap Threshing Machines for \$75. S. & S. WILSON, of Strattonville, Clarion county, Pa., would respectfully inform the people of Clearfield county, that they are now making and keeping constantly on hand, Four Horse Power Threshing Machines, at the low price of SEVENTY-FIVE DOLLARS, warranted to be good.

Also, Two Horse Power Threshing Machines, not surpassed by any in the State, and will warrant surplusage in one day 125 bushels Wheat, or 125 bushels Rye, or 225 bushels Oats, or 15 bushels clover seed, if well attended. They are made of the best materials and are so constructed, that they will thresh as much grain as any other in Pennsylvania, at a lower price than ever offered in Pennsylvania. PATENT CORN-SHELLETS. They are now making and keeping on hand, a Patent Corn-Shell, at the low price of One Dollar and Fifty cents each. The subscribers will receive in payment for the above Threshing Machines, GRAIN, (Wheat, Rye and Oats) if left at Shaw's Mill, at Clearfield, or at Iron's Mill, Curwensville.

RICHARD SHAW, Clearfield, and R. HARTSHORN, Curwensville, are agents for the sale of the above machines in this county, either of whom will give all necessary information relating thereto. S. & S. WILSON. Strattonville, June 15, 1849.

MACHINES have been purchased by the following named farms in Clearfield county, where those wishing to purchase can call and examine for themselves. John Sides, Boggs township, A. G. Welch, Lawrence township, Thomas Reed, " James A. Reed, " John Noddy, Penn township, Joseph Patterson, Jordan township, William Leonard, Goshen township, Isaac Barger, Bradford township, Hugh Henderson, Woodward township, William Martin, James McCully, E. Williams, John Williams.

A New Iron Foundry. Castings and Plough Manufactory. THE subscribers embrace the present opportunity to inform the citizens of Clearfield county, that they have erected a New Foundry in the borough of Clearfield, in now in blast, and that they are prepared to make all kinds of castings, such as Ploughs, Stoves, Saw-Mill Castings, Wash Kettles, &c. &c. in the very best style.

on short notice, and in the very best style. All articles sold cheap for Cash or country produce. By strict attention to business, and a desire to "LIVE AND LET LIVE," we hope to receive a liberal share of public patronage. W. B. SEYLER, D. M. WEAVER. Clearfield, April 10, 1849.

WM. B. SEYLER takes occasion to inform the farming portion of the community that from his long experience of the Plough making business he has concluded that he can make a better article than can be had elsewhere in the county. Warranted to run well, and not to break for the term of one year.

RED & BROWN PILLS. AGENTS for the sale of Dr. E. Green's Red and Brown Pills at Clearfield county. Richard Shaw, Clearfield. Bigler & Co. do John Patton, Curwensville. I. L. Barrett, Clearfield Bridge. Thomas McGhee, McGhees Mill. David Kinport, Cherry Tree. P. W. Barrett, Luthersburg. Clark Puchin, Girard township. Levi Uzin, Frenchville. James McMuray, Burnside township. Jas. McGirk, Philipsburg, Centre Co. June 10, 1849.

New & Cheap Goods. JOHN PATTON has received a fresh supply of all kinds of goods at the CHEAPEST CORNER, consisting in part of Dry Goods, Groceries, Hardware, Tinware, Queensware, Boots and Shoes, Hats, Caps and Bonnets, ready made Clothing, Saddlery, Drugs, Oils and Paints, Nails & Glass, a good assortment of Iron, of all sizes, a Sole Leathner, Forty Barrels Mackerel—in a word every thing usually kept in a country store, which will be sold LOW.

J. P. has the Agency for Dr. D. J. Jones, and other very valuable medicines, such as Dr. E. Green's Red & Brown Pills, McAllister's Ointment, Dr. Winsor's Balsam of Wild Cherry, Wright's Indian Vegetable Pills for sale, a genuine article, and a number of other medicines, too numerous to mention. JOHN PATTON. Curwensville, June 18, 1849.

DISSOLUTION. The partnership heretofore existing between Frederick Hollopper and Elah Johnson, under the firm of Hollopper & Johnson was dissolved by mutual consent on the 15th day of May, 1849—all persons knowing themselves indebted to the firm will please call by attending to the settlement of their respective accounts on or before the 1st day of October next, after that time they will be placed in the hands of the proper officers of the law for collection. FREDERICK HOLLOPPER, ELAH JOHNSON. August 13, 1849.

NOTICE. The subscriber having been appointed an Auditor by the Court of Common Pleas of Clearfield county, to make distribution of the money now in the hands of the Sheriff (the proceeds of the sale on writ of Partition) of the Leconte Mill, hereby gives notice that he has appointed Friday the 17th day of August next, at the Court-house in Clearfield, when and where he will attend to the duty of the said appointment. ELLIS IRVIN, Auditor. Clearfield, June 18, 1849.

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RESOLUTION. Relative to an Amendment of the Constitution. Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the Constitution of this Commonwealth be amended in the second section of the fifth article, so that it shall read as follows: "The fifth article, so that it shall read as follows: 'The Judges of the Supreme Court, of such other Courts of Record of the Commonwealth, and of such other Courts of Record of the Commonwealth, shall be elected by the qualified electors of the Commonwealth at large. The President Judge of the Supreme Court, and all other Judges required to be elected by law, shall hold their offices for the term of years, if they shall so long behave themselves as to merit the confidence of the electors of the Commonwealth, as to be re-elected by the qualified electors of the Commonwealth at large. The President Judge of the Supreme Court, and all other Judges required to be elected by law, shall hold their offices for the term of years, if they shall so long behave themselves as to merit the confidence of the electors of the Commonwealth, as to be re-elected by the qualified electors of the Commonwealth at large. The President Judge of the Supreme Court, and all other Judges required to be elected by law, shall hold their offices for the term of years, if they shall so long behave themselves as to merit the confidence of the electors of the Commonwealth, as to be re-elected by the qualified electors of the Commonwealth at large. The President Judge of the Supreme Court, and all other Judges required to be elected by law, shall hold their offices for the term of years, if they shall so long behave themselves as to merit the confidence of the electors of the Commonwealth, as to be re-elected by the qualified electors of the Commonwealth at large. 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