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# GENERAL LAWS

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GENERAL LAWS  
OF  
MINNESOTA.

PASSED AND APPROVED AT THE ELEVENTH SESSION OF THE STATE LEGISLATURE, COMMENCING JANUARY FIFTH, ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE, AND TERMINATING MARCH FIFTH, ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

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CHAPTER I.

*An Act relating to the appointment of County Superintendents of Schools.* March 9, 1880.

- SECTION 1. County Commissioners may appoint, in counties which no appointment has been made agreeably to Statute, a Superintendent of Schools—when—when expiration of term of office.
2. County Commissioners may appoint, in counties which have made appointments agreeably to Statute, a Superintendent of Schools—when—when term of office to expire.
  3. County Commissioners of each and every county to appoint Superintendent of Schools—when to meet for the purpose—to be appointed biennially thereafter—term of office.
  4. County Auditors to transmit to Superintendent of Public Instruction the name and post-office address of the person so appointed.
  5. Superintendent may be removed by the Board of County Commissioners upon satisfactory evidence—Superintendent may have an opportunity to be heard in his own defense—persons preferring charges shall have right of appeal.
  6. Vacancy how filled.
  7. Powers and duties of County Superintendents of Schools.

8. Salary to be paid in the same manner as the salary of other county officers are paid.
9. Repeal of sections twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31) and thirty-two (32), of chapter thirty-six (36) of the General Statutes.
10. Repeal of sections forty-five (45), forty-six (46), forty-seven (47) and forty-eight (48) of Chapter thirty-six (36) of the General Statutes.
11. When act to take effect.

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

**SECTION 1.** The county commissioners of each and every county of the state in which no county superintendent of schools has already been appointed, agreeably to title two (2) chapter thirty-six (36) of the general statutes, shall either at the next general or special session of the board after the passage of this act, appoint a fitting person, of high moral character and literary attainments, county superintendent of schools, who shall forthwith enter upon the duties of his office, and hold the same till the first Tuesday of April, A. D. eighteen hundred and seventy.

Superintendents to be appointed by Commissioners in counties where no appointments have been made.

Duty of Commissioners in counties which have made appointments.

**SEC. 2.** The county commissioners of each and every county of the state in which a county superintendent of schools has already been appointed, agreeably to title two (2) chapter thirty-six (36) of the general statutes, shall at the September session of the board after the passage of this act, appoint a fitting person, of high moral character and literary attainments, county superintendent of schools, who shall enter upon the duties of his office on the first day of January next after his appointment, and hold the same till the first Tuesday of April, A. D. eighteen hundred and seventy.

Commissioners to appoint Superintendent biennially—term of office.

**SEC. 3.** The county commissioners of each and every county of the state shall at the January session of the board next after the passage of this act, and biennially thereafter, appoint a fitting person of high moral character and literary attainments, county superintendent of schools, who shall enter upon a discharge of his duties on the first Tuesday of April next after his appointment, and hold his office for two years and until his successor is appointed and qualified.

Duty of County Auditors.

**SEC. 4.** The county auditor of each county shall transmit to the state superintendent of public instruction the name and post office address of the superintendent of the county, as soon as such officer has been qualified.

SEC. 5. The county superintendent of schools may be removed from office by the board of county commissioners, upon satisfactory evidence of incompetency or wilful neglect of duty: *Provided*, That no such removal shall be valid unless the person so removed has had at least twenty days' notice of the charges brought against him, and opportunity to be heard in his own defence: *And provided further*, That the superintendent and the person or persons preferring the charges or either of them, shall have the right of appeal to the state superintendent of public instruction at any time for fifteen days after the decision of the county commissioners.

Superintendents may be removed—how—right of appeal.

SEC. 6. A vacancy occurring in the office of county superintendent of schools by death, resignation or otherwise, shall be filled by the county commissioners at the next special or general session of the board of commissioners after such vacancy happens, and such appointee shall hold his office for the balance of the unexpired term.

Vacancy, how filled.

SEC. 7. The county superintendent of schools shall perform all the duties and have all the powers enumerated in sections forty-nine (49), fifty (50), fifty-one (51) and fifty-two (52) of chapter thirty-six (36) of general statutes.

Powers and duties of Superintendents.

SEC. 8. The salary of the county superintendent of schools shall be paid by the board of county commissioners, and paid in the same manner as the salary of other county officers are paid.

Salary and how paid.

SEC. 9. Sections twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31) and thirty-two (32) of chapter thirty-six of the general statutes relating to commissioners district examiners are hereby repealed.

Sections repealed.

SEC. 10. Sections forty-five (45), forty-six (46), forty-seven (47), and forty-eight (48) of chapter thirty-six (36) of the general statutes are hereby repealed: *Provided*, that such repeal shall not affect appointments already made agreeably to their provisions.

Repeal of certain sections.

SEC. 11. This act shall take effect and be in force from and after its passage.

When act to take effect.

Approved March 5, 1869.