

ed on their ballots, "For removal of county seat to Glenwood;" those opposed to such adoption shall evince their opposition in the same manner by the words, "Against the removal of county seat."

**How canvassed**  
**SEC. 4.** Such ballots shall be received and canvassed at the same time, in the same manner and returned to the same officers by the judges of election as ballots for county officers.

**Duty of canvassing board**  
**SEC. 5.** The county canvassing board of said county to whom the returns of said election are made, shall canvass the returns upon said question, in the same manner and at the same time as returns for county officers, and the abstract of votes certified to by the judges of election and deposited in the county auditor's office, and a copy thereof, duly certified by the auditor, forwarded by him to the secretary of state; and the governor shall thereupon forthwith, if this law is adopted, make proclamation to that effect in such manner as he shall deem advisable.

**SEC. 4.** This act shall take effect and be in force after it is adopted by the voters at the next general election and not before.

Approved February 12, 1867.

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## CHAPTER XCIX.

*An Act for the establishment and better regulation of Common Schools of Saint Charles, the same being designated as School District number sixty, in Winoona county.*

February 6 1867

**SECTION 1.**—Organizes school district No. 60.

2.—Board of Education—of whom to consist.

3.—Vacancies in board—how filled.

4.—Meetings of board—quorum, etc.

- 5.—General powers of board.
- 6.—Schools organized in said district to be public.
- 7.—Duty of clerk of board.
- 8.—Duty of treasurer.
- 9.—Legal voters—their powers and duties.
- 10.—Taxes, how collected.
- 11.—Act not to be amended except under certain circumstances.
- 12.—District authorized to raise money for school purposes.
- 13.—District may levy tax.
- 14.—When act to take effect.

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

SECTION 1. That school district number sixty, in Winona county, is hereby declared to be a school district and body corporate by the name and style of the Saint Charles School District, and by such name may contract and be contracted with, sue and be sued, in any of the courts of this state having competent jurisdiction, and in its corporate name shall hold the title of all lands and other property, now held or which may hereafter be acquired for school district purposes in such district.

Incorporates school district

SEC. 2. The officers of said district shall constitute a board of education, and consist of six members who shall be elected on the last Saturday of March next, after the passage of this act, two of whom shall hold their offices for three years and two for two years, and two for one year, and annually thereafter, upon the last Saturday of March, there shall be elected two members who shall hold their offices for the term of three years. No member shall be entitled to receive any compensation for his services, except the clerk, whose compensation shall be fixed by the board.

Board of Education—of whom constituted

SEC. 3. In case of vacancy the board of education shall have power to fill the same by appointment, until the next annual district election: *Provided*, The clerk of said board shall give notice of such vacancy, prior to such election as may be required in other cases.

Vacancies—how filled

SEC. 4. The board of education, a majority of which shall constitute a quorum, may meet from time to time at such place in said district, as they may designate. A majority of the members present at their first meeting, which shall be annually upon the next succeeding

Quorum

Tuesday after the district election, may choose one of their number as chairman, one clerk and one treasurer.

**SEC. 5.** The board of education shall have full power and authority, and it shall be their duty to purchase, lease and erect such school houses as may be necessary, to keep the same in repair, to furnish fuel and all things necessary for the school house during the time a school shall be kept therein, and apply for and receive from the county treasurer, or other officers, all moneys appropriated or raised by taxation for the use of the common schools and school library in said district. The said board of education shall also have full power and authority to make by-laws and ordinances relative to making all necessary reports, and transmitting the same to the proper officers designated by law, so that said district may be entitled to its proportion of the common school fund; relative to the visitation of schools; to the length of time school shall be taught, which shall not be less than six months in each year; to the employment of teachers, their powers and duties; to the regulation and proper graduation of the schools; the books to be used, and the course of study, including the higher branches of learning to be pursued therein; to the appointment of necessary officers and prescribe the powers and duties, and also relative to anything whatever that may advance the interests of education, the good government and propriety of common schools in said district, and the welfare of the public concerning the same.

Schools to be public

**SEC. 6.** All schools organized in said district, pursuant to this act, shall be public and free to all the scholars residing within the limits thereof, between the ages of five and twenty-one years inclusive, subject to such rules, regulations and limitations as the board may establish.

