

CHAPTER 178.

AN ACT relating to the government of free schools in the city of Anoka.

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

SECTION 1. That the city of Anoka and the following described territory, to wit:

The east half of the northeast quarter and the east half of the southeast quarter of sections number six (6) and seven (7), section number five (5); the north half and the west half ($\frac{1}{2}$) of the southwest quarter of section number eight (8), lot number one (1) in section number seventeen (17) and lots numbers one (1) and two (2) in section number eighteen (18), all in township number thirty-one (31), north of range number twenty-four (24), west of 4th principal meridian, and also the west half of section number thirty (30) and all of section number thirty-one (31), in township number thirty-two north of range number twenty-four, west of fourth principal meridian, shall be considered as one school district, and all schools organized therein, in pursuance of this act, shall, under the direction and regulation of the board of education, as hereinafter established, be public and free to children residing within the limits thereof between the ages of six and twenty-one years inclusive, subject to such rules and limitations as the said board of education may establish.

SEC. 2. The territorial limits of said board of education shall be co-extensive with the limits of the city of Anoka as now existing, or as the same may be hereafter enlarged or altered, and of the additional territory as hereinbefore described, and in all cases whereby such enlargement or change in the said city limits, any other school district, or part thereof, may be included in the territorial limits of said board of education, the organization of such other school district or part of the same may be continued by the said board of education, in its discretion and under such regulations as said board of education may prescribe, and said board of education may appropriate, in such case, to the use of such organization so continued by said board, that part of the school fund and of the fund raised by taxation for school purposes which would accrue to said board of education by reason of the accession of territory occupied in whole or in part by such other school district, or make such suitable provision for the same out of the funds under the control of said board of education, as said board may deem expedient.

SEC. 3. The board of education of the city of Anoka shall consist of six school directors. At the annual meeting to be holden

on the first Saturday in September, A. D. one thousand eight hundred and eighty-one, (1881) there shall be elected two (2) school directors for the term of three (3) years, and thereafter, every year on the first Saturday in September, there shall be elected two (2) school directors for the term of three (3) years. In case any school director shall die, resign, remove from the district, or otherwise vacate his office more than one year before the expiration of his term of office, a school director may be chosen at the next annual election after such vacancy shall occur, to fill the place for the unexpired term of the director so vacating. The persons so elected shall, within five (5) days after their election, file in the office of the clerk of said district, their several oaths as required by law.

SEC. 4. Said directors and their successors in office shall constitute and be a body corporate by the name of "the board of education of the city of Anoka," and in that name shall be capable of suing and being sued, contracting and being contracted with, shall receive all moneys and other property belonging to or accruing to said district, or any part of the same, for the use or benefit of the public schools therein, and succeed to all the rights and be subject to all the liabilities of the same, and shall also be capable of receiving any gift, grant, bequest, or devise made for the use of the public school in said city of Anoka, or district, under any law of this State, for the use of the public schools therein, shall be paid to the treasurer of said board of education.

SEC. 5. Said board of education shall, within ten days after their election as aforesaid, and annually thereafter on the third Saturday in September, meet and organize by choosing a president, clerk, and treasurer, who shall hold their offices as such for one year and until their successors are elected and qualified. The board of education may also elect by ballot, a superintendent, who shall hold his office during the pleasure of the board and shall receive such compensation as shall be fixed by the board. The superintendent shall be ex-officio a member of the board, but not entitled to vote therein.

SEC. 6. No other member of said board of education shall receive any compensation for his services except the clerk and treasurer, whose compensation shall be fixed by the board.

SEC. 7. Four members of said board shall constitute a quorum for the transaction of business at any meeting.

SEC. 8. In case of a vacancy the board of education shall have power to fill the same by appointment until the next annual district election, when the electors of said district may choose a suitable person to fill the remainder of such term. *Provided*, the clerk of said board shall give notice of such vacancy as required in other cases.

SEC. 9. The superintendent shall visit the schools of the district and report their condition to the board as often as they require. He shall superintend the grading of the schools and examinations for promotion, and shall perform such other duties as the board may prescribe. He shall also make to the state superintend-

ent of public instruction such reports as may be required, through the county superintendent of schools, or directly to the state department of education.

SEC. 10. The president and clerk shall file in the office of the clerk of the district their written acceptance of office as such. The president shall preside at all meetings of the board; and district, except that a president *pro tempore* may be chosen in his absence, shall sign all orders drawn upon the treasurer for moneys voted to be paid by said board, and perform such other duties as the board prescribe.

