

CHAPTER LII.

An act relative to Free Schools in the City of St. Paul.

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Be it enacted by the Legislative Assembly of the Territory of Minnesota.

SECTION 1. That the city of St. Paul shall be considered as one school district, and hereafter all schools organized therein in pursuance of this act, shall, under the direction and regulation of the board of education, be public and free to all children residing within the limits thereof, between the ages of five and seventeen years, inclusive. Provided, that all money, real estate and other property, now belonging to the several school districts, be expended for educational purposes within and for the exclusive benefit of said district by the trustees thereof. One District.

SEC. 2. There shall be elected in said city nine school inspectors, to be elected in the manner following: At the next annual charter election, there shall be elected in each ward of said city three school inspectors, one of whom shall hold his office for two years, and two for one year; and at every annual (charter) election thereafter, there shall be elected in each ward one school inspector, who shall hold his office for two years, and one for one year. No school inspector shall be entitled to receive any compensation for his services. Inspectors.

SEC. 3. In case of a vacancy in the office of school inspector, the Common Council of the City of St. Paul, may fill the same until the next annual election, when, if such vacancy occur in the first year of the term of said office, the electors of the proper ward may choose a suitable person to fill the remainder of such term: Provided, the city clerk shall give notice of such vacancy prior to such election, as may be required in other cases. Vacancies.

SEC. 4. Every person elected to the office of school inspector, who, without sufficient cause, shall neglect or refuse to serve, shall forfeit to the Board of Education for the use of the library, the sum of ten dollars, to be recovered in an action of debt in some competent court: Provided, no person shall be compelled to serve two terms successively; and the said board shall make all necessary rules and regulations relative to its proceedings, and punish by fine not exceeding five dollars for each offence of any member of the board, who may without sufficient cause, absent himself from any meeting thereof, to be collected as they may direct. Refusal to serve.

SEC. 5. The school inspectors together with the Mayor and President of the Council of said city, (who are declared to be ex-officio school inspectors,) shall be a body corporate by the name of "The Board of Education of the City of St. Paul," and in that name may be capable of suing and being sued, and of holding or selling and conveying real and personal property, as the interest of said common schools may require; and shall also succeed to and be entitled to demand all moneys and other rights belonging to or in possession of the board of school inspectors, or any member thereof, or of any school district board, or any member thereof, or any real and personal property, or other rights, of any such district in said city, and the clear proceeds of all such property which may come into the possession of said board, as last aforesaid, shall be expended and disbursed, by and under the authority of said board of education, for the support of said schools, after paying all just and legal demands existing against the several school districts heretofore existing in said city: Provided, that said board shall not be liable to pay an aggregate amount of indebtedness against any one district, greater than the amount received from the same by the board.

To be a body corporate.

SEC. 6. The board of education, (five members of which may form a quorum,) may meet from time to time at such place in said city as they may designate. The Mayor shall be President of the Board, and shall preside at all meetings thereof, but in case of his absence or the absence of the President of the Council, a majority of the inspectors present at any meeting may choose one of their number President *pro tempore*.

Meetings.

SEC. 7. The Board of Education shall have full power and authority, and it shall be their duty, to purchase such school houses, and apply for and receive from the County Treasurer, or other officers, all moneys appropriated for the primary 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 taking the census of all children in said city between the ages of five and seventeen years, relative to making all necessary reports and transmitting the same to proper officers, as designated by law, so that said city may be entitled to its proportion of the primary school fund; relative to visitation of schools; relative to the length of time schools shall be kept, which shall not be less than three months in each year; relative to the employment, and examination of teachers, their powers and duties; relative to the regulation of schools, and the books to be used therein; relative to the appointment of necessary officers, and prescribe their powers and duties; relative to anything whatever that may advance the interests of education, the good government and prosperity of common schools in said city; and the welfare of the public concerning the same.

Powers and Duties.

SEC. 8. The Justice of the Peace for the city shall have jurisdiction of all suits wherein said Board may be a party, and of all prosecutions for violation of said by-laws and ordinances.

Suits.

SEC. 9. The board shall annually in the month of February, 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 by them, and the expenditures for all things authorized by this act, during the preceding year.

Statement.

SEC. 10. The Board of Education shall establish a district library, and for the increase of the same, the Common Council are authorized annually to levy a tax on the real and personal property, within said city of a sum

Library.

not exceeding two hundred dollars, which tax shall be levied and collected in the same manner as the moneys raised to defray the general expenses of said city.

SEC. 11. The Common Council of said city are hereby authorized, once in each year, to assess and levy a tax on all the real and personal property within the said city, according to the city assessment roll of that year, which shall not exceed one dollar for every child in said city between the ages of five and seventeen years; the number of children to be ascertained by the last report on that subject in the office of the clerk of said Board of Education, and certified by the President thereof, and the said tax shall be collected in the same manner as the moneys to defray the general expenses of said city. All such moneys shall be disbursed and expended by the authority of said Board, for the support and maintenance of said schools and for no other purpose whatever.

Taxes.

SEC. 12. The Board of Education immediately after their organization shall proceed to elect a suitably qualified person as Secretary and Treasurer of the Board, who shall give security for the faithful discharge of his duties, and it shall be his duty to examine all teachers, and exercise a general supervision of schools, under the direction of the Board of Education. As compensation for his services he shall be entitled to a salary of not less than five hundred dollars.

Secretary and Treasurer.

SEC. 13. The collector of said city, when he shall have paid any school moneys to said Treasurer or other person shall take a receipt therefor, and file the same with the clerk of said board, and it shall be the further duty of the collector, when he shall have made his final return concerning the collection of said tax, to make a report to said Board, stating the whole amount collected and the amount returned by him to the Common Council, as unpaid and uncollected.

Collector.

SEC. 14. That the collectors of the city of St. Paul, elected in the different wards, of said city, shall act as collectors of the school tax assessed and levied in said city, in their respective wards, under and by virtue of the provisions of this act; and that each of said collectors, previous to his entering upon his duties, shall in addition to the bond now required by law, make and report to the Board of Education of said city of St. Paul, a bond with two good and sufficient sureties, to be by them approved, in the penal sum directed by said Board, conditioned for the faithful performance of his duties as such collector, and that in case of neglect or refusal of any one of said collectors to execute and obtain such bond, according to the provisions of this section, he shall be subject to a penalty of one hundred dollars, to be collected in an action of debt, which may be brought in any court in this Territory, at the suit, and in the name of said Board of Education of the city of St. Paul.

Bond.

SEC. 15. All parts of acts, so far as they relate to the city of St. Paul, inconsistent with this act, are hereby repealed, and it shall not be necessary to elect any school district in said city as heretofore required by law.

Acts repealed.

SEC. 16. This act shall take effect from and after its passage.

To be in force.

JOHN B. BRISBIN,

President of the Council.

CHARLES GARDNER,

Speaker of the House of Representatives.

APPROVED—March first, one thousand eight hundred and fifty-six.

J. TRAVIS ROSSER,

Secretary of the Territory of Minnesota.