THE SPIRIT OF DEMOCRACY.

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POETRY.

Be Kind to the Loved Ones at Home.

Be kind to thy FATHER; for when thou wast young,
Who loved thee so fondly as he?
He caught the first accents that fell from thy tongue,
And joined in thy innocent glee.
Be kind to thy Father; for now he is old,
His locks intermingled with gray;
His footsteps now feeble, once fearless and bold,—
Thy Father is passing away.

Be kind to thy MOTHER; for lo! on her brow
May traces of sorrow be seen;
Ah, well might thou cherish and comfort her now,
For loving and kind hath she been.
Be kind to thy Mother,—for thee will she pray
As long as God giveth her breath.
Oh, well might thou cherish, and cheer her lone way
Into the dark valley of death.

Be kind to thy BROTHER; whose heart will have dearth,
If the smile of thy joy be withdrawn;
The pleasures of feeling, will fade at their birth,
If the dew of affection be gone.
Be kind to thy Brother; wherever you are,
The love of a Brother will be
An ornament purer and richer by far,
Than the pearls from the depths of the sea.

Be kind to thy SISTER; not many may know
The depths of true, sisterly love;
The gems of the ocean, lie fathoms below
The surface, that sparkles above.
Be kind to thy FATHER; for now he is old;
Be kind to thy MOTHER so dear;
Be kind to thy BROTHER,—not show thy face cold;
Be kind to thy SISTER so near.

THE BOY HEROES.

A SKETCH OF EARLY WESTERN LIFE.

WHEN Kentucky was an infant State, and before the foot of civilization had trodden her giant forests, there lived upon a branch of Green River, in the western part of that State, an old hunter, by the name of John Slater. His hut was upon the southern bank of the stream, and save a small patch of some dozen acres that had been cleared by his axe, he was shut up by dense forests. Slater had but two children at home with him—two sons, Philip and Daniel, the former fourteen, and the latter twelve years of age. His elder children had gone South. His wife was with him, but she had been for several years an almost helpless cripple from the effects of severe rheumatism.

It was early in the spring and the old hunter had just returned from Columbia, where he had been to carry the product of his winter's labor, which consisted mostly of furs. He had received quite a sum of money, and he had brought it home with him. The old man had for several years been accumulating money, for civilization was gradually approaching him and he meant that his children should start on fair terms with the world.

One evening, just as the family were sitting down to their frugal supper, they were attracted by a sudden howling of the dogs, and as Slater went to the door to see what was the matter, he saw three men approaching his hut.

He quickly quieted the dogs, and the strangers approached the door. They asked for something to eat, and also lodging for the night. John Slater was not the man to refuse a request of that kind, and he asked the strangers in. They set their rifles behind the door, unslung their packs, and room was made them at the table. They represented themselves as travelers bound farther west, intending to cross the Mississippi in search of a settlement.

The new comers were far from being agreeable or prepossessing in their looks, but Slater took no notice of the circumstance, for it was not his nature to doubt any man. The boys, however, did not like their appearance at all, and quick glances which they gave each other told of their feelings. The hunter's wife was not at the table, but she sat in her great easy chair by the fire.

Slater entered into conversation with the guests, but they were not very free, and after a while the talk dwindled away to mere occasional questions. Philip, the elder of the boys noticed that the men cast uneasy glances about the room and he watched them narrowly. His fears had become excited and he could not rest. He knew that his father had a large sum of money in the house, and his first thought was that these men were there for the purpose of robbery.

After the supper was finished, the two boys quickly cleared off the table, and then they went out of doors. It had become dark, or, rather, night had fairly set in, for there was a bright moon, two-thirds full, shining down upon the forest.

"Daniel," said Philip, in a low whisper, at the same time casting a look over his shoulder, "what do you think of those three men?"

"I'm afraid they're bad ones," returned the younger boy.

"So am I. I believe they mean to steal father's money. Didn't you notice how they looked around?"

