

Sixth.—To repeal or modify their proceedings from time to time.

Taxes, how collected

SEC. 10. 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.

Repeal of inconsistent acts

SEC. 11. All acts and parts of acts, inconsistent with this act, are hereby repealed, so far as they relate to said district.

Act not to be affected by any subsequent act

SEC. 12. This act shall not be repealed or affected by any subsequent act, unless specially mentioned therein.

SEC. 13. This act shall take effect and be in force from and after the 20th day of March, A. D. 1864.

Approved March 3, 1864.

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## CHAPTER XVII.

### *An Act to organize a Board of Education for the City of Rochester.*

SECTION 1. What to constitute said school district.

2. Board of Education, how constituted—power of said Board.

3. Powers of Board of Education.

4. Annual meeting of said Board—election of officers.

5. Duty of Clerk of said Board.

6. Board of Education to have full control of all the public schools in said district.

7. Moneys apportioned to said district, how drawn.

8. Tax to be raised, for purpose of building schoolhouses, etc., how.

9. Persons constituting Board of Education to take oath of office—term of office—vacancies, how filled.

10. Treasurer of city, to be treasurer of said district—duties of.

11. Repeal of acts inconsistent with this act.

12. When act to take effect.

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

SECTION 1. That the territory of the city of Roch-

ester, in the county of Olmsted, shall constitute one school district, under the general school laws of this State, except so far as they are changed by this act, and hereafter all schools organized therein, in pursuance of this act, shall be under the control and direction of the board of education, and be free to all persons between the ages of five and twenty-one years, residing within the bounds of said district.

What to constitute  
said school district

SEC. 2. At the next annual charter election in said city, there shall be elected one person in each ward, and two persons at large, which shall be legal voters of said city at the time of their election, who, after being duly elected and qualified, shall constitute a board of education for said district. Said board shall possess all the powers of trustees, in said district, as are given to trustees in school districts under the general school laws of this State, not incompatible with the provisions of this act. *Provided*, That no more than two trustees shall reside in the same ward.

Board of education  
how constituted—  
power of said  
board

SEC. 3. Said board of education shall have power to levy a tax upon the taxable property of said district, each year, sufficient, with the amount received from other sources, to maintain the necessary school or schools in said district, for at least six months in each year, together with the amount required for fuel, rent and repairs necessary for the comfort and continuance of such school, said tax to be levied and collected, as other taxes, in said county are levied and collected.

Power of board of  
education

SEC. 4. Within five days after each annual election in said city, which shall be the annual election of said district, said board of education shall meet at the school room of the principal school in said district, and, after being duly qualified, shall proceed to elect one of their number president, and one clerk. The president shall preside at all meetings of the board when present—shall sign all orders drawn on the treasurer for moneys voted to be paid by said board. A majority of said board shall constitute a quorum for the transaction of business, but no moneys or tax voted shall be legal unless sustained by a majority of all the board elected.

Annual meeting of  
board—election of  
officers

SEC. 5. The clerk shall act as clerk of the district, as all district clerks are now required by law, and per-

Duty of clerk

form the duties required of clerk, under the general school laws of this State, and make all necessary returns to entitle said district to the benefits of the appropriation of the common school fund—call all special meetings required under the general school laws, and under this act, also draw and attest all orders on the treasurer for money voted by said board, and keep all district accounts, as directed by law.

Board to have control of public schools

SEC. 6. The board of education shall have full power and control of all the public schools of said district; may direct where pupils shall attend school, and so to change, alter and grade their schools, as, in their judgment, may be for the best interest of the education, comfort and convenience of the pupils attending the same. They may direct what kind of books shall be used in schools, and one of their number, by direction of the president of the board, shall visit each school once in each week, but no one member of the board shall be required to visit any school more than once in four weeks.

Moneys apportioned, how drawn

SEC. 7. All moneys apportioned in said district shall be drawn from the treasury of said district, upon an order signed by the president of the board and attested by the clerk, stating for what purpose they were drawn, also noting on the district record the number of members voting for said appropriation.

TAX to be raised for purpose of building schoolhouse, etc.—how

SEC. 8. For the purpose of building a schoolhouse or schoolhouses, and for the purpose of continuing school for a longer term than six months, the legal voters of said district, at their annual meeting, or at a special meeting called for that purpose, may, by a majority, vote an amount to be raised by tax on the taxable property of such district, sufficient for that purpose so specified, not exceeding three thousand dollars in any one year, such tax to be levied and collected as other taxes are levied and collected in said county. The notice for such meeting shall state the amount to be raised at that time, and there shall not be but one tax voted by the people in any one year.

SEC. 9. For the purpose of carrying out the provisions of this act, the board of education herein provided for, shall, within five days after the first annual election after the passage of this act, take, subscribe

and file, with the recorder of the city, an oath to support the constitution of the United States and of this State, and discharge the duties of their respective offices, as members of the board of education for said district. Also, within the said five days they shall meet at the office of the mayor in said city, and there, under the direction of the mayor, decide by lot the term of office for which they shall serve. Of those elected from the respective wards, one shall serve for one year, one for two years, and one for three years, as may be so decided. And of those elected at large, one shall serve one year, and one for two years, and each of them until their successors are elected and qualified. And annually thereafter, there shall be one person elected in the respective wards in which the term of the incumbent expires, and shall hold his office three years. Also, one member shall be elected at large each year, to hold his office two years, and if a vacancy should occur from any cause, the common council of said city may appoint some person to fill such vacancy for the unexpired term.

Members of board to take oath of office—term of office—vacancies, how filled

SEC. 10. The treasurer of the city shall be treasurer of the district, and shall receive, from time to time, all moneys from the county treasurer or any other person belonging to said district, and shall keep a separate account with said district from the city, and the same shall be open for the inspection to any citizen of said district at all seasonable hours. He shall pay all orders on the district treasurer, signed by the president and attested by the clerk, if there is sufficient funds in his hands so to do, and enter the amount of such orders, and the name of the payee, in a book for that purpose.

Who to be treasurer of district

SEC. 11. All acts and parts of acts in the general school laws, and in the charter of the city of Rochester, conflicting with the provisions of this act, are hereby repealed so far as they relate to the school district herein named.

Repeal of inconsistent acts

SEC. 12. This act shall take effect and be in force from and after April first, 1864.

Approved March 4, 1864.