

No. 103, A.]

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CHAPTER 354.

AN ACT to amend, codify and revise chapter 27, of the revised statutes of 1878, entitled "Of common schools;" and chapter 28, revised statutes, of 1878, entitled "Of the distribution of the school fund income;" and of laws amendatory of those chapters, as authorized and required by section 3, of chapter 253, of the laws of 1895.

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

SECTION 1. Chapter 27, of the revised statutes of 1878, is hereby amended so as to read as follows:

CHAPTER 27.

Town boards
may form and
alter school
districts.

SECTION 412. The town board of each town in this state shall have power to form and alter districts in the manner hereinafter set forth; provided, that every school district shall be of contiguous territory; and shall not embrace more than thirty-six square miles of land; and that whenever any school district which has by vote contracted a debt, shall be altered by taking territory from it before such debt is fully paid, no such alteration shall be made as to leave to the district from which territory is taken an indebtedness exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness. Two or more existing districts may be united to form a single district, and new districts may be formed from parts of existing districts,

SECTION 413. The formation of any such school district shall be by written order of the town board, describing the territory embraced in the same, to be filed with the town clerk within twenty days after the making thereof. Whenever a new district shall be formed, the supervisors shall deliver to a taxable inhabitant of the district, their notice thereof in writing, describing its boundaries, and appointing a time and place for the first district meeting, and shall therein direct such inhabitant to notify every qualified voter of the district, either personally or by leaving a written notice at his place of residence, of the time and place of such meeting, at least five days before the time appointed therefor, and said inhabitants shall notify the voters of such district accordingly, and endorse thereon a return containing the names of all persons thus notified, and said notice and return shall be recorded as a part of the record of the first meeting in such district.

How the school district shall be formed.

SECTION 414. In case such notice shall not be given, or the inhabitants of a district shall neglect or refuse to assemble and form a district meeting when so notified, or in case any school district, having been formed or organized, shall afterward be disorganized, so that no competent authority shall exist therein to call a special district meeting in the manner herein provided, notice shall be given by the town board, and served in the manner prescribed in the preceding section. Whenever a district meeting shall be called as prescribed in this and the preceding section, it shall be the duty of the electors of the district to assemble at the time and place so directed.

Another proceeding for forming a school district.

SECTION 415. Whenever it shall be necessary to form a district from two or more adjoining towns, the town boards of such towns shall meet together and form such district by their written order, describing the territory embraced in such district, signed by at least two of the supervisors of each town; and shall file one such order with

Formation of joint school districts.

the town clerk of each town, and deliver the notice of formation to a taxable inhabitant of such district, and cause the same to be served and returned in the time and manner hereinbefore prescribed; and any such district may be altered only by the joint action of the town boards of such towns in the same manner that other districts are altered.

When the organization of school district shall be deemed complete.

SECTION 416. Every school district shall be deemed duly organized when any two of the officers elected at the first legal meeting thereof, shall have consented to serve in the offices to which they have been respectively elected, by a written acceptance thereof, filed with the clerk at the first meeting, and recorded in the minutes thereof; and every school district shall be considered as duly organized, after it shall have exercised the franchises and privileges of a district for the term of two years.

Body corporate — its powers defined.

SECTION 417. Every school district organized in pursuance of this chapter, or which has been organized pursuant to law, shall be a body corporate, and shall possess the usual powers of a corporation for public purposes, by the name any style of school district, or joint school district, number — of the town (or towns) of —, (name of the town or towns in which the district is situated); such number shall be designated by the town board or boards in the formation thereof; and in that name shall sue and be sued, and be capable of contracting and being contracted with, and of holding such real and personal estate as is authorized to be purchased by law and of selling the same.

Lost records — how restored.