"Yes."

"So did I. If we should tell father what we think, he would only laugh at us, and tell us that we are scare-crows."

"But we can watch 'em."

"Yes," returned the other; "and we will watch 'em; but don't let them know it."

The boys held some further consultation, and then going to the dog house they set the small door back so that the hounds might spring forth if they were wanted.—Soon afterwards they re-entered the house. If they had desired to speak with their father about their suspicions they had no chance, for the strangers sat close by him all evening.

At length, however, the old man signified his intention of retiring, and arose to go out of doors to see the state of affairs without. The three men followed him, but they did not take their weapons, The old lady was asleep in her chair.

"Now," whispered Philip, "let's take two of father's rifles up to our bed. We may want 'em. We are as good as men with the rifle."

Daniel sprang to obey, and quickly as possible the boys slipped two rifles from their peckets behind the great stone chimney, and carried them up to their sleeping place, and then they hastened back and emptied the priming from the strangers' rifles, and when their father and the strangers returned they had resumed their seats.

The hunter's cabin was divided into two apartments on the ground floor, the one in the end of the building, being the old man's sleeping room, while the other was the large living room, in which the company at present sat. Overhead there was a sort of scaffolding, reaching only half way over the large room below it, and in the opposite end of the building from the little sleeping apartment of the hunter. A rough ladder led up to the scaffold, and on it, close up to the gable end, was the boy's bed. There was no partition at the edge of this scaffolding, but it was open to the room below.

Spare bedding was spread on the floor of the kitchen for the three travelers, and after everything had been arranged for their comfort, the boys went up to their bed, and the old man retired to his little room.

The two boys thought not of sleep, or if they did, it was only to avoid it. Half an hour passed away, and the could hear their father snore. Then they heard a movement from those below. Philip crawled silently to where he could peep down through a crack, and he saw one of the men opening his pack, from which he took several pieces of raw meat. The man examined the meat by the rays of the moon, and moving toward the end window he shoved the sash back and threw the pieces of flesh out to the dogs. Then he went back to his bed and laid down.

At first the boys thought that this might be thrown to the dogs only to attract their attention, but when the man laid down, the idea of poison flashed through Philip's mind. He whispered his thoughts to his brother. The first impulse of little Daniel as he heard that his poor dogs were to be poisoned was to cry out, but a sudden pressure from the hand of his brother kept him silent.

At the end of the boys' bed there was a dark window—a small square door—and it was directly over the dog house. Philip resolved to go down and save the dogs. The undertaking was a dangerous one; for the least noise would arouse the villains—the boys felt assured they were villians—and then the consequence might be fatal. But Philip Slater found himself strong in heart, and he determined upon the trial. His father's life might be in his hands! This thought was a tower of strenght in itself.

Philip opened the window without moving from his bed, and it swung upon its leathern hinges without noise. Then he drew off the sheet, and tied one corner of it to the staple by which the window was hooked. The sheet was then lowered on the outside, and carefully the brave boy let himself out upon it. He enjoined his brother not to move, and then he slid noiselessly down. The hounds had just found the meat, but they drew back at their young master's beck, and Philip gathered the flesh all up. He easily quieted the faithful brutes, and then he quickly tied the meat up in the sheet. There was a light ladder standing near the dog house, and setting this up against the building, Philip made his way back to his little loft and when once safely there, he pulled the sheet in after him.

The strangers had not been aroused, and with a beating heart the boy thanked God. He had performed an act, simple as it might appear, at which many stout hearts would have quailed. The dogs growled as they went back to their kennel, and if the strangers heard them they thought the poor animals were growling over the repast they had found.

