THE GENERAL SCHOOL LAWS OF THE STATE OF NORTH DAKOTA, JUNE, 1903

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The General School Laws of the State of North Dakota, June, 1903 by W. L. Stockwell & R. M. Carothers

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W. L. STOCKWELL & R. M. CAROTHERS

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Trieste

THE GENERAL SCHOOL LAWS

OF THE

State of North Dakota

COMPRISING ALL THE LAWS IN FORCE

Pertaining to Public Schools, State Educational Institutions, School Lands and Public Lands Appropriated to the Use of the State Educational Institutions, with

APPENDICES,

PUBLISHED BY

DEPARTMENT OF PUBLIC INSTRUCTION

W. L. STOCKWELL, SUPERINTENDENT,

COMPILED AND ANNOTATED BY

R. M. CAROTHERS, OF THE GRAND FORKS BAR.

June, 1903.

PUBLISHED BY AUTHORITY.

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1903.

THIS VOLUME IS STATE PROPERTY

And is for the use of.....

of.....School District No.....

County of.....State of North Dakota.

School officers on retiring from office are required by law to deliver this volume, with all other books and documents of an official character, to their successors in office.

INTRODUCTORY.

This compilation of the General School Laws is authorized by section 631 of the Revised Codes of 1899, and is designated to include all provisions relating to education at present in force which make the laws governing the complete school system of the state. It embraces the laws pertaining to the public schools, the state educational institutions, and the lands appropriated to the use of the public schools and the state educational institutions.

The compilation contains all general laws in full as appear in the code, amended or extended by the legislative assemblies of 1901 and 1903. Special acts are referred to by title only.

Special laws, designated by title only, laws pertaining to speculation in office and to penalty for failure to make reports, the filing of bond of school district treasurer, bonds for labor and material for public buildings and the decisions of the supreme court of the territory of Dakota and of the state of North Dakota pertaining to school matters are to be found in the appendices.

A calendar will also be found in the appendices which may be of assistance to school officers in the timely discharge of their duties.

W. L. STOCKWELL,
Superintendent of Public Instruction.

Bismarck, N. D., June 1, 1903.

CONGRESSIONAL ENACTMENT.

ORGANIC LAW.

NARCOTICS.

Section 75. The nature of alcoholic drinks and narcotics, and special instruction as to their effects upon the human system, in connection with the several divisions of the subject of physiology and hygiene, shall be included in the branches of study taught in the common or public schools, and in the military and naval schools, and shall be studied and taught as thoroughly and in the same manner as other like required branches are in said schools, by the use of text books in the hands of pupils where other branches are thus studied in said schools, and by all pupils in all said schools throughout the territories in the military and naval academies of the United States and in the District of Columbia and in all Indian and colored schools in the territories of the United States.

Sec. 76. It shall be the duty of the proper officers in control of any school described in the foregoing section to enforce the provisions of this act; and any such officer, school director, committee, superintendent or teacher who shall refuse or neglect to comply with the requirements of this act or shall neglect or fail to make proper provisions for the instruction required and in the manner specified by the first section of this act, for all the pupils in each and every school under his jurisdiction, shall be removed from office and the vacancy filled as in other cases.

Sec. 77. No certificate shall be granted to any person to teach in the public schools of the District of Columbia or territories, after the first day of January, *anno Domini* eighteen hundred and eighty-eight, who has not passed a satisfactory examination in physiology and hygiene, with special reference to the nature and effects of alcoholic drinks and other narcotics upon the human system.

Act of congress approved May 20, 1886, (See, also, sections 648 and 750, post.)

RESERVATION OF SCHOOL LANDS.

Sec. 88. Sections numbered sixteen and thirty-six in each township of the territories of * * * Dakota * * * shall be reserved for the purpose of being applied to schools in the several territories herein named, and in the states and territories hereafter to be erected out of the same.

§1846 R. S. U. S., 1874, approved March 2, 1861. See, also, Enabling Act, section 10, post.)

ENABLING ACT.

(Approved February 22, 1889.)

Sec. 4. (*Providing for the Constitutional Conventions for North Dakota, South Dakota, Montana and Washington.* And said convention shall provide by ordinances irrevocable without the consent of the United States and the people of said states:

Fourth. That provision shall be made for the establishment and maintenance of systems of public schools, which shall be open to all children of said states, and free from sectarian control.

Sec. 10. That upon the admission of each of said states into the union, sections numbered sixteen and thirty-six in every township of said proposed states, and where such sections or any parts thereof have been sold or otherwise disposed of by or under the authority of any act of congress, other lands equivalent thereto, in legal subdivisions of not less than one-quarter section * * * are hereby granted to said states for the support of common schools. * * *

Sec. 11. That all lands herein granted for educational purposes shall be disposed of only at public sale, and at a price not less than $10 per acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the legislature shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company, and such land shall not be subject to pre-emption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

Sec. 13. That five per centum of the proceeds of the sales of public lands lying within said states which shall be sold by the United States subsequent to the admission of said states into the union, after deducting all expenses incident to the same, which shall be paid to the said states, to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within said states, respectively.

Sec. 14. That the lands granted to the territories of Dakota and Montana by the act of February 18, 1881, * * * are hereby vested in the states of South Dakota, North Dakota and Montana respectively, * * * to the extent of the full quantity of seventy-two sections to each of said states, * * * but said act of February 18, 1881, shall be so amended as to provide that none of said lands shall be sold for less than $10 per acre, and the proceeds shall constitute a permanent fund to be safely invested and held by said states severally, and the income thereof be used exclusively for university purposes. * * * None of the lands granted in this section shall be sold at less than $10 per acre; but said lands may be leased in the same manner as provided in section 11 of this act. The