

bault, Fillmore, Grant, Houston, Jackson, Kandiyohi, Lac qui Parle, Murray, Mower, Dodge, Otter Tail, Sibley, Stearns, Steele, Stevens, Traverse."

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

Approved March 7th, 1887.

CHAPTER 81.

(S. F. No. 33.)

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO AUTHORIZE THE CITY OF MINNEAPOLIS TO ISSUE BONDS FOR BRIDGES, APPROVED FEBRUARY TWENTY-SEVENTH (27th), ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885), BEING CHAPTER ONE HUNDRED AND FIFTY (150) OF THE SPECIAL LAWS OF ONE THOUSAND EIGHT HUNDRED AND EIGHTY-FIVE (1885.)

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

SECTION 1. That section three (3) of an act entitled an act to authorize the city of Minneapolis to issue bonds for bridges be and the same is hereby amended by striking out the words "stone arch," wherever they occur in said section and by inserting in the place thereof the words "iron or steel arch."

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

Approved January 14th, 1887.

CHAPTER 82.

[S. F. No. 531.]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE ESTABLISHMENT AND BETTER REGULATION OF THE COMMON SCHOOLS IN THE CITY OF STILLWATER; APPROVED FEBRUARY TWENTY-EIGHTH, (28) ONE THOUSAND EIGHT HUNDRED AND SIXTY-THREE, (1863) AND THE SEVERAL ACTS AMENDATORY THEREOF.

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

SECTION 1. That an act entitled "an act for the establishment and better regulation of the common schools in the city of Stillwater, ap-

proved February twenty-eighth, (28th) one thousand eight hundred and sixty-three (1863) being chapter forty-four (44) of the special laws of one thousand eight hundred and sixty-three (1863) be and the same hereby is, amended so as to read as follows:

Section 1. That the city of Stillwater is hereby declared to be a school district, and body corporate, by the name and style of "the Stillwater city school district" in the county of Washington, and by such name may contract and be contracted with, sue and be sued, in any court in Washington county in said state having competent jurisdiction, and in its corporate name shall hold the title of all lands and other property now held, or which may be hereafter acquired for school district purposes, in such district. Said school district may also convey or sell any real estate belonging to, or held, or which may be hereafter acquired by said district. Said board may receive by gift, grant, devise, bequest or otherwise, any real or personal property, and may use, sell, convey, control and enjoy the same and make any and all contracts proper and necessary relating to the same.

Section 2. The officers of said district shall constitute the board of education for said city, and shall consist of seven (7) members; one (1) to be elected at large in said city, and two (2) from each of the several wards of said city, which officers shall be elected and hold their term of office as hereinafter provided. Said board shall be the successor at law of the board of education of the city of Stillwater, and shall succeed to all the property, rights, liabilities and authority of every kind of the board of education of the city of Stillwater as it now exists. A city election shall be held within and for the said city of Stillwater, on the first (1st) Tuesday of May, in the year one thousand eight hundred and eighty-seven, (1887) for the purpose of electing the first (1st) board of directors under this act. At such election there shall be elected one (1) director at large, in the said city, who shall hold his office for four (4) years, and there shall also be elected two (2) directors from each ward in said city, one (1) of which said directors from each ward in said city shall hold his office for four (4) years and one (1) of which said directors from each ward in said city shall hold his office for two (2) years from and after such election. And thereafter biennial elections shall be held in said city on the first (1st) Tuesday in May of the proper years, for the purpose of electing the successors of the said board of directors. The officers above named shall constitute the board of education of said city, and each officer shall be a director in said board. The term of office of the officers who shall succeed the first (1st) board above provided for shall be four (4) years each. In case any school director shall die, resign, remove from the district or otherwise vacate his office before the expiration of his term of office the board of education shall supply the vacancy until the next election which shall occur subsequent to such vacancy.

SEC. 3. All elections for school directors shall be held on the first (1st) Tuesday in May, beginning with the year one thousand eight hundred and eighty-seven (1887.) The voting shall be by ballot, and a ballot box shall be provided at each precinct, which shall be kept

by the judges of election to receive the ballots of all persons who are entitled to vote for school director. Whenever school directors are voted for to serve for different terms the ballots used shall designate the term for which the person named is voted for, and two (2) or more directors may be voted for upon the same ballot. The judges of election shall make returns of the votes cast for school directors, and the city council shall canvas the same as in the case of city officers, and the city clerk shall forthwith notify the persons elected of their elections, and in all matters not herein specially provided for touching such election, the laws and rules provided for the election of city officers of said city shall apply.

