

and it is hereby made their duty, on or before the first day of September of the year preceeding the time when the bonds or the interest thereon first due, shall become payable, and each and every year thereafter, until the payment of said bonds and interest is fully provided for, to make an estimate of the amount which shall become due and payable during the next succeeding year, and shall include therein an additional amount equal to twenty per cent. thereof, and shall levy or cause the same to be done, a tax sufficient to raise the said sum upon the taxable property of said district, which taxes shall be payable in money only, and shall constitute a fund for the payment of said bonds and the interest thereon.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 5, 1874.

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## CHAPTER CIX.

AN ACT TO REDUCE THE LAW RELATIVE TO FREE SCHOOLS IN THE CITY OF SAINT PAUL INTO ONE ACT, AND TO AMEND THE SAME.

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

SECTION 1. That the city of Saint Paul shall be considered as one school district, and all schools organized therein in pursuance of this act, shall, under the direction and regulation of the board of education as hereinafter established be public and free to children residing within the limits thereof, between the ages of five and twenty-one years inclusive, subject to such rules and limitations as the said board may establish.

SEC. 2. There shall be elected in said city three school inspectors in each ward in the manner following: At each annual election hereafter in the city of Saint Paul for city officers there shall at the same time be elected in each ward of said city one school inspector who shall hold his office for the term of three years. *Provided*, That whenever the wards in said city shall be increased in number there shall be elected at such annual election in said city thereafter in each new or additional ward aforesaid three school inspectors one of whom shall hold his office for one year, one for two years and one for three years and thereafter there shall be elected

in such new or additional ward at each of such annual elections one school inspector who shall hold his office for three years; *And provided*, That at any annual election aforesaid vacancies may be filled for the unexpired term as in this act provided. No school inspector shall be entitled to receive any compensation for his services.

SEC. 3. Each school inspector must be a resident of the ward for which he shall have been elected, and non-residence of any school inspector in the ward for which such school inspector has been heretofore or may be hereafter elected, shall vacate his office and disqualify him from acting. In case of a vacancy in the office of school inspector by non-residence in, or removal from the ward for which he has been or may be elected, or from any other cause, a suitable person shall be elected by the electors of the proper ward for the unexpired term of such school inspector whose office has become vacant, at the next annual election after such vacancy; or in case sufficient time shall not intervene to give the required notice of such election, then at the next annual election succeeding the next annual election aforesaid; and until such person is elected and qualified the board of education shall fill the said vacancy by appointment, and shall also fill all other vacancies not herein otherwise provided for. *Provided*, That in all cases of elections of school inspectors by the people, the city clerk of the city of Saint Paul shall give notice of such election as in the case of elective officers of said city. Every school inspector (unless otherwise provided for) shall hold office during his term of office as herein prescribed, and until his successor is elected and qualified, and the term of office of each school inspector hereafter elected shall commence on the first day of January next succeeding his election. The territorial limits of said board of education shall be co-extensive with the limits of the city of Saint Paul as now existing, or as the same may be hereafter enlarged or altered, and in all cases where by such enlargement or change in the said city limits, any other school district, or a part thereof, may be included in the territorial limits of said board of education, the organization of such other school district, or part of the same, may be continued by the said board of education in its discretion and under its supervision, and for such time and under such regulations as said board of education may prescribe, and said board of education may appropriate in such case to the use of such organization so continued by said board the part of the school fund, and of the fund raised by taxation for school purposes, which would accrue to said board of education by reason of the accession of territory occupied in whole or in part by such other school district; or make such suitable provision for the same out of the funds under the control of said board of education as said board may deem expedient.

SEC. 4. Every person who shall hereafter be elected to fill the office of school inspector of said city shall before he enters upon the duties of his office take and subscribe an oath to the effect that he will support the constitution of the United States and of the state of Minnesota, and faithfully discharge the duties of his office, and in case any person so elected to said office shall omit to take and subscribe such oath for the period of ten days after the commencement of his term of office the said board may declare his office vacant; the said board shall have power to provide by any by-law or ordinance for the imposition of fines and penalties upon its members for absence from any meeting without leave, or any violation of the rules or regulations of said board, not exceeding five dollars in any one case, and said fines and penalties may be recovered for the use of said board in the name of said board in a civil action before any justice of the peace or other competent court.

SEC. 5. The school inspectors aforesaid shall constitute and be a corporation as heretofore existing and hereby continued by the name of "the board of education of the city of Saint Paul," and in that name shall be capable of suing and being sued, contracting and being contracted with, and holding, buying or selling and conveying real and personal property, as the interest of said common schools may require, and as said board may deem expedient, and may adopt a seal and shall have charge of the common schools and educational interests of the state within the limits of said city of Saint Paul.