SECTION 417a. 1. Whenever the record of the formation or establishment of boundaries of any school district in this state shall be lost or destroyed, the town board of the town, trustees of the village, or common council of the city in which such district lies, shall have power to make a new record of the boundaries of such school district, by written order made and entered in the records of such town, village or

city. Whenever the town board, trustees of the village, or common council of the city, shall contemplate making such new record, they shall give at least five days' notice in writing to the clerk of the district to be affected thereby, stating in such notice the time and the place, when and where they will be present to decide upon and make such new record, and such clerk shall immediately notify the other members of the board. In all cases where such new record shall be made, the order constituting the same shall, within three days, be entered in the record of the proper town, village or city, and the clerk thereof shall within the same time file a copy of such order with the clerk of the school district affected thereby. Any number of districts, as to which the records are so lost or destroyed, may be included in one order or notice. In case of the loss or destruction of the records pertaining to a joint school district, the clerk of the town, city or village shall procure and record a certified copy of the records of other towns, cities and villages relating to such joint district, or the common council of the city, trustees of the village, or town boards of the town in which such joint school district lies, may meet and act together in the making of any new record of the boundaries of such joint school district. An order made pursuant to this section, or the record thereof, shall be presumptive evidence of the regularity of the proceedings prior to the making thereof, of the legality of the formation of the district affected, of the boundaries thereof, and of the loss or destruction of the record of the formation or establishment of the boundaries of such school district. Parties conceiving themselves aggrieved by any decision made under the provisions of this act, may appeal therefrom in the manner provided by section 497, of this chapter.

2. This act shall be so construed as to apply to cases of losses or destruction of records

How this act shall be construed.

which have heretofore occurred or may hereafter occur.

Alteration of districts—notice, how given.

SECTION 418. Whenever the town board shall contemplate an alteration of the boundaries of a school district, they shall give at least five days' notice, in writing, to the clerk of the district or districts to be affected thereby, stating in such notice the time and place, when and where they will be present to decide upon such proposed alteration; and such clerk or clerks shall immediately notify the other members of the board; and no territory shall be detached from any district unless it be by the same order attached to another; and any district may be dissolved by attaching all its territory to other districts.

Order to be filed with the town clerk.

SECTION 419. In all cases where an alteration of the boundaries of a school district shall be made, the town board shall, within three days thereafter, give notice thereof by filing a copy of the order so altering the same, with the town clerk and with the clerks of the districts affected by such alteration; and no alteration of any school district made without the consent of a majority of the district boards, indorsed on such order, shall take effect until three months after notice given as above specified, unless such alteration is made in compliance with the order of the state superintendent, given in the decision of an appeal; nor shall any alteration of an organized district be made to take effect between the first day of December in any year, and the first day of April following.

Alteration of joint districts by boards of two towns.

SECTION 419a. 1. Whenever an application in writing for an alteration in the boundaries of any joint school district, signed by not less than one-third of the lawful voters residing in the district, or two-thirds of the lawful voters residing in any one of the districts to be affected by the proposed alteration, shall be presented to the chairman of supervisors of the town in which the schoolhouse of such joint district may be situated, such chairman shall

thereupon fix a time for the joint meeting of the town boards of the towns in which such joint school district may be situated, which time shall not be less than ten, nor more than twenty days after the day of the presentation to him of such application. He shall also cause a notice of the time and place of such meeting to be given to each supervisor entitled to be present thereat, which notice shall be served at least five days prior to the date fixed for such meeting. Such meeting shall be held at the schoolhouse in such joint district unless some other convenient place shall be designated in the notice therefor.

2. If the chairman of supervisors to whom such application shall be presented, shall neglect or refuse to fix the time, or to give notice for the meeting of the town boards, as provided in the first section of this act, or if the said supervisors, or a majority thereof, of any town in which a part of said joint district may be situated, shall neglect or refuse to be present at such meeting; or, being present, shall neglect or refuse to hear and decide upon such application, the application shall be deemed denied, and an appeal may be had therefrom in the same manner and with the like effects as in other cases of denial.

When the alteration is not made.

3. The provisions of sections 418, 419, 422, and 497, of this chapter shall, so far as may be applicable, apply to proceedings under this act.

Sections that are applicable to this act.

SECTION 420. When a new district is formed, in whole or in part, from one or more districts possessed of a schoolhouse or entitled to other property, the town board, at the time of forming such new district, shall ascertain and determine the proportion of the value of the schoolhouse and other property, justly due to such new district, according to the taxable property of the respective parts of such former district, at the time of the division, by the best evidence within their reach; and such amount of any debt due from the former district which would

Division of property—how made.

have been a charge upon the new, had it remained in the former district, shall be deducted from such proportion.

