

SECTION 9. This act shall take effect from and after its passage and publication.

Approved March 5, 1875.

## CHAPTER 315.

[Published March 23, 1875.]

AN ACT to provide for uniformity and the free use of text-books in towns and cities.

*The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:*

School boards may be authorized to purchase text-books.

SECTION 1. The qualified electors of any school district or of any town in which the township system of school government has been adopted may, by legal vote, and the board of aldermen or board of trustees of any city or incorporated village may, by ordinance or resolution, authorize the school board or boards of school directors of such district, town, or incorporated city or village to purchase text books, for use in the public schools, said text books to be the property of the district, town, village, or city so purchasing and to be loaned to pupils or otherwise furnished to them under such conditions and regulations as the aforesaid school authorities may prescribe.

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

Approved March 5, 1875.

## CHAPTER 316.

[Published March 25, 1875.]

AN ACT to provide for a better system of popular education in the incorporated villages in this state.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. The union school district which has

been incorporated by chapter —, private and local laws of 1858, and which is embraced in part within the boundaries of the city of Waupaca, shall be a body corporate and sue and be sued by its corporate name; and the legal voters thereof shall have power at any annual meeting or special meeting called for that purpose, to raise by tax upon all the taxable property of said district, such a sum as they may deem necessary not exceeding the limits fixed by constitutional law for the purchase of sites and for the erection of suitable buildings for school purposes in said district. They shall also have power to raise by tax annually upon all the taxable property of said district, a sum not exceeding five thousand dollars, to alter enlarge or repair school buildings out-houses and fences; to purchase apparatus and furniture for the schools of the district; to pay the wages of teachers; to purchase fuel and to defray all the incidental and contingent expenses of said schools, including the the necessary expenses of the board of education, and the salary of the superintendent of schools for said district.

Union school district to be body corporate.

Money may be raised by tax for school purposes.

SECTION 2. At the first annual meeting of said districts held after the passage of this act, the legal voters thereof shall have power, and it shall be their duty to choose by ballot six commissioners of schools for said districts, who shall be residents thereof, and who shall constitute and be denominated the "board of education of the city of Waupaca;" and who shall, within ten days after their election, take and file with the city clerk their oath of office.

Board of Education.

SECTION 3. Within ten days after the election provided in the preceding section, the said commissioners so elected shall meet at the office of the city clerk of said city, and shall by lot cause themselves to be divided into three classes, to be denominated, "first," "second," and "third" classes. The term of office of the first class shall expire at the end of one year from the time of said annual meeting; the second class at the end of two years, and the third class at the end of three years thereafter.

Terms of office to be decided by lot.

SECTION 4. There shall, in like manner, in each year after the first annual meeting, and at each and every annual meeting thereafter of said district, be elected two commissioners of schools for said district to supply the places of those whose term of office is about to expire. They shall hold their offices

Election of school commissioners.

for three years, and until their successors shall have been elected and duly qualified.

Powers of board of education.

SECTION 5. The said board of education shall have and exercise all the powers and privileges which are by law conferred upon the boards of common school districts, in addition to the powers and privileges conferred by this act, and not inconsistent therewith. They shall also be liable to all the restrictions, penalties, forfeitures and fines imposed by law upon school district boards for neglect of duty or for illegal actions. A majority of the board shall at all times constitute a quorum for the transaction of business.

President of board.

SECTION 6. At the first meeting of such board after their election and qualification they shall choose one of their number president, and whenever he shall be absent, a president *pro tem* may be appointed. They shall also have power, and it shall be their duty, to elect a superintendent of schools for said district, who shall be a resident thereof, and who shall, before entering upon the duties of his office, take and subscribe the same oath of office as the members of said board are required to do, and file the same in the same place. The said superintendent shall hold his office during the pleasure of such board of education, and until his successor shall have been chosen and qualified. He shall receive such compensation for the time actually and necessarily spent in the discharge of the duties of his office as may be determined by the vote of the electors at any annual meeting of said district. The said commissioners shall receive no compensation for their services.

