

sixty-four, be amended by adding to the end of said section the words, "and in Christian ethics."

SEC. 3. That section fifth of the amendatory act approved March third, one thousand eight hundred and sixty-four, be amended to read as follows: "The board of trustees shall have power to designate and appoint such officers, professors, and teachers, and make such regulations as will best carry out the wishes of the founders of the institution, and the donors to its funds."

SEC. 4. All acts or parts of acts inconsistent with this act, are hereby repealed.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 10, 1873.

CHAPTER LI.

AN ACT TO ESTABLISH AND ORGANIZE A PART OF THE TOWN OF WEIMER, IN JACKSON COUNTY, INTO AN INDEPENDENT SCHOOL DISTRICT.

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

SECTION 1. That all that part of the town of Weimer, in the county of Jackson, and state of Minnesota, hereinafter described, to-wit: Sections numbered seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), and the fractional parts of sections twenty-eight (28), and thirty-three (33), of township one hundred and four (104) north, of range number thirty-seven (37) west, of the fifth principal meridian, shall, from and after the last Saturday in March, one thousand eight hundred and seventy-three, constitute in law one separate and independent school district.

SEC. 2. The electors residing within the limits of said district qualified to vote at an annual school meeting therein, shall, on the last Saturday in March, A. D. one thousand eight hundred and seventy-three, at an election to be held at the Jones' Hotel, in the village of Heron Lake, in said district, elect by ballots six directors of the common schools of and in said district, two of whom shall be elected for one year, two for two years and two for three years, and annually thereafter on the last Saturday of March, at the same place,

or such other suitable place in said district as the board of education shall appoint therefor, there shall in like manner be elected two directors, whose regular term of office shall continue for three years, and until their successors are elected and qualified. All vacancies which may occur shall be filled by the remainder of the board until the next annual election, when a new director shall be elected to serve for such unexpired term. Any qualified elector of said district is eligible to the office of director.

SEC. 3. At the first election of directors for said district, the legal voters thereof who may be present at ten o'clock A. M., on the last Saturday of March, A. D. 1873, shall select one of their number as judge who shall preside and receive the ballots, and they shall select another person to act as clerk of said meeting, both of whom shall be duly sworn to perform the duty of their several positions according to law, and the said judge and clerk shall canvass the votes which may be cast at said election, and publish the result thereof; and at all subsequent elections and meetings of said district the president of the board shall preside and the secretary of the board shall act as clerk; and in case of the absence or inability to serve of either of said officers, one of the other directors, to be designated by the members of the board present, shall serve in his stead. At the annual election of directors the polls shall be kept open from ten o'clock A. M. till twelve o'clock M., and from one o'clock to four o'clock in the afternoon.

SEC. 4. Each person elected to the office of director shall, before entering upon the duties of said office, and within ten days after his election, take and subscribe the usual oath of office prescribed by law, which shall be filed with the clerk of the board. The said directors, within ten days after their first election as aforesaid, shall meet and organize by choosing from their number a president, secretary and treasurer, and annually thereafter at the first meeting of the board after the annual election of directors, the said board shall organize in like manner. The treasurer shall, before entering upon the duties of his office, enter into a bond to the board in their corporate name in such amount as the board shall require, with sureties to be approved by the board, condition for his faithful discharge of the duties of said office, and the due and lawful disbursement of the moneys that shall come into his hands as such officer, and the payment to his successor of all such moneys belonging to the board remaining in his hands at the expiration of his term of office, with the books and other property pertaining thereto, which bond shall be filed in the office of the clerk of the board. The said directors, so organized and qualified, and their successors in office, shall be a body politic and corporate in law, by the name of "The Board of Education of the Village of Heron Lake," and as such and by that name shall be capable of contracting and being contracted with, suing and being

sued, pleading and being impleaded, in any of the courts of this state, and shall also be capable of receiving any gift, grant, donation or devise, made for the use of the common schools in said district. The said board shall be authorized to receive all moneys accruing to said district, and shall, by resolution, direct the payment of all moneys that shall come into the treasury thereof, and no moneys shall be paid out of the treasury except in pursuance of such resolution and upon the written order of the president, countersigned by the secretary.

SEC. 5. The said board shall hold their meetings at such times and places as they may deem proper, and special meetings may be called by the president, or any two members of the board on going [giving] to the other members one day's notice in writing of the time, place and object of holding such meeting. Any four members of the board shall constitute a quorum for the transaction of business.

SEC. 6. The said board of education shall have the entire management and control of all common schools in the said district, and of all the houses, lands and appurtenances within the limits of said district already provided, or that may be hereafter provided for the use of the common schools therein, and all moneys accruing to the said district for school purposes, shall be paid over to the treasurer of said board of education; and all real estate and personal property hereafter acquired by said district hereby established for common school purposes, shall be vested in the said board of education, and said board may sell or dispose of any property held by it for the use of the common schools, by deed to be executed by the president thereof, whenever the electors of said district at any meeting thereof called as provided in section twelve of this act, shall vote for such sale or disposal of said property.

