

**LAWS OF NEW HAMPSHIRE  
RELATING TO PUBLIC SCHOOLS  
COMP. FROM PUBLIC STATUTES  
AND SESSION LAW OF 1891-1913**

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Law of 1891-1913 by Dept. of Public Instruction New Hampshire

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**DEPT. OF PUBLIC INSTRUCTION NEW HAMPSHIRE**

**LAWS OF NEW HAMPSHIRE  
RELATING TO PUBLIC SCHOOLS  
COMP. FROM PUBLIC STATUTES  
AND SESSION LAW OF 1891-1913**



# LAWS RELATING TO PUBLIC SCHOOLS AND CHILDREN.

## I.

### SCHOOL MONEY—LOCAL.

Required by law. The selectmen in each town shall assess annually upon the polls and ratable estate taxable therein, a sum to be computed at the rate of seven hundred and fifty dollars for every dollar of the public taxes apportioned to such town, and so for a greater or less sum.

P. S. 88:1, as amended by 48, laws 1905.

[For the public tax apportioned to your town for years 1914 and 1915, see Laws of 1913, also blanks for annual report to department of public instruction. Multiply apportionment for your town by 750, and the result will be money required by law.]

Money for text-books and supplies, high school tuition, flags and other statutory requirements,—how raised.

The school board of each district in their annual report shall state in detail the sums of money which will be required during the ensuing fiscal year for the purchase of text-books, scholars' supplies, flags and appurtenances, and for the payment of the tuition of the scholars of the district in high schools and academies in accordance with chapter 96 of the Laws of 1901, and for the payment of all other statutory obligations of the district. The selectmen of the town, in their next annual assessment,

P. S. 88:2, as changed by 52, laws 1909.

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shall assess upon the taxable polls and property of the district a sum sufficient to meet the obligations above enumerated and when collected shall pay the same over to the district treasurer.

School money may be used for what.

The sums so raised shall be appropriated to the sole purpose of maintain-

ing public schools within the town [district] for teaching reading, writing, English grammar, arithmetic, geography, and such other branches as are adapted to the advancement of the schools, including the purchase of fuel and other supplies, the making of occasional repairs upon schoolhouses, appurtenances, and furniture, and the conveyance of scholars to and from school as provided by law.

[Occasional repairs are those involving a small outlay, not more than five per cent. of the total school money. For repairs which amount to remodeling, special appropriations should be made. For conveyance of pupils not more than 25 per cent. of all school moneys may be used.]

Assignment to districts.

The selectmen shall assign to each district a proportion of such money, according to the valuation of the district for the year, or in such other manner as the town, at the annual meeting, shall direct, and shall pay over the same to the school board of the district.

[In most cases there is but one district in a town. The selectmen therefore will pay over the entire school assessment to the district treasurer to be paid out on the order of the school board.]

When a guardian and ward reside in the same town, the selectmen shall assign the tax assessed upon the ward's personal property to the school district

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in which the ward lives and has his home.

Penalty for neglect of selectmen to assess, etc.

If the selectmen neglect to assess, P. S. 88:6. assign, or pay over the school money as aforesaid, they shall pay for each neglect a sum equal to that so neglected to be assessed, assigned, or paid over, to be recovered by action of debt, in the name and for the use of the district by the school board.

Penalty for illegal use or neglect to use on part of school board.

If the money so assigned and paid P. S. 88:7. over to the school board of any district is not expended by them according to law, they shall be fined not exceeding twice the sum so unexpended, or not legally expended, for the use of the district.

[The school money must not only be legally expended, but it must be all legally expended in the maintenance of schools during the school year for which it was appropriated. *School money cannot lawfully be laid up.*]

The district may raise money additional to that required by law.

Any district may raise money for the support of schools in addition to the sum required by law, which shall be assessed, collected and paid over to the district as other school taxes; and all money for the support of public schools, except that provided by section 1 of this chapter, and all moneys for the building, repair or alteration of schoolhouses, for the improvement of school grounds, and for any other purpose connected with the administration, support, equipment and improvement of the public schools, excepting purposes already provided for by statute, shall be raised only in a lawful meeting of the district. P. S. 88:8, as amended by 52, laws 1909.