Superintendent of schools.

Duties of superintendent of schools.

SECTION 7. The superintendent shall be ex-officio a member of said board of education, and clerk thereof. He shall keep a record of their proceedings, which shall be at all times open for the inspection of the citizens of such district. A transcript of said record, certified by the president and clerk of said board, shall be received in all courts and places as prima facie evidence of the facts therein set forth. Said superintendent shall, by and with the advice and co-operation of said board, or of a committee thereof, have the general supervision and management of all the schools of such district organized by said board. He shall also, with the advice and co-operation of said board, or of a committee thereof, prescribe, alter or modify all rules and regulations for the organization, government and instruction of

the schools for the reception of pupils into the different departments thereof, and for the transfer of pupils from one school to another, and generally for their good order, prosperity and public utility. He shall also perform all the duties in respect to said schools that are required to be performed by the clerks of the school-district boards of this state, not inconsistent with this act, and be liable to all penalties imposed by law upon said clerks for any neglect of duty. He shall also perform such other duties as may be imposed upon him from time to time by the said board with respect to such schools. He shall be required by said board to examine and license all teachers employed in said schools, and all certificates granted by him shall have the same force and effect in regard to the schools of such district as certificates issued by county superintendents of schools to other schools of the county. But in case the said board shall not require the said superintendent to examine and license teachers, the same shall be done by the county superintendent of schools.

SECTION 8. The said board shall elect one of their number treasurer of said district who shall, before he enters upon the duties of his office, take and file his oath of office with the village clerk, and shall execute a bond to such district in the penal sum of not less than twice the amount of moneys to come into his hands, with two or more sureties, to be approved by the board conditioned for the faithful performance of the duties of his office and for the faithful accounting of all moneys belonging to said district that may come into his hands as such treasurer. He shall hold his office for one year and until his successor shall have been appointed and qualified. The taxes voted under the provisions of this act shall be levied, collected, and paid over in the manner provided by law for the assessment and collection of school district taxes. The treasurer of said district shall receive such compensation for his official services as the board may allow.

Treasurer.

Taxes—how levied and collected.

SECTION 9. The said board of education shall have power to fill all vacancies in said board arising from death, removal or other cause. The said board shall also have power to remove the superintendent or treasurer for cause at any time they shall deem necessary or proper.

Power of board to fill vacancies and remove from office.

SECTION 10. The said board shall have the power, with the money raised by the district for that pur-

Power of board to establish

schools, to purchase sites and erect buildings. purpose, to organize and establish a high school and to organize and establish as many primary and intermediate schools in said district as they shall deem necessary, including those already organized and established. The said board shall also have the power, and it shall be their duty, out of the moneys furnished by such districts for that purpose, to locate and purchase sites for all the schools in said district; to erect suitable buildings thereon; to alter, repair, enlarge, or otherwise improve any of said buildings; to fence and otherwise improve the school grounds; to sell and transfer any such [sites,] either those now owned by such districts or which may hereafter be purchased, together with the buildings and improvements thereon, and to re-invest the proceeds thereof in more commodious and suitable sites, buildings, and improvements, for the benefit of said district as the said board shall deem proper.

Power of board to discontinue high schools.

SECTION 11. If the said board shall at any time deem it more advantageous, or shall deem it necessary or proper to abandon the high school of said district, and think it best not to continue the same longer, the said board shall have the power to so determine, and they shall also have the power in such case in their discretion to sell or lease the high school building or buildings to such person or persons, and for such time and upon such terms and conditions as they may think proper to be used for an academy or some other institution of letters, science, or learning.

Board to have custody of school property pay teachers, etc.