At length the hounds ceased their noise and all was quiet. An hour passed away, and so did another. It must have been nearly midnight when the men moved again, and then Philip saw the rays of a candle flash up through the cracks of the floor on which stood his bed. He would have moved to the crack where he could peep down but at that moment he heard a man upon the ladder. He uttered a quick whisper to his brother and then lay perfectly still. The man came to the top of ladder and held his light up so he could look upon the boys. The fellow seemed to be satisfied that they were asleep, for he soon returned to the ground floor, and then Philip crept to his crack. He saw the men taking their knives from their packs, and he heard them whispering.

"We'll kill the old man and old woman first," said one of them, "and then we'll hunt up the money. If those little brats up there (he pointed up to the scaffolding) wake up, we can easily take care of them."

"But we must kill 'em all," said another of the villians.

"Yes," returned the first speaker, "but the old ones first. If we touch the young ones first they may make a noise and start the old ones."

Philip's heart beat with horror.

"Down the ladder—outside! quick!" he whispered to his brother. "Down, and start up the dogs! Run for the front door and throw it open—it isn't fastened! O, do let the dogs into the house as quick as you can. I'll look out for father while you go."

Daniel quickly crawled out through the little window, and Philip seized a rifle and crept to the edge of the scaffold. Two of the villians were just approaching the door of his father's room. They had set the candle down on the floor so that its light would fall into the bed room as soon as the door was opened. Philip drew the hammer of his rifle back and rested the muzzle upon the edge of the boards.

One of the men had laid his hand upon the wooden latch. The boy hero uttered a single word of heart-sent prayer, and then he pulled the trigger. The villian whose hand was upon the door uttered one sharp, quick cry, and then fell upon the floor. The bullet had passed through his brain.

For an instant the two remaining villians were confounded, but they quickly comprehended the nature and position of their enemy, and they sprang for the ladder. They did not reach it, however, for at that moment the outer door was flung open, and the hounds—four of them—sprang into the house. With a deep, wild yell, the animals leaped upon the villians, and they had drawn them to the floor just as the old hunter came from his room.

"Help us! Help us, father," cried Philip, as he hurried down the ladder. "I've shot one of them! They are murderous robbers! Hold 'em! hold 'em!" the boy continued, clapping his hands to the dogs. Old Slater comprehended the nature of the scene in a moment, and sprang toward the spot where the hounds had the two men upon the floor. The villians had both lost their knives, and the dogs had so wounded them that they were incapable of further resistance. With much difficulty the animals were called off, and then the two men were lifted to a seat. There was no need of binding them, for they needed more some restorative agent, as the dogs had made quick work in disabling them.

After they had been looked to, the old man cast his eyes about the room. They rested a moment upon the body of him who had been shot, and then turned upon the boys. Philip told him all that had happened. It seemed some time before the old hunter could crowd the whole teeming truth through his mind; but as he gradually comprehended it all; a soft, grateful, proud light broke over his lectures, and he held his arms out to his sons.

"Noble, noble boys!" he uttered, as he clasped them both to his bosom. "God bless thee for this. O, I dreamed not you had such hearts! Bless thee! bless thee!"

For a long time that old man gazed on his boys in silence. Tears of love and gratitude rolled down his cheeks, and his whole face was lighted up with most joyous, holy pride.

Long before daylight Philip mounted the horse and started off for the nearest settlement, and early in the forenoon the officers of justice had the two wounded villians in charge, while the body of the third was removed. They were recognized by the officers as criminals of old notoriety, but this was their last adventure, for the justice they had so long outraged fell upon them and stopped them in their career.

Should any of our readers chance to pass down the Ohio river, I beg they will take notice of a large white mansion that stands upon the southern bank, with a wide forest park in front of it, and situated some eight miles west of Owensboro'. Ask your steamboat captain who lives there, and he will tell you "PHILIP SLATER & BROTHER, retired flour merchants." They were the BOY HEROES of whom I have been writing.

One Thing at a Time.

