

CHAPTER XCVII.

February 29,
1872.

*An Act to Amend An Act relating to "The School District
of the Village of Brownsville."*

- SECTION 1. Boundaries and corporate powers of the school district.
2. Election of school board and term of office.
 3. Organization of the board.
 4. Compensation of officers.
 5. Quorum of the board.
 6. Vacancies in the board.
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 8. Duties of the treasurer.
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 11. Duties of the clerk.
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 13. Relating to terms of schools and taxation for school purposes.
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Be it enacted by the Legislature of the State of Minnesota :

Boundaries—
corporate pow-
ers.

SECTION 1. That the village of Brownsville, in the county of Houston state of Minnesota, covering the following described territory namely: the south half of section twenty three, the whole of sections twenty four, twenty five, twenty six, and the south east quarter of the south east quarter of section twenty seven all in township one hundred and three north, of range No. four west 5th P. M., shall constitute one school district, and shall be known as "the school district of the village of Brownsville," and by that name shall sue and be sued, plead and be impleaded in any and all courts, contract and be contracted with, and in that name may take, hold, lease, purchase, sell and convey

by its authorized agent, the board of education hereinafter provided, any and all such real and personal and mixed estates, as the necessities, purposes and welfare of the district may require; may make and keep a common seal, alter the same at pleasure, and in addition to such powers, as such corporations may have at common law, shall have and possess the powers herein specifically granted, which powers shall not be repealed nor amended in any manner by any subsequent act, unless such powers be directly and specifically mentioned and described in such act.

SEC. 2. At the next annual village election in said village to be held on the first Monday of April, A. D. 1872, and annually thereafter, there shall be elected by ballot from among the qualified voters of the village, a board of education and a treasurer for said district; said board of education to consist of five members, three of whom shall serve for one year, and two for two years, and the time that each shall serve, shall be designated on the ballots, and annually thereafter, on the first Monday of April, there shall be chosen in the same manner alternately three and two members, who shall serve for two years, and a treasurer who shall serve for one year and until their successors are elected and qualified, and the persons so elected shall within ten days file their acceptance in the office of the clerk of the district, and hereafter all schools organized or to be organized in said village, shall be under the direction and control of said board of education, and shall be free to all persons between the ages of five and twenty one years residing in said village.

Election of
officers.

SEC. 3. Said board of education shall convene annually, on the second Tuesday next after such annual election as aforesaid, and at such meeting, shall choose one of their number chairman of said board, and one as clerk for the year ensuing.

Organization
of board.

SEC. 4. No member of said board shall receive compensation for his services as such, except the clerk, who shall receive such compensation as shall be fixed by the board.

Compensation.

SEC. 5. Three members of the board shall constitute a quorum for the transaction of business at any regular or special meeting.

Quorum.

SEC. 6. Vacancies occurring in the board of education, shall be filled by the electors of the district at any annual or special meeting which shall be called and noticed as herein-after provided. A vacancy in the office of treasurer shall be filled in the same manner.

Vacancies.

Meetings of
board.

SEC. 7. Meetings of the board may be called by the chairman or any two members thereof, by giving one day's personal notice of the time and place of meeting.

Duties of treas-
urer.

SEC. 8. The treasurer of the district, before entering upon the duties of his office, 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 not less than two sureties to be approved by the board, and conditioned for the faithful discharge of his duties as treasurer; such bond shall be filed with the clerk of the board, and in case of any breach of any condition thereof, the board shall cause an action to be commenced thereon in the name of the district, and the money received shall be applied to the use of the district.

Further duties
of treasurer.

SEC. 9. Said treasurer shall receive, and upon the order of the board, signed by the clerk and chairman, pay out all moneys belonging to the district, paying each order out of the particular fund only upon which it was drawn, and shall keep an accurate, detailed and separate account of such funds coming into his hands in a book or books kept for that purpose, and said treasurer shall within five days preceding the first Monday of April, in each year, file with the clerk of the board, a report in writing signed by him, and containing a statement of all the moneys received by him during the preceding year, and of all his disbursements. Said report shall be examined by the board, before which the treasurer shall exhibit his vouchers, before the annual meeting of the district and be approved or condemned by resolution entered upon the records of the board.

