



"If any man attempts to haul down the American Flag, shoot him on the spot."

VOL. 3.

PLATTSMOUTH, NEBRASKA, THURSDAY, SEPTEMBER 12, 1867.

NO. 23

**THE HERALD**  
IS PUBLISHED  
WEEKLY,  
BY  
**H. D. HATHAWAY,**  
EDITOR AND PROPRIETOR.

Office corner Main street and Levee, second story.  
Terms:—\$2.50 per annum.

**Rates of Advertising**  
One square (space of ten lines) one insertion, \$1.50  
Each subsequent insertion, 10c  
Full column one week, \$10.00  
One-quarter column one week, \$5.00  
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All transient advertisements must be paid for in advance.  
We are prepared to do all kinds of Job Work on short notice, and in a style that will give satisfaction.

**WILLIAM POTTENGER,**  
ATTORNEY AT LAW,  
PLATTSMOUTH - NEBRASKA.

**T. H. MARQUETTE,**  
ATTORNEY AT LAW  
Solicitor in Chancery.  
PLATTSMOUTH, - NEBRASKA.

**C. H. KING**  
Carpenter and Joiner  
CONTRACTOR and BUILDER.  
Will do work in his line with a business and dispatch upon short notice.

**Dr. J. S. McADOW,**  
HAVING RETURNED TO ROCK BLUFFER TO  
practice his profession, he has his professional services  
to his old patrons and public generally. Particular  
attention paid to diseases of the EYE. A cure guar-  
anteed in all curable cases. Charges moderate—  
advance as one year ago. J. S. M. '67

**R. R. LIVINGSTON, M. D.**  
Physician and Surgeon.  
Tenders his professional services to the citizens of  
this county.  
Office in Frank White's store, corner of  
Main and 4th streets, Plattsouth, Nebraska.

**Platte Valley House**  
Ed. B. MURPHY, Proprietor.  
Corner of Main and Fourth Streets,  
Plattsouth, Neb.  
This House having been re-fitted and newly fur-  
nished with the best accommodations, opened by  
the day or week. S. M. '67

**BURNS & CO.**  
Dealers in  
**DRY GOODS, GROCERIES**  
AGRICULTURAL IMPLEMENTS,  
And a general assortment of goods usual kept in a  
first class country store.  
AYOCA, CASE CO., S. M. '67

**S. MAXWELL, SAM. M. CHAPMAN**  
**Maxwell & Chapman,**  
ATTORNEYS AT LAW,  
Solicitors in Chancery.  
PLATTSMOUTH, - NEBRASKA.  
Office over Black, Battery & Co's Drug Store.

**CLARKE, PORTER & ERWIN,**  
ATTORNEYS AT LAW,  
And Solicitors in Chancery,  
MAIN ST., OPPOSITE THE COURT HOUSE  
PLATTSMOUTH, NEB.  
WALTER J. CLARKE, DE FOREST PORTER,  
W. W. ERWIN.  
REAL ESTATE AGENCY, '67

**JOSEPH SCHLATER,**  
WATCHMAKER and JEWELER,  
MAIN STREET,  
PLATTSMOUTH, - NEBRASKA  
A good assortment of Watches also gold, silver and  
steel. Silverware, Fancy Goods, Violins and Vi-  
olins. Trimmings always on hand. All work done  
with care and will be warranted.  
April 10, 1867.

**IRISH, CALHOUN & CROXTON.**  
The above named gentlemen have associated  
themselves in business for the purpose of promot-  
ing and collecting all claims against the General  
Government, or against any other of the States, and  
are prepared to prosecute such claims, either before  
Congress, or any of the Departments of Government,  
or before the Court of Claims.  
Mr. Irish will devote his personal attention to  
the business at Washington.  
Office at Nebraska City, corner of Main and  
Fifth streets.

**S. ADLER & CO.**  
**RECTIFIERS**  
AND DISTILLERS.  
Dealers in all kinds of Foreign and Domestic  
WINES, LIQUORS AND CIGARS.  
No. 14, EAST SIDE MARKET SQUARE,  
St. Joseph, Mo.  
1867-1y

**National Claim Agency.**  
WASHINGTON, D. C.  
**F. M. DORRINGTON,**  
SUB AGENTS  
PLATTSMOUTH, - NEBRASKA.  
Prepared to present and prosecute claims before  
Congress, Court of Claims and the Dep't. of the In-  
terior, Pension, Bounty, and Bounty Claims on  
credit. Charges moderate, and in proportion to  
the amount of the claim. F. M. DORRINGTON.  
April 10, '67

**G. H. McCALLUM,**  
Manufacturer of and dealer in  
**Saddles and Harness,**  
Of every description, wholesale and retail, No. 150 1/2  
Main street, between 5th and 6th streets, Nebraska  
City. J. S. M. '67  
Want to get cheap Lamps and Lamp Chimneys  
Write to **CHAS. B. BUTTERY & CO.**

### AN ACT FOR THE REVISION OF THE SCHOOL LAW.

Be it enacted by the Legislature of the State of Nebraska:

Section 1. Each organized county shall be divided by the County Superintendent into as many school districts as may from time to time be found necessary: Provided, that the Superintendent shall have power to change or modify the lines or boundaries of any school district at any time.