One thing at a time, my dear fellow—one thing at a time. If you attempt to lift both the twins and your wife over the stream at once, you will probably drop the doll of one of the little ones, and the bonnet of the other, and set the wife down ankle deep in the stream. Some men of extraordinary gifts can rock the cradle and read the paper at the same time; but few can stir the hominy and calculate an eclipse at once without burning the one and postponing the other a year or two. You may put as many irons in the fire as the furnace will hold, if you time them rightly about their coming out. But don't try to hammer out all at once, nor attempt to shape an eel spear and a horse-shoe nail at the same blow. A wise builder will have the mason busy here, and the carpenters there, and much work proceeding with equal pace; but he does not draw up the specification for a new house while he is draughting the plan of another. We may set out a tree that will be growing while we sleep, wind up a clock that will run its round while we run up to town on an errand; but we don't set out trees nor wind clocks while running errands or while asleep. It is wise to have things so situated that there be no chincks between our jobs; no time wasted in taking up another when one is ended, and that, when really tired of one, we can refresh ourselves by laboring at another. But it is wasteful to turn from one undertaking to another while yet fresh enough to push the first on to a conclusion. One thing at a time, and that thoroughly, is the secret of success in all great attainments. Crowd the inspiration in between narrow banks, too narrow to allow of two jobs to ride abreast, and you can float down it any task you have attempted, though as large among your common labors as a seventy-four is among other ships. But widen the stream to accommodate a score of trifling tasks, and half of them will stick at sand bars and be left for another tide.—*N. Y. Times.*

DISGUSTING TASTE OF MEDICINES.—Dr. Polli recommends a means, founded on the physiological fact that a strong impression on the nerves, whether of vision, hearing or taste, renders that which follows less perceptible. Instead of applying to the mouth, therefore, agreeable substances after swallowing nauseous medicines, we should prepare it before, in order that the taste of the medicine may not be perceived. Aromatic substances, chewed just before, as orange or lemon peel, &c., effectually prevent castor oil, &c., being tasted. In preparing the mouth for bitters, liquorice is the only sweet that should be used, the others creating a peculiarly disagreeable compound taste.

A Card Picked up by the Way.

Nail it fast to your bed post and be sure to read it every morning—and then be very sure to act upon it every day, it will make you happy—very happy.

HOW TO SPEND A DAY.—"Begin the day with humble hearty prayer to God. If your heart is hard, pray the more earnestly that it may be made tender. Read also a portion of God's blessed word, and try to fix some of it in your memory as food for meditation during the day. Be careful not to let the first part of the day pass away in idleness, lest you have a hurried feeling all the rest of it. If you have a regular employment, do what you can to be forward with it. If your business consists of many things, make out in your mind or on paper a list of all and put numbers to each according to the order in which it is best to attend to them. Drive your business and it will not drive you. Maintain at all times a certain, placid and benevolent and cheerful state of mind. If others loose their tempers, take warning. Study to say something that may cheer the desponding, encourage the timid, warn the headlong and restrain the vicious. Let your words be few and well chosen. If you have any engagement be punctual to the minute. Suffer not any one rightly to introduce you as "the *late* Mr. ———." Beware of the habit of telling long stories. Try to do some good every day. Seek to be in the fear of the Lord all day long. At the close of every day, call yourself to a strict account for the words you have spoken, the deeds you have done, and the thoughts you have had. Humble yourself for all that was wrong. In reliance on God's grace, resolve to be doubly guarded against the same sins. Pray earnestly for the application of the blood of Christ.—Thank God for all his mercies. Adore his glorious name and commit yourself to him.

So shall you end this mortal race,
And see salvation nigh."

Self Restraint a Mental Perquisite.

Not only are voluptuousness and sensuality unworthy, ignominious and pernicious; but no man whose avocations demand of him any great and frequent stretch of metal exertion, is ignorant of the fact that they are injurious to the mind. Ordained, as the immaterial principle of our nature is, to receive its ideas and carry on its operations by means of material organs, it necessarily results that whatever tends to weaken or disorder, or obstruct these organs, must have an immediately pernicious influence upon the understanding.