How amount
due new
district
collected.

SECTION 421. The town board shall certify to the district clerk of each district retaining a schoolhouse or other property, the amount ascertained by them as the proportion to be paid to the new district, and such amount shall be embodied in the next statement of taxes to be made by the district clerk to the town clerk, as required by section 472, and shall be collected and paid to the treasurer of the new district, to be applied toward providing a schoolhouse therefor; and the money so received shall be allowed to the credit of the taxable property, taken from the district paying the same, in reduction of any tax that may be imposed on said taxable property in the new district for the building of the schoolhouse; but in case the new district shall have raised a tax and provided a schoolhouse before such money shall have been received, the treasurer of the new district, who shall receive, or have the amount so paid him or his predecessor, shall pay on demand each taxpayer the amount actually paid by him in schoolhouse taxes, in excess of the amount he would have paid, if the money had been received and credit given before such taxes were collected, and the treasurer shall be liable therefor on his official bond.

Relating to
joint districts
partly in
cities, etc.

SECTION 422. Whenever any school district shall lie partly in a city, or village incorporated by special act, and partly in an adjoining town or towns, the common council of such city, or trustees of such village, and the town boards of such towns, may alter or extinguish the same in the manner in which any other joint school district may be altered or extinguished; but no new joint district shall be formed, which shall embrace any part of a city.

Neglect to
keep a school
for two years—
effect of.

SECTION 423. Whenever any school district for two or more successive years, neglects to maintain a public school as required by law,

the town board of the town, embracing the district, shall attach the same to such other adjoining district or districts in the town as they shall judge proper; and if the district be a joint district, then the town boards of the several towns shall attach the respective parts thereof to other districts in their respective towns. This section shall not apply to any district which may provide for the instruction of its pupils in an adjoining or other district or districts, as provided in subdivision 15, section 430, of this chapter.

SECTION 424. In every case where a district shall become dissolved by reason of the attachment of all its territory to some other district or districts, the town boards of the several towns embracing such district, shall take charge of the property belonging to the same at the time of its dissolution, dispose of the same by grant or otherwise, and apply the proceeds to the discharge of its debts, paying over the remainder, if any, to the treasurers of the districts to which the territory has been attached, in proportion to the valuation of the property attached to each, as appears from the last tax rolls of the respective towns.

Relating to
property of a
former
district.

SECTION 425. The annual meeting in all school districts in this state shall be held on the first Monday of July in each year. The hour of such meeting shall be seven o'clock in the afternoon, unless otherwise provided by a vote of the district, duly recorded, at the last previous annual meeting. If the first Monday in July is a legal holiday, then said annual meeting shall be held on the day next succeeding the first Monday in July. It shall be the duty of the district board of each school district in this state to meet on the Saturday immediately preceding the first Monday in July, in each year, and carefully examine the accounts of the treasurer, and make up a full and itemized report of all receipts and expenditures since the last annual meeting; the amount in the

Annual meet-
ing, when
held; board
to examine
accounts.

hands of the treasurer, or the amount of the deficit for which the district is liable, and the estimated sum which will be required to be raised by taxes for the support of the school for the ensuing year; and the amount required to pay the interest or principal of any loan due or to become due during such year; which report shall be submitted in writing at the annual meeting and recorded at length, with the action of the meeting thereon, by the clerk, with the records of the proceedings of the annual meeting.

Notice, how given.

SECTION 426. The clerk shall give at least six days' previous notice of every annual district meeting, by posting notices therefor in four or more public places in the district, one of which shall be affixed to the outer door of the school-house, if there be one in the district; and he shall give like notices for every adjourned district meeting, when such meeting shall have been adjourned for more than one month; but no annual meeting shall be deemed illegal for want of due notice, unless it shall appear that the omission to give such notice was wilful and fraudulent.

Relating to special meetings.

SECTION 427. Special district meetings shall be called by the clerk, or, in his absence, by the director or treasurer, on the written request of five legal voters of the district, in the manner prescribed for calling an annual meeting; and the electors, when lawfully assembled at a special meeting, shall have power to transact the same business as at the first and each annual meeting, except the election of officers, voting a tax to compensate the clerk, and authorizing a change in text-books. The business to be transacted at any special meeting shall be particularly specified in the notices calling the same, and said notices shall be posted six full days prior to the meeting. No tax or loan or debt shall be voted at a special meeting, unless three-fourths of the legal voters shall have been notified, either personally or by a written no-

tice left at their places of residence, stating the time, place and objects of the meeting, and specifying the amount proposed to be voted, at least six days before the time appointed therefor, exclusive of the day on which the meeting is to be held.

