

No. 128, S.]

[Published May 23, 1903.]

## CHAPTER 345.

AN ACT, to amend section 491 of the statutes of 1898 as amended by section 1 of chapter 57 of the laws of 1899 and amend section 492 of the statutes of 1898 relating to joint high school districts.

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

**How joint free high school district may be formed; effect of creation of new town or village in school territory.** SECTION 1. Section 491 of the statutes of 1898 as amended by section 1 of chapter 57 of the laws of 1899, is hereby amended by adding at the end of said section so amended, the following: "The creation of a new town or incorporation of a village out of the territory included in a free high school district shall not dissolve nor otherwise affect such district, but such towns or town and village shall thereafter constitute a joint high school district. A town, school district, incorporated village or city contiguous to a free high school district may become joint with such district upon the approval and submission of a resolution proposing the same and the terms thereof and notice of election signed by a majority of the supervisors of each town directors of each school district, a common council of each city and trustees of each village, if any, to be affected and the adoption of such resolution by a majority of all the votes cast in each such town, school district, city or village, the election to be had and the result canvassed and determined in the manner provided herein for the organization of a joint high school district in the first instance." So that said section when so amended shall read as follows: "Two or more adjoining towns or school districts, or one or more towns or school districts and an incorporated village or city, when the same together will make a district of contiguous territory, may unite in establishing and maintaining any such high school. The resolution proposing the same shall be approved and submitted and the notice of election signed by at least a majority of the supervisors of each town, the directors of each school district, the common council of such city and trustees of such village,

if any, and the election shall be notified and conducted in each town, school district, city or village as provided in the preceding section. Such resolution shall not be adopted unless a majority of the votes cast in each such town, school district, city or village be in favor thereof. The votes shall be canvassed at the first election, and all subsequent elections in the several towns as at town meetings, in the several school districts as at annual school district meetings, in the city, if any, as at a charter election, and in the village, if any, as at village elections; and the supervisors of the several towns, directors of said school districts, common council of such city and trustees of such village shall, within one week after such election, meet and canvass the votes and certify the result to the town clerk of each town, the clerk of each school district, the clerk of such city, and to the village clerk of such village. If such resolution be adopted, the town, or towns, school district or school districts and city and village, so voting, shall constitute a joint high school district. The creation of a new town or incorporation of a village out of the territory included in a free high school district shall not dissolve nor otherwise affect such district but such towns or town and village shall thereafter constitute a joint high school district. A town, school district, incorporated village or city contiguous to a free high school district may become joint with such district upon the approval and submission of a resolution proposing the same and the terms thereof, and notice of election signed by a majority of the supervisors of each town, directors of each school district, common council of each city, and trustees of each village, if any, to be affected and the adoption of such resolution by a majority of all the votes cast in each such town, school district, city or village, the election to be had and the result canvassed and determined in the manner provided herein for the organization of a joint high school district in the first instance.

**District officers.** SECTION 2. Section 492 of the statutes of 1898 is hereby amended to read as follows: Section 492. The officers of each such district shall be a director, treasurer and clerk, whose terms shall be each three years beginning with the annual town meeting, and until his successor shall have been chosen; provided, that at the first election the clerk shall be chosen for one year, the treasurer for two years and the director for three years, and all of said officers may be chosen first at the same election at which the question of establishing a high school is submitted, to take their offices if the resolution

therefor be adopted. Thereafter such officers shall be elected at the annual town meeting or charter election. The votes cast shall be canvassed and the result declared and certified as provided in the preceding sections. But in all cities not under a county superintendent which now constitute free high school districts or which shall hereafter adopt the resolution provided for in section 490 and become free high school districts, the board of education in each such city shall be the high school board and the city treasurer shall be ex officio the treasurer of the high school district unless the board of education embrace a treasurer; and in all districts maintaining a graded school of not less than two departments which now constitute free high school districts or which shall hereafter adopt said resolution, the district board in each shall be the high school board and the district treasurer shall be the treasurer of the high school district. Whenever a sub-district shall vote to establish and maintain a free high school, such sub-district shall constitute a free high school district, shall elect a free high school board, the clerk for one year, the treasurer for two years and the director for three years; thereafter one officer shall be elected annually in place of the one whose term expires at the annual meeting of such sub-district, and such high school board shall perform all the duties and have the same authority as high school boards in towns or districts. The clerk shall certify all taxes levied for high school purposes to the town, city or village clerk, who shall apportion the same upon the taxable property of the sub-district, and the treasurers of such municipality shall collect the taxes thus apportioned and pay over the same to the high school treasurer and return the delinquent taxes to the county treasurer as in other cases. Where a high school district consists of two or more towns or school districts or one or more towns or school districts and an incorporated village or city, the officers thereof shall be elected for the same terms as in other districts by joint vote of the town boards of such towns or the board or boards of the school district or districts, town or towns and three members selected by the board of the village or council of the city which have united in forming such district. Such town boards shall hold their first meeting to elect officers at two o'clock P. M. on the first Tuesday following the town meeting, at the office of the clerk of the town having the largest population, and thereafter shall meet for such purpose at the same time at such place as may be determined upon. The first meeting of the board or boards of a town or towns or a school district or districts with the mem-

bers selected by the board of any village or council of any city which forms such a district shall be held at two o'clock P. M. on the first Tuesday next following the village or city election at the office of the clerk of such village or city; all subsequent meetings shall be held at the same time at such place as may be determined upon. A majority of all the members representing such town or towns, school district or districts and such village board or city council shall be necessary to constitute a quorum. The secretary of the meetings of such boards shall certify the names of the officers of the district elected thereat to all the clerks of the towns school districts, village or city in the district. The officers so elected shall have the same authority, be charged with the same duties and be under the same liabilities as other officers of such districts.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved May 20, 1903.

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## CHAPTER 346.

AN ACT, amendatory of section 3586 of the statutes of 1898 in relation to the delivery of docket and papers by justices of the peace.

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

**Delivery of docket to, or calling in, another justice.** SECTION 3586 of the statutes of 1898 is hereby amended by adding after the word "undetermined" in the fourth line of said section the following: "he may call in some other justice of the same town or" so that said section when so amended shall read as follows: Section 3586. If any justice of the peace shall be about to be absent from the county for three days or more or be unable from sickness to attend to business, when there shall be pending before him any matter or action undetermined, he may call in some other justice of the same town or he may deliver