

ed. In Section 305 the word "received" shall be read "reviewed." In Section 209 the figures "152" shall be read "153." In Section 354 the words "the 10th day of December 1856" shall be read the "1st day of March 1857." The words "Register of Deeds" shall be read in Section 37 of said Chapter, instead of the words "Clerk of the Circuit Court," and Section 19 of said Chapter is hereby repeated.

§ 4. Where a judgment shall be entered by the Clerk according to the first subdivision of Section 158 of said Chapter 120, no execution shall be issued until after the expiration of a special or general term of the Court which would be authorized for cause shown, to set aside judgment.

§ 5. The costs allowed to the prevailing party in a Justice Court are not altered by said Chapter 120; *Provided*, That the allowances made to the recovering party in a Court of Record, by the first, second, third, fourth and fifth subdivisions of Section 218 of said Chapter 120, shall never in one action, exceed the sum of sixteen dollars.

§ 6. Nothing contained in said Chapter 120 shall be construed to confer or create any rights of redemption property sold on the foreclosure of a mortgage not provided for by law prior to the passage of said act.

Approved, March 7, 1857.

## Chap. 82.

Published April 1, 1857.

AN ACT for the encouragement of Academies and Normal Schools.

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

§ 1. It shall hereafter be the duty of the Commissioners of School and University lands to apportion the income of twenty five per cent. of the gross proceeds arising from the sale of swamp and overflowed lands granted to this State, by an act of Congress entitled "an act to enable the State of Arkansas and other

Swamp Land income appropriated to Normal Institutions.

States to reclaim the swamp and overflowed lands within their limits," approved September 28th, 1850, to Normal Institutes and Academies as hereinafter provided.

Board of Regents  
—how appointed

§ 2. For the purpose of more fully carrying out the provisions of this act, there shall be constituted a board of nine Regents, to be called the "Board of Regents of Normal Schools," no two of whom shall reside in any one county of this State. They shall be appointed by the Governor, by and with the approval of the Senate. The Governor and Superintendent of Public Instruction shall be ex-officio members of the said Board of Regents. They shall have a voice, but shall not be allowed to vote on any of the business of the Board of Regents. The Governor shall have power to fill all vacancies which may occur by death, resignation or otherwise, until the next meeting of the Legislature, or while the Legislature is not in session, but the appointments thus made shall be confirmed by the Senate during the next succeeding session of the Legislature: *Provided*, That the first Board of Regents shall have power to act though appointed by the Governor after the adjournment of the present session of the Legislature.

Previous.

To be divided into  
to classes.

§ 3. The Board of Regents thus appointed, shall be divided by lot into three classes. The term of office of the first class shall expire on the first day of January, A. D. 1858; the term of office of the second class shall expire on the first day of January, A. D. 1859; the term of office of the third class shall expire on the first day of January A. D. 1860, and thereafter their terms of office shall continue three years.

To make all ne-  
cessary by-law.

§ 4. The said Board of Regents shall have authority to make all by-laws and needful rules and regulations necessary for carrying into effect the provisions of this act, not inconsistent with the constitution and laws of this State. The officers of the Board shall be a President, Vice President, and Secretary; they shall severally hold their offices for the term of three years, and until their successors are elected, and shall perform the duties incident to their several offices.

Governor to call  
meeting of Board

§ 5. The first meeting of said Board of Regents shall be held at such time and place as the Governor may designate, and he shall notify each member of the Board of Regents of the time and place of holding the first meeting, giving written or verbal notice thereof, at

least ten days prior to the time of holding such meeting, and thereafter they shall hold an annual meeting at the Capitol of the State, at such time as they may designate. The said Regents shall not receive any compensation for their services, but shall be allowed from the income of the said school fund, ten cents per mile for the distance travelled in attending any such meeting, on the most direct and usual routes of travel. The Secretary shall receive such additional compensation from the said income fund for his services as the Regents may designate, not exceeding two dollars and fifty cents per day for the time actually devoted to such services, an account whereof shall be made and verified by affidavit.

§ 6. A majority of the Board of Regents shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. Special meetings of the Board may be called by the Governor, on a petition signed for that purpose, by any six members of the board. At all special meetings of the board, two-thirds of all the Regents shall be necessary to constitute a quorum. Any Regent may be removed from office for cause, by a vote of two-thirds of the board.

§ 7. All applications for any of the income of the school fund, pursuant to the provisions of this act, shall be made to the Board of Regents of Normal Schools, in such manner as they shall direct, and the School Land Commissioners shall distribute the income fund specified in section one of this act to such Normal Schools and Academies, and in such ratio as the Board of Regents shall designate, and no religious test shall ever be required of any student or scholar in any of the Institutions and Schools receiving any of the income fund designated in this act.

§ 8. The Regents shall require of each Institution applying for any of the income fund designated in section one of this act, satisfactory evidence, which shall be uniform, that the provisions of this act have been fully complied with. They shall require a report annually at such time as they shall designate, of the number, age, residence and studies of each pupil or scholar, returned to them, entitled to the distribution share of said income fund. And they shall make a report of the state and condition of such institution, drawing from the income fund, to the Governor, at the same time that other State officers are required to report. A

copy of the proceedings of the Board of Regents, fully and fairly kept and certified by their President and Secretary, shall be filed annually at the close of each fiscal year of this State, in the office of the Secretary of State.

