

## CHAPTER II.

March 5, 1889. *An Act to amend Section five (5) of Chapter thirty-six of the General Statutes of Minnesota, relating to Common Schools.*

SECTION 1. Amendment to Section five (5), Title one (1), of Chapter thirty-six (36) of the General Statutes: County Commissioners may create new school districts when petitioned by a majority of legal voters—may post notice that a hearing of all the parties interested will be granted before final action of the Board—when boundary may be changed upon the petition of any legal voter—any five persons feeling aggrieved by the alteration may apply for a re-hearing—how to proceed when district consists of territory in two or more counties.

2. When act to take effect.

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

SECTION 1. That section five (5), title one (1) of chapter thirty-six (36) of the general statutes be, and the same is hereby amended so as to read as follows :

Sec. 5. The county commissioners of the several counties of the state may create new school districts, change the boundaries of districts, or unite two or more districts, whenever a petition signed by a majority of the freeholders who are legal voters of the territory to be affected thereby, is presented to them, requesting such organization or change. But in creating school districts the county commissioners shall confine each district to its own town as far as practicable ; *Provided*, That the county commissioners before final action be had upon any petition for the formation or change of any district, shall cause a notice to be posted in at least three of the most public places of the territory to be affected, and also a copy of the same to be served upon the clerk of said district to be thus affected, at least ten days before the time of hearing such petition, that a hearing of all the parties interested will be granted at the next session of the board. Such notice shall state when the session will commence at which

New school districts may be created—parties interested to be heard before final action of the board.

such hearing shall be had and shall also set forth the substance of the petition. *Provided further*, That upon a petition of any legal voter to said commissioners stating that it is the desire of the petitioner to be set off from the district in which he then is to some district adjoining the same, which petition shall show that the petitioner is a resident of and a freeholder in the district from which he desires to be set off, and also the reason for the same, which petition shall be verified by the oath of the petitioner to the effect that the statements therein contained are true to the best knowledge and belief of the party making the same; then said commissioners may change the boundaries of the district in which said petitioner then resides, so as to set him off in some other district adjoining the same whenever it shall seem just and proper to do so; *Provided, also*, That any five or more voters who are freeholders residing in the district who may feel aggrieved by the alteration, change, or organization of their district, may apply to the county commissioners for a re-hearing at the succeeding session thereafter, by posting a notice of such application in three conspicuous places in the district, at least ten days before said session, on due proof of which, said commissioners shall then consider the complaint and make such order in the premises as justice requires. *Provided, further*, That when the district so to be formed or altered consists of territory in two or more counties, the aforesaid petition shall be presented to the commissioners of said counties, who shall cause the order for the formation or alteration of such district to be filed in the office of the county auditors of their respective counties, and said auditors shall deliver a copy of such order to the clerk of the district. When a tax is voted by such district the clerk shall transmit to the county auditor of each of the counties a statement of the amount so voted. The said auditors shall thereupon transmit each to the other an abstract of the assessment in that part of the district in their respective counties, and shall levy the amount required in proportion to the amount of property in that part of the district situated in their respective counties. The money arising from such assessments shall be drawn by the district treasurer from the county treasurer of each county in which the district is situated. The number of scholars in each fraction of the district shall be returned to the auditor of the county in which said portion of the district is situated, and all moneys apportioned shall

How change of boundary may be made—how to proceed when district lies in two or more counties.

be drawn by the district in the same manner as when the district is in one county.

When act to  
take effect.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1869.

### CHAPTER III.

*An Act to amend Section thirty-four, of Chapter thirty-six, of the Revised Statutes, in relation to the payment of School Teachers' Wages.*

March 3, 1869.

SECTION 1. Amendment to Section thirty-four (34) of Chapter thirty six (36) of the General Statutes. Teachers to be paid out of the first moneys in the treasury upon complying with the provisions of this title—Liabilities of school district treasurer for violation of the provisions of this Section.

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

SECTION 1. That section thirty-four (34) of chapter thirty-six (36) of the revised statutes of one thousand eight hundred and sixty-six, be and the same is hereby amended so as to read as follows:

How teachers to  
be paid—penalty  
for treasurer vi-  
olating the pro-  
visions of this  
Section.

Sec. 34. Any teacher who has complied with the provisions of this title, shall be paid out of the first moneys in the treasury, and no subsequent claim shall supersede his or hers; and no money in any district treasury shall be applied to any purpose whatever, other than the payment of teachers, so long as there is any such claim against it. And any school district treasurer who shall violate the provisions of this section, shall be personally liable to the teacher, who was entitled to such moneys, which may be recovered against such treasurer, and his bail in any court having jurisdiction of the action; *Provided*, That nothing herein contained shall authorize the treasurer to