SEC. 11. The clerk shall act as clerk of the district as well as of the board, except that in his absence, inability or refusal to act, a clerk *pro tempore* may be chosen, shall keep a record of the proceedings of all district meetings as well as of the meetings of the board, and of all reports made by him to the county auditor and county superintendent, and shall keep an account of the expenses of said district, and a correct and full list of the property of said district; shall furnish to the county auditor, on or before the tenth day of October in each year, an attested copy of his record stating the amount of money voted to be raised by the district for school purposes, at any annual or special meeting, or by the board of education; he shall give due notice of all meetings of the district; shall, upon the order of the board, draw and sign orders upon the treasurer of the district for the payment of money, stating in every such order the consideration for which it was drawn, and the name of the person rendering such consideration, and the particular fund upon which it was drawn, and shall take a receipt for every such order from the person to whom the same is delivered, and preserve the same; he shall keep all records, books and papers belonging to his office and deliver the same to his successor; he shall, on or before the tenth day of September, in each year, make and transmit to the county superintendent a report in writing, showing the amount of money apportioned to the district by the county auditor and received from the county treasurer, specifying the amount from each source of revenue, the amount received from special taxes voted by the district, and from any other sources, the several amounts disbursed within [during] the year and the object for which each amount was expended, the value of school sites and of school buildings, furniture and apparatus, and such other financial matters as may be required, on the blanks furnished by the State department of public instruction. Said clerk shall perform such other duties as may be specified by the board of education.

SEC. 12. The records of said board, signed by the president, or a transcript thereof, or any part thereof, and all papers belonging to the office, or a transcript thereof, certified by the clerk, shall be prima facie evidence of the facts therein stated, and all records, books and papers belonging to said board shall be subject to the inspection of any legal voter of said district.

SEC. 13. The treasurer, before entering upon the duties of his office, shall execute a bond to the board of education, in double the amount of money, as nearly as can be ascertained, which will come into his hands as treasurer within the year, with not less than two (2) sureties, to be approved by said board, and conditioned for the faithful discharge of his duties as treasurer; said bond shall be filed with the clerk of the board, and in case of any breach in the conditions thereof, the board shall cause an action to be commenced thereon in the name of "the board of education of the city of Anoka," and the money recovered shall be applied to the use of the district; said board may require such treasurer to give additional security from time to time; said treasurer shall receive, and upon the order of the board, signed by the clerk and president, pay out all moneys belonging to the district, paying each order only out of the particular fund upon which it was drawn, and shall keep an accurate and detailed and separate account of each fund coming into his hands, in a book provided for that purpose; said treasurer shall, within three (3) days preceding the annual meeting in each year, file with the clerk of the board, a report in writing, signed by him, and containing a statement of all the moneys received by him within the year preceding, and of all his disbursements; said report shall be examined by the board, before which the treasurer shall exhibit his vouchers before the annual meeting of the district, and be approved or disapproved by resolution entered upon the records of said board. Said treasurer shall make such report of the business of his office as may be called for by the board at any time. He shall keep all records, books and papers belonging to his office, upon demand. He shall pay to his successor in office, upon demand, after such successor has given bonds as hereinbefore prescribed, all money in his hands belonging to said district, and perform such other duties as may be ordered by the board.

SEC. 14. Said board may hold stated meetings at such times and places, in said district, as they may appoint. Special meetings thereof may be called by the president, or by any two (2) members on giving one (1) days' notice of the time and place of the same, and said board, by resolution, shall direct the payment of all moneys that shall be paid out of the treasury, and no money shall be paid except in pursuance of such resolution, and on the written order of the clerk, countersigned by the president.

SEC. 15. Whenever said board deem it necessary to purchase or erect a school house or school houses for said district, or to purchase sites for the same, they shall call a meeting of the legal voters of the district, by giving ten (10) days' notice of the time and place and object of said meeting in some newspaper printed and in general circulation in said district; if there is no such newspaper, then by posting notices thereof in five (5) or more of the most public places in said district, and said meeting may determine by a majority vote upon the erection of a school house or

school houses, and the purchase of a site or sites therefor, and the amount of money to be raised for the purpose aforesaid.

SEC. 16. The amount of money so voted shall be thereupon certified by the chairman and secretary of the board of education to the auditor of the county, and shall be levied on the taxable property of said district; *Provided*, that no tax shall be levied in any one (1) year exceeding eight (8) mills on the dollar, for the purpose of building a school house or school houses, or procuring sites therefor.

SEC. 17. The board of education shall have power and it shall be their duty

First. To establish and organize such grades of schools, alter and discontinue the same in said district as they may deem expedient.

Second. To provide necessary rooms or buildings for school houses and grounds about the same.

Third. When authorized by a vote of the district to purchase or erect one (1) or more school houses, and purchase sites for the same.

