

## CHAPTER XLIV.

*An Act for the Establishment and better Regulation of the Common Schools in the City of Stillwater.*

- SECTION 1.** Declared to be a school district.  
**2.** Who to constitute Board of Education—term of office.  
**3.** Vacancy—how filled.  
**4.** Quorum—annual meeting of Board.  
**5.** Power of Board of Education.  
**6.** All schools to be free and public.  
**7.** Duty of Clerk of said Board.  
**8.** Duty of Treasurer of said Board.  
**9.** Power of legal voters of said district.  
**10.** Taxes, how collected.  
**11.** Repeal of acts inconsistent with this act.  
**12.** Not to be affected by any subsequent act.  
**13.** When act to take effect.

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

Declared to be a school district

**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 of the courts of this State having competent jurisdiction, and in its corporate name shall hold the title of all lands and other property now held, or which may hereafter be acquired for school district purposes in such district.

Who to constitute Board of Education—term of office

**SEC. 2.** The officers of said district shall constitute a Board of Education for said city, and shall consist of five members, one of whom shall be the Mayor of the city, and ex officio President of the Board; the other four shall be elected on the last Saturday of March next after the passage of this act, two of whom shall hold their office for two years, and two for one year, and annually thereafter, upon the last Saturday of March, there shall be elected two members who shall hold their office for two years. No member shall be entitled to receive any compensation for his services, except the Clerk and Superintendent, whose compensation shall be fixed by the Board.

**SEC. 3.** In case of vacancy the Board of Education shall have power to fill the same until the next annual

district election, when the electors of said city may choose a suitable person to fill the remainder of such term, *Provided*, the Clerk of said Board shall give notice of such vacancy prior to such election, as may be required in other cases.

Vacancy how filled

SEC. 4. The Board of Education, three members of which may form a quorum, may meet from time to time, at such place in said city as they may designate. A majority of the members present at their first meeting, which shall be annually upon the next succeeding Saturday after the district election, may choose one of their number Clerk, and one Treasurer.

Quorum—annual meeting of Board

SEC. 5. 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 things necessary for the school house 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 also have 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 said 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 months in each year; relative to the employment of teachers, their powers 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 any thing 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.

Power of Board of Education

SEC. 6. Hereafter all schools organized in said city in pursuance of this act, shall, under the direction and regulation of the Board of Education, be public and free to the children residing within the limits thereof, between the ages of five and twenty-one years, inclusive, subject to such rules and limitations as the Board may establish.

All schools to be free and public

Duty of Clerk of  
said Board

SEC. 7. It shall be the duty of the Clerk of said Board, in addition to the duties which may be prescribed by the Board, to record the proceedings of the district meetings in a book provided for that purpose by the district; he shall enter therein all copies of his reports made to the County Auditor, State Superintendent, or other officer as required by law; keep and preserve all records, books and papers belonging to his office, and deliver the same to his successor in office; also, to give at least ten days' notice of each annual or special district meeting, by posting up three notices thereof in conspicuous places in the district; *Provided*, that the clerk of school district, No. 9, in the county of Washington shall call the first meeting under this act in the manner above specified. Every notice for a meeting shall set forth all the objects for which said meeting was called. Special meetings may be called on the order of the Board of Education, or by the written request of five or more freeholders or householders of the said district.

Duty of Treasurer-  
of said Board

SEC. 8. It shall be the duty of the Treasurer of said Board of Education to receive and pay out all moneys apportioned to or belonging to the district, and to keep an accurate account of the common school fund and the district fund raised by tax, and he shall execute a bond for the district in double the amount of money, as near as it can be ascertained, which will come into his hands as Treasurer during the year, with sufficient security, to be approved by the Board, conditioned for the faithful discharge of his duties. Such bond shall be filed with the Clerk of the Board, and in case of any breach of any condition thereof, the said Board shall cause a suit to be commenced thereon, in the name of the district, and the money, when collected, shall be applied to the use of the district.

SEC. 9. The legal voters of said district, when lawfully assembled, not less than ten being present, shall have power by a majority of the votes of those present:

Power of the legal  
voters of  
said district

1. To appoint a moderator.
2. To adjourn from time to time.
3. To elect members of the Board of Education in accordance with the provisions of the second section of this act.
4. To designate a site for a school house.
5. To vote an amount of money to be raised by a

tax upon the taxable property of the district, sufficient, with the apportionment of the common school fund, to support a school the length of time voted by the district; to purchase or lease a site for a school house, and to build, hire, or purchase such school house when the same shall be necessary; to keep in repair and provide the same with the necessary furniture and appendages; to procure fuel, and to purchase or increase a library and school apparatus; *Provided*, That the Board of Education shall have power to levy a tax sufficient to support a school three months in the year without any vote of the district; *And Provided further*, That the legal voters may vote to have a school any length of time more than three months.

6. To repeal or modify their proceedings from time to time.

SEC. 10. All taxes raised by virtue of this act shall be levied and collected in the same manner, and by the same persons as county taxes are levied and collected. Taxes how collected

SEC. 11. All acts and parts of acts inconsistent with this act, are hereby repealed, so far as they relate to the city of Stillwater. Repeal of inconsistent acts

SEC. 12. This act shall not be repealed or affected in any manner by any subsequent act, unless specially mentioned or named therein. Not to be affected by subsequent acts

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

Approved, February 28, 1863.