SECTION 12. The said board shall have the custody, control and safe-keeping of the school-building, out-houses, books, furniture, apparatus, and appendages of all the schools of said district, and the title thereof shall be in the school district. They shall pay the wages of all teachers employed therein out of the school moneys, which shall be provided either by tax or by the appropriation of public moneys for that purpose, and out of money raised by tax they shall defray all the necessary contingent expenses of the said schools, the purchase of libraries and apparatus, the salary of the superintendent, and the incidental expenses of said board.

Non-resident children may attend schools.

SECTION 13 The said board shall have power to allow the children of persons not resident within said district to attend any of the schools thereof upon such terms as said board shall from time to time prescribe, fixing tuition that shall be paid therefor;

but all of said schools shall be absolutely free at all times to all children of suitable age resident within said district, and tuition in the high school shall be free to all of any age who shall reside within the district and whose attainments entitle them to admission by the rules of the board or of the superintendent.

SECTION 14. It shall be the duty of the board to prepare in detail and report at each and every annual meeting of said district a statement of all moneys by them received and expended for the support of the schools, the erection of school-houses, and for any purpose whatever connected therewith during the preceding year. Such report shall distinctly state the amount received by tax on such districts, the moneys received from the town, city and county treasurer, or from any other source for school purposes. It shall also state the precise manner in which such moneys shall have been expended. They shall also report at such meeting the amount of money necessary in their judgment for the support of schools during the ensuing year. The last fiscal year shall close with the day of the last annual meeting.

Board to make annual reports.

SECTION 15. The annual meeting of said school districts shall be held on the second Monday in July in each year, at such time and place within such district as may be specified in the notice of election.

Annual meetings.

SECTION 16. It shall be the duty of the superintendent of said school district to give not less than ten days' notice of the time and place of holding such annual meeting, which notice shall be given by publishing the same in some newspaper published in said district, or if there be no newspaper published in the district, then by posting up notices in four conspicuous places in said district ten days before the meeting.

Notice of annual meeting to be given.

SECTION 17. No annual meeting, however, shall be deemed illegal for want of due notice, unless it shall clearly appear that the omission to give the proper notice was wilful and fraudulent.

Meeting not deemed illegal for want of notice.

SECTION 18. The officers elected at the annual meeting shall be chosen by ballot and the election shall be conducted and the votes canvassed according to such rules and by-laws as may be prescribed by the board of education, except at the first election to be held under the provisions of this act, at which election the present boards of school officers of such district shall preside, and the election held according to

Election of officers—how conducted.

the law governing the election of school district boards. At all subsequent elections the said board of education shall preside and be the judges thereof; special meetings of said district may be called at any time by order of the board of education, by giving six days' notice of the time, place and object of said meeting, either by posting notices thereof in three or more public places in such district, or by causing a notice thereof to be published in some newspaper in such district for one week next preceding the time for holding said meeting.

Special district meeting.

Annual and special meetings of board of education.

SECTION 19. The annual meeting of the board of education shall be held on the first Monday of July, of each year, after said boards are elected. Quarterly meetings thereof shall be held on the first Monday of October, first Monday of January, and first Monday of April of each year. Special meetings thereof may be called by the superintendent or clerk of said boards at any time, at the request of any two members.

How money to be paid out.

Contracts.

Change of district boundaries.

SECTION 20. All moneys that shall come into the hands of the district treasurer shall be paid out by him for school purposes, on the order of the board of education, signed by the president and countersigned by the clerk of said board. All contracts with the district or with the board, shall be signed by the president and countersigned by the clerk. The county superintendent of schools of the county of Waupaca shall have the right to change or alter the boundaries of said district, by first obtaining the written consent to such change or alteration, of a majority of all the members of said board of education of said district, and filing the same in the office of the city clerk of the city of Waupaca, but in no other way shall such change or alteration be made.

General laws to apply to district.

SECTION 21. The laws of this state relating to district schools, shall apply to and govern the said district, so far as the same are not inconsistent with the provisions hereof.

Approved March 5, 1875.