

## A BILL

FOR AN ACT TO PROVIDE UNIFORM AND CHEAP TEXT-BOOKS FOR THE PUBLIC SCHOOLS OF IOWA.

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Executive Council are hereby authorized and directed on behalf of  
2 the State of Iowa to immediately enter into a contract with Miller, Girton & Watters of  
3 Des Moines, Iowa, upon their giving bond as hereinafter provided for the faithful perform-  
4 ance of such contract, to furnish to the State of Iowa for the term of fifteen years, suitable  
5 text-books for use in the public schools of this State in the following branches of study,  
6 to-wit: Their Hawkeye educational series, consisting of spelling, one book; reading, five  
7 books; arithmetic, two books; grammar, two books; geography, two books; history, one book;  
8 physiology, one book; botany, one book; writing, six books and such other books as may be  
9 required by the State Superintendent of Public Instruction. The said Miller, Girton &  
10 Watters shall at the time of making such contract, execute and deliver to the Governor a  
11 bond in the penal sum of \$50,000.00 with at least two sufficient sureties to be approved by  
12 the Governor, running to the State of Iowa and conditioned for the faithful performance  
13 by the said Miller, Girton & Watters, their executors or assigns of all and singular the  
14 terms of such contract on their part to be observed. In case said Miller, Girton & Watters  
15 their executors or assigns shall at any time fail to fulfill any of the terms of said contract  
16 on their part to be observed, the entire penal sum thereof shall at once become due and  
17 owing to the State, and it shall be the duty of the Governor to cause suit to be instituted in  
18 the name of the State to enforce the liability on such bond of the principal and sureties  
19 thereon.

SEC. 2. The matter for the foregoing books shall be prepared by the following persons  
2 and shall be equal in size and quality, both as to matter and material, to the following text-  
3 books now in use, to-wit: the speller by Herman Martin, B. S. B. D., to equal Swinton's spel-  
4 ler; the five books in reading to equal Barnes' five books in reading; the books of grammar  
5 by Prof. W. H. Welch, superintendent Jackson county, equal to Harvey's revised grammar;  
6 the two books of geography by Prof. W. E. Burke, superintendent Des Moines county, equal  
7 to Van Antwerp, Bragg & Co's eclectic geography; the history by S. Laura Ensign, A. M.  
8 Prof. of history and geography in State normal school, to equal Barnes' U. S. history; the  
9 physiology by D. S. Fairchild, M. D., Prof. of comparative anatomy and physiology, State  
10 Agricultural College, to equal Steele's physiology; the botany by Charles E. Bessey, Ph. D.,

11 Prof. of botany in university of Nebraska, to equal Steele's botany; the six books of writing  
12 by Jennings and Chapman of Iowa Business College, to equal Van Antwerp, Bragg & Co's  
13 eclectic system of writing; two books on arithmetic to be Martin's elementary and complete  
14 arithmetic. The subject matter of the books to be subject to a revision by a commission to  
15 be composed of the superintendent of public instruction, Prof. J. Wernli, of Le Mars, and  
16 Prof. H. H. Sebbley, of Oskaloosa, or in case either of the persons last named should be un-  
17 able or unwilling to act, or should a vacancy occur, such other person as may be appointed  
18 in his stead or to fill such vacancy by the Executive Council. Such commission shall con-  
19 vene at Des Moines for the purpose of performing the duties imposed upon them by this  
20 act, at such time or times as said contractors or superintendent of public instruction, shall  
21 request it so to do, and the persons composing such commission other than the State Super-  
22 intendent of Public Instruction shall each receive five dollars per day for each day actually  
23 occupied in performing the duties of this act. The concurrence of a majority of such com-  
24 mission shall be sufficient for the determining of any question coming before it under the  
25 provisions of this act. The text of all the books to be furnished under such contract shall  
26 be subject not oftener than once in each period of five years to such revision and altera-  
27 tions thereof as the State Superintendent of Public Instruction for the time being shall  
28 direct.

SEC. 3. The prices to be paid by the State for the above named text-books shall be for the

- 2 Speller, not to exceed 9 cents; (present wholesale price is 18 cents.)
- 3 First reader, not to exceed 10 cents; (present wholesale price is 20 cents.)
- 4 Second reader, not to exceed 18 cents; (present wholesale price is 35 cents.)
- 5 Third reader, not to exceed 25 cents; (present wholesale price is 50 cents.)
- 6 Fourth reader, not to exceed 35 cents; (present wholesale price is 70 cents.)
- 7 Fifth reader, not to exceed 45 cents; (present wholesale price is 90 cents.)
- 8 Arithmetic, elementary, not to exceed 20 cents; (present wholesale price is 40 cents.)
- 9 Arithmetic, complete, not to exceed 35 cents; (present wholesale price is 70 cents.)
- 10 First grammar, not to exceed 21 cents; (present wholesale price is 42 cents.)
- 11 Second grammar, not to exceed 33 cents; (present wholesale price is 65 cents.)
- 13 Primary geography, not to exceed 28 cents; (present wholesale price is 55 cents.)
- 14 Intermediate geography, not to exceed 50 cents; (present wholesale price is \$1.20.)
- 15 History, not to exceed 50 cents; (present wholesale price is \$1.00.)
- 16 Physiology, not to exceed 50 cents; (present wholesale price is \$1.00.)
- 17 Botany, not to exceed 50 cents; (present wholesale price is \$1.00.)
- 18 Writing, each, not to exceed 5 cents; (prefent wholesale price is 10 cents.)