SECTION 428. Every person shall be entitled to vote in any school district meeting, who is qualified to vote at a general election for state and county officers, and who is a resident of such school district. Who are qualified voters.

SECTION 428a. Every woman who is a citizen of this state, of the age of twenty-one years or upwards, (except paupers, persons under guardianship, and persons otherwise excluded by section 2, of article 3, of the constitution of Wisconsin,) who has resided within the state one year, and in the election district where she offers to vote, ten days next preceding any election pertaining to school matters, shall have a right to vote at such election. Women may vote.

SECTION 429. If any person offering to vote at a school district meeting shall be challenged as unqualified by any legal voter in such district, the chairman presiding at such meeting, shall declare to the person challenged the qualifications of a voter; and if such person shall declare that he is a voter, and if such challenge shall not be withdrawn, the chairman shall tender him the following oath or affirmation: You do solemnly swear (or affirm, as the case may be,) that you are an actual resident of this school district, and that you are qualified according to law to vote at this meeting. And every person taking such oath or affirmation shall be permitted to vote on all questions proposed at such meeting; and if the person shall refuse to take such oath or affirmation, his vote shall be rejected. Proceedings on challenge.

SECTION 430. The inhabitants of any school district qualified by law to vote at a school district meeting, when assembled at the first and at each annual meeting in their district, or at Powers of electors.

any adjournment thereof, in their district, shall have power:

To appoint officers.

1. To appoint a chairman for the time being, and, in the absence of the clerk, to appoint some person to act in his stead, and the person so appointed shall certify the proceedings of such meeting to the district clerk, who shall enter the same in the records of the district, and file and preserve the certificate of such temporary clerk.

To adjourn.

2. To adjourn from time to time as occasion may require.

To choose officers.

3. To choose a director, treasurer and clerk. The election of all officers shall be by ballot, and a majority of all the votes cast shall be necessary for a choice.

Schoolhouse site, etc.

4. To designate a site for a district schoolhouse.

To vote tax, etc.

5. To vote such tax as the meeting shall deem sufficient to purchase or lease a suitable site for a schoolhouse, to build, hire, or purchase a schoolhouse, and to keep in repair and furnish the same with the necessary fuel and appendages; provided, that no district containing a population of less than two hundred and fifty inhabitants shall have power to levy and collect a tax for building, hiring or purchasing a schoolhouse of more than six hundred dollars in any one year, unless the town board of the town in which such schoolhouse is to be situated shall certify, in writing, that in their opinion a larger sum should be raised, specifying such sum: in which case an amount not exceeding the sum specified may be raised; provided, further, that no district containing a population of less than one thousand inhabitants may have power to raise and collect in any one year, for the purposes above specified, more than one thousand dollars, unless the town board shall certify as above set forth.

To vote tax for teachers' wages, etc.

6. To vote such tax as the meeting shall deem proper for the payment of teachers' wages in the district; provided, that for such purposes, in

all school districts having an average attendance at school, for the year, of fifteen scholars or less, not more than three hundred and fifty dollars shall be raised in any one year; in all school districts having an average attendance of not more than thirty nor less than fifteen scholars, not more than four hundred and fifty dollars shall be raised in any one year; and in all school districts having an average attendance of not more than forty nor less than thirty scholars, not more than five hundred and fifty dollars shall be raised in any one year.

7. To authorize and direct the sale of any schoolhouse, site or other property belonging to the district when the same shall be no longer needed for the use of the district.

Sale of district property.

8. To impose such a tax as may be necessary to discharge any debts or liabilities of the district lawfully incurred.

To impose tax to pay debt.

9. To vote a tax not exceeding seventy-five dollars in any one year for the purchase of maps, blackboards and school apparatus.

To buy maps, etc.

