

When act to
take effect.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved March 3, 1869.

CHAPTER IX.

An Act to amend Chapter eleven of an act entitled "An Act to reduce the act incorporating the town of Saint Cloud, and to repeal a former charter of said town, approved March eighth, one thousand eight hundred and sixty-two, and the several acts amendatory thereto, to one act, and to amend the same, and to incorporate the City of Saint Cloud," approved March sixth, one thousand eight hundred and sixty-eight.

March 5, 1869.

- SECTION 1.** Said city constituted a school district.
2. What to constitute the Board of Education—term of office.
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 12. Board may have power to levy and collect taxes—for what purpose.
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14. Taxes how levied and collected.
15. Repeal of inconsistent acts.
16. When act to take effect.

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

SECTION 1. The city of Saint Cloud shall constitute and be a school district by the name of "The Saint Cloud School District," under the general school laws of the state, except so far as they are modified in their application to said district by this act, and all schools organized therein in pursuance of this act, shall be under the control and direction of a board of education, and be free to all persons between the ages of five and twenty-one years residing in said city subject to the direction of said board.

Constituted a school district.

SEC. 2. The officers of said district shall constitute a board of education, and shall consist of twelve members, and each ward in the city of Saint Cloud shall elect at the annual election to be held under this charter on the first Monday in May, A. D. one thousand eight hundred and sixty-nine, one member of said board, residents of said wards, who shall hold his office as such, for the term of three years, and at every annual city election under this charter thereafter, their shall be elected one member of said board from each ward, who shall hold his office for the term of three years and until his successor is elected and qualified.

What to constitute the board of education—term of office.

SEC. 3. Said board of education shall be a body corporate by the name of "The Saint Cloud School District," and by that name shall sue and be sued, plead and be impleaded in any court, make and use a common seal, and alter the same at pleasure, and take, hold and purchase any and all such real and personal and mixed estate, as the purposes of said board of education may require within the limits aforesaid, and shall be capable of contracting and being contracted with, and shall possess all the powers of trustees in school districts under the general school laws of the state, and in addition thereto, such powers as are conferred upon them by this act.

To be a body corporate—name.

SEC. 4. No member of said board of education shall be entitled to receive any compensation for his services, except the clerk and treasurer of said board, whose compensation shall be fixed by the board.

Compensation of members.

SEC. 5. When any person elected as a member of said board, neglects to qualify, resigns, or dies, or removes

When office
deemed to be
vacant.

from the ward for which he was elected or is absent from the city for three consecutive months; during which time shall be held three consecutive regular meetings of the board, the board by resolution entered upon their minutes shall declare the office vacant.

Vacancies, how
filled.

SEC. 6. In case of vacancy the board of education shall have power to fill the same by appointment until the next annual district election; *Provided*, The clerk of said board shall give such notice of such vacancy, prior to such election, as may be required in other cases.

When to meet
to elect officers
—duty of officers
—quorum.

SEC. 7. Within ten 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 from their number, one president, one clerk and one treasurer. The president shall preside at all meetings of the board when present, and 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 and qualified.

Duty of clerk.

SEC. 8. The clerk shall act as the clerk of the district as all school district clerks are now required by law, and perform the duties required of such clerks under the general school laws of this state, except so far as modified by this act, and make all the necessary returns to entitle said district to the benefits of its proportion of the common school fund, also to draw and attest all orders on the treasurer for money voted by said board, and keep all district accounts and settle with the treasurer as directed by law, to record the proceedings of the board in a book provided for that purpose by the district, in which he shall enter all copies of his reports made to the county auditor, state superintendent, or other officers 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 seven days notice of each annual or special district meeting by posting three notices thereof in the most conspicuous places in the district. Every notice for a meeting shall set forth all the objects for which such 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 said district.

SEC. 9. It shall be the duty of the treasurer of said district, to receive all moneys apportioned to or belonging to said district, and to keep an accurate account of the common school fund and the district funds raised by taxation, and from other sources, and the same shall be open for the inspection of any citizen of said district, at all reasonable hours. He shall pay all orders drawn on the 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. In his annual report he shall account in detail for all moneys belonging to said district received and paid out by him since the last annual report, and he shall execute a bond to the district, in double the amount of money as near as can be ascertained, which will come into his hands during the year as treasurer, 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 in the 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.

Duty of treasurer.

SEC. 10. No moneys shall be drawn from the treasury of said district, except upon an order signed by the president of the board, attested by the clerk, and stating for what purpose they were drawn, and the records of the district shall be so kept as to show the names of each member of the board of education voting for any appropriation.

How moneys may be drawn from treasury.

SEC. 11. The board of education shall have the entire custody and control of all property of whatever description belonging to the public school districts comprised in the territory now constituting "The Saint Cloud School District," according to the provisions of this act, and may dispose of any or all thereof, and appropriate the proceeds in such manner as to said board shall seem just and proper.

To have control of all property belonging to the public schools.

SEC. 12. The board of education shall have power to levy a tax on all the taxable property in said city each year, sufficient, with the amount received from other sources, to maintain necessary schools in said district, ten months in each year, including the amount required for fuel, repairs on school buildings, to purchase necessary school apparatus, heating apparatus, furniture, and other necessary appendages for school houses, and to defray

To levy and collect taxes for what purpose.

the necessary expenses of the board, to pay for record books, printing, stationery, and other incidental matter as may be deemed proper by the board. *Provided*, That said board shall not levy a tax of more than ten mills on the dollar of the assessed valuation of said property in any one year, except by and with the consent and approval of the common council of said city.

May levy a tax for the purchase of grounds and improving the same.

SEC. 13. For the purpose of purchasing necessary grounds, improving and ornamenting the same, erecting school buildings thereon and otherwise carrying into effect the provisions of this act, the board of education shall have power by and with the assent and approval of a majority of the common council of said city, to levy taxes on all the taxable property in said city, not exceeding in any one year two mills on the assessed valuation thereof, and may for like purposes and with like assent and approval of said common council, issue the bonds of said district, from time to time, payable in not less than two nor more than ten years after date thereof, with interest not exceeding twelve per cent. per annum. *Provided*, That not more than ten thousand dollars of such bonds shall be outstanding and unpaid at any one time. *And provided further*, That said board of education shall make provision by the levy of a tax or otherwise, for the payment of all bonds or obligations of said school district, as the same shall mature.

Taxes how levied and collected.

SEC. 14. All taxes raised by virtue of and in accordance with the provisions of this chapter, shall be levied and collected in like manner, and by the same persons, as county taxes are levied and collected.

Repeal of inconsistent acts.

SEC. 15. All acts or parts of acts inconsistent with this act are hereby repealed.

When act to take effect.

SEC. 16. This act shall take effect and be in force from and after its passage.

Approved March 5, 1869.