

be drawn by the district in the same manner as when the district is in one county.

When act to
take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1869.

CHAPTER III.

An Act to amend Section thirty-four, of Chapter thirty-six, of the Revised Statutes, in relation to the payment of School Teachers' Wages.

March 3, 1869.

SECTION 1. Amendment to Section thirty-four (34) of Chapter thirty six (36) of the General Statutes. Teachers to be paid out of the first moneys in the treasury upon complying with the provisions of this title—liabilities of school district treasurer for violation of the provisions of this Section.

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

SECTION 1. That section thirty-four (34) of chapter thirty-six (36) of the revised statutes of one thousand eight hundred and sixty-six, be and the same is hereby amended so as to read as follows:

How teachers to
be paid—penalty
for treasurer vi-
olating the pro-
visions of this
Section.

Sec. 34. Any teacher who has complied with the provisions of this title, shall be paid out of the first moneys in the treasury, and no subsequent claim shall supersede his or hers; and no money in any district treasury shall be applied to any purpose whatever, other than the payment of teachers, so long as there is any such claim against it. And any school district treasurer who shall violate the provisions of this section, shall be personally liable to the teacher, who was entitled to such moneys, which may be recovered against such treasurer, and his bail in any court having jurisdiction of the action; *Provided*, That nothing herein contained shall authorize the treasurer to

pay teachers out of any money other than that raised or apportioned for the payment of teachers.

Approved March 3, 1869.

CHAPTER IV.

An Act to amend Section thirty-nine of Title one of Chapter thirty-six of the General Statutes, relating to Education. March 4, 1869.

SECTION 1. Amendment to Section thirty-nine (39), Title one (1), of Chapter thirty-six (36) of the General Statutes. Every incorporated town or city having a common or special school system by their several charters, and shall by some proper officer make a report of the enumeration of scholars, shall be entitled to an apportionment of school funds—no classification of scholars with reference to color, social position or nationality by any school trustees is herein authorized without consent of parent or guardian—when town or city may be deprived of their proportion of school funds—duty of Superintendent of Public Instruction when satisfied of the commission of such offense—duty of County Auditor.

2. Repeal of inconsistent acts.
3. When act to take effect.

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

SECTION 1. That section thirty-nine (39) of title one (1) of chapter thirty-six (36) of the general statutes be amended so as to read as follows :

Sec. 39. Each of the incorporated towns and cities in this state having by their several charters a common or special school system, which shall by some proper officer thereof make to the school superintendent or auditor of their proper county a report of the enumeration of scholars and other matters by this title made necessary to be reported, the same as is required of school districts, shall be entitled to an apportionment of public school funds, to

Every town or city to enumerate the scholars in their district—when may be deprived of school fund—duty of officers.