- Selectmen shall assess.** The selectmen shall annually assess **22:2, laws 1909.** upon the polls and ratable estate of the district a sum equal to the amounts determined by the district as prescribed in section 1, and shall pay over the same to the district treasurer.
- Dog tax.** All moneys arising from the taxation **P. S. 88:14.** and licensing of dogs, remaining in the treasury of any town or city on the first day of April, annually, which is not due to holders of orders given for loss of or damages to domestic animals by dogs, shall be applied to the support of the public schools, and shall be assigned to the districts as other school money.
- School wagons.** Any school district may raise money **46, laws 1911.** for the purchase of suitable vehicles for the transportation of school children.
- District taxes.** In the assessment of school-district **P. S. 89:6.** taxes, every person shall be taxed in the district in which he lives for his poll and his personal estate subject to taxation in town. Real estate shall be taxed in the district in which it is situated.
- The selectmen may make a new in- **P. S. 89:7.** voice of all the property in the district when necessary for the just assessment of such taxes.
- If such taxes are assessed after the **P. S. 89:8.** first day of July in any year upon the property of nonresidents, the collector shall send to the owners of said property, or to their agents, if known, a bill of their taxes within two months after the delivery of the list to him, and shall, at the expiration of four months after such delivery, advertise and sell the property on which the taxes have not



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been paid in the same manner as if such taxes had been assessed in April preceding.

### II.

#### SCHOOL MONEY—STATE.

Literary fund.

All taxes collected by the state up P. S. 88:9. on the deposits, stock, and attending accumulations of depositors and stockholders of savings banks, trust companies, loan and trust companies, loan and banking companies, building and loan associations, and other similar corporations, who do not reside in this state, or whose residence is unknown, shall be known as the "literary fund."

Literary fund,  
distribution of.

The state treasurer shall assign and P. S. 88:10. distribute, in November of each year, the literary fund among the towns and places in proportion to the number of scholars not less than five years of age who shall, by the last reports of the school boards returned to the superintendent of public instruction, appear to have attended the public schools in such towns and places not less than two weeks within that year.

No unincorporated place shall receive P. S. 88:11. its portion until a treasurer or school agent shall have been chosen to receive and appropriate the same as required by law.

Literary fund—  
may be used for  
what.

The portion of the literary fund so P. S. 88:12. received by any town or place shall be assigned to the districts as other school money, and shall be applied to the maintenance of the public schools during the

current year; one fifth part thereof may be applied by the school board to the purchase of blackboards, dictionaries, maps, charts, and school apparatus.

Literary fund—  
penalty for misuse  
of.

If any town or incorporated place or the agent of any unincorporated place shall apply any money so received to any other purpose, the town, place, or agent so offending shall refund to the state treasury double the sum so misapplied.

P. S. 88:13.

State aid—towns  
to receive.

No appropriation of money provided for in sections 2 to 3 inclusive of this act shall be held to apply to towns having an equalized valuation of more than \$9,500 per pupil of average attendance for the year preceding; or whose population by the last published federal census is more than 3,500; or whose schools have been maintained less than an average of thirty weeks for the school year next preceding; or whose tax rate for school purposes is less than \$3.40 on one thousand dollars of equalized valuation.

158:1, laws 1909,  
as amended by  
182, laws of  
1913.  
(This amendment  
takes effect Jan.  
1, 1914.)

State aid—  
average attend-  
ance basis.

There shall annually in the month of December be apportioned to all towns not excluded by the terms of section 1 and as hereafter provided state money as follows:

158:2, laws 1909,  
as amended by  
182, laws of  
1913.

I. To all towns having an equalized valuation per pupil of average attendance of less than \$3,500, the sum of \$1.75 per school week for every twenty-five pupils or major part thereof of average attendance for the year next preceding.

II. To all towns having an equalized valuation per pupil of \$3,500, or more and less than \$4,500, \$1.50.

III. To all towns having an equalized

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valuation per pupil of \$4,500 or more and less than \$5,500, \$1.25.

IV. To all towns having an equalized valuation per pupil of \$5,500 or more and less than \$7,000, \$1.00.

V. To all towns having an equalized valuation of \$7,000 or more and less than \$9,500, per pupil, \$0.75.

State aid—qualified teacher basis.

When any district shall employ graduates of a New Hampshire Normal school, or of any Normal school in another state of equivalent grade, or persons holding a permanent New Hampshire state teacher's certificate, it shall receive a further sum of \$2.00 per week for every teacher so employed. 158:3, laws 1909.

State aid—district supervision and high school tuition.

There shall annually be reserved and set aside from the appropriation provided for by this act such sums as shall be needed for carrying out the provisions of chapter 77, Session Laws of 1899, relating to district supervision, and of chapter 96, Session Laws of 1901, relating to high school tuition. 158:4, laws 1909.

State aid—appropriation for.

The sum of \$95,100 (unexpended balances of previous years to be brought forward) for each of the years 1913-14; 1914-15 annually is hereby appropriated to carry into effect the provisions of this act, and any portion of such appropriation as shall remain unexpended in any year shall remain in the state treasury for use in subsequent years, and if in any year the above appropriation and accumulated surplus shall prove insufficient, then towns having the highest equalized valuation per pupil shall be 158:5, laws 1909, as amended by 41 and 45, laws of 1913.