SEC. 4. Every school director before he shall enter upon the duties of his office, shall take, subscribe and file in the office of the city clerk of said city, an oath or affirmation, that he will support the constitution and laws of the state of Minnesota, and discharge the duties of his office honestly and to the best of his ability. The meetings of said board of education shall be held at such times and places as shall be appointed by the board. Its officers shall consist of a president, a secretary, and a treasurer, the first two (2) of whom shall be school directors, but the treasurer may be any resident and legal voter of said city whom the board may appoint. The secretary and treasurer shall each, before entering upon his duties, execute and deliver to the board of education a good and sufficient bond payable to the board of education of the city of Stillwater, in such sum as shall be fixed upon by the board, and with sureties who shall be freeholders of said city, and shall be approved by said board, and who shall justify in the aggregate to double the amount of the bond, conditioned that the principal in the bond shall well and faithfully perform and discharge all the duties of his office and pay and return over to his successor or whomsoever the board may direct, all moneys and every valuable thing that shall come into his hands by virtue of his office. Such bonds shall be filed for safe keeping with the city clerk of the city of Stillwater.

SEC. 5. The director elected at large shall be the president of said board of education, and shall preside at all meetings of the board, and sign all orders on the treasury for all moneys voted to be paid by the treasurer and shall perform all the duties necessary for the transaction of the business of the board, and which is usually performed by the president of a corporation, in the absence of the president a president *pro tempore* may be elected by the board. The secretary, or in his absence a secretary *pro tempore* shall keep a full and fair record of the proceedings of the board at its meetings, and shall draw and attest or countersign all orders drawn on the treasury, and shall keep a full and clear record of all such orders, showing the number and date and name of payee of each order separately, and the purpose for which the payment was made; and he shall take receipts for all orders before delivery thereof. All such orders shall be made payable to the order of the payee named therein, and shall not be paid by the treasurer without the endorsement of such payee personally or by his authorized agent or attorney. The secretary

shall perform such other duties as are usually performed by such officer, or as may be directed by the board, and shall draw no orders on the treasury except such as have been ordered by the board by a majority vote of all its members, taken by ayes and nays and entered in the record of the proceedings of the board.

SEC. 6. The regular meetings of the board shall be fixed by its rules and by-laws. Special meetings may be called by the president or any two (2) school directors, by written notice, stating the time, place and object of the meeting, to be served personally or at the place of abode of the other directors, at least twenty-four (24) hours before such meeting. But whenever all the directors shall be present at any meeting, the meeting shall be a legal meeting, at which any business which could come before a regular meeting may be transacted, irrespective of whether there was any notice given for such meeting or not.

SEC. 7. Said board of education is hereby authorized and empowered to levy upon the taxable property in said city, in each and every year such taxes as will raise sufficient sums of money for all school purposes of every character, including the purchase of sites and buildings and repair of school buildings and expenses incident to the maintenance thereof, and as will also provide for the prompt payment of all indebtedness of said district; *Provided*, That the aggregate annual amount of such taxes shall never exceed in any year fifteen (15) mills on the dollar upon the assessed valuation of said district. The board shall make a return of its annual levy of taxes, on or before the first (1st) day of September of every year to the county auditor of the county of Washington, and such taxes shall be collected, and the payment thereof enforced with and in the like manner as state and county taxes are collected, and the payment thereof enforced, and when collected, shall together with all costs, interest and penalties collected thereon, be paid over by the county treasurer to the treasurer of said board, as often as said county treasurer is required to make settlements with the city treasurer of the city of Stillwater.

SEC. 8. The school directors who shall be elected at the annual city election to be held on the first (1st) Tuesday of May, A. D., one thousand eight hundred and eighty-seven (1887), shall meet at the office of the city clerk of said city of Stillwater on Thursday the fifth (5th) day of May, A. D., one thousand eight hundred and eighty-seven (1887), at ten (10) o'clock in the forenoon, and may then and there effect a temporary organization, and then proceed to elect permanent officers for the year, and to the transaction of any business, or may adjourn to any other time and place to complete the permanent organization of the board. The biennial meeting of the board for the election of its officers for the year shall always be on the first (1st) Thursday after election at such hour and place as the board may by its rules appoint for its regular meetings. But vacancies may be filled whenever they shall happen, and officers shall hold until their successors are elected and qualified, unless they cease to be eligible.