What institution  
entitled to bene-  
fit from fund.

§ 9. Every chartered College or University in this State in which the usual College course of studies have been established and prosecuted, having corporate property to the amount of fifty thousand dollars above all incumbrances, and every incorporated Academy having corporate property to the amount of five thousand dollars, which shall establish and maintain a Normal Institute in connection therewith, for the education of teachers, shall receive from the income of the fund, as provided in section one of this act; and such Colleges, Universities and Academies shall be allowed to borrow at usual rates from the School and University fund, a sum not exceeding five thousand dollars for building, on giving to the State satisfactory security therefor, in at least double the amount of the loan applied for, to be approved by the Commissioners of School and University lands according to this act. But no University, College or Academy, shall be entitled to such loans, unless it shall be proved to the satisfaction of said Commissioners that the corporation has expended money equal to the sum applied for, to the erection of a building wherein Normal School instruction is given, or that an equal sum has been raised by such institution for building, and no instalments of such loans shall be paid over until proof by affidavit is made by the Principal or President of said institution, that an equal amount with the sum asked for has actually been expended in building since the last instalment paid on such loan; and the corporation shall, before drawing any money for building purposes, give real estate security to the Commissioners owned by such corporation or by individuals in double the amount asked for, for the payment of the sum loaned within ten years at the usual interest and terms for such loans. The security shall be for the entire sum applied for, but the corporation shall be holden only for the amount actually received.

To be distributed  
according to  
number of  
pupils.

§ 10. All the income of the fund provided for in section one of this act, shall be distributed to the Colleges, Universities and Academies severally, except the State University, having established and maintained such

Normal Institute, according to the number of pupils so instructed in such studies and for such a period of time as the Board of Regents may designate as a qualification or condition for receiving the benefits of this act, until the amount awarded to any one of such schools shall reach the sum of three thousand dollars annually.

§ 11. The number of students pursuing the course of studies which may have been designated by the Board of Regents in each Normal Institute or Normal department of any College, University or Academy, receiving the benefits of this act, shall be reported to the Board of Regents upon the oath of the President or Principal, and the Secretary of the Board of Trustees of said Institution.

§ 12. Warrants of the Board of Regents signed by the President and Secretary thereof and countersigned by the Secretary of State, shall be drawn on the State Treasurer in favor of such institution for the amount appointed to them severally, which shall be assessed on or before the fifth day of March annually. Each Institution shall give a receipt signed by its Treasurer or by the President and Secretary of the Board of Trustees to the State Treasurer, on receiving any of the fund provided for in this act—and the State Treasurer is hereby authorized to pay each and all Institutions their just proportion of the said income fund as designated by the said Board of Regents.

Warrants to be drawn.

§ 13. If any person authorized by this act or by the rules and regulations provided by the Board of Regents to make report from any Normal School of the number of scholars taught therein, shall make any false report of the number of students, the persons so offending shall, on conviction thereof, be punished by fine not exceeding two hundred dollars nor less than fifty dollars, or by imprisonment in the county jail, not exceeding six months nor less than one month, and if any person or persons shall, for the purpose of obtaining any loan to any College or University, or for the purpose of enabling any College or University to draw any monies as hereinbefore provided, make any false statements relative to the value of the property of such College or University, or as to the establishing and maintaining a Normal Institute in connection with such College or University, for the education of teachers, the person so offending shall, on conviction thereof, be punished by imprisonment in the county jail not

Penalties for false statement.

more than one year nor less than six months, and by fine not less than one thousand dollars nor exceeding three thousand.

Board of Regents  
to consider gifts  
of sites for build-  
ing.

§ 14. Whenever any town, city or village in this State shall propose to give a site and suitable building and fixtures for a State Normal School, free from all incumbrances, said Board of Regents may consider the same, and if, in their opinion, the interests of education will be advanced thereby, they may, in their discretion, select from such propositions the one most feasible and located in such place as is deemed easiest of access, and apportion to the same annually a sum not exceeding three thousand dollars for the support and maintenance of teachers therein.

No charge for  
Normal School.

§ 15. No charge shall be made for tuition to any pupil or scholar in said Normal School whose purpose is to fit himself as a teacher of Common Schools in this State, and the number and qualifications of scholars, and regulations under which they shall be admitted, shall be determined by the Board of Regents. Of the remainder of the income mentioned in section one of this act, every incorporated college in this State with a clear capital of \$50,000, (except the State University) shall be entitled to receive \$20 for every female graduate who shall have pursued the regular course of study in such college, or such a course as the Board of Regents in this act shall prescribe in lieu thereof.

§ 16. This act shall take effect and be in force from and after its passage, and all acts and parts of acts contradicting the provisions of this act are hereby repealed.

Approved, March 7, 1857.

## Chap. 83.

Published, May 12, 1857.

AN ACT to authorize the erection of permanent land marks at the corner sections and quarter stakes in the several townships of this State.

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

§ 1. The qualified electors of the several townships in any county in this State are hereby authorized to de-