Fourth. To purchase, sell and exchange school apparatus, furniture, stoves and other appendages for school houses, and to furnish fuel for the same.

Fifth. To take care of the property of the district, and procure insurance, and make ordinary repairs upon the same, or any part thereof, when deemed expedient.

Sixth. To contract with, employ and pay teachers who have received certificates, as provided herein, and to discharge the same.

Seventh. To defray the necessary expenses of the board, pay the compensation of the clerk, treasurer and superintendent, and for such printing, record books, stationary and other incidental matters as may be deemed proper.

Eighth. To superintend and manage in all respects the schools of said district, and from time to time, to adopt, alter, modify and repeal rules for their organization, government and instruction, for the keeping of registers, for the reception of pupils, resident and non-resident, within the district, their suspension, expulsion and transfer from one school to another, to prescribe text-books and a course of study for the schools, and to visit each school in the district not less than once in three (3) months.

Ninth. To make rules and regulations respecting the protection, care and safe-keeping of the property of the district, and to prescribe penalties for the breach thereof, to be recovered as penalties in other cases before a justice of the peace, and to change and repeal the same.

Tenth. To make and repeal rules relating to the organization, government and business of said board, and the duties of its officers.

Eleventh. To provide for the prompt payment, at maturity, of the principal and interest of any indebtedness of [the district, by voting, from time to time, taxes upon the taxable property of said

district sufficient to meet the same, making allowances for delinquency in paying any part of such taxes.

Twelfth. To furnish to the board of examiners the necessary blanks for all such grades of such certificates as the board of education may at any time order, which certificates shall severally contain the branches fixed for the several grades of certificates.

Thirteenth. When authorized by a vote of the district, to make, execute and deliver, for and in behalf of said district, deeds, mortgages, releases, and all other instruments relating to the real property thereof.

SEC. 18. Said board of education shall keep said schools in operation not less than five nor more than nine months in each year; determine the amount of tax to be raised for the purpose aforesaid, including all the necessary expense of said schools, except for the erection of school houses and the purchase of sites, and on or before the tenth (10th) day of October of each year make known the amount of such tax to the auditor of the county in which said district is situated, which tax shall be assessed in said district, collected and paid over to the treasurer of said district, and said board shall keep an accurate account of their proceedings, and of their receipts, and disbursements for school purposes, and at the annual meeting for choosing directors in said district make report of such receipts and the source from which the same were derived, and of the disbursements and the objects to which the same were applied; and they shall also make report at the same time of such other matters relating to said schools, as they deem the interest of the same to require.

SEC. 19. Said board of education, within twenty days after their election, shall appoint three competent persons, citizens of said district, to serve as school examiners of the public schools therein, one to serve for one year, one for two years and one for three years from the time of their appointment and until their successors are appointed, and annually thereafter said board shall appoint one examiner to serve for three 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 that purpose with the intention of becoming teachers in any of the schools of 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 five shall be the maximum, and no person shall be permitted to teach in said schools without such certificate. *Provided*, that any examination of teachers herein provided for may, at the request of the board of examiners, be made by the county superintendent of schools, whose certificate, as herein provided for, when countersigned by

said board of examiners, shall be valid as their own act. Said examiners may, in all cases where two of their members concur, have power to annul such certificates, and when so annulled and reported to the board of education, the person holding the same shall be discharged as teacher. Said examiners shall also, separately or otherwise, together with said board of education, or any of them, or such person as they may appoint or invite, visit said schools as often as once in every three months, and observe the discipline, mode of teaching, progress of pupils, and such other matters as they may deem of interest, and make such suggestions and report thereon to said board, as they may think proper, which report may be published, at the discretion of said board, together with their annual report.

SEC. 20. All taxes raised by virtue of this act shall be levied and collected in the same manner and by the same officers as county taxes are levied and collected.

SEC. 21. After the passage of this act the school directors who now constitute the board of education of independent school district number one (1) of Anoka county, which is composed of the same territory hereinbefore described, shall constitute the board of education of the city of Anoka for and during the remainder of the term for which each severally had been chosen.

SEC. 22. This act shall take effect and be in force from and after its passage.

Approved February 21, 1881.

CHAPTER 179.

AN ACT to detach certain territory from school district number seventy-six (76) in Hennepin county, and attach the same to school district "joint" one hundred and twelve (112), Hennepin and Wright counties.

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

SECTION 1. That the west half of north-west quarter and north-east quarter of north-west quarter, section twenty-eight, town one hundred and nineteen, range twenty-four, be detached from school district number seventy-six in the county of Hennepin, and that the same be and is hereby attached to school district one hundred and twelve joint district of Hennepin and Wright counties, for school purposes.

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

Approved February 21st, 1881.