Further duties
of treasurer.

SEC. 10. Said treasurer shall make such report of the business of his office, at such other times as the same may be called for by the board; he shall keep all records, books and papers pertaining to his office, and deliver the same to his successor in office on demand. He shall pay over to his successor in office, on demand, after such successor has given bonds as hereinbefore required, all moneys in his hands belonging to the district, and shall perform such other duties pertaining to the financial officers of the district as the board may require, and shall receive such compensation for his services as treasurer as the board may prescribe, and no money shall be paid out of the treasury of the district except on the written order of the clerk countersigned by the chairman.

SEC. 11. The clerk of the board shall also be clerk of the district, and in his absence a clerk "pro tempore" may be chosen. The clerk shall keep a record of the proceed-

ings of the district meetings and the meetings of the board, and of all reports made by him to the county auditor, and shall keep an account of the expenses of the district and a correct and full list of the property of the district, and shall furnish to the county auditor on or before the tenth day of October, in each year, an attested copy of his records stating the amounts of money voted to be raised by the district for school purposes at any annual or special meetings, or by the board of education. He shall give at least ten day's previous notice of the time and place of each annual or special meeting, setting forth in every notice all the objects for which such meeting is called and held, by publishing the same in some newspaper printed and published in the district, if such there be; if no newspaper be published in the district, then such notice shall be given by posting the same in three public places of the district. Said clerk shall upon the order of the board, draw and sign all orders upon the treasury of the district for the payment of money, stating in every such order the consideration for which it was drawn and the name of the person rendering such consideration, and the particular fund upon which it was drawn, and shall take a receipt for every such order from the person to whom the same is delivered, and preserve the same. He shall keep the records, books and papers belonging to his office, and deliver the same to his successor, and between the first and tenth day of October in each year, shall make and send to the county superintendent a report in writing showing:

Duties of clerk

First—The names of all persons male and female, residing in said district, on the last day of September preceding the date of his report, between the ages of five and twenty one years.

Second—The number of those who attended the schools during the year.

Third—The length of time the schools have been taught by qualified teachers, and the wages paid them by the district.

Fourth—The amount of money received from the county treasurer from the money apportioned by the county auditor.

Fifth—The amounts of money received from taxes voted to be raised by the district, or by the board of education, the purposes for which they were raised, the manner in which and the purposes for which the same were expended, the condition of school houses and grounds, the kind of books used and such other facts as the state superintendent may require; which report shall be verified by oath before some competent person. Any failure on the part of said

clerk to make report to the county auditor as herein provided, shall be deemed a misdemeanor punishable by fine not exceeding two hundred dollars for the use of the district; said clerk shall furnish to each teacher before the commencement of any school, and as often thereafter as may be necessary, a school register, and shall perform such other duties as may be designated by said board.

Special powers **SEC. 12.** The board of education shall have power and it shall be their duty:

First—To establish and organize such grades of schools, alter and discontinue the same in said district, as they may deem expedient.

Second—To provide necessary rooms or buildings for school houses and grounds about the same.

Third—When authorized by a vote of the district to purchase or erect one or more school houses, and purchase sites for the same.

Fourth—To purchase, sell and exchange school apparatus, furniture, stoves and other appendages for schools and school houses and to furnish fuel for the same.

Fifth—To take care of the property of the district and procure insurance and make all repairs upon the same, or any part thereof when deemed expedient.

Sixth—To contract with, employ and pay teachers who have received certificates as provided by law, and to discharge the same.

Seventh—To defray the necessary expenses of the board, pay the compensation of the clerk, and pay for such record books, printing, stationery and other incidental matters as may be deemed necessary or proper.

Eighth—To superintend and manage in all respects, the schools of said districts, and from time to time to adopt, alter, modify and repeal rules for their organization, government and instruction for the keeping of registers, for the reception of pupils resident and non resident, within the district, their suspension, expulsion, and transfer from one school to another, to prescribe text books in all cases where the legislature of the state has not prescribed them, and a course of study for the schools and to visit each of the schools in said district not less than once in three months.

