

SENATE.....No. 90.

Commonwealth of Massachusetts.

IN SENATE, April 1st, 1846.

The Joint Committee on Education, to which was committed a joint order passed January 27, 1846, instructing them to inquire into the expediency of revising and embodying in one act the provisions of law now in force, in regard to the report, certificate, and return now required to be made by the school committees, in order to entitle the several cities and towns to receive their respective proportions of the income of the School Fund; also, a joint order passed January 29th, directing them to inquire whether any provision is necessary by law, to determine whether the school returns now required to be made to the Secretary's office, shall be made by the school committee who have had the supervision of the Schools for the year preceding, or by that which shall have been last chosen; and also, a joint order passed January 30th, directing them to inquire whether any provision is necessary to secure an equitable distribution of the money appropriated for the support of public schools, among the several school districts. Also, a joint order passed January 31st, directing them to inquire into the expediency of providing, that in the annual distribution of money for the benefit of our public schools, the same shall be distributed as near as practicable according to the average attendance in the schools. Also, a joint order passed February 20, directing them to inquire into the expediency of so amending the law concerning school committees, that such committees hereafter elected shall enter on the duties of their office on the first day of May in each year, report the accompanying Bill.

Per order,

J. C. GRAY.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Forty-Six.

AN ACT

Relating to the duties of School Committees, and the distribution of the Income of the School Fund.

BE *it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

1 **SECT. 1.** In every city and town in the Common-
2 wealth, in which it is now required by law that the
3 school committee shall be elected in the month of
4 February, March or April, the school committee of the
5 year preceding such election shall continue to hold
6 their office, and to discharge the duties thereof, not-
7 withstanding the election of successors, until the win-
8 ter terms of the several schools shall have closed, and
9 until the certificate, return, and report, as hereinafter
10 provided, shall have been by them made and transmit-
11 ted to the office of the Secretary of the Common-
12 wealth. *Provided, however,* that, in regard to the
13 examination of teachers for the summer schools, the
14 visitation of those schools, and all other duties, the

15 term of office of the new committee shall be held to
16 commence immediately after their election to the same.

1 SECT. 2. The school committee of each city and
2 town shall, as soon as may be after the first day of
3 May, annually, ascertain, by actual examination or
4 otherwise, the number of persons between the ages of
5 four and sixteen years, belonging to such city or town,
6 on the said first day of May, and shall make a certifi-
7 cate thereof, under oath, and also of the sum raised
8 by such city or town for the support of schools, in-
9 cluding only wages and board of teachers, and fuel
10 for the schools, during the said year; and shall trans-
11 mit the same to the Secretary of the Commonwealth,
12 on or before the last day of the following April, which
13 certificate shall be in the following form, to wit:

14 We, the school committee of ———, do certify,
15 from the best information we have been able to obtain,
16 that, on the first day of May, in the year ———, there
17 were belonging to said town the number of per-
18 sons, between the ages of four and sixteen years; and
19 we further certify, that said town raised the sum of
20 dollars for the support of common schools for
21 the said year, including only the wages and board of
22 teachers, and fuel for the schools.

23 _____ _____, }
24 _____ _____, } *School*
25 _____ _____, } *Committee.*

26 — ss. On this — day of — personally ap-
27 peared the above-named school committee of ———,
28 and made oath that the above certificate by them sub-
29 scribed is true.

30 Before me,

31 _____ _____, *Justice of the Peace.*

1 SECT. 3. The form of the blanks, and the inquiries
2 provided for by the statute of the year one thousand
3 eight hundred and thirty-seven, chapter two hundred
4 and twenty-seven, shall be prescribed by the Board
5 of Education ; and it shall be the duty of said Board,
6 in the month of January annually, to transmit to the
7 Secretary of the Commonwealth copies of said blanks
8 for the several cities and towns. It shall be the duty
9 of said Secretary to cause said blanks to be forwarded
10 to the sheriffs of the several counties, who shall trans-
11 mit them as soon as may be to the clerks of the several
12 cities and towns within their counties respectively, and
13 said clerks shall forthwith transmit the same to the
14 school committees. The school committees of the
15 several cities and towns shall return said blanks duly
16 filled up to the office of the Secretary of the Common-
17 wealth, on or before the last day of April. If any
18 school committee shall fail to receive such blank form
19 of return on or before the last day of March, they shall
20 forthwith give notice thereof to the Secretary of the
21 Commonwealth, who shall transmit such blank as soon
22 as may be.

1 SECT. 4. The school committees shall annually
2 make a detailed report of the condition of the several
3 public schools in their respective cities and towns,
4 which report shall contain such statements and sug-
5 gestions in relation to such schools as the said com-
6 mittees shall deem necessary or proper to promote the
7 interests thereof ; and a certified copy of such report
8 shall be transmitted by said committees to the office
9 of the Secretary of the Commonwealth on or before
10 the last day of April. Said report shall also be de-
11 posited in the office of the clerk of the city or town ;

12 and shall either be read in open town meeting, in the
13 month of February, March, or April, or, at the discre-
14 tion of the school committee, shall be printed for the
15 use of the inhabitants.

1 SECT. 5. The income of the Massachusetts School
2 Fund, to the first day of June in each year, except the
3 sum of two hundred and forty dollars, appropriated to
4 the support of schools among the Indians, shall be ap-
5 portioned by the Secretary and Treasurer, and paid
6 over by the Treasurer on the tenth day of July, to the
7 treasurers of the several cities and towns, for the use
8 of the common schools therein, according to the num-
9 ber of persons therein, between the ages of four and
10 sixteen years, ascertained and certified as provided in
11 the second section of this act. *Provided, however,* that
12 no such apportionment shall be made to any city or
13 town which shall have failed to comply with any of
14 the provisions of this act, or which shall not have rais-
15 ed by taxation for the support of schools, including only
16 wages and board of teachers and fuel for the schools,
17 during the said year, a sum equal at least to one dollar
18 and fifty cents for each person between the ages of
19 four and sixteen years, belonging to said city or town,
20 on the first day of May of said year.

1 SECT. 6. This act shall take effect from and after
2 the last day of April, in the present year; and the
3 Secretary of the Commonwealth shall transmit a copy
4 thereof to the school committee of each city and town,
5 as soon as may be after the passage of the same.

1 SECT. 7. All acts and parts of acts inconsistent
2 with this act, are hereby repealed.

