

of the incumbent that expires, and shall hold his office for three years.

Who to be treasurer of the district—duty of.

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 persons belonging to said district number one, in Wabashaw county, and shall keep a separate account with said district from said city, which shall be open to any voter of said district at all reasonable hours.

He shall pay all orders on the district treasurer, signed by the president and attested by the clerk, and enter the amount of said orders and the name of the page in a book for that purpose.

Repeal of inconsistent acts.

SEC. 11. All acts and parts of acts inconsistent with the provisions of this act as far as relates to the city of Wabashaw, are hereby repealed.

SEC. 12. This act shall take effect from and after its passage.

Approved January 31, 1865.

## CHAPTER XXX.

February 23, 1865. *An Act to organize a Board of Education for the city of Owatonna.*

- SECTION 1. City of Owatonna to constitute one school district.
2. What to constitute Board of education.
  3. Board may levy a tax—for what purpose.
  4. When Board to meet—organization of said Board—quorum.
  5. Duties of Clerk.
  6. Board to have full power and control of all public schools—other duties.
  7. How moneys to be drawn apportioned to said district.
  8. Taxes may be levied with the consent of the legal voters of said district—for what purpose.
  9. To take and subscribe an oath for faithful performance of duties—term of office—vacancies how filled.
  10. Duties of Treasurer.
  11. Not to interfere with the rights and privileges of county superintendent.
  12. Repeal of inconsistent acts.
  13. 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 Owatonna

na, in the county of Steele, 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 be constituted 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, who 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 that 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.

What to constitute board of education.

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 schools, said tax to be levied and collected as other taxes in said county are levied and collected.

May levy a tax—for what purpose.

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 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.

When to meet—organization of said board—quorum.

SEC. 5. The clerk shall act as clerk of the district, and perform all the duties required of district clerks under the general school laws of this State, and make

Duties of clerk.

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 moneys voted by said board, and keep all district accounts as directed by law.

To have full power and control of all public schools—other duties.

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 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 month, but no one member of the board shall be required to visit any school more than once each month.

Apportioned funds how to be 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, the clerk also noting on the district record the number of members voting for said appropriation.

By consent of legal voters taxes may be levied—for what purpose.

SEC. 8. For the purpose of building a school house or school houses, and for the purpose of continuing school for a longer term than six months, the legal voters of said district, at the 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 the purpose so specified not exceeding three hundred 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 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 for any cause, the common council of said city may appoint some person to fill such vacancy for the unexpired term.

To take oath for faithful performance of duties—terms 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, and the same shall be open for the inspection to [of] any citizens 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.

Duties of treasurer.

SEC. 11. Nothing in this act contained shall be considered as interfering with or restricting the rights, duties and privileges of the county superintendent of common schools, in and for the county of Steele, in said district.

Not to interfere with rights of county superintendent.

SEC. 12. All acts and parts of acts in the general school laws 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. 13. This act shall take effect and be in force from and after April first, eighteen hundred and sixty-five.

Approved February 24, 1865.