Sec. 2. Every duly organized school district shall be a body corporate and possess all the usual powers of a corporation for public purposes by the name and style of "school district number — of — county;" and in that name may sue and be sued, purchase, hold and sell such personal and real estate as the law allows.

Sec. 3. Whenever the County Superintendent of any county shall form a new district therein, it shall be the duty of said Superintendent to deliver to a taxable inhabitant of such district a notice in writing of the formation of such district, describing its boundaries and specifying the time and place of holding the first meeting; which notice, with the fact of such delivery, shall be entered upon the record by the Superintendent.

Sec. 4. The said notice shall also direct such inhabitant to notify every qualified voter of such district, either personally or by leaving a written notice at his or her place of residence, of the time and place of holding said meeting at least five days before the time appointed therefor; and it shall be the duty of such inhabitant to notify the qualified voters of said district accordingly.

Sec. 5. The said inhabitant, when he shall have notified the qualified voters as required in such notice, shall endorse thereon a return showing such notification with the date or dates thereof, and deliver such notice and return to the chairman of the meeting.

Sec. 6. The said chairman shall deliver such notice and return to the director chosen at such meeting as hereinafter provided, who shall record the same at length in a book to be provided by him at the expense of the district, as a part of the records of such district.

Sec. 7. Each and every sub-district now existing under provisions of law shall be deemed to constitute a district, and shall be controlled and governed as hereinafter provided.

Sec. 8. The qualified voters of every new district, when assembled pursuant to the above mentioned notice, and all existing districts, at their annual meetings, in the year one thousand eight hundred and sixty-seven, shall elect, from the qualified voters of such district, a moderator for three years, a director for two years, and a treasurer for one year; and, at the expiration of their respective terms of office and regularly thereafter, their several successors shall be elected for the term of three years each; and within ten days after their election these several officers shall file with the director a written acceptance of the offices to which they shall have been respectively elected, which shall be recorded by said director.

Sec. 9. Every such school district shall be deemed duly organized when any two of the officers elected at the first meeting shall have filed their acceptances as aforesaid.

Sec. 10. In case the inhabitants of any district shall fail to organize the same in pursuance of such notice as aforesaid, the said County Superintendent shall give a notice in the manner hereinbefore provided; and the same proceedings shall be had thereon as if no previous notice had been delivered.

Sec. 11. The record made by the director as required by the sixth section of this act shall be a firm facie evidence of the facts therein set forth, and the legality of all proceedings in the organization of the district prior to the first district meeting; but nothing in this section contained shall be so construed as to impair the effect of the record kept by the County Superintendent as evidence.

Sec. 12. Every district shall in all cases be presumed to have been legally organized when it shall have exercised the franchises and privileges of a district for the term of one year.

Sec. 13. In all cases where the

County Superintendent of any county shall form a school district therein and when no election for school district officers shall be held, and when any school district shall refuse or neglect to elect at the proper time the necessary school district officers, it shall be the duty of the County Superintendent of the county in which such district is situated, to appoint the officers of such district from among the persons residing in such district of the age of twenty-one years and upwards, who are tax-payers therein; which officers thus appointed shall severally file with the director a written acceptance of the offices to which they shall have been appointed, which shall be recorded by the director.

Sec. 14. Every such school district shall be deemed duly organized whenever any two of the officers thus appointed shall have filed their acceptance as aforesaid; and such school district and its officers shall be entitled to all the rights, privileges and immunities and be subject to all the duties and liabilities conferred upon school districts by law.

Sec. 15. The annual meeting of each school district shall be held on the first Monday in October in each year, and the school year shall commence on that day.

Sec. 16. Special meetings may be called by the district board or any one of them, on the written request of any five legal voters of the district, by giving the notice required in the next succeeding section; and in all notices of special meetings the object of the meeting shall be stated.

