

CHAPTER 109.

[H. F. No. 860.]

AN ACT TO AMEND THE ENROLLED AND APPROVED BILL, BEING HOUSE FILE NO. FOUR HUNDRED AND TWENTY-NINE (429), WHICH PASSED THE HOUSE OF REPRESENTATIVES MARCH SEVENTH (7th), A. D. EIGHTEEN HUNDRED AND EIGHTY-NINE (1889), PASSED THE SENATE MARCH NINTH (9th), A. D. EIGHTEEN HUNDRED AND EIGHTY-NINE (1889), AND WAS APPROVED BY THE GOVERNOR OF THE STATE OF MINNESOTA, MARCH TWELFTH (12th), A. D. EIGHTEEN HUNDRED AND EIGHTY-NINE (1889.)

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

SECTION 1. That the enrolled and approved bill, being house file No. four hundred and twenty-nine (429), which passed the house of representatives March seventh (7th), A. D. eighteen hundred and eighty-nine (1889), passed the senate March ninth (9th) A. D. eighteen hundred and eighty-nine (1889), and was approved by the governor of the state of Minnesota March twelfth (12th), A. D. eighteen hundred and eighty-nine (1889), the same being an act entitled "An act to amend an act to provide for the creation and organization of a board of park commissioners in and for the city of St. Paul, Ramsey county, Minnesota, approved February twenty-fifth (25th), A. D. eighteen hundred and eighty-seven (1887)" be amended by striking out the word "created" being the last word of the eighteenth (18th) line in the proviso of the enrolled and approved bill, and insert in lieu thereof the word "certified".

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

Approved March 18, 1889.

CHAPTER 110.

[H. F. No. 608.]

AN ACT TO AMEND THE LAW RELATIVE TO THE PUBLIC SCHOOLS IN THE CITY OF MANKATO.

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

SECTION 1. That the act entitled "An act to change the law relative to the public schools in the city of Mankato," approved March seventh, one thousand eight hundred and seventy-eight (1878), and known as "The charter of the board of education of the city of Mankato," is amended as hereinafter specified, that is to say:

That section four (4) of said act be and the same is hereby amended so as to read as follows:

Section 4. The board of education shall consist of two (2) members from each ward of said city and territory thereto attached, who shall reside therein and be elected therefrom; and the election shall be held by judges of election, three (3) in number, in each ward of said city, to be chosen and designated by the board of education of said city, at a regular or special meeting thereof prior to such election, which election shall be held at such times as are hereinafter specified, and at such places, not exceeding one (1) voting place in each ward of said city, as shall by said board of education be designated each year prior to the notice of such election; of which election and the time and place of holding the same and the officers to be elected and all questions to be submitted and voted upon thereat, public notice shall be given by publication in at least two (2) separate newspapers of said city for three (3) successive weeks, at least once each week, prior to said election, and by posting said notice in some public place in each ward of said city at least ten (10) days prior to said election, all of which shall be done by order of said board of education and which notices shall be signed by the president and secretary of said board. Such election shall in all respects, except as herein provided, be conducted in the manner and under the same penalties as provided for state and county election. A ballot box shall be kept at such voting place by the above named judges of election who shall conduct such election, preside thereat and be the judges of the qualification of voters, shall take the usual oath or affirmation as prescribed by the general laws of the state to be taken by judges of elections and be clothed with like powers and duties as the judges of elections at the general elections of this state, including the power to appoint clerks and to administer all necessary oaths. They shall immediately after the polls are closed, proceed at once to count and canvass the votes cast at such elections, and when the number of votes cast for each person voted for and cast for or against any question voted upon at such election shall have been counted and ascertained the said judges shall make returns thereof to the board of education stating therein the number of votes for each person for each and every office and for and against each and every question voted upon, sign and certify the same and deliver or cause to be delivered such returns to the secretary of the board of education, within three (3) days after any such election, and within five (5) days thereafter the board of education shall meet and canvass said returns and declare the result as it appears from the same. The secretary of said board shall forthwith notify the officer or officers elected of their election by written notice served upon such officers in person or left at the usual place of abode with some person of suitable age and discretion.

That annually there shall be elected in the same manner one (1) member of said board in each ward and territory attached thereto, who shall hold his office for two (2) years and until his successor is elected and qualified.

That for the purpose of putting this act into execution, the terms of members expiring on the first day of June, eighteen hundred and eighty-nine (1889), be extended to the second (2d) Saturday in Sep-

tember, eighteen hundred and eighty-nine (1889), and the terms of the members expiring on the first (1st) day of June, eighteen hundred and ninety (1890), be extended to the second (2d) Saturday in September, eighteen hundred and ninety (1890).

No mayor or alderman of the city shall, at the same time be a member of said board, and no person who is a candidate at any election shall be a judge thereof, and no member of the board of education shall be entitled to receive any compensation for his services, except as hereinafter provided.

That the time of annual elections shall be the third (3d) Saturday of July. The polls shall be open between the hours of nine (9) a. m. and five (5) p. m.

Within a reasonable time approximating the time of such elections, the board of education shall cause to be prepared under their direction a list of those persons entitled to vote at each of the voting places at such election; which list, when so prepared, shall be signed by the president and secretary of such board, and posted in some conspicuous place in the ward in which voting place is situated, at least for ten (10) days prior to such election. The judges of election hereinbefore provided for, shall sit at such voting place from nine (9) a. m. to four p. m. of the day preceding such election, for the purpose of making corrections thereto; but the same shall not be construed to exclude any person from voting on the day of election, if the said judges of election shall be satisfied of his or her qualification as a voter. The said judges of election shall each be entitled to receive as compensation, two (\$2) dollars per day for their services while sitting as such judges, and while sitting for the correction of such poll list.