If the body suffers from excess, the mind becomes proportionately affected. It receives its impressions slowly and indistinctly, from the derangement of the channels through which it communes with the world without, and it revolves, compares, and decides upon them doubtfully and ineffectually, from the lassitude and exhaustion of the machinery by which it acts.

The frightful proofs of the close connection subsisting between the mind and body are too frequently forced upon our attention in a manner which it is painful to recall and loathsome to dwell upon, in the sluggish imbecility of the glutton, and the utter intellectual prostration of the drunkark. The thoughtless may look lightly on such spectacles, but the wise man passes them with averted eye, and moralizes upon them, and the causes which have produced them, apart. He knows that, though the darkness which any particular act of intemperance or excess casts over the soul may disappear and leave behind no perceptible traces of its visitation, yet, that temporary extinction of intellectual light but pressages, and is a foretaste of the degredation to which, by an habitual repetition of such acts, sensibility will be sure to reduce its victim.

Who has not been a witness to such instances of intellectual ruin? The young men and young women who reclined on the couch of voluptuousness yesterday, and the thousands of old and young, all around us, who daily dissipate, should pause and consider how they are extinguishing the light that is in them, and sinking themselves into the very torpor of intellectual death. We have need to recall the simplicity of earlier days, and look back upon our Washington, our Hamilton, our Adams, and remembering them, turn from the luring feasting places, the gaudy sights and syren voices that beguile so extensively to voluptuousness and self-indulgence, and so practice the restraints our fathers knew, that, mentally, we may be children after the image of our sires.

Happiness.

Happiness is to be attained in the accustomed chair by the fireside, more than in the honorary occupation of civic office; in a wife's love, infinitely more than in the favor of all human else; in children's innocent and joyous prattle, more than in hearing of flattery; in the reciprocation of little and frequent kindnesses between friend and friend, more than in some occasional and dearly bought indulgence; in the virtue of contentment, more than in the anxious achievements of wealth, distinction, and grandeur; in change of heart more than in change of circumstance; in full, firm trust in Providence, more than in hoping fortune's favor; in a growing taste for the beauties of nature, more than in the fee-simple inheritance of whole acres of land; in the observance of neatness and regularity, household virtues, rather than in the means of ostentatious, and therefore rare, display; in a hand-maid's cheerfulness, more than in the improved tone of politics; and in the friendship of our next door neighbor, more than in the condescending notice of my lord duke.

Happiness, then, must be sought for in simplicity, and not in costliness; in the perpetually recurring, more than in the rare; in abiding peace rather than in temporary rapture; and next after the well of living water which springeth up into everlasting life, in no source else so sedulously as in those fountains which are fed by the never-failing love of relatives and friends.

The School Law.

Dr. TREVITT, Secretary of State, has furnished the *Journal of Education*, the following Digest of the answers to the various inquiries which have been addressed to him, in regard to the School Law.

MR. EDITOR: In compliance with your request I herewith transmit, in an abridged form, the substance of a small portion of the correspondence of this office on the subject of the School Law passed March 14th, 1853, which correspondence has been arranged in the form of questions and answers. Such portion of this correspondence has been selected as appeared most important in explaining those parts of the law that seemed to have given rise to the most embarrassment.

I beg here to remark, that this act repeals the provision of a former law transferring the duties of Superintendent of Common Schools to this Department. My opinions, therefore, are not official, nor of any more value than those of any other citizen. Nor am I a Lawyer; it is therefore a matter of great delicacy for me to attempt the solution of all the difficult questions that may arise under this new system, involving as it necessarily does, in its practical operations, so large a scope for controversy.

But in the absence of any officer to whom the law has been given in charge, I have ventured, almost daily, to reply to questions arising under it,—giving the subject all the attention that the pressure of my official business at a very busy season of the year would admit.

Very respectfully, your ob't serv't,
WILLIAM TREVITT.
Secretary of State.

