

CHAPTER LXXXVIII.

AN ACT CREATING AN INDEPENDENT SCHOOL DISTRICT OUT OF SCHOOL DISTRICT NUMBER ONE IN THE CITY OF SAINT CLOUD.

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

SECTION 1. That all that part of the city of Saint Cloud, in the county of Stearns, hereinafter described, to wit: "All that part of the third ward lying west of Jefferson Avenue, of said city, and all that part of the fourth ward lying westerly of Hanover Avenue, and southery of Saint Augusta street of said city, as recorded in the office of register of deeds in and for the county of Stearns, state of Minnesota, also the west half of the northwest quarter of section number fourteen (14), in township number one hundred and twenty-four (124) north, of range number twenty-eight (28) west, which said tract has been heretofore a part of school district number forty-seven (47), but which is hereby severed therefrom, shall, from and after the last Saturday in March, A. D. 1876, constitute and be an independent school district, by the name of 'The Saint Cloud independent school district.' "

SEC. 2. The electors residing within the limits of said district, qualified to vote at an annual school meeting therein, shall on the last Saturday in March, A. D. 1876, at an election to be held at the school house in said district, elect by ballot six (6) directors of the common schools in said district, two of whom shall be elected for one year, two for two years and two for three years the said directors to be styled a "board of education," and annually thereafter on the last Saturday of March, at the same place, or such other suitable place in said district, as the board of education shall appoint therefor, there shall in like manner be elected two directors, whose regular term of office shall continue for three years and until their successors are elected and qualified. All vacancies which may occur shall be filled by the remainder of the board until the next annual election, when a new director shall be elected to serve for such unexpired term. Any qualified elector of said district is eligible to the office of director.

SEC. 3. At the first election of directors for said district, the director of school district number one, in the county of Stearns, shall preside and receive the ballots, and the clerk of said district shall act as clerk of said meeting, and said director and clerk shall canvass the vote cast at said election, and at all subsequent elections and meetings of said district the president of the board shall preside, and the clerk of the board shall act as clerk, and in case of the absence or inability of either to serve of said officers, one of the other directors to be designated by the members of the board present, shall serve in his stead. At the annual election of directors, the polls shall be kept open from ten o'clock A. M. till four o'clock in the afternoon.

SEC. 4. The person elected to the office of director shall before entering upon the duties of said office, and within ten days after the election, take and subscribe the usual oath of office prescribed by law, which shall be filed with the clerk of the board. The said directors, within ten days after their first election, as aforesaid, shall meet and organize by choosing from their number, a president, clerk and treasurer, and annually thereafter, at the first meeting of the board after the annual election of directors, the said board shall re-organize in like manner. The treasurer shall before entering upon the duties of his office, enter into a bond to the board, in their corporate name, in such amount as the board shall require, with sureties to be approved by the board, conditioned for his faithful discharge of the duties of said office, and the due and lawful disbursement of the moneys that shall come into his hands as such officer, and the payment to his successor of all such moneys belonging to the board, remaining in his hands at the expiration of his term of office, with the books and other property pertaining thereto, which bond shall be filed in the office of the clerk of the board. The said directors so organized and qualified and their successors in office shall be a body corporate in law, by the name "The board of education of the Saint Cloud independent school district," and as such and by that name shall be capable of contracting and being contracted with, suing and being sued, pleading and being impleaded, in any of the courts of this state, and shall also be capable of receiving any gift, grant, donation, or devise, made for the use of the common schools in said district. The said board shall be authorized, to receive all moneys accruing to said district, and shall, by resolution, direct the payment of all moneys that shall come into the treasury thereof, and no money shall be paid out of the treasury, except in pursuance of such resolutions, and upon the written order of the president, countersigned by the clerk.

SEC. 5. The said board shall hold their meetings at such times and places as they may deem proper, and special meetings may be called by the president or any two members of the board, in giving to the other members one day's notice in writing, of the time, place and object of holding such meeting; any four members of the board shall constitute a quorum for the transaction of business.

SEC. 6. The said board of education shall have the entire management and control of all common schools in the said district, and of all the houses, lands and appurtenances within the limits of said district already provided, or they may be hereafter provided for the use of the schools therein, and all moneys accruing to the said district for school purposes, shall be paid over to the treasurer of said board, and the title of all real estate and personal property, now belonging to the said school district number "one," in the county of Stearns, for school purposes, shall be regarded in law as vested in the said board, and their successors in office, for the use of the common schools in the district hereby established, and the said board of the St. Cloud independent school district shall succeed to all the rights and liabilities of said district number "one."

SEC. 8. [7] The said board shall have power to determine what various studies shall be taught in any and all of the schools in said district,

to make and enforce all necessary rules and regulations for the government of teachers and pupils and for the admission of the latter, in said schools and for the management of said schools, and for the care and protection of the property of said district, to employ teachers and examine the same, and to pay them a suitable compensation out of the fund accruing to the district under the general laws of the state or otherwise, and appropriated to that purpose, also to purchase for the use of the schools in said district all necessary books, apparatus, furniture and stationery for the use of the district.

SEC. 9. [8] The said board shall, previous to the first day of September in each year, determine the amount deemed necessary to be raised to defray all the incidental expenses of maintaining the schools of said district, and to keep in repair and preserve the buildings of the said district, and other public property thereof, and to meet any indebtedness of the district becoming due during the next succeeding year, and the clerk shall certify the same, and any amount voted to be raised by the electors of said district to the county auditor of the county on or before the first day of September in each year, and the amount so reported shall be levied upon the taxable property in said district, and collected in the same manner that county taxes are raised; *Provided*, Such tax shall not in any one year, exceed ten mills on the dollar of the taxable property in said district.

SEC. 10. [9] The said board shall have power to enact and prescribe by-laws, rules and regulations not inconsistent herewith, relating to the organization, government and business of the board and the duties of its officers, and annul and repeal the same at pleasure.

SEC. 11. [10] It shall be the duty of the clerk to keep a full and accurate record of the proceedings of the board and of all meetings of the electors of said district, which record shall be authenticated by his signature, and carefully preserve the said records and all books and papers pertaining to his office or filed therein, and said records and papers shall be at all reasonable times subject to the inspection of any legal voter of said district. The clerk shall also make and duly transmit annually, such reports as are required by the general laws of this state, relating to common schools, and in all matters pertaining to such reports the clerk shall be governed by such general laws and subject to the penalties therein prescribed.

SEC. 12. [11] No member of the said board, excepting the clerk and treasurer, shall receive any compensation for services, the clerk and treasurer shall be entitled to receive such compensation, as the board shall determine; but neither of said officers shall receive more than twenty-five dollars per annum.

SEC. 13. [12] This act shall take effect and be in force from and after its passage.

Approved March 2d, 1876.