

to pay said sum of money to the state treasurer, if the work is performed under a federal aid law, or to the proper county treasurer if the work is performed under a state aid or county aid law, and said sum of money shall be added to the joint fund available for the improvement of said highway and may be expended in like manner as the other portions of said fund.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 29, 1919.

No. 381, S.]

[Published May 31, 1919.

## CHAPTER 256.

AN ACT to create section 1797—121 of the statutes, relating to the apportionment of costs of grade crossing improvements on highways eligible for improvement under federal aid, state aid or county aid laws.

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

SECTION 1. A new section is added to the statutes to read: Section 1797—121. Whenever the commission shall order the closing of a highway grade crossing and the substitution of another therefor, at grade or not at grade, or shall order the closing of a highway grade crossing or crossings, and the construction of a new highway rendering the substitution of another crossing for such closed crossing or crossings unnecessary, as provided in section 1797—12e and 1797—12f of the statutes, and the highway at said crossing or crossings is eligible for construction or reconstruction under any federal aid, state aid or county aid highway law, the portion of the cost and expense of such improvement which the commission shall apportion to the municipalities in interest may be paid out of the joint fund available or which may be made available for the construction or reconstruction of said highway. Whenever the commission shall order the municipality or municipalities in interest to perform any portion of the required work, said work or any portion thereof may be performed under the provisions of any federal aid, state aid or county aid highway law applicable to said highway and if the cost of the work so performed shall exceed the portion of the cost and expense of the improvement apportioned to the municipality or municipalities in interest, the commission may order, if it shall find that the railroad company or companies in interest will be benefited by the proposed change or improvements, the railroad or railroads in interest to pay the amount of said excess into the proper joint fund in accordance with their respective responsibilities under the apportionment. A certificate of the

commission showing the total cost of the improvement, the amount apportioned to each party in interest, and the amount expended in the performance of the work by each of the parties in interest or under any federal aid, state aid or county aid highway law, shall be a sufficient warrant to the proper disbursing officer for the payment of such amounts as may be chargeable to said joint fund. The commission and the Wisconsin highway commission may proceed either under the provisions of this section or under the provisions of subsection 3 of section 1315 for the purpose of effecting improvements in grade crossing conditions or highways eligible for improvement under any federal aid, state aid or county aid highway law.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 29, 1919.

No. 62, S.]

[Published June 4, 1919.

## CHAPTER 257.

AN ACT to amend paragraph (b) of subsection (5) of section 20.24 of the statutes, relating to appropriations for common schools.

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

SECTION 1. Paragraph (b) of subsection (5) of section 20.24 of the statutes is amended to read: (20.24) (5) (b) No apportionment shall be made to any city, *except to a city of the first class, or to any village or town for any school district therein for any year during which such district shall not have maintained a common school taught by a qualified teacher, at a salary of not less than \* \* \* sixty dollars per month, for at least eight months; unless the state superintendent shall be satisfied that such school was maintained and so taught for at least three months, and the failure to maintain and so teach it for eight months was occasioned by some extraordinary cause not arising from intention or neglect on the part of the responsible officers. Time spent by the teacher or teachers of such district in attendance upon an institute in the county, shown by due reports to have been allowed by the district board without deduction from such teacher's wages shall be counted as a part of such eight months. No apportionment shall be made to any city of the first class for any school district or board of school directors therein for any year during which such district or board of school directors shall not have maintained common schools taught by qualified teachers at salaries of not less than ninety dollars a*