SEC. 7. It shall be the duty of said board of education, as soon as sufficient funds shall be realized therefor, to establish and maintain within the limits of said district such number and grades of schools as the said board shall deem for the best interests of said district, provided the number of grades shall not exceed three, to-wit: primary department, intermediate department, and high school department, and to classify the pupils attending such schools in corresponding classes with reference to the branches of studies pursued and their proficiency therein, so that there shall be taught in the primary department the rudiments of an English education, in the intermediate department such branches as are not provided for in the primary department, and are requisite to a respectable English education, and in the high school department the higher English branches.

SEC. 8. The said board of education, subject to the provisions of section seven, shall have power to determine what various studies

shall be taught in any and all of said schools, to make and enforce all necessary rules and regulations for the government of teachers and pupils in said schools, and for the management of said schools, and for the care and protection of the property of said district, to employ teachers, male and female, and to pay them a suitable compensation out of the fund accruing to the district, under the general laws of the state or otherwise, and appropriated to that purpose; and also to purchase for the use of the schools in said district all necessary books, apparatus and furniture, and all necessary books, stationery and furniture for the use of said board, and pay for the same out of funds of the district raised for incidental expenses.

SEC. 9. The said board shall, previous to the first day of September in each year, determine the amount deemed necessary to be raised to defray all the incidental expenses of maintaining the schools of said district, and to keep in repair and preserve the building, or buildings, of the said district, and other public property thereof, and to meet any of the indebtedness of the district becoming due the next succeeding year, and the secretary shall certify the same, and any amount voted to be raised by the electors of said district, to the county auditor of the county on or before the first day of September in each year, and the amounts so reported shall be levied upon the taxable property in said district, and collected in the same manner that county taxes are raised; *Provided*, Such tax shall not in any one year exceed ten mills on the dollar of the taxable property in said district.

SEC. 10. The said board of education shall, immediately after organizing and qualifying, enact and prescribe by-laws, rules and regulations not inconsistent herewith, relating to the organization, government and business of the board, and the duties of its officers, and may alter, annul, or repeal the same at pleasure.

SEC. 11. It shall be the duty of the secretary to keep a full and accurate record of the proceedings of the board of education and of all meetings of the electors of said district, which record shall be authenticated by his signature, and carefully to preserve the said records, and all books and papers pertaining to his office or filed therein. Said original records or papers, duly filed in the office of said secretary, and any transcript thereof, or any part thereof, when certified by the secretary, shall be prima facie evidence of the matters therein stated. And said records and papers shall be, at all reasonable times, subject to the inspection of any legal voter of said district. The secretary shall also make and duly transmit, annually, such reports as are required by the general laws of this state relating to common schools, and required to be made by clerks of school districts, and in all matters pertaining to such reports, the secretary

shall be governed by such general laws and be subject to the penalties therein prescribed.

SEC. 12. Whenever said board of education shall deem it necessary to erect, purchase, or rent a school house, or school houses, for said district, or purchase a site or sites for the same; or whenever ten legal voters of said district shall, in writing, request them so to do, they shall call a meeting of the legal voters of said district, by giving at least ten days' notice of the time and place and object of said meeting by publishing the same in some newspaper printed in said village of Heron Lake, if there be none, then by posting three copies of such notice in three public places in the said district, and said meeting may, by a majority vote of the electors present, determine upon the erection, purchase, or lease of a school house or school houses, and the purchase of a site or sites therefor, and the amount of money to be raised by tax therefor, and it shall be the duty of the board to carry into effect the determination of said meeting, by the expenditure of the money so raised for the purpose or purposes designated by the vote of said meeting, within a reasonable time after the money shall be received into the treasury. And the board may also, in pursuance of a vote of the electors at any annual or duly called special meeting thereof, issue bonds or orders of the said board for such amounts, and upon such terms of payment and interest as shall be determined by such vote, for any of the purposes specified in this section, and may provide for the payment thereof and the interest therefrom [upon], as the same shall become due, by tax upon the taxable property of said district, in the same manner as is hereinbefore provided for incidental expenses.

SEC. 13. No member of the board, excepting the secretary and treasurer, shall receive any compensation for services. The secretary and treasurer shall be entitled to receive such compensation as the board shall determine.

SEC. 14. At such time, and in such manner as shall be designated by the board in the by-laws, the said secretary and treasurer shall annually prepare and publish an accurate and condensed account of the transactions of their several offices.

SEC. 15. So much of the several school laws, and so much of any and all other acts or parts of acts as are inconsistent with the provisions of this act, are hereby repealed, as to the district hereby established.

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

Approved March 10, 1873.