Sec. 17. All notices of annual or special meetings, after the first meeting has been held as aforesaid, shall specify the day and hour and place of meeting, and shall be given at least fifteen days previous to such meeting, by posting up copies thereof in three of the most public places, or by publication in a newspaper published in the district; and in case of any special meeting called for the purpose of establishing or changing the site of a school-house, such notice shall be given at least fifteen days previous thereto.

Sec. 18. No district meeting shall be deemed illegal for want of due notice, unless it shall appear that the omission to give such notice was willful and fraudulent; Provided, that for all meetings to provide for the location or removal of a site for a school house, the notice required in the last preceding section shall in all cases be given.

Sec. 19. Every inhabitant of the age of twenty-one years residing in the district, and liable to pay a school district tax therein shall be entitled to vote at any district meeting.

Sec. 20. If any person offering to vote at a school district meeting shall be challenged as unqualified, by any legal voter in such district, the chairman presiding at such meeting shall declare to the person challenged the qualifications of a voter; and if such person shall state that he, or she, is qualified, and the challenge shall not be withdrawn, the said chairman shall administer to him or her an oath in substance as follows: You do solemnly swear or affirm that you are twenty-one years of age, that you are an actual resident of this school district and liable to pay a school district tax therein, so help you God. And every person taking such oath shall be permitted to vote on all questions proposed at such meeting.

Sec. 21. If any person so challenged shall refuse to take such oath, his or her vote shall be rejected; and any person who shall willfully take a false oath or make a false affirmation, under the provisions of the preceding section, shall be deemed guilty of perjury.

Sec. 22. When any question is taken in any other manner than by ballot, a challenge immediately after the vote has been taken, and previous to the announcement of the vote by the chair, shall be deemed to be made when offering to vote and treated in the same manner.

Sec. 23. The qualified voters in such school district, when lawfully assembled, shall have power to adjourn from time to time as may be necessary; to designate a site for a school house by a vote of two-thirds of those present and to change the same by a similar vote at any regular meeting.

Sec. 24. When no site can be established by such inhabitants as aforesaid the superintendent of the county in which the district is situated, shall determine where such site shall be; and his determination shall be certified to the director of the district and shall be final, except that such decision may be changed by the county superintendent on a written request of a majority of the qualified voters of the district.

Sec. 25. The qualified voters shall also have power at any such meeting to direct the purchasing or leasing of any appropriate site and the building, hiring or purchasing of a school house, and the amount of fuel to be furnished, and the time of furnishing it for the succeeding year, whether to be delivered at the school house, to be assessed by a tax on the property of the district and to impose such tax as may be sufficient for the payment thereof.

Sec. 26. Any school district shall have power and authority to borrow money to pay for sites for school houses and to erect buildings thereon and to furnish the same by a vote of two-thirds of the qualified voters of said district present at any annual meeting or special meeting: Provided, That a special meeting for such purpose shall be upon the notice given by the director of such district at least twenty days prior to the day of such meeting, and that the whole debt of any such district at any one time for money thus borrowed shall not exceed five thousand dollars.

Sec. 27. The qualified voters, when assembled at any annual or regular meeting, may from time to time impose such tax as may be necessary to pay teachers, keep their school house in repair and to provide the necessary appendages and to pay and discharge any debts or liabilities of the district lawfully incurred; may raise a sum not exceeding forty dollars in any one year for the purchase of books of reference, globes maps or any apparatus for the purpose of illustrating the principles of astronomy, natural philosophy natural history and agricultural chemistry or the mechanic arts.

Sec. 28. They may also determine at each annual meeting the length of time a school shall be taught in their district during the ensuing year; which shall not be less than three months in the districts which have less than seventy five pupils, nor less than six months in the districts which have between seventy five and two hundred pupils, nor less than nine months in the districts where there are more than two hundred pupils, and whether by male or female teacher, or both; and whether the money apportioned for the support of the school therein shall be applied to the winter or summer term, or a certain portion to each.

Sec. 29. In the case any of the matters in the preceding section are not determined at the annual meeting, the district board shall have power and it shall be their duty to determine the same.

Sec. 30. Said qualified voters may also at any regular meeting authorize and direct the sale of any school house, site, or other property belonging to the district, when the same shall no longer be needed for the use of the district.

Sec. 31. They may also give such directions and make such provisions as they shall deem necessary in the prosecution or defense of any proceeding in which the district may be a party or interested.

Sec. 32. The moderator shall have power and it shall be his duty to preside at all meetings of the district, to countersign all orders upon the treasurer for money to be disbursed by the district and all warrants of the Director upon the county treasurer for moneys raised for district purposes, or apportioned to the district by the county clerk. But if the moderator shall be absent from any district meeting, the qualified voters present may elect a suitable person to preside at the meeting.