COLUMBUS, Aug. 20, 1853.

Questions submitted by Louis J. Bolens, Esq., of Lewisburg.—1. Can sub-districts be altered at other than the regular sessions mentioned in section 12?

2. Does section 16 give power to Boards of Education to transfer persons from one township to another. Does it not apply more particularly to villages situated in two townships?

3. Does the law when it speaks of "persons" mean persons or scholars, or are they householders, or voters?

Answers by Secretary of State.—1. The 12th section provides for "regular sessions" of the board of education, and designates a time when the same shall be held: and where, in section 14, power is extended to the board to alter sub-districts, "at any regular session," I have no doubt reference was had to the regular sessions mentioned in said section 12. Therefore, sub-districts can only be altered at the regular sessions mentioned in the last named section, or at adjourned sessions of the same.

2. I do not understand from the sixteenth section, that boards of education may not transfer a person for educational purposes from one township to another. I do not think it applies, as some have supposed, specially, to a village situate in two or more townships.

3. "*Persons*," in section 16, I take to be broad enough to include any description of persons.

Questions submitted by Bebee Truesdale, Esq., Auditor Clinton Co.—1. Is the fractional part of a district entitled to directors?

2. Were boundaries of sub-districts changed by the school law; and who may vote for the three directors?

3. May sub-districts be altered?

Answers.—1. A fractional part of a district is not entitled to directors.

2. The boundaries of sub-districts were not changed by the school law, and all the qualified voters therein may vote for the three directors.

3. Sub-districts may be altered as provided in section 14.

Question submitted by J. M. Jolley, Esq., Auditor Richland County.—Can the Board of Education, if they wish to build a house in District No. 1, worth three hundred dollars, say that District No. 1 shall pay $150 of that tax, and Nos. 2, 3, 4 and 5 the remaining $150, while No. 6 shall pay no part whatever; or, must not that district and each other district in such township assist in paying such part of said tax as is not estimated upon No. 1, without any exemption?

Answer.—The determination of this question would seem to depend upon the construction which is to be given to section twenty-three of the school law. The power to levy taxes ought to be strictly construed. It cannot be extended beyond what was clearly intended by the grant of power. The danger of a different rule need not be enlarged upon. Here authority is given to the board of education to assess, upon the inhabitants of any sub-district in which a school house site is to be purchased or school house built, such part of the cost of the same as they may see proper. But no authority is given to exclude any sub-district from taxation,—to exempt such sub-district from the payment of a fair proportion of the remaining part of such tax, if any. The tax for such site or school house, not assessed against the sub-district for which the same may be purchased, is, clearly, a township tax.

Question submitted from Washington County.—Where a town has been organized for three years—proper officers elected and acting according to law—containing three hundred inhabitants—a board of education elected, at time and place prescribed by law, and previous legal notice given, and mutual oaths administered to each other: Is the township board of education justified by law in refusing to recognize the town board as a distinct school organization? and what is the construction of section 32 of the school law passed March 14th, 1853?

Answer.—The first branch of your question is fully answered by the first section of the school law. If the town of Buells Lowell is an incorporation lying within a sub-district and having a school, it seems to me to be entitled to a separate organization, as mentioned in the law, provided the sub-district contains three hundred inhabitants.

The territory hitherto attached to the village for school purposes, and which, together with such village, constituted a school district, has by the present law been annexed thereto for school purposes.

Questions submitted by A. M. Jackson, Esq., Auditor, Crawford Co.—1. Can the board of education in a township composed of eleven sub-districts regularly organized, proceed to district the township anew, and lessen the number into six, instead of eleven districts?

2. What was the effect of this action of the board?

3. Are teachers' certificates, issued under the old law, which have not yet expired, valid?

Answers.—1. The fourteenth section of the law provides that "The said board (of education) shall prepare or cause to be prepared, a map of their township, as often as they may deem necessary, on which shall be designated the sub-districts of the township, which they may change or alter at any regular session, and the number of scholars assigned to each," &c.