10. To vote a tax not exceeding one hundred dollars in any one year, for a district library, consisting of such books as they may direct their district board, at a district meeting, to purchase; said books to be selected under the advice of the state superintendent; provided, that any school district having less than two hundred children of school age shall not vote a tax exceeding fifty dollars in any one year, for such library; and that no district containing a population of less than two hundred and fifty inhabitants, shall have power to levy and collect a tax of more than five hundred dollars in any one year, for any purpose other than for the purposes prescribed in the fifth subdivision of this section, and for the payment of the principal and interest of any loan due the state.

Tax for library.

11. To authorize the district board to borrow money, as provided elsewhere in these statutes.

To borrow money.

12. To authorize the district board to admit to the privileges of the school, persons over

To admit non-resident pupils.

twenty years of age, and persons not residing in the district, whenever such admission will not interfere with the accommodation or instruction of the scholars residing therein, and to fix a fee for tuition per term, quarter or year, to be charged to the persons thus admitted.

To purchase books, etc.

13. To authorize the district board to purchase text books for use in the public schools, to be loaned or furnished pupils under such conditions as, by such vote and regulations of the board thereunder, may be prescribed.

Term of school teachers, etc.

14. To determine the length of time a school shall be taught in their district the then ensuing year, which shall not be less than six months; and whether such school shall be taught by a male or female teacher, or both, and whether the school money to which the district is entitled from the school fund income, and from the town, shall be applied to the support of the summer or winter school, or a certain portion to each, but if such matters shall not be determined at the annual meeting, the district board shall determine the same.

Suspend school districts—transportation of children.

15. To authorize the district board to suspend the district school for such length of time as they may deem expedient, and to the best advantage of the district and pupils residing therein, and to arrange with any adjoining or other district or districts for the instruction of persons of school age residing in the district during the time when the school may be suspended, and to provide for the transportation of pupils residing more than one and a half miles by the nearest traveled road, from the schoolhouse of the district with which such an arrangement may be made, and to include in the tax voted at the annual meeting, the amount of the expense incurred in providing for the transportation and tuition of children in an adjoining or other district, or districts.

To vote a tax for transportation.

16. To vote a tax for the purpose of providing for the free transportation of all children residing in the district who live more than one

and a half miles, by the nearest traveled road, from the schoolhouse of such district.

17. To give such direction and make such provision as may be necessary, in relation to the prosecution or defense of any action or proceeding in which the district may be a party, or may be interested.

To provide for suit, etc.

18. At the annual meeting only, to vote a tax to compensate the clerk, which, in districts supporting graded and high schools, shall be such sums as may be voted, and in other districts not more than ten nor less than five dollars.

Pay of clerk.

19. To alter or modify the proceedings, as occasion may require.

To alter proceedings.

SECTION 430a. The total amount of school district tax hereafter levied in any school district in this state, in any one year, for building, hiring, or purchasing any school building, and for the maintenance of schools, including teachers' wages and incidental expenses, shall not exceed five per cent. of the total assessed valuation of taxable property in such school district for the current year.

Taxes, limitation of.

SECTION 430b. At the annual meeting of every school district in the state, the question of providing free text books for the use of all pupils attending the public schools in the district and levying a tax sufficient to meet the expense of furnishing free text books for the use of such pupils, shall be submitted to the legal voters present at such meeting, and a vote taken thereon. The chairman of each meeting shall direct the vote to be taken before entertaining a motion to adjourn the meeting sine die, and upon demand of any five legal voters present, the vote shall be taken by ballot, if a written resolution upon the question is submitted, and the ballot of those favoring the resolution submitted shall have thereon the word "yes," and the ballot of those opposed to the resolution submitted shall have thereon the word "no."

Free text books, proposition to be voted on.

SECTION 431. The officers of each school district shall be a director, treasurer and clerk,

District officers—their terms, acceptance.

who shall be residents of the district, and shall hold their respective offices for three years, and until their successors have been chosen or appointed, but not beyond ten days beyond the expiration of their term of office, without being again elected or appointed; provided, that at the first election of such officers, in any newly organized district, the clerk shall be chosen for one year, the treasurer for two years, and the director for three years; and thereafter, each officer shall be chosen for three years. Any person present at a school district meeting, at which he shall be elected one of the district board, shall be deemed to be notified thereof; and any person so elected and not present, shall be notified thereof by the clerk of said meeting, within five days thereafter; and unless each person elected and notified shall, within ten days after his election, file with the clerk his refusal in writing to accept the office, he shall be deemed to have accepted the same.