Sec. 33. If at any district meeting any person shall conduct himself or herself in a disorderly manner, and after notice from the moderator or person presiding, shall persist therein, the moderator, or person presiding, may order him or her to withdraw from the meeting, and on his or her refusal, may order any constable or other person or

persons to take him or her into custody until the meeting shall be adjourned.

Sec. 34. Any person who shall refuse to withdraw from such meeting on being so ordered as provided in the preceding section, or who shall willfully disturb such meetings, shall, for every such offense, forfeit a sum not exceeding twenty dollars, to be collected in the same manner as other penalties in the manner provided by law and shall be paid into the school fund of the district.

Sec. 35. The Treasurer shall pay over all moneys in his hands belonging to the district on the warrant of the director, countersigned by the moderator; and shall collect all rate bills for tuition and fuel, in obedience to the commands contained in the warrants annexed thereto. It shall also be the duty of the treasurer to appear for and on behalf of the district, in all suits brought by or against the same, whenever no directions shall be given by the qualified voters in the district meeting, except in suits in which he is interested adversely to the district, and in all such cases the director shall appear for such district, if no other directions shall be given as aforesaid.

Sec. 36. The moderator and director shall require of the treasurer, and the treasurer shall execute to the district, a bond in double the amount of money to come into his hands as such treasurer during the year, as near as the same can be ascertained, with two sufficient sureties to be approved by the moderator and director, conditioned for their faithful application of all moneys that shall come into his hands by virtue of his office.

Sec. 37. The director shall be clerk of the district board, and all district meetings when present; but if he shall not be present the qualified voters present shall appoint a clerk of such meeting, who shall certify the proceedings thereof to the director to be recorded by him.

Sec. 38. The director shall record all proceedings of the district in a book to be kept for that purpose, and preserve copies of all reports made to the county superintendent, and safely preserve and keep all books and papers belonging to his office.

Sec. 39. The director, with the advice and consent of the moderator and treasurer or one of them, or under their directions if he shall not concur, shall contract with and hire qualified teachers for and in the name of the district, which contract shall be in writing, and shall have the consent of the moderator and treasurer or one of them endorsed thereon, and shall specify the wages per week or month as agreed by the parties, and a duplicate thereof shall be filed in his office; Provided, that if the director shall refuse to make and sign such contract, when directed so to do by the moderator and treasurer, then it may be made and signed by the moderator and treasurer.

Sec. 40. Within ten days next previous to the annual district meeting the director shall take the census of his district and make a list in writing of the names of all the children belonging thereto between the ages of five and twenty-one years. In case of the absence or inability of the director, such census shall be taken by the moderator or treasurer, or such person as they may appoint, and a copy of such list, verified by the oath of the person taking such census by affidavit appended to or endorsed thereon, setting forth that it is a correct list of the names of all the children belonging to the district between the ages of five and twenty-one years, shall be returned with the annual report to the county superintendent.

Sec. 41. He shall furnish a copy of such list to each teacher employed in the district, and require such teacher to carefully note the daily attendance of each scholar, and to make returns thereof to him, including the ages of all scholars whose names are not on such list.

Sec. 42. Every teacher shall make a monthly return to the director of the district of the number of pupils attending his or her school, the names and ages of each, the days attended, the studies pursued, and the proficiency of each pupil in his or her studies.

Sec. 43. The director shall, with the concurrence of moderator and treasurer, or either of them, provide the necessary appendages for the school house, and keep the same in good condition and repair during the time school shall be taught in said school house, and shall keep an accurate account of all expenses incurred by him as director; such account shall be audited by the moderator and treasurer, and on their written order shall be paid out of any money provided by the district for such purposes.

Sec. 44. He shall present at each annual meeting an estimate of the expenses necessary to be incurred during the ensuing year for such purpose and the payment of the services of any district officers; and such amount when voted by such annual meeting, shall be assessed and collected in the same manner as other district taxes; but no tax for these purposes shall be voted at a special meeting, unless a notice of the same shall be expressed in the notice of such meeting.

Sec. 45. He shall give the prescribed notice of the annual district meeting and of all such special meetings as he shall be required to give notice of in accordance with the provisions of this act, one copy of which for each meeting shall be posted on the outer door of the school house if there be one.

Sec. 46. He shall draw and sign all orders upon the treasurer for all moneys to be disbursed by the district and all warrants upon the county treasurer for moneys raised for district purposes or apportioned to the district by the county clerk, and present the same to the moderator to be countersigned by him.

