

*First Election of School Trustees in a Village or Town.*

66. On the incorporation of any such town or village, the returning officer appointed to hold the first municipal election in such town or village, shall call a meeting for the election of school trustees to take place [on the *second Wednesday in January*], or in case of his neglect for one month, any two freeholders in such town or village, on giving *six days' notice* in at least *three* public places in the town or village, may call a meeting for such purpose, and at such meeting six trustees shall be elected, who shall hold office during the periods hereinafter expressed, and from thence until their successors respectively have been elected.

*Trustees when first elected to be classified.*

67. The trustees of every such town and village shall be divided by lot into *three* classes of *two* individuals each, to be numbered *one, two, three*; the first of which classes shall hold office *one* year, the *second two* years, and the *third three* years, and until their successors respectively be elected.

*Such Trustees to retire yearly by rotation.*

68. The trustees composing one of such classes shall retire yearly in rotation, the order of such rotation of the trustees first elected being determined by lot at the first meeting after their election, and, except the trustees elected at the first election, the trustees so to retire shall be those who have held the office for the then next preceding *three* years, or who have been elected to supply any vacancy in the retiring class.

*Annual Election of two Trustees in Towns and Villages.*

69. A school meeting shall be held annually on the *second Wednesday in January*, in each such town and village, at the place of the then last annual election of councillors, at which meeting the assessed freeholders and householders of the town or village shall elect two persons to be trustees in the place of the *two* retiring from office, which trustees elect shall continue in office *three* years, and until their successors have been elected.

*Challenging Voters at School Elections.*

70. In case an objection be made to the right of any person to vote at an election in any city, town or village, or upon any other subject connected with school purposes therein, the returning officer presiding at the election shall require the person whose right of voting is objected to, to make the following declaration :

"I do declare and affirm that I have been rated on the assessment roll of this city (town or village, *as the case may be*), as a "freeholder (or householder, *as the case may be*), and that I have "paid a public school tax in this ward, (town or village, *as the case may be*), within the last *twelve* months, and that I am legally "qualified to vote at this election."

*Effect of such Declaration—Penalty for false one.*

Whereupon the person making such declaration shall be permitted to vote.

71. If any person wilfully makes a false declaration of his right to vote, he shall be guilty of a misdemeanor, and upon conviction, upon the complaint of any other person, shall be punishable by fine and imprisonment, in the manner provided for in the *eighteenth* section of this Act.

*Contested Elections in Cities, Towns, Villages.*

72. The judge of the county court shall, within *twenty* days after the election of a public school trustee in any city, town, or incorporated village within his county, receive and investigate any complaint respecting the mode of conducting the election, and confirm it or set it aside, and appoint the time and place of holding a new election, as he may judge right.

*Penalty on Returning Officer for wrong doing.*

73. If the returning officer at any election of a public school trustee be convicted before the County Judge, of disregarding the requirements of the law, or acting partially in the execution of his office, he shall be fined a sum of not less than *twenty* dollars, nor more than *one hundred* dollars, at the discretion of such County Judge.

*Costs of Contested Elections.*

74. The expenses of any school election contest shall be paid by the parties concerned in it, as may be decided by the County Judge.

*Terms for which Persons are Elected to fill Vacancies.*

75. Any trustee elected to fill an occasional vacancy in a public school board, shall hold office only for the unexpired term of the person in whose place he is elected to serve.

*Re-election of any Trustee Lawful.*

76. Any retiring trustee may be re-elected with his own consent, otherwise he shall be exempted from serving for *four* years next after leaving office.

*Trustees to be a Corporation.*

77. The school trustees for each city, town and incorporated village, shall be a corporation, under the name of "The Public School Board of the City [Town or Village] of ———, in the County of ———," and shall succeed to all the corporate rights and powers, and be subject to all the corporate obligations and liabilities of the preceding trustees.

*The first Meeting of the Public School Board.*

78. The first meeting of the Board may be called by any trustee, to take place in the city, town, or village council-room.

*Duties of the Public School Board.*

79. It shall be the duty of the Public School Board of every city, town, and village respectively, and they are hereby authorized :

*Election of Chairman and his Vote.*

(1.) To elect annually, or oftener, from among their own members, a chairman, who shall have a right to vote at all times; and in case of an equality of votes, the questions shall be held to be decided in the negative.

*Appointment of Secretary, Collector and Treasurer.*

(2.) To appoint a secretary, [and in the case of a city and town board an Inspector] of schools, and, if requisite, one or more collectors of school rates, which collector or collectors may be of their own number, and one of whom may also be secretary-treasurer, who shall be subject to the same duties, obligations, and penalties as secretary-treasurers in school sections.

[See the *One hundred and thirtieth* and *seven* following sections of this Act.]

*Time and Place of Meeting of Board.*

(3.) To appoint the times and places of their meetings and the mode of calling them; and of conducting and recording their proceedings, and of keeping all their school accounts.

*Board to take Possession of all Public School Property.*

(4.) To take possession of all public school property, and to accept and hold as a corporation all property acquired or given for public school purposes, in the city, town, or village, by any title whatsoever.

*To Manage and Dispose of School Property.*

(5.) To manage or dispose of such property, and all moneys or income for public school purposes.

*To apply Proceeds of School Property.*

(6.) To apply the same, or the proceeds, to the objects for which they have been given or acquired.

*To Provide School Premises, Apparatus, Text-Books, and Library.*

(7.) To do whatever they may judge expedient with regard to purchasing or renting school-sites and premises; building, repairing, furnishing, warming, and keeping in order the school houses and appendages, lands, enclosures, and movable property; for procuring suitable apparatus and text-books, and for establishing and maintaining school libraries.

(8.) To determine—