

CHAPTER 205.

S. F. No. 417.

An act to provide for the organization of township graded schools.

Township
graded
schools.

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

SECTION 1. The electors of any organized township in this state may at any general or special town meeting held therein, organize a township graded school in the manner provided in this act.

May or-
ganize.

Whenever the town clerk of any such township is presented, not less than thirty (30) days before the annual town meeting with a petition signed by not less than ten (10) legal voters and freeholders residing in such township requesting that the proposition of organizing a graded school be submitted to the electors of such township, it shall be his duty in giving notice of the annual town meeting to insert therein that such proposition will be submitted to and voted upon by the electors of such township at such meeting. He shall also state in such notice that the question of raising money for the support of said school and the election of a board of five (5) trustees will also be submitted to the electors at such town meeting. If such application is made to the town clerk thirty (30) days after any regular town meeting, it shall be his duty to give notice of a special town meeting to be held for the purpose hereinbefore provided, which said notices shall be of the same number and posted in the same manner as now provided by law for calling special town meetings.

Manner of
organization.

SEC. 2. It shall be the duty of the moderator of town meeting at which such propositions will be submitted to submit the same to the electors present at such meeting in the following order:

Order of prop-
ositions.

First—The proposition to establish a township graded school.

Second—The proposition to raise money for the support thereof.

Third—The election of a board of five (5) trustees to have control of such schools.

The second and third propositions shall be submitted to vote only in case the first proposition is declared to have been carried. Whenever it has been voted at any such meeting to establish a township graded school, there shall be levied for the year in which such school is established, and annually thereafter, such sum as may be voted at any regular town meeting of the township,

the rate of which shall not exceed nine (9) mills, for the support of the school.

Terms of trustees.

The term of office of the members of the first board of trustees shall be as follows: One of said trustees shall be elected for one year, two (2) for two (2) years, and two (2) for three (3) years from the second Saturday in June next ensuing after their election and until their successors are elected and qualified and thereafter the term of office of each member shall be three (3) years from the second Saturday in June and until his successor is elected and qualified. Any vacancy arising in the board of trustees may be filled by appointment by the remaining members of the board, and the person so appointed shall continue in office until his successor is elected and qualified.

Organization of trustees.

SEC. 3. Within ten (10) days after the organization of a township graded school as provided in this act, the board of trustees shall convene at some convenient place and organize themselves as a board by electing from their number a president, a clerk and a treasurer; said trustees and their successors in office shall be a body corporate by the name of the board of education of — township graded school, and as such and by such name shall have perpetual succession and shall receive all moneys and other property belonging to or accruing to such graded school, for the use and benefit thereof; and the said board shall be capable of contracting and being contracted with, suing and being sued, and shall also be capable of receiving any gift, grant, bequest or device made for the use of such graded school under any law of this state, for the use of the public schools therein, and the same shall be paid to the treasurer of said board of education.

Annual meeting and election of officers.

SEC. 4. Said board shall annually following its first organization meet on the second Saturday in June and organize by choosing a president, clerk and treasurer, who shall hold their offices as such for one year and until their successors are elected and qualified. The board may for satisfactory reasons remove any member or officer of the board, and fill the vacancy; *provided*, that no member shall be removed except by concurrent vote of at least four (4) members of the board and at a meeting of whose object, time and place he shall be duly notified. No member of said board shall receive any compensation for his services. One member of said board shall constitute a quorum for the transaction of business at any meeting.

Jurisdiction of Co. sup't.

SEC. 5. The county superintendent shall visit and have charge of said school, and have the same jurisdic-

tion over the same that he has over the common schools of the county.

SEC. 6. Each member of the board of education shall file in the office of the town clerk his written acceptance of office.

The president shall preside at all meetings of the board, except that a president pro tempore may be chosen in his absence; shall sign all orders drawn upon the treasurer for moneys voted to be paid by said board, and perform such other duties as the board may prescribe.

Duties of president.

SEC. 7. The clerk shall act as clerk of the school board and shall keep a record of the proceedings of all the meetings thereof, and shall perform such duties as are imposed by law upon the clerks of common school districts, and shall do and perform such other duties as may be required by the said board.

Duties of clerk.

SEC. 8. The records of said board signed by the president, or a transcript thereof, or any part thereof, and all papers belonging to the office, or a transcript thereof certified by the clerk, shall be *prima facie* evidence of the facts therein stated, and all records, books and papers belonging to said board shall be subject to the inspection of any legal voter of said town.

Records.