Ninth—To make rules and regulations respecting the protection, care and safe keeping of the property of the district, and prescribe penalties for the breach of the same, to be recovered as penalties in other cases before a justice of the peace and to change and repeal the same.

Tenth—To make, change and repeal rules relating to the organization, government and business of said board and the duties of its officers.

SEC. 13. Said board of education shall keep said schools in operation not less than sixteen nor more than forty four weeks in each year, shall determine the amount of the annual tax to be raised for the purposes aforesaid, including all the necessary expenses of said schools; provided that no tax shall be levied in any one year for said purposes exceeding one mill on the dollar of the taxable property of the district, except by a vote of the district, and on or before the tenth day of October in each year, shall make known the amount of such tax to the auditor of the county of Houston, which tax shall be assessed in said district, collected and paid over to the treasurer of said district, and said board shall keep an accurate account of their proceedings and of their receipts and disbursements for school purposes, and at the annual meeting for choosing members of the board for said district, shall make report of such receipts and the sources from which the same were derived and of said disbursements and the objects to which the same were applied.

Terms of
schools and
taxation.

SEC. 14. Whenever said board of education shall deem it necessary to purchase or build a school house or school houses for said district, or to purchase sites for the same, they shall call a meeting of the legal voters of the district by giving ten day's notice of the time and place and objects of the meeting, in some newspaper printed and published in the district, if any, and if there is no such newspaper, then by posting up written notices in three public places in said district, and said meeting may determine by a majority vote upon the erection of a school house or school houses, and the purchase of a site or sites therefor, and the amount of money to be raised for the purpose aforesaid, and the times when the same shall be paid; which moneys so voted, shall be thereupon certified by the board of education by its chairman and clerk to the auditor of the county, and shall be assessed in said district, collected and paid over to the treasurer of said district; provided that no tax shall be levied in any one year exceeding five mills on the dollar for the purpose of building a school house, or houses, or procuring sites therefor.

School houses.

SEC. 15. All taxes raised by virtue of this act, shall be levied and collected in the same manner and by the same officers as county taxes are levied and collected.

Levying taxes.

SEC. 16. Special meetings of the district may be called on the order of the board of education, or by the request of

Special meet-
ings.

five or more freeholders or householders of said district: due notice of which shall be given as hereinbefore provided in section eleven of this act.

Superintendent SEC. 17. Said board of education may, if deemed advisable by them, appoint a school superintendent for the district, who shall hold his office during such time, and who shall receive such compensation as shall be specified in a written contract to be made between him and said board of education; provided that the board may at any time for sufficient cause remove said superintendent and fill the vacancy.

Duties of superintendent. SEC. 18. It shall be the duty of the superintendent to examine teachers making applications for schools in said district, which examination shall be public and in the presence of the board, and to grant certificates to such persons as shall by him be deemed suitably qualified, which certificate shall in all cases specify the branches which he deems the person to whom the same may be issued, qualified to teach; and he shall have power with consent of the board for sufficient cause, to annul such certificate, and when so annulled the person holding the same, shall be discharged as teacher. He shall direct the teachers in the discharge of their duties, conduct all examinations for promotion, assign the scholars to their respective grades, and shall perform such other duties as the board may prescribe.

Blanks. SEC. 19. The board of education shall furnish the superintendent the necessary blanks for all such grades of certificates, as said board may at any time order, which certificates shall severally contain the branches fixed for the several grades of certificates.

Visitation of schools. SEC. 20. It shall also be the duty of the superintendent to visit the schools of the district as often as once in every three months, to observe the discipline, the mode of teaching, the progress of the scholars, and to make such suggestions to the teachers and the board of education as he may deem proper.

Repeal of chapter 30 special laws of 1868. SEC. 21. Sections 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, and 55, of the special school act of the village of Brownsville, in chapter thirty of the special laws of 1868, and all acts and parts of acts inconsistent with this act and relating to said district are hereby repealed, and the general school laws of the state, shall apply to and govern said district, except as herein provided.

When act to take effect. SEC. 22. This act shall take effect and be in force from and after the thirty first day of March A. D. 1872.

Approved February 29, 1872.