

**298. Compensation of trustees, directors, and members of boards of education.** § 10. Trustees of schools, school directors, members of boards of education, or other school officers performing like duties, shall receive no pecuniary compensation, but they shall be exempt from road labor and from military duty during their term of office.

1. *Compensation of Trustees and Directors.* The law makes no provision for paying trustees and directors beyond granting them exemptions from road labor and military duty. They may not, therefore, be paid for any official service; for a public officer can not be paid except as the law provides for any services required of and performed by him. [*Bruner v. Madison County*, 111 Ill., 11.]

The only exception to this is, that the clerk of the board of directors may be paid for clerical services. [147, *second*.]

2. *Exemption.* The phrase "or other school officers performing like duties" includes members of boards of education under special laws, but does not include school treasurers; for their duties are not "similar to those of directors and trustees," and, besides, the statute gives them compensation.

The exemption from "road labor" does not mean exemption from road tax. [*McDonah v. Madison County*, 43 Ill., 22.]

**299. School officers now in office to hold.** § 11. All school officers elected in pursuance of any general law now in force shall hold their respective offices until their successors are elected and qualified under the provisions of this act.

**300. Repealing clause.** § 12. [Omitted.]

**301. Emergency clause.** § 13. [Omitted.]  
[Approved May 21, 1889.]

## ADDITIONAL ACTS PERTAINING TO THE PUBLIC SCHOOLS AND TO SCHOOL OFFICERS.

### COMPULSORY EDUCATION.

§ 1. The persons required to send children to school; age of compulsory attendance; penalty; exemptions.

§ 2. Truant officer; duties and compensation.

§ 3. Penalty for making a false statement as to the age of children.

§ 4. Prosecutions; how carried on.

§ 5. Jurisdiction.

§ 6. Repealing clause.

### *An Act Concerning the Education of Children.*

**302. Children between 7 and 14—Penalty—Exceptions.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every person having under his control a child between the ages of seven and fourteen years, shall annually cause such child to attend for at least sixteen weeks, at least eight weeks of which attendance shall be consecutive, some public day school in the city, town or district, in which he resides, which time shall commence with the beginning of the next term of the school year, or as soon thereafter as due notice shall be served upon the person having such control, of his duty under this act. For every neglect of such duty, the person offending shall forfeit, to the use of the public schools of such city or district, a sum not less than one nor more than twenty dollars, and shall stand committed until such fine and costs of suit are paid. But if the person so neglecting, shall show to the satisfaction of the board of education or of directors, that such child has attended for a like period of time, a private day school, approved by the board of education or directors of the city, town or district in which such child resides, or that instruction has otherwise been given for a like period of time to such child, in the branches commonly taught in the public school; or that such child has already acquired the branches of learning taught in the public schools, or that his physical or mental condition, as declared by a competent physician, is such as to render such attendance inexpedient and impracticable, then such penalty shall not be incurred. Such fine shall be paid, when collected, to the school treasurer of such city or township, to be accounted for by him as other school money raised for school purposes. But no school shall be regarded as a school under this act unless there shall be taught therein in the English language, reading, writing, arithmetic, history of the United States and geography.

**303. Truant officers.** § 2. It shall be the duty of the board of education in every city and the board of school directors in every school district, to appoint one or more truant officers, whose duty it shall be, carefully to enquire concerning all supposed violations of this act, and to enter complaint against all persons who shall appear to be guilty of such violation. It shall also be the duty of said officer to arrest children of a school-going age, who habitually haunt public places, and have no lawful occupation, and also truant children who absent themselves from school without leave, and to place them in charge of the teacher

having charge of the public school which the said children are by law entitled to attend. And it shall be the duty of said teacher to assign said children to the proper classes, and to instruct them in such studies as they are fitted to pursue. Said transient officers shall have such compensation for services rendered, under this act, as shall be determined by the board of education or the board of directors appointing such officer, which compensation shall be paid from the distributable school fund.

**304. Penalty for evasion of law.** § 3. Any person having control of a child, who with intent to evade the provisions of this act, shall make a willful false statement concerning the age of such child, or the time such child has attended school, shall, for such offense, forfeit a sum of not less than three dollars nor more than twenty dollars for the use of the public schools of such city or district.

**305. Prosecutions.** § 4. Prosecutions under this act shall be instituted and carried on by the authorities of such boards, and be brought in the name of the People of the State of Illinois for the use of the school fund of said city or township.

**306. Police, courts etc., given jurisdiction.** § 5. Police, municipal courts, justices of the peace and judges of the county court, shall have jurisdiction within their respective counties of the offenses described in this act.

**307. Repeal.** § 6. "An act to secure to all children the benefit of an elementary education," approved June 23, 1883, in force July 1, 1883, is hereby repealed.

[APPROVED May 24, 1889.]

#### PHYSIOLOGY AND HYGIENE.

*An Act relating to the Study of Physiology and Hygiene in the Public Schools.*

**308. Instruction in physiology and hygiene.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the proper legal school authorities shall have power, and it shall be their duty, to have all pupils of suitable age in schools of Illinois, supported by public money or under state control, instructed in physiology and hygiene, with special reference to the effects of alcoholic beverages, stimulants and narcotics on the human system.

**309. Certificate.** § 2. No certificate shall be granted to any person to teach in the public schools of Illinois, after July, 1890, who has not passed a satisfactory examination in physiology and hygiene, with special reference

to the effects of alcoholic beverages, stimulants and narcotics on the human system.

[APPROVED June 1, 1889.]

#### COMPENSATION OF JUDGES AND CLERKS OF ELECTION IN CERTAIN CASES.

*An Act to provide for the Compensation of Judges and Clerks of Elections at Elections at which Trustees of Schools and School Directors are elected under the Provisions of an Act entitled "An Act to regulate the holding of Elections and declaring the Result thereof in Cities, Villages and Incorporated Towns in this State," approved June 19, 1885.*

**310. Expenses of election of trustee.** SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That at all elections held under the provisions of an act entitled "An act to regulate the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this state," approved June 19, 1885, and those amendatory and supplemental thereto, at which any trustee of school may have been heretofore or shall hereafter be elected, the expenses of such election shall be paid out of the treasury of such city, village and incorporated town.

**311. Expenses of election of director.** § 2. That all elections held under the provisions of said acts, at which a school director is elected, the expenses of such election shall be paid out of any funds belonging or appertaining to the district for which such director is elected.

**312. Levy for expenses.** § 3. The corporate authorities of cities, villages, incorporated towns and school districts are hereby authorized and empowered to levy taxes for the purpose of paying such election expenses.

[APPROVED June 3, 1889.]

*Application of Act limited.* This act is of very limited application. Up to this time the act of June 19, 1885, concerning elections, has been adopted in East St. Louis, and Chicago. Judges of school elections held in all other places are not entitled under the law to any compensation for their service.