

sufficient to effect a residence," so that said section as amended shall read as follows: "Section 388. No student who shall have been a resident of the state for one year next preceding his admission at the beginning of any academic year, shall be required to pay any fees for tuition in the university, except in the law department and for extra studies; the regents may prescribe rates of tuition for any pupil in the law department, or who shall not have been a resident as aforesaid and for teaching extra studies. Attendance at the university shall not of itself be sufficient to effect a residence."

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

Approved May 9, 1901.

No. 258, S.]

[Published May 14, 1901.

## CHAPTER 345.

AN ACT to amend sections 491a, 491b, statutes of 1898, as amended by chapter 214, laws of 1899, relating to free high schools.

*The people of the state of Wisconsin represented in senate and assembly do enact as follows:*

**Certificate as to character of district.** SECTION 1. Section 491a is hereby amended so as to read as follows: Section 491a. Whenever a free high school shall have been established and maintained as provided in sections 490 and 491 for at least three months, and the proper board shall have made the report required by section 496 in order to obtain the aid furnished by the state in maintaining free high schools, they shall append thereto a certificate that such school is established and maintained in a district composed of a town; of a town and an incorporated village within the town; of two or more towns; or of two or more towns and an incorporated village in one or in each of them.

**Classification of schools; payment of aid pro rata, when.** SECTION 2. Section 491b is hereby amended by striking out after the word "maintained" in the fourth line the following words: "in towns or in towns and villages where no graded school ex-

ists," and inserting in lieu thereof the words: "in the districts designated in section 491a as amended by this act," so that when amended said section shall read as follows: Section 491b. Upon receiving the reports and appended certificate provided for in section 496, it shall be the duty of the state superintendent to make a separate and distinct class of the schools thus established and maintained in the districts designated in section 491a as amended by this act, and each such school shall be entitled to receive from the general fund of the state, annually, one-half the amount actually expended for instruction therein; and said superintendent shall fix the amount to be paid to each of said high schools and certify the same to the secretary of state at the time and in the manner he is now required to fix and certify to him the amount to be paid to high school districts. On such certificate, at any time after the first day of December, the same shall be paid to the district treasurer out of the state treasury; but the whole amount so paid shall not exceed twenty-five thousand dollars in any one year to this class of free high schools, and if more is demanded by such districts they shall be paid proportionally. The secretary of state shall annually include and apportion in the state tax all such sums as shall have been so paid, in addition to the amount authorized to be paid in aid of free high schools by section 496 and in addition to all other sums to be levied for the year.

**Proceedings to secure state aid; duty of state superintendent; of secretary of state.** SECTION 3. Section 496 statutes, as amended by chapter 214, laws of 1899, is hereby amended by striking out after the word "schools" where it first occurs in the last sentence of section one of said chapter 214, laws of 1899, the following words: "in towns having no graded schools by section 491b," and inserting in lieu thereof the words: "as provided by section 491b, as amended by this act," so that said section when so amended shall read as follows: Section 496. Any high school district which shall have established a free high school according to the provisions of these statutes, and shall have maintained the same for not less than three months in any school year, shall be entitled to receive from the general fund of the state annually one-half the amount actually expended for instruction in its high school during such year over and above the amount required by law to be expended for common school purposes, but not to exceed in one year five hundred dollars to one district; provided, this limitation shall not apply to the class of high schools designated in section 491a, as amended by this act. To obtain such aid the high school board, or in cities not under a county superintendent, the president and secretary of the board

of education and the treasurer, shall on or before the first day of November, report in duplicate to the state superintendent, under their oaths, the amount actually expended for instruction during the previous school year, specifying the several items thereof, with the date and the object of each fully. Thereupon said superintendent shall fix the amount to be paid such district and certify the same to the secretary of state with one of such reports annexed; provided, the state superintendent may withhold such certificate from any district for reasons based upon failure to comply with the law relating to free high schools which reason he shall transmit to the school board thereof on or before the thirteenth day of the next succeeding June. On such certificate, at any time after the first day of December, the certified amount shall be paid to the district treasurer out of the state treasury. The secretary of state shall annually include and apportion in the state tax all such sums as shall have been so paid. Whenever, by any neglect or omission, any free high school shall fail to have apportioned to [it] its share of state aid, the state superintendent may, after the time hereinbefore fixed for such apportionment by him, fix an amount ten per centum less than the amount which such school would have been entitled to had it complied with the provisions of this section, and certify the same to the secretary of state with the report of such district annexed thereto, and the secretary of state shall thereupon draw his warrant for such amount or amounts in favor of such district. The whole amount annually paid under the provisions of this section shall not exceed seventy-five thousand dollars, and if more be demanded by such districts they shall be paid proportionally; provided, that if the whole amount authorized to be paid annually in aid of free high schools as provided by section 491b as amended by this act, is not demanded or expended under the provisions of that section then the unexpended balance of the amount therein annually authorized to be paid in aid of such schools may be added to and apportioned among the free high schools provided for in sections 490 and 491; but no more than one hundred thousand dollars shall be apportioned to both classes of schools in any one year.

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

Approved May 13, 1901.