

## CHAPTER 167.

AN ACT to legalize the organization of certain school districts in Lac Qui Parle county, and to legalize the official acts of the trustees of said school district.

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

SECTION 1. That school districts numbered twenty-four (24), twenty-five (25), twenty-six (26) and twenty-seven (27), in Lac Qui Parle county, as the same are now constituted, are hereby declared to be organized school districts having all the rights, privileges and immunities of other organized school districts in this State, and all proceedings had in organizing said school districts, and all the official acts of said school districts, are hereby legalized and declared to be valid.

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

Approved March 7, 1881.

## CHAPTER 168.

AN ACT to create and organize a special school district in the county of Jackson.

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

SECTION 1. That the territory hereinafter described, including the village of Jackson, shall be constituted one school district, and all schools organized therein in pursuance of this act shall, under the directions and regulation of the board of education, as hereinafter established, be public and free to all children residing within the limits thereof between the ages of five (5) and twenty-one (21) years inclusive, subject to such rules and limitations as the said board may establish.

SEC. 2. The subdivisions of land included in and constituting the said school district shall be as follows, to wit:

The southwest quarter ( $\frac{1}{4}$ ) of section twelve (12), all of section thirteen (13), the south half ( $\frac{1}{2}$ ) and northwest quarter ( $\frac{1}{4}$ ) the east half ( $\frac{1}{2}$ ) and the northwest quarter ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ) of section fourteen (14), the south half ( $\frac{1}{2}$ ), the northeast quarter ( $\frac{1}{4}$ ), the east half ( $\frac{1}{2}$ ) of the northwest quarter ( $\frac{1}{4}$ ) of section

twenty-three (23), all of sections twenty-four (24), twenty-five (25) and twenty six (26), the east half ( $\frac{1}{2}$ ), the northwest quarter ( $\frac{1}{4}$ ), the north half ( $\frac{1}{2}$ ) and southeast quarter ( $\frac{1}{4}$ ) of section twenty-seven (27), the north half ( $\frac{1}{2}$ ) and southeast quarter ( $\frac{1}{4}$ ) of section thirty-four (34), all of section thirty-five (35), the west half ( $\frac{1}{2}$ ) of section thirty-six (36), all in township one hundred and two (102), of range number thirty-five (35) west.

SEC. 3. The board of education shall consist of six (6) members and the first election of members of said board under this act shall be held at the school house, in district number two (2), in said county, on the second (2d) Tuesday in May, A. D. one thousand eight hundred and eighty-one (1881), of which ten (10) days' previous notice shall be given by the clerk of said school district number two (2). The electors of said district, when so assembled, shall proceed to elect a chairman and clerk, who shall be the judges of election, and the said electors shall there elect by ballot six (6) members of said board of education, two (2) of whom shall serve one (1) year, two (2) for two (2) years and two (2) for three (3) years; the time that each shall serve shall be designated on the ballots. And annually thereafter there shall be elected in the same manner, two (2) members of the said board who shall hold office for three (3) years and until their successors are elected and qualified. The certificates of the judges of election, attested by the clerk, showing the full return of the votes polled at such election shall constitute the credentials of the persons having the largest number of votes so returned and shall entitle them to seats in the said board.

That on the first (1st) day of June, one thousand eight hundred and eighty-one (1881), the term of office of all members of the board of trustees of school district number two (2), in said county, shall cease and [determine] terminate.

No member of the board shall be entitled to receive any compensation for his services except as hereinafter provided.

*Provided*, that at all elections after the first (1st), the president, vice-president and clerk of the board of education, shall act as judges and conduct said election, and in case of the absence or inability to serve of either of said officers one of the other members of said board, to be designated by the members of the board present, shall serve in his stead. At all elections held under this act the polls shall be kept open from one (1) to four (4) o'clock P. M.

SEC. 4. In case of the removal of any member of said board from the district the board shall by resolution declare the office vacant, and whenever a vacancy shall occur by death, removal, resignation or other cause, the board shall fill said vacancy by appointment until the next annual election, when a member shall be elected by the electors of said district for the unexpired term of such member. The term of office of each member of the board hereafter elected shall commence on the first (1st) day of June next succeeding his election.