SEC. 6. The board of education a majority of the members of which shall form a quorum, may meet from time to time at the city hall of said city, or at such place in said city as they may designate.

SEC. 7. The board of education shall have full power and authority, and it shall be their duty to purchase, lease or erect such school houses as may be necessary, to keep the same in repair, and provide for the payment of such buildings or repairs, and apply for and receive from the county treasurer or other officers, all moneys appropriated for the common schools and district library of said city, and designate a place where the library may be kept therein; the said board 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, as designated by law, so that said city may be entitled to its proportion of the common school fund, relative to the employment and examination of teachers, their powers and duties, relative to visitations of schools, relative to the length of time schools are to be kept, which shall not be less than three months in each year, relative to the regulations of school and the books to be used therein, relative to the appointment of necessary officers and prescribe the powers and duties, relative to anything whatever that may advance

the interests of education, the good government and prosperity of the common schools in said city, and the welfare of the public concerning the same.

SEC. 8. The city justice of the city of Saint Paul shall have jurisdiction of all suits wherein said board may be a party, and the amount in controversy does not exceed one hundred dollars, and of all prosecutions for violation of said by-laws and ordinances.

SEC. 9. The board shall annually publish in the official newspaper of the city, a statement of the number of schools in said city, the number of pupils instructed therein the year preceding, the several branches of education pursued in them, and the expenditures for all things authorized by this act during the preceding year.

SEC. 10. The board of education shall also, whenever in their judgment additional means may be necessary for the support of free schools in the city of Saint Paul, or for the erection of school houses therein, or for the purpose of paying the interest on any bonds now or hereafter issued by said board of education, on or before the 1st day of June of each year, present to the common council of the city a statement of the amount of money, beyond that in their treasury, needed for such purposes; and said common council shall levy a tax sufficient for such purposes, on all real and personal property within said city, according to the city assessment roll, which shall be collected in the same manner as the moneys to defray the general expenses of said city, and when collected shall be subject to the order of the said board of education. *Provided*, That the levy of such tax shall in no one year exceed ten mills on the dollar of the property on said assessment roll.

SEC. 11. The board of education, immediately after their organization each year, shall proceed to elect from their number a president, secretary and treasurer of the board. The treasurer shall give bonds, with sufficient sureties, to the acceptance of the board, in an amount to be fixed by the said board. It shall be the duty of the secretary to keep a true record of the proceedings of the said board, to see that the enumeration of scholars required by the general laws of the state is properly taken and duly returned, and to perform such other duties as said board may require of him by its by-laws, ordinances or otherwise, and he shall be entitled to receive a salary for his services of not less than five hundred dollars per annum. The said president shall be the president of the said corporation, and shall preside at all the meetings of said board. Such president may be elected as soon after this act shall take effect as said board may deem expedient, and shall in such case hold his office until his successor shall be elected as hereinbefore provided. In case of the absence of the president a majority of the inspectors present at any meeting may select one of their number president

pro tempore, who shall act as president aforesaid, during such absence of the president. The said board shall have the power to appoint a superintendent or such other officer or officers as said board may deem expedient and to fix the term of office of such officers, and their compensation, if any, and also to abolish any office created by said board aforesaid; *Provided*, That the term of any such officer filling an office created by the board as aforesaid, shall not continue longer than one year and until his successor shall be appointed and qualified.

SEC. 12. All school moneys collected by any collector or other officer of the city of St. Paul, or the county treasurer or any officer of the county of Ramsey, shall be paid by such collector or officer to the treasurer of the said board, who shall give him a receipt therefor, signed by himself and the secretary.

SEC. 13. All parts of acts, so far as they relate to the city of Saint Paul, inconsistent with this act, are hereby repealed, and the general laws of the state so far as the same require the election of district school trustees, shall not apply to the said city of Saint Paul. But no such repeal shall supercede any inspector heretofore elected, resident of the ward for which he has been elected, or other officers of said board heretofore appointed, or affect any contracts, bonds, action, proceedings, made, issued or had by the said board.

SEC. 15. No school inspector shall directly or indirectly be a party to, or interested or concerned in any contract or job with the said board of education, or in any work, merchandise, or supplies, done or furnished for the use of said board of education, or of the common schools of the city of Saint Paul, and any contract or transaction prohibited as aforesaid shall be void, and all moneys which may be paid thereon by said board may be received [recovered] back, and the office of any such school inspector so offending shall become thereby vacant. The said board of education shall be the judges of the qualifications of its members, and shall have power under such regulations as they may adopt, to declare the seat of any school inspector vacant for a violation of any of the provisions of this section, or in case of non-residence of any school inspector in the ward for which he was elected, or for other sufficient cause. All such vacancies shall be filled as hereinbefore provided.

SEC. 15. This act shall take effect from and after its passage.

Approved February 25, 1874.