Duty of clerk

**SEC. 7.** It shall be the duty of the clerk of said board, in addition to the duties which may be prescribed by the board, to record the proceedings of the district meetings in a book provided for that purpose by the district; he shall enter therein all copies of his reports made to the county auditor, state superintendent or other officer as required by law; keep and preserve all records, books and papers belonging to his

office, and deliver the same to his successor in office; also, to give at least seven days' notice of each annual or special district meeting, by posting up three notices thereof in conspicuous places in the district: *Provided*, The present clerk of said district shall call the first meeting under this act in the manner above specified. Every notice for a meeting shall set forth all the objects for which said meeting was called. Special meetings may be called on the order of the board of education, or by the written request of five or more freeholders or householders of the said district.

SEC. 8. It shall be the duty of the treasurer of said board of education to receive and pay out all moneys apportioned to or belonging to the district, and to keep an accurate account of the common school fund, and the district funds raised by taxation, and he shall execute a bond to the district, in double the amount of money, as near as can be ascertained, which will come into his hands as treasurer during the year, with sufficient security to be approved by the board, conditioned for the faithful discharge of his duties. Such bond shall be filed with the clerk of the board, and in case of any breach in the conditions thereof, the said board shall cause a suit to be commenced thereon, in the name of the district, and the money, when collected, shall be applied to the use of the district.

Duty of treasurer

SEC. 9. The legal voters of said district, when lawfully assembled, not less than ten being present, shall have power by a majority of the votes of those present.

Power of electors

*First*—To choose a moderator.

*Second*—To adjourn from time to time.

*Third*—To elect members of the board of education in accordance with the provisions of the second section of this act.

*Fourth*—To designate a site for a school house.

*Fifth*—To authorize the board of education to purchase fence and improve land as sites for school houses, and to sell or exchange the same.

*Sixth*—To authorize the board of education to purchase, build, enlarge alter, improve, sell or exchange one or more school houses.

*Seventh*—To vote an amount of money to be raised as a tax on the taxable property of the district, suf-

ficient, with the apportionment of the common school fund, to support schools for the length of time voted by the district, and sufficient to hire necessary rooms or buildings for school houses and grounds about the same, and sufficient to purchase school apparatus, books for a district library, school books for indigent pupils, and furniture, stoves and other appendages for school houses, and fuel for the same, and sufficient to insure and make ordinary repairs upon school houses, and sufficient to defray the necessary expenses of the board, pay the compensation of the clerk and treasurer, and to pay for such printing, record books, stationery and other incidental matters as may be deemed proper by the bond.

*Eighth*—To vote an amount of money to be raised as aforesaid sufficient to purchase fence and improve land as sites for school houses and to purchase, build, enlarge, alter, improve one or more school houses: *Provided*, That the amount voted to be raised in any one year shall not exceed three thousand dollars, except as hereinafter provided.

Taxes, how levied  
 SEC. 10. All taxes raised by virtue of this act, shall be levied and collected in like manner, and by the same persons, as county taxes are levied and collected.

Not to be amended, etc  
 SEC. 11. This act shall not be repealed or amended in any manner by any subsequent act unless specially mentioned or named therein.

Certain sum to be raised by tax  
 SEC. 12. At any time during the year 1867, at any special meeting or meetings, said district is hereby authorized to vote an amount or amounts of money not exceeding ten thousand dollars in all, to be raised by taxes upon the taxable property in said district for the purpose of procuring a site or sites for one or more school houses and for the purpose of building one or more school houses or for the latter purpose only *Provided, however*, That such special meeting or meetings shall be called only upon the petition of not less than twenty legal voters of said district, and that in case such tax or taxes, to the amount of ten thousand dollars, are raised no other tax shall be levied for the purposes specified in this section during the year 1867.

May issue bonds  
 SEC. 13. In lieu of the tax provided for in the preceding section, said district may levy any tax provided

for in other sections of this act, and may at any time, during the year 1867, at any special meeting or meetings, vote to issue the bonds of the district for the same purpose expressed in section 12 hereof, to an amount not exceeding ten thousand dollars in all, and in sums not less than fifty dollars, payable in not more than ten years from the date thereof, and bearing interest at a rate not exceeding twelve per cent. per annum payable annually: *Provided, however,* That such special meeting or meetings shall be called as provided in said section 13. Said bonds shall be issued in the name of the district, by the board of education from time to time, and signed by the president, clerk and treasurer, and the clerk shall keep an accurate register thereof, and shall take a receipt for each one of the same, which may be issued, and carefully preserve such receipts. The board of education is hereby authorized to negotiate said bonds, at a rate not less than the district shall vote, provided any vote be had thereon.

How bonds  
issued

SEC. 14. This act shall take effect and be in force from and after its passage, but nothing herein contained (except so far as the annual election and notice thereof is concerned) shall interfere with or suspend the functions of the present district, No. sixty, of Winona county, until the organization of the board of education.

Approved February 6, 1867.