SEC. 5. Each person who shall hereafter be elected a member of the board of education of said district shall, before he enters upon the duties of his office, take and subscribe an oath before any person duly qualified to administer the same, that he will support the constitution of the United States and of the State of Minnesota, and faithfully discharge the duties of his office during his continuance therein, and file the same with the clerk of said board, and in case of the neglect or omission of any person so elected to take and subscribe such oath before the commencement of his term of office, the said board may declare his office vacant.

SEC. 6. The said board of education shall constitute and be a corporation, with perpetual succession, by the name of the "board of education of the village of Jackson," and in that name shall be capable of suing and being sued, contracting and being contracted with, and holding, buying and selling and conveying real and personal property as the interest of said public schools may require, and shall have charge of the public schools within the limits of said school district, and the said board of education is hereby declared to be the successor of school district number two (2), in Jackson county, and all rights, property and assets of said school district are hereby transferred to and vested in, and all liabilities thereof are assumed and are to be paid by said board of education.

SEC. 7. The said board of education shall meet on the first (1st) Tuesday in June of each year and organize by the election of a president and vice-president from their own number, and a secretary and treasurer, and providing that such organization shall not be completed at that time. It may be so completed at a future meeting.

SEC. 8. The board of education shall meet from time to time at such place in said district as they may designate, and a majority of all the members shall constitute a quorum. Said board shall also meet on the last week day in May 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 such meeting no new business shall be transacted, and no person shall be nominated, chosen or elected to fill any vacancy on the board.

SEC. 9. The president shall preside at all meetings of said board, and in his absence the vice-president shall preside, and in the absence of the president and vice-president a president *pro tempore* shall be chosen.

SEC. 10. The secretary shall keep a true record of all the proceedings of the board, and shall see that the enumeration of pupils is properly taken and returned to the proper officer on or before the tenth (10th) day of September in each year, as required by the *General Laws of the State*. He shall furnish to the county auditor, on or before the tenth (10th) day of October in each year, a certified statement of the amount of money voted to be raised for school purposes by said board. He shall keep the financial accounts of the board and draw and sign all orders on the treasurer

authorized by the board, and also, with the treasurer, sign a receipt for all moneys received from the State or county, and perform such other duties as said board may reasonably require of him by its by-laws or otherwise. He shall be entitled to receive a salary for his services in such sum not exceeding fifty dollars (\$50) per annum, as may be determined by said board.

SEC. 11. The treasurer shall keep the moneys of said board and shall pay out the same on warrants of the board signed by the president and secretary, and not otherwise. He shall keep all records, books and papers belonging to his office, and shall, at the expiration of his term of office, deliver the same, together with all moneys in his hand belonging to said board, to his successor in office. He shall make such reports of the business of his office as may be required by the board at any time, and shall perform such other duties as may be reasonably required by the board. He shall give bonds for the faithful performance of his duties in such sum and with such sureties as shall be approved by the board.

SEC. 12. Said board of education may appoint three (3) competent persons, citizens of said district, to serve as school examiners of the public schools therein—one (1) for one (1) year, one (1) for two (2) years and one (1) for three (3) years from the time of their appointment and until their successors are appointed and qualified; and annually thereafter, said board may appoint one (1) examiner to serve for three (3) years and until his successor is appointed and qualified, and said board shall fill all vacancies that may occur from death or otherwise. Said examiners or any two of them shall examine any persons that may apply for the purpose of becoming teachers in any of the schools in said district, and if they find the applicant, in their opinion, qualified to teach in any of said schools and to govern the same, and of good moral character, they shall give said applicant a certificate, made on such blanks as may be provided by the board of education, naming the branches in which the holder of said certificate is found qualified to teach, setting opposite each branch the degree of attainment on a scale of which ten (10) shall be the maximum; and no person shall be allowed to teach in said schools without such certificate, and said examiners may, in all cases where two of their number concur, have power to annul such certificate, and when so annulled and reported to the board of education the person holding the same shall be discharged as a teacher of said schools.