SEC. 9. The treasurer before entering upon the duties of his office shall execute a bond to the board of education in double the amount of money, as nearly as can be ascertained, which will come into his hands as treasurer within a year, with not less than two sureties to be approved by said board and conditioned for the faithful discharge of his duties as treasurer. Said bond shall be filed with the clerk of the board, and in case of any breach in the conditions thereof, the board shall cause an action to be commenced thereon in the name of the board of education, and the money recovered shall be applied to the use of the school. Said board may require said treasurer to give additional security from time to time. Said treasurer shall receive, and upon the order of the board signed by the clerk and president, pay out all moneys belonging to the school, paying each order only out of the particular fund upon which it was drawn, and shall keep an accurate, detailed and separate account of each fund coming into his hands in a book or books provided for that purpose. Said treasurer shall within ten (10) days preceding the annual town meeting in each year, file with the clerk of the town board a report in writing signed by him and containing a statement of all the moneys received by him within the year preceding and of all his disbursements. Said report shall be examined by the board and

Duties of treasurer.

shall be certified to the annual town meeting by the president and clerk. Said treasurer shall make such report of the business of his office as may be called for by the board at any time. He shall keep all records, books and papers belonging to his office and deliver the same to his successor in office upon demand. He shall pay to his successor in office upon demand, after such successor has given bond as hereinbefore prescribed, all moneys in his hands belonging to said school; and perform such other duties as may be ordered by the board.

Meetings.

SEC. 10. Said board may hold stated meetings at such times and places in said town as they may appoint. Special meetings thereof may be called by the president or by any two members on giving one day's notice of the time and place of the same; and said board shall by resolution direct the payment of all moneys that shall be paid out of the treasury, and no money shall be paid except in pursuance of such resolution and on the written order of the clerk, countersigned by the president.

School build-
ings and sites.

SEC. 11. Whenever said board shall deem it necessary to purchase or erect a school house or school houses for said school, or to purchase site for the same, they shall call a meeting of the legal voters of the township by giving ten (10) days' notice of the time and place and object of said meeting, in some newspaper printed and in general circulation in said township; if there is no such newspaper then by posting notices thereof in five (5) or more of the most public places in said town; 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.

SEC. 12. The amount of money so voted shall be thereupon certified by the president and clerk of the board of education to the auditor of the county, and shall be levied on the taxable property of said town; *provided*, that no tax shall be levied in any one year exceeding ten (10) mills on the dollar for the purpose of building a school house or school houses or procuring a site therefor.

Duties of
board of
education.

SEC. 13. The board of education shall have power and it shall be their duty:

First--To provide necessary rooms or buildings for school houses and grounds for the same. If there is a building in the township owned by the same for the purpose of a town hall or otherwise, which is deemed by the board suitable for a school building, the same may be used for the purpose of maintaining a school therein, organized under the provisions of this act.

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

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

Fourth—To take care of the property of the school and procure insurance and make ordinary repairs upon the same or any part thereof, when deemed expedient.

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

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

Seventh—To superintend and manage in all respects the school organized under this act and from time to time to adopt, alter, modify or repeal rules for its organization, government and instruction, for the keeping of registers, for the reception of pupils, resident and non-resident within the township, their suspension and expulsion, and prescribe text books and a course of study for the said school and to visit the same.

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

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

Tenth—When authorized by a vote of the town to make, execute and deliver for and in behalf of said school, deeds, mortgages, releases, all other instruments relating to the real property of the town pertaining thereto.

SEC. 13½. Said board of education shall keep said school in operation for such length of time as it may by resolution determine to be proper. They shall employ only such teachers as are duly licensed to teach in the schools of the state by the county superintendent of schools or other proper authority.

Terms of schools and teachers.

SEC. 14. 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.

Taxes.

SEC. 15. Upon and after organization as hereinbefore provided, the township graded school shall be governed by provisions of this act, and by the general school laws not inconsistent with the general provisions hereof.

May dissolve school system.

SEC. 16. Any township graded school organized

under the provisions of this act may dissolve its organization at any general or special town meeting held in such township upon proper notice that the question of such dissolution will be submitted to the electors of the township at such meeting; *provided*, that such school shall only be dissolved when two-thirds of the legal voters voting at any such town meeting shall cast their ballots in favor of dissolving the same.

SEC. 17. This act shall take effect and be in force from and after its passage.

Approved April 21, 1897.

S. F. No. 492.

CHAPTER 206.

Park systems
in certain
cities.

An act to empower boards of park commissioners in cities of the State of Minnesota having no more than fifty thousand and not less than fifteen thousand inhabitants to issue bonds of such cities for certain purposes therein mentioned.

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

Between
50,000 and
15,000 popu-
lation.

SECTION 1. That for the purpose of raising funds with which to establish a system of parks and parkways, in any city of the state of Minnesota having no more than fifty (50,000) thousand and not less than fifteen thousand (15,000) inhabitants, the board of park commissioners, duly appointed and organized in and for any such city, shall have power and authority, and is hereby empowered and authorized to issue, in addition to all power and authority heretofore conferred upon any such board by law, the bonds of such city to be denominated "Park Bonds," not exceeding in the aggregate the amount of thirty thousand dollars (\$30,000).

Bonds.

SEC. 2. Said bonds shall be for the principal sums of one thousand (\$1,000) dollars each and shall be payable at such times and at such place as the board of park commissioners issuing the same may designate. Said bonds shall be made payable to bearer, or to the order of the person or corporation to whom they may be delivered, as said board may deem best; shall draw interest payable semi-annually at such place as said board may determine at a rate not exceeding five (5) per cent. per annum, to be represented by coupons attached to said bonds. Said bonds and the coupons attached thereto shall severally be signed by the president