SEC. 9. The board may purchase real estate for school purposes whenever five (5) school directors shall vote to make such purchase, and the board may also sell and convey any of its real estate, but only when five (5) of the school directors authorize to be elected shall vote to make such sale. In the case of the sale of real estate of the board the deed of conveyance thereof may be executed by the president and secretary, officially having the seal of the board affixed thereto; all votes under this section shall be by ayes and nays and recorded in the record of the proceedings of the board.

SEC. 10. After the passage of this act the board of education of the city of Stillwater shall continue in existence, until the first (1st) Tuesday of May, A. D., one thousand eight hundred and eighty-seven (1887), and no longer, and it shall not, in the meantime, enter into any new contracts which are not to be fully performed before the date last above mentioned and it shall be the duty of the secretary of the said board to attend at the office of the city clerk of said city, on the fifth (5th) day of May, one thousand eight hundred and eighty-seven (1887), at ten (10) o'clock in the forenoon, and surrender [and deliver] over to the school directors, elected under the provisions of this act, all books, records, vouchers, papers and property in his custody, belonging to his board. And as soon thereafter as the new board of school directors shall organize and elect a treasurer, and said treasurer shall qualify, it shall be the duty of the treasurer of said board, to pay over to the new treasurer, all moneys in his hands, or for which he is responsible, as such treasurer, and all records, books, vouchers and property under his control, and any failure to do so, shall be held to be a breach of the official bond of such treasurer so failing; and such bond may be prosecuted by the board of education of the city of Stillwater, as may also any other right of action which, but for this act, might have accrued in favor of said former board of education.

SEC. 11. 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, to furnish fuel and all other things necessary for the school houses during the time a school shall be kept therein, 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 of education shall have also full power and authority to make by-laws and ordinances relative to making all necessary reports, and transmitting the same to proper officers as designated by law, so that the city may be entitled to its proportion of the common school fund; relative to the visitation of schools; relative to the length of time schools shall be kept, which shall not be less than three (3) months in each year; relative to the employment of teachers, their power and duties; relative to the regulation of the schools and the books to be used, and the course of study to be pursued therein; relative to the appointment of necessary officers, and prescribe their powers and duties; relative to anything whatever that may advance the interest of education, the

good government and prosperity of common schools in said city, and the welfare of the public concerning the same not inconsistent with the present school law.

SEC. 12. Each ward of said city shall constitute an election precinct for the purpose of electing the officers herein provided for. The city council shall at least twenty (20) days previous to the election of school district officers to be held on the first (1st) Tuesday of May, biennially, designate the place of holding election in each ward or precinct, and such place so designated shall not be subject to change by a vote of the electors at the commencement of such election. In case said city council shall neglect or refuse to provide such places for election previous to the time of holding the same, as is herein provided, the places of holding election shall then be the same as at the general election next previous to such election.

SEC. 13. The judges and clerks of election shall be the same as at the next previous charter election and shall preside and conduct the election herein provided for. Vacancies in the board shall be provided for as in other cases of elections. *Provided*, That it shall not be necessary for said board to meet as a board of registration. The qualification of electors shall be the same as is now provided by law for the election of school boards or directors.

SEC. 14. When the election is closed the judges of election shall make returns thereof to the city clerk forthwith in like manner as provided by law for the return of state and county elections by the county auditor. The city council shall at once or as soon thereafter as may be made a canvass of the returns thereof, and declare the result thereof as it may appear from such returns and the city clerk shall forthwith give notice to the officers elected of their respective elections. All the expenses of the election shall be paid by the city council as is provided for the payment of expenses of other elections under the charter of the city of Stillwater.

SEC. 15. If any officer elected at such election shall fail or refuse to qualify there shall be deemed to be a vacancy in the office and the same shall be filed as in other vacancies hereinbefore provided for.

SEC. 16. The board of education shall fix the salaries of the secretary and treasurer at such reasonable sum as said board may deem proper in the premises. No other officer shall receive any pay or compensation for the services performed.

SEC. 17. The provisions of this act shall not be construed to rescind or impair the conditions of any contract entered into by the board of education of said city school district at the time of the passage of this act.

SEC. 18. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 19. This act shall take effect and be in force from and after its passage.

Approved February 14th 1887