19 And for any other books required by the State Superintendent of Public Instruction, a pro-  
20 portionate price and no more shall be paid.

SEC. 4. It shall be the duty of the board of supervisors in each county to appoint agents in the different localities of their county most convenient for the people for the sale of the text books herein provided for. Said agents shall give bonds with at least two sureties, conditioned for the faithful performance of his duties, and the accounting of all said books, and the money derived from the sale of said books (less his commission.) He shall be entitled to add not more than ten per cent to the established price of said books as a commission, and shall pay over to the county treasurer once every three months all moneys received on account of such sales (less his commission.) The county superintendent shall take an inventory once each year of all books remaining in the several agencies and report the number of each kind in each agency to the county auditor.

SEC. 5. It shall be the duty of the county superintendent of each county of the State of Iowa to make out an estimate of the number of school books required for one year's supply of his county, designating the number of each book wanted and forward the same on or before the 15th day of March, 1887, and yearly thereafter, to the State Superintendent of Public Instruction. Said books to be forwarded to the county auditor of his county. The State Superintendent of Public Instruction shall on or before the 15th day of April, 1887, and yearly thereafter, make his requisition upon the contractors for the whole number of books required throughout the State.

SEC. 6. It shall be the duty of the contractors as soon as possible after receiving the requisition of the State Superintendent, for the books ordered for the several county superintendents, to forward the number of books required to the several county auditors of the State, and upon the filing of the requisition and the delivery of the shipping receipts for the same to the State Superintendent of Public Instruction, it shall be the duty of the said superintendent to certify the amount due to the contractors, and the State Auditor shall thereupon issue his warrant upon the State Treasurer for the amount so certified payable out of the school text book fund, hereinafter provided for.

SEC. 7. The Superintendent of Public Instruction shall fix a price upon each book which shall cover the cost of transporting them to the several counties of the State, and shall transmit to the county auditors of the State as many copies of such prices as they may require, who shall transmit one to the county treasurer and one to each agent in his county.

SEC. 8. The State Superintendent shall at the time of making his requisition upon the contractors send to the county auditor of each county and also to the State Auditor a statement of the price fixed upon each book and the total cost of the number of books ordered by the respective counties, and it shall be the duty of the board of supervisors of each county at their next meeting to make provision for the payment of the price of such books, and the county treasurer of each county shall immediately upon the receipt of such books by the county auditor, remit the amount of the cost of such books to the State Treasurer. *Provided*

8 *further*, that the cost of transporting said books from Des Moines shall be deducted from said  
9 amount and the transportation company's receipt therefor, sent in lieu thereof.

SEC. 9. It shall be the duty of the county superintendent of each county to apportion the  
2 text books ordered by him among the different agents appointed by the board of supervis-  
3 ors and the county auditor shall upon the arrival of said text books transmit them to the  
4 different agents according to the said apportionment. He shall make a record of the same  
5 and shall notify the county treasurer of the number of each kind sent to the several agents,  
6 who shall charge them with the same at the price fixed by the State Superintendent. The  
7 county treasurer shall transmit to the county auditor a duplicate receipt of all money re-  
8 ceived from each agent on account of sales of text books.

SEC. 10. Within one year after the State text books are printed and furnished to the  
2 State Superintendent of Public Instruction, and for the period of fifteen years thereafter,  
3 no text books shall be used in the public schools of this State in incorporated cities and  
4 towns, as well as the State at large, other than the State text books prepared under the  
5 provisions of this act. *Provided*, that this act shall not be construed to prevent pupils who  
6 have advanced beyond the studies embraced in said books from using other books, or to pre-  
7 vent a revision of the text of said books at the expiration of five years after their introduction.

SEC. 11. After two years from the time the county auditor of any county has received the  
2 number of text books required for the district schools of his county from the superintendent  
3 of public instruction, the treasurer of such county shall pay no part of the school fund be-  
4 longing to a district of his county to the treasurer of such district until such treasurer pro-  
5 duces the certificate in writing of the county superintendent of public schools in his county  
6 certifying to the fact that the State text books have been introduced into the school or  
7 schools of such district, and are used in such school to the exclusion of any other series of  
8 text books.

SEC. 12. For the purpose of carry out the provisions of this act, there is hereby appropri-  
2 ated and set apart the sum of one hundred thousand dollars to be used as a revolving  
3 fund to be designated "The School Text Book Fund." This fund shall at all times be sub-  
4 ject to the warrants of the State Auditor, issued to the contractors in payment for school  
5 books delivered upon the order of the State Superintendent, and all payments of money  
6 into the treasury of the State by the county treasurers on account of the school text books  
7 delivered to their several counties, shall be credited by the Treasurer of State to the  
8 school text book fund herein provided for.

SEC. 13. This act shall take effect and be in force from and after the publication of the  
2 same in the Iowa State Register and the Des Moines Leader, daily newspapers published at  
3 Des Moines, Iowa, provided that the State text book contractors shall file within sixty days  
4 with the Secretary of State their written acceptance of the same.