*Provided*, that until the appointment of such examiners all examinations of teachers herein provided for shall be made by the county superintendent of schools of Jackson county, whose certificate, when countersigned by the president and secretary of the board of education, shall be valid in said special school district; said county superintendent to have power to annul such certificate in the same manner as in case of other certificates issued by him, and when so annulled to report the same to the board of education, and thereupon such teachers shall be discharged by said board of education.

SEC. 13. The board of education shall have full power and it shall be their duty :

*First.* To purchase, lease or erect such school buildings as may be necessary, keep the same in repair, purchase sites therefor and provide for payment of the cost of the same.

*Second.* To apply for and receive from the county treasurer or other officers all appropriations for the public schools.

*Third.* To make rules for their own government, and regulations for the government of the public schools.

*Fourth.* To determine the length of time schools shall be taught, which shall not be less than seven (7) months in each year.

*Fifth.* To designate the text books to be used and the course of study to be pursued in the public schools.

*Sixth.* To appoint teachers, janitors and such other officers and employees as said board may deem expedient, prescribe their powers and duties, fix terms of office and the compensation or salary of the same, but the term of any such officer created by the board shall not continue longer than one (1) year, except as herein provided.

*Seventh.* The said board shall have power to dismiss any teacher or other employee for cause, and also to abolish any office created by said board, and to do any and all things necessary to advance the interests of education, the good government and prosperity of the public schools in said district, and the welfare of the public concerning the same.

SEC. 14. The board of education is hereby authorized and empowered to assess and levy a tax not to exceed five (5) mills on the dollar in any one (1) year on all the taxable property in said district according to the assessment roll for the support of the public schools and such additional sum as may be necessary for repairing school buildings and for paying the principal and interest on any bonds or other indebtedness of said board of education, and shall certify the same by its secretary to the county auditor on or before the tenth (10th) day of October in each year, which tax shall be collected in the same manner and by the same officers as other taxes are collected, and when collected shall be subject to the order of the board of education.

SEC. 15. Whenever it shall become necessary to erect any additional school building or purchase any site therefor the said board of education, if authorized thereto by a vote of the electors of said school district at any regular election for the choice of officers, 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 who are freeholders voting at said election on such proposition.

SEC. 16. All school moneys collected by any collector or other officer or the county treasurer of Jackson county shall be paid by such collector or officer to the treasurer of said board who shall give him a receipt therefor, signed by himself and the secretary.

SEC. 17. No member of the board of education shall be directly or indirectly interested or concerned in any contract for building or repairing any school building, or in furnishing any supplies for the schools or the board, and any such contract or transaction shall be void and the office of any such member may be declared vacant.

SEC. 18. The said board of education shall be the judges of the election and qualifications of its own members, and shall have power, by a vote of two-thirds ( $\frac{2}{3}$ ) of the members of the board, to declare the seat of any member vacant for a violation of the provisions of this act, or in case of non-residence in the district or for other good and sufficient cause, on fifteen (15) days' notice and hearing, and all such vacancies shall be filled as hereinbefore provided.

SEC. 19. The General School Laws of the State shall apply to and govern said school district, except as herein provided.

SEC. 20. This act shall take effect and be in force from and after its passage.

Approved March 3, 1881.

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## CHAPTER 169.

AN ACT in relation to public schools in Brown's Valley.

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

SECTION 1. That the following described territory, the fractional parts of sections fifteen (15), section nine (9), sections four (4), five (5) and twenty-nine (29), and the whole of sections ten (10) and three (3), in township one hundred and twenty-four (124), range forty-nine (49) west, in Big Stone county, and all of sections thirty-four (34), twenty-seven (27), twenty-eight (28), twenty-one (21) and twenty-two (22) and thirty-five (35), and the fractional parts of sections thirty-three (33), nineteen (19), thirty-two (32) and twenty-nine (29) in township one hundred and twenty-five (125), north of range forty-nine (49) west, in Traverse county, Minnesota, shall constitute, and is hereby incorporated as a school district for the regulation and management of the public school or schools in said district. Said district shall be known and described as Brown's Valley school district, and shall not be subject to division or alteration by officers having jurisdiction of the formation and change of school districts.

SEC. 2. All special meetings of the district for the choice of officers or the transaction of business shall be called, noticed and held in pursuance of the General Laws for common schools in the