

range fifty (50), as lie east of the Red river, be and the same is hereby detached from school district number three (3) in Polk county, and attached to school district number forty-two (42), in said county of Polk.

SEC. 2. That so much of sections number twenty-one (21), twenty-eight (28), thirty-four (34) and thirty-five (35), of township one hundred and fifty-one (151), range forty-nine (49), as lie west of the Red Lake river, be and the same is hereby detached from school district number eleven (11) of Polk county, and attached to school district forty-two (42), in Polk county aforesaid.

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

Approved March 3, 1883.

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## CHAPTER 236.

AN ACT PRESCRIBING THE MANNER OF ELECTING MEMBERS OF THE BOARD OF EDUCATION OF THE INDEPENDENT SCHOOL DISTRICT OF DULUTH, AND DEFINING THEIR POWERS.

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

SECTION 1. Members of the board of education of the independent school district of Duluth, shall hereafter, be chosen at elections to be held on the first Saturday in September in each year. Elections in said district shall be held at such place within each election precinct in said district, as the board of education shall designate, and the polls shall be kept open from ten (10) o'clock in the morning till four (4) o'clock in the afternoon, and notice shall be given by the clerk of the board of education, of the time and places of holding such elections and the officers to be elected, and of any question to be submitted to the voters at such election, by publishing the same in a daily newspaper published in said district, in each issue of such newspaper during the ten days immediately preceding the day of such election.

SEC. 2. All elections shall be by ballot, and each ballot shall contain all the names of persons voted for, with a proper designation of the office written or printed thereon, and when any person is voted for, for less than a full term, the length of such term shall be properly designated, and a plurality of votes shall elect. When two (2) or more candidates shall receive an equal number of votes for the same office, the election may be determined by the casting of lots, in the

presence of the board of education, at such time and in such manner as they shall direct.

SEC. 3. Elections in said district shall be held and conducted by inspectors of election appointed by the board of education, and any voter in said district shall be eligible to appointment as such inspector, and shall take the usual oath or affirmation as prescribed by the general laws of the state, to be taken by the judges and inspectors of election, and shall have power to appoint clerks of such elections, and to administer the necessary oaths. Such elections shall be conducted as nearly as practicable, in the same manner, and vacancies in the board of Inspectors filled as required by the general laws of the state regulating elections; and inspectors and clerks of election shall receive such compensation as may be fixed by the board, not exceeding that allowed by general laws to judges and clerks of election.

SEC. 4. If either of the inspectors of election at any election shall suspect that any person offering to vote, does not possess the qualifications of an elector, or if the vote of any such person be challenged by a qualified elector of the district, the inspector before receiving the vote of such person, shall require of him to take the following oath, to-wit: You do solemnly swear (or affirm, as the case may be) that you are twenty-one (21) years of age, that you have resided within this state four (4) months and within this election district ten (10) days next preceding this election and that you have not voted at this election. And if the person offering to vote shall take such oath his vote shall be received, and if such person shall take such oath falsely, he shall be deemed guilty of a willful perjury and upon conviction thereof, shall suffer the punishment provided by law, for persons guilty of perjury. If any person not a qualified voter shall vote at any election held pursuant to this act, or if any person shall vote in any other election district, than in the one in which he resides, or shall vote more than once at any election, he shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) and may be imprisoned until such fine and costs of prosecution are paid, not exceeding three (3) months. If any inspector shall knowingly and corruptly receive the vote of any person not authorized to vote or shall make out false returns of an election, or if any clerk shall not write down the name of any voter as he votes or shall wilfully make untrue or incorrect counts or tables of votes, each and every such inspector or clerk shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not less than fifty dollars (\$50) nor more than one hundred dollars (\$100), and may be imprisoned until such fine and costs of prosecution are paid, not exceeding three (3) months.

SEC. 5. When any election is closed the number of votes for each person voted for, and for and against each proposition or question voted upon, shall be forthwith counted and ascertained by the inspectors, and they shall make return thereof, stating the number of votes for each person for each office, and for and against each proposition or question voted upon, and shall deliver or cause to be delivered such returns to the clerk of the board of education, within two (2) days after any election, and within one (1) week after any election

the board of education shall meet and canvas said returns and declare the result as it appears from the same, and the clerk of the board of education shall forthwith give notice to each of the persons so elected, of their respective elections.

SEC. 6. School district meetings shall not hereafter be held in the independent school district of Duluth and all the powers and functions now, or which may hereafter be conferred upon independent school district meetings by general law, except the power to elect members of the board of education and the power to authorize the issuance of the bonds of the district, so far as it relates to said district, shall be possessed and exercised by the board of education of said district. And the board shall have power to appoint persons to fill vacancies in the board who shall hold their offices until a general election, and may by a two-thirds ( $\frac{2}{3}$ ) vote remove a member of the board for willful neglect to attend the meetings of the board during three (3) months in succession, but no member shall be so removed until after notice and a chance to be heard.

SEC. 7. The board of education of the independent school district of Duluth, may by a vote of two-thirds ( $\frac{2}{3}$ ) of all the members thereof, authorize the issuance of the bonds of said district, for the erection and furnishing of school houses, on sites already selected by the district, amounting in the aggregate to not more than twenty thousand dollars (\$20,000), which bonds shall run not less than twenty (20) years nor more than thirty (30) years, and shall draw interest of not more than six (6) per cent. per annum and shall not be sold below their par value.

SEC. 8. The board of education of the independent school district of Duluth, may at any general election of the district, or at a special election ordered by the board of education for that purpose, submit to the voters of said district, the question whether other and additional bonds of the district shall be issued for the purchase of sites and the erection and furnishing of school houses. Before any such question shall be so submitted, the said board shall by resolution, declare it in the opinion of the board, expedient that a specified amount of the bonds of the district bearing a specified rate of interest, not exceeding six (6) per cent. per annum, and running a specified number of years, not exceeding thirty (30), should be issued and that the question of their issue shall be submitted to the voters of the district at an election to be held on a specified day; and such resolution shall be published in connection with the notice of the election at which the question is to be submitted, and at such election the persons desiring to vote in favor of the issuance of such bonds, shall have written or printed on their tickets the words: "Shall bonds be issued, yes," and those desiring to vote against the issuance of such bonds shall have written or printed on their tickets the words: "Shall bonds be issued, no." If two-thirds ( $\frac{2}{3}$ ) of those voting on the question shall vote in favor of issuing such bonds, the board shall have authority to cause them to be issued, and the same when issued shall be valid and binding on the district, but shall not be sold below their par value.

SEC. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved March 3, 1883.