Sec. 47. The director shall also at the end of each school year and within three days after the first Monday in September, deliver to the county superintendent to be filed in his office a report showing:

First, The whole number of children belonging to the district between the ages of five and twenty-one years, according to the census taken as aforesaid.

Second, The number attending school during the year under five, and also the number over twenty-one years of age.

Third, The whole number that have attended school during the year.

Fourth, The length of time the school has been taught by a qualified teacher, the name of each teacher, the length of time kept by each and the wages paid to each.

Fifth, The average length of time scholars between five and twenty-one years of age have attended school during the year.

Sixth, The amount of money received from the county treasurer apportioned to the district by the county clerk.

Seventh, The amount of money raised by the district and the purpose for which it was raised.

Eighth, The kind of books used in the school.

Ninth, Such other facts and statistics in regard to the schools and the subject of education as the superintendent shall direct.

Sec. 48. The moderator, director and treasurer shall constitute the district board.

Sec. 49. Said board shall, between the first Monday in June and the third Monday in June in each year, make out and deliver to the county clerk of each county in which any part of the district is situated, a report, in writing under their hands, of all the taxes voted by the districts during the preceding year, and of all taxes which said board is authorized to impose to be levied on the taxable property of the district and to be collected by the county treasurer at the same time, and in the same manner as State and County taxes are collected; and when collected to be paid over to the treasurer of the proper district on the order of the director countersigned by the moderator of said district.

Sec. 50. The district board shall have the general care of the school, and may establish all needful regulations for its management, not in conflict with the rules prescribed by the superintendent.

Sec. 51. The district board shall have the general care of the school, whenever, in their judgment, the interests of the school demand it, of any pupil guilty of gross misdemeanors or persistent disobedience; but such suspension shall not extend beyond the close of the term, nor shall any pupil be more than once suspended for the same offense.

Sec. 52. They shall purchase or lease a site for a school house, as shall have been designated by the district in the corporate name thereof, and shall build, hire or purchase such school house out of the funds provided for that purpose; and shall make sale and conveyance of any site or other property of the district when lawfully directed by the qualified voters at any annual or special meeting: Provided, that the district shall not, in any case, build a stone or brick school house upon any site without first having obtained a title in fee simple to the same; and, also, that they shall not, in any case, build a frame school house on any site for which they have not a title in fee simple without securing the privilege of moving the said school house, when lawfully directed so to do by the qualified voters of the district at any annual or special meeting: Provided, also, that the qualified voters of the district may appoint a building committee to take charge of the work of building such school house.

Sec. 53. The district board shall apply and pay over all school moneys belonging to the district in accordance with the provisions of law regulating the same, as may be directed by the district; but no school moneys apportioned to any district shall be appropriated to any other use than the payment of teachers' wages, and no part thereof shall be paid to any teacher who shall not have received a certificate as required by this act, before the commencement of his or her school.

Sec. 54. Such report shall also contain a statement of all taxes assessed upon the taxable property of the district during the preceding year, the purposes for which such taxes were assessed and the amount assessed for each particular purpose; and said report shall be recorded by the director in a book to be provided for that purpose.

Sec. 55. The said district board shall have the care and custody of the school house and other property of the district, except so far as the same shall be confided to the custody of the director.

Sec. 56. The said board shall have power to fill by appointment any vacancy that may occur in their own number, and it shall be their duty to fill such vacancy within ten days after such occurrence. Provided, That in case said board shall, from any cause, fail to fill such vacancy within the time specified, the same may be filled by election at a special school district meeting, called for that purpose, by the qualified voters present, which meeting shall be called in the same manner and be subject to the same regulations as other special school district meetings.

Sec. 57. If the treasurer shall fail to give bond, as is required by this chapter, or from sickness or any other cause, shall be unable to attend to his duties, the said board shall appoint an acting treasurer, who shall possess all the powers of district treasurer for that purpose, and shall give bonds to the district in the same manner and with the same effect as the district treasurer is required to give.

Sec. 58. Every school district officer shall become vacant by the death, resignation or removal from office or removal from the district of the incumbent.

Sec. 59. Nothing in this act shall be so construed as to interfere with or abrogate any of the rights, privileges and immunities, duties or liabilities conferred or prescribed by special enactment for any school district comprised within any corporate city.

Sec. 60. The officers created by this act are hereby declared the successors of the officers of the township boards of education, and also of the directors of sub-districts, as now established by law; and all moneys, books, papers and property, in the hands of the boards of education, or in the hands of the directors of sub-districts, shall be handed over to the officers created by this act.

Until County Superintendents are elected or appointed in accordance with law in this State, the duties imposed