

paid to said board of education, and be disbursed solely under their direction.

SEC. 10. Sections one to twelve inclusive of an act entitled "an act in relation to free schools in the town of Minneapolis," approved May twenty-third, eighteen hundred and fifty-seven, as well as all acts or parts of acts inconsistent with the provisions of this act, are hereby repealed. Repeal of inconsistent acts.

SEC. 11. This act shall take effect and be in force from and after its passage.

Approved March 2, 1865.

## CHAPTER XXIX.

### *An Act to organize a Board of Education for the city of Wabashaw.* January 31, 1865.

- SECTION 1. What to constitute a school district—schools to be under control of Board of Education.
2. What to constitute a Board of Education—powers of said Board.
3. May levy and collect tax to maintain the necessary schools in said district—how collected.
4. When and where to meet—organization of said Board—duty of President—quorum.
5. Duties of Clerk.
6. To have full power and control of all the schools.
7. How moneys apportioned to said district to be drawn.
8. May levy tax for the purpose of building school houses—how collected.
9. Board of Education to subscribe an oath for faithful performance of duties—term of office.
10. Treasurer of the city to be treasurer of the district—duty of.
11. Repeal of inconsistent acts.
12. When act to take effect.

*Be it enacted by the Legislature of the State of Minnesota :*

SECTION 1. That the territory of the city of Wabashaw, in the county of Wabashaw, shall constitute one school district under the general laws of this State, except so far as they are changed by this act, and here-

What to constitute school district.

Schools to be under control of board of education

after all schools organized therein, in pursuance of this act shall be under the control and direction of the board of education, and be free to all persons between the ages of five and twenty-one years, residing within the bounds of said district.

What to constitute said board—powers of.

SEC. 2. At the next annual charter election in said city there shall be elected five persons at large, which shall be legal voters in said city at the time of their election, who after being duly elected and qualified shall constitute a board of education for said district; said board shall possess all the powers of trustees in said district as are given to trustees in school districts under the general laws of this State, not incompatible with the provisions of this act.

May levy a tax—for what purpose—how collected.

SEC. 3. Said board of education shall have power to levy a tax upon the taxable property of said district each year, sufficient with the amount received from other sources, to maintain the necessary school or schools in said district, for at least six months in each year, together with the amount required for fuel, rent and repairs necessary for the comfort and continuance of said school; said tax to be levied and collected as other taxes in said county are levied and collected.

When and where to meet—organization of board—duty of president—quorum.

SEC. 4. Within ten days after each annual election, said board of education shall meet at the school room of the principal school in said district, and after being duly qualified, shall proceed to elect one of their number president, and one clerk; the president shall preside at all meetings of the board, when present, shall sign all orders drawn on the treasurer for moneys voted to be paid by said board. A majority of said board shall constitute a quorum for the transaction of business, but no moneys or tax voted shall be legal unless sustained by a majority of all the board elected.

Duties of clerk.

SEC. 5. The clerk shall act as clerk of the district, as all district clerks are now required by law, and perform the duties required of a clerk under the general school laws of this State, and make all necessary returns to entitle said district to the benefits of the appropriations of the common school fund; also draw and attest all orders on the treasurer for money voted by said board, and keep all district accounts as directed by law.

SEC. 6. The board of education shall have full power and control of all the public schools of said district may direct where pupils may attend school, and so to change, alter and grade their schools, as in their judgment may be for the best interest of the education, comfort and convenience of the pupils attending the same. They may direct what kinds of books shall be used in the schools, and one of their number, by direction of the president of the board shall visit each school, at least once in four weeks.

To have full power and control of all the schools.

SEC. 7. All moneys apportioned in said district shall be drawn from the treasury of said district upon an order signed by the president of said board, and at tested by the clerk, stating for what purpose they were drawn; also noting on the district record the number of members voting for said appropriation.

Apportioned funds how to be drawn.

SEC. 8. For the purpose of building school houses, the legal voters may at any meeting called for that purpose by the common council of said city, on the application of the board of education, vote a tax not exceeding eight mills on the dollar, on the taxable property of said city for any one year; also, at any said meeting, to vote a tax not to exceed five mills on the dollar, for the purpose of continuing school for a longer time than six months. Said taxes to be levied and collected as other taxes are levied and collected in said county. The notice for said meetings shall state the amount to be raised at said meeting, and there shall not be but one tax voted for such object in any one year.

May levy a tax— for what purpose— how collected.

SEC. 9. For the purpose of carrying out the provisions of this act, the board of education herein provided for, shall, within ten days after the annual election, take, subscribe and file with the city recorder of the city of Wabashaw, an oath to support the Constitution of the United States, and of this State, and discharge the duties of their respective offices as members of the board of education for said district; and within ten days after the first election, they shall meet at the office of the city recorder, and there, under the direction of the mayor, decide by lot the term of office for which they shall serve; one for one year, two for two years, and two for three years; and annually thereafter there shall be persons elected to fill the term

To take oath for faithful performance of duties— term of office.

of the incumbent that expires, and shall hold his office for three years.

Who to be treasurer of the district—  
duty of.

SEC. 10. The treasurer of the city shall be treasurer of the district, and shall receive from time to time, all moneys from the county treasurer or any other persons belonging to said district number one, in Wabashaw county, and shall keep a separate account with said district from said city, which shall be open to any voter of said district at all reasonable hours.

He shall pay all orders on the district treasurer, signed by the president and attested by the clerk, and enter the amount of said orders and the name of the page in a book for that purpose.

Repeal of inconsistent acts.

SEC. 11. All acts and parts of acts inconsistent with the provisions of this act as far as relates to the city of Wabashaw, are hereby repealed.

SEC. 12. This act shall take effect from and after its passage.

Approved January 31, 1865.

## CHAPTER XXX.

February 23, 1865. *An Act to organize a Board of Education for the city of Owatonna.*

- SECTION 1. City of Owatonna to constitute one school district.
2. What to constitute Board of education.
  3. Board may levy a tax—for what purpose.
  4. When Board to meet—organization of said Board—quorum.
  5. Duties of Clerk.
  6. Board to have full power and control of all public schools—other duties.
  7. How moneys to be drawn apportioned to said district.
  8. Taxes may be levied with the consent of the legal voters of said district—for what purpose.
  9. To take and subscribe an oath for faithful performance of duties—term of office—vacancies how filled.
  10. Duties of Treasurer.
  11. Not to interfere with the rights and privileges of county superintendent.
  12. Repeal of inconsistent acts.
  13. When act to take effect.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That the territory of the city of Owatonna