└ If for any cause a vacancy occurs in the said number of said judges, so chosen as hereinbefore provided, and the board of education fails to fill said vacancy, the remaining judges may fill said vacancy.

SEC. 2. That section five (5) of said act be and the same is hereby amended to read as follows, to wit:

Section 5. In case of the removal of any member of said board from the ward or territory for which he was elected, the board shall, by resolution, declare the office vacant, and whenever a vacancy shall occur by reason of death, removal, resignation or other cause, the board shall fill such vacancy until the next annual election, when a member shall be elected by the electors of the proper ward, for the unexpired term of such member. The term of office of each of the board hereafter elected shall commence on the second (2d) Saturday in September.

SEC. 3. That section eight (8) be and the same is hereby amended to read as follows, to wit:

Section 8. The said board of education shall meet on the second Saturday in September in each year, and organize by the election of a president and vice-president from their own number, and a secretary and treasurer, and providing such organization shall not be completed at that time it may be completed at a future meeting.

SEC. 4. That section nine (9) be and the same is hereby amended to read as follows, to wit:

Section 9. The board of education shall meet from time to time at

such place in said city as they may designate, and a majority of all the members shall constitute a quorum. Said board shall also meet on the Friday preceding the second (2d) Saturday in September of each year, and close up, as far as practicable, all old or unfinished business of said board, and audit all proper bills, and order the same paid, and do all such other business as may properly appertain to said board, but at said meeting no new business shall be transacted, and no person shall be nominated, chosen or elected to fill any vacancy in the board.

SEC. 5. That section fifteen (15), be and the same is hereby amended to read as follows, to-wit:

Section 15. The board of education is hereby authorized and empowered to assess and levy a tax not to exceed six (6) mills on the dollar in any one year, on all taxable property in said district according to the assessment roll, for the support of the public schools, and may also levy such additional sum or sums as may be necessary for the following named purposes, viz: For acquiring sites for school buildings, for erecting school buildings, for repairing school buildings or improving sites, for payment of principal or interest on any bonds or other indebtedness of said board of education, and the board shall certify the said levies by its secretary to the county auditor on or before the tenth (10) day of October of each year, which tax shall be collected in the same manner and by the same officers as other taxes are collected, and upon collection shall be subject to the order of the board of education to be by it applied for the purposes for which the levies were made.

Provided, that the funds derived from such levies shall be kept separate and distinct each from the other and that no part of either fund shall be diverted from the purpose for which the fund was created.

SEC. 6. That section sixteen (16) of said act be and the same is hereby amended so as to read as follows, to-wit:

Section 16. Whenever it shall become necessary to incur any unusual indebtedness the said board of education, if authorized by a vote of the electors of said school district at any regular election for the choice of officers or any special election called and held in the manner hereinbefore provided for the holding of regular elections, may issue and negotiate such an amount of the bonds of the said board for the purpose aforesaid, as may have been authorized by a majority of the qualified electors at said election voting on such proposition.

SEC. 7. That section seventeen (17) be and the same is hereby amended by adding at the end of said section the following: The board of education shall each year cause to be published as soon as practicable after the closing of the fiscal year of the board, in two (2) public newspapers of said city a comprehensive statement of the financial condition of the school district and of the receipts and disbursements of moneys during the year including the reports of the secretary and treasurer of the board.

SEC. 8. That all acts and parts of acts inconsistent with this act, in so far as they relate to the board of education of the city of Mankato, are hereby repealed and the general school laws of the state shall apply to and govern said school district except as provided in

said act to change the law relative to the public schools in the city of Mankato, as hereby amended.

SEC. 9. That this act shall be deemed a public act, and shall take effect and be in force from and after its passage.

Approved March 22, 1889.

CHAPTER 111.

[H. F. No. 843.]

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE LITTLE FALLS MANUFACTURING COMPANY."

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

SECTION 1. That section two (2) of the act entitled "An act to incorporate the Little Falls Manufacturing Company," approved March first (1st), one thousand eight hundred and fifty-six (1856), be amended so as to read as follows:

Section 2. The business of said company shall be defined by the by-laws thereof, and may extend to the manufacture of flour, lumber, and of any and all articles which said company may deem proper, and shall be conducted under the management and supervision of a board of three directors, who shall be residents of the state of Minnesota, to be elected by the said corporators and their successors in such manner and at such times, and shall perform such duties as may be prescribed by the by-laws of said company. Said directors shall choose a president, secretary, and such other officers as the by-laws of said company may prescribe. The president shall in all cases be one of the number of said directors. All elections of said directors shall be held at the town of Elk City, in the county of Morrison, in the state of Minnesota, located on lots one (1), two (2), three (3), four (4), and the west half ($\frac{1}{2}$) of the northwest quarter ($\frac{1}{4}$) of section five (5) and the southeast quarter ($\frac{1}{4}$) of the northeast quarter ($\frac{1}{4}$) of section six (6), all in township one hundred and twenty-nine (129) of range twenty-nine (29); and the general offices of said company shall be located at said Elk City.

SEC. 2. That section seven (7) of said act be amended by changing the last clause of said section, so as to read as follows:

"And in all cases, the stockholders shall be individually liable for all legal demands against said company, in an amount equal to double the amount of stock actually held by such stockholders."

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved March 19, 1889.