2. Those local directors who were elected on the second Monday of April last were chosen *in and for* the sub-districts in which they resided. It was their duty to take the management and control of the local interests and affairs of *such* sub-districts, to employ teachers, &c., and their duties did not extend beyond this. If the sub-districts for which they were elected ceased to exist, from that time they would cease lawfully to perform the functions of local directors. It seems to me that the action of the board in the township you mentioned, *blotted out* all the sub-districts in the township, unless, indeed, it be the one in which there are but three directors; that one, perhaps, remains. And, from the time the sub-districts ceased to exist, the directors had no power to act—were no longer legally directors.

What is the proper course now to pursue? This is defined by the third section of the law, where it is provided that, "in case a vacancy shall occur in the office of director, by death, resignation, refusal to serve, or otherwise, it shall be the duty of the township clerk to fill such vacancy."

3. Teachers' certificates, issued under the old law, which have not yet expired, are believed to be valid. The law makes provision in the last section, that all rights acquired under the law "shall remain, and be in no wise altered or affected." The legality of any enactment taking away any legal right, for which compensation has been made, would be exceedingly doubtful. A case in this respect analogous—Ohio *vs.* Hern, reported in the forthcoming volume of Ohio Reports, is believed to be authority for this view of the law. It might further be observed that the qualifications of teachers, under the old laws, were required to be of as high an order as they now are.

Questions submitted by S. E. Browne, Esq., Delphos, Ohio.—1. *Under our school laws*, can a town situated in two counties, the parts on either side of the line, respectively, containing more than three hundred inhabitants, organize into one school district?

2. Can a board, chosen for said entire town, proceed to sell a school house in Vanwert county, and appropriate the funds so raised, in erecting a house in Allen county, although the house so built may be in the corporate limits of the same town.

Answers.—1. In my opinion the fact that the village lies in two counties does not affect the question. Under the school law every incorporated village in the State of Ohio, with the exceptions named in section thirty-two, (and Delphos is not included in the exceptions,) is entitled to a separate organization. The taxes assessed on the west side of the canal will be collected and paid into the treasury of Vanwert county, and the taxes due on the other side will, when collecied, be paid into the treasury of Allen county. The funds are apportioned to the several counties according to the enumeration of youth, so that a part of your funds for educational purposes will be received from one county and a part from the other; and the funds now belonging to the Allen part, are funds belonging to the village of Delphos for school purposes, and so, in like manner, the funds of the Vanwert part are the funds of the village for the same purpose.

In making and returning the enumeration, reference must be had to county lines.

2. It has been alleged that the board of education of the town intends to sell the school house on the Vanwert side, and expend the money in erecting one on the Allen side. I do not think that the board has power to do this, unless some satisfactory reason can be given for the change. Section eleven, which is also applicable to cities and villages, provides that "when, in the opinion of the board, any school house or school house site has become unnecessary, they may sell and convey the same," &c. But this, I presume, would not and does not give a majority of the board the right to sell a school house, and cause another to be erected in its place, unless such change would be for the benefit of the village. Section fourteen makes provision that in the location of primary schools, &c., "the board shall have reference to population and neighborhood, paying due regard to any school house already built or site procured, as well as to all other circumstances proper to be considered, so as to promote the best interests of schools." This, it seems to me, should be equally applicable to sub-districts and to cities and villages.

Additional questions from the town of Delphos, submitted by C. G. Ferris, Esq.—1. Who is the proper person to receive the school funds belonging to Delphos, and in what manner will the funds be disbursed?

2. Can the board of education of Montgomery township legally exercise authority over that part of the town situated in that township?

Answers.—1. If the impression I have of the law be correct, the treasurer of the village of Delphos would be the proper person to receive the school funds due said village from both Allen and Vanwert counties; and the manner of disbursing the funds is the same as in townships. The treasurer would be authorized to disburse the funds on the order of the clerk of the board of education.

2. I cannot find any provision in the law by which the board of education of Montgomery township would be authorized to exercise jurisdiction over an integral part of the incorporated village of Delphos. Nor do I believe that any part of the village would be required to obey any other than the board of education thereof; and, if my views of the law be correct, until its territory is altered or changed in the manner pointed out by law, the board can enforce their authority over every part of the village, without respect to county lines.

Questions submitted by R. M. Johnson, Esq., Clermont Co.—1. Does the new school law make any provision for paying members of the township board of education for their services?

2. If so, how is the money to be raised for that purpose?

3. What is meant in the twenty-second section by the estimate required to be made to the auditor for school purposes, other than the payment of teachers?

4. Has the township board of education the power to assess two mills on the dollar valuation of taxable property of the township, in addition to the two mills levied by the law?

5. Is the tax for building and repairing school houses, and for purchasing school house sites to be levied on the sub-districts separately, or on the whole township?

Answers.—1, 2. In answer to your first and second inquiries, I would say that no provision is *expressly* made in the new school law for paying the members of the boards of education, and I believe there is no authority for paying them at all.

Mr. Rice, Senator from Cuyahoga county, who originally prepared the bill, says it was not designed to pay the board.

The thirteenth section, however, provides that the board may appoint one of their number acting manager. This would relieve the other members of most of the duties, and the section contains authority for paying the acting manager a reasonable compensation for his services.

If there were any provisions in the law relative to compensation of members of the board, they would be entitled to pay; for, in cases where laws allowing compensation are loose or ambiguous, or admit of more than one construction, in all such cases the officer is entitled to that construction most favorable to himself. But here there is no legislation upon the subject—no provision in any way relating to it. In such case I do not think the board entitled to pay. A different construction applied to this and other laws of the State, and carried out, would, in effect, break down all the safeguards to our treasuries, State and county.

3. It is intended by section twenty-two that the board shall include in their estimates the cost of building school houses, &c. &c., as well as for paying teachers.

4. The board has the power to levy two mills on the dollar in addition to the two mills required by law.

5. Section twenty-three provides, that when, in the opinion of the board, "justice and equity require it," the board may levy in any sub-district such part of the cost of building a school house therein as may be deemed proper, provided "the inhabitants have not heretofore borne a reasonable share of the burden of taxation for such purposes in comparison with other sub-districts in the county." But unless the board be of such opinion, and so tax such sub-district, the whole cost is a township tax; and if the sub-district be assessed with a part of the cost, the balance would then be a township tax.

Question submitted by R. I. Peach, Esq., Auditor Muskingum Co.—Under the 24th section of the school law, what is the remedy for the following difficulty: One sub-district has in it 120 scholars and another 60, the one will receive double the amount of money that the other will be entitled to, consequently there may not be a sufficiency in the one sub-district to pay for a school seven months within the year, as enjoined by law, and in the other there may be an excess, and in the whole district there may be a sufficiency, provided it be properly expended.

Answer.—This question does not appear to be very clearly settled by the law. But boards of education are clothed with large powers, and as the school act was designed to be a *practicable law* it should receive an *equitable* and liberal construction,—sufficiently so, at least, to make it *practical* in its operation.

It is true that the larger the school the more it will require to support it, but not necessarily twice as much to support a school of one hundred and twenty, as one of sixty scholars.

But it appears to me, that the board is clothed with ample power to settle and adjust the question.

Question submitted by Rev. H. E. Peck, Obelin, Ohio.—Under sections 45 of the new school law, is it essential to give notice of the meetings of the Board of Examiners, and without such notice would a teacher's certificate issued be valid?

Answer.—The law provides that examiners shall give notice of their meetings; I find no provision dispensing with such notice; yet if a certificate should issue to a teacher at a meeting held without such notice, I entertain the opinion that it would be valid; and I am not prepared to say