District board—meetings.

SECTION 432. The director, treasurer and clerk shall constitute the district board. Meetings of the board may be called by any two members thereof, by serving on the other member a written notice of the time and place of such meeting, at least twenty-four hours before such meeting is to take place. No act authorized to be done by the district board shall be valid, unless voted at a meeting of the board. No formal notice of a meeting shall be required, where all members are present and consent to consider matters relating to the district, but the clerk shall make a record of all determinations of the board at all meetings thereof.

Vacancies, how filled.

SECTION 433. The said board shall have power to fill, by appointment any vacancy that may occur in their own number, within ten days after such vacancy shall occur; and if such vacancy shall not be filled within ten days as aforesaid, by said board, the town or village clerk shall fill such vacancy by appointment. In case a vacancy shall occur in a joint dis-

district and shall not be filled by the district board, the clerk of the town or village in which the schoolhouse is situated shall fill such vacancy. Any person appointed to fill a vacancy, upon being notified of such appointment, shall be deemed to have accepted the same, unless he shall, within five days thereafter, file with the clerk or director a written refusal to serve; and any person appointed to fill a vacancy shall hold the office until the annual meeting succeeding such appointment, at which the electors shall fill such vacancy for the unexpired term.

SECTION 433a. When any school district officer, either clerk, director or treasurer, shall be and remain absent from the district for which he was elected for a period exceeding sixty days, the office shall be deemed vacant by reason of such absence, and the remainder of the board shall have the power to appoint a successor, or in their failure so to do, the town clerk shall have the same power to fill the vacancy in said school district office as provided by section 433, of this chapter.

Office, when vacant.

SECTION 434. The district board in their corporate name, shall purchase or lease such a site for a schoolhouse as shall have been designated by the district, and shall build, hire or purchase a schoolhouse out of the funds provided for that purpose, and when required, make sale of any schoolhouse, site or other property belonging to the district, and if necessary, execute a conveyance of the same, in their name of office when lawfully directed by the qualified electors of such district, at any annual or special meeting.

Purchase and sale of school house.

SECTION 435. The district board shall have the care and keeping of the schoolhouse, books, apparatus, and all other property whatsoever belonging to the district, except that especially confided by law to the clerk, and they shall annually make an inventory thereof before each annual district meeting, and deposit the same with the clerk of the district; they shall keep

Care of building, etc.—inventory.

Use of school house.

the schoolhouse in good condition and repair, and provide all necessary appendages during the time a school shall be taught therein. They may grant leave to any responsible inhabitant or inhabitants of the district applying therefor, to occupy the schoolhouse for such public meetings as will, in the judgment of the board, aid in disseminating intelligence and good morals; any such licensee, and if the schoolhouse be so occupied without there being such responsible licensee answerable, then the district board shall be personally liable to the district for any injury done to any property and for any expense whatever incurred by, at, or in consequence of any such use of the schoolhouse.

Board may purchase maps, books, etc.

SECTION 436. The said board shall have power to purchase a record book and such other books, blanks and stationery as may be necessary to keep a record of the proceedings of the district meetings, and the account of the treasurer, and for doing the business of the district in an orderly manner, and such maps, charts, globes and school apparatus as have been or may be approved as suitable for use in the schools, by the state superintendent or by the county superintendent of the county, not exceeding seventy-five dollars in value in any one year, and such school books as in their judgment, may be necessary for the use of any children attending in their district, whose parents and guardians may not be able to furnish the same. All such purchases shall be approved at a regular meeting of said board, at which all the members thereof shall be present. The district board shall keep an accurate account of all expenses incurred by them under the provisions of this section, and present an itemized statement of the purchases to the annual school district meeting.

Flags to be purchased.

SECTION 436a. The school board of each city and school district in the state, is hereby directed and required to purchase at the expense of such city or school district, one or more flags

of the United States, and place and keep one of them in each schoolroom, or display from flag-staff on schoolhouse or from flagstaff on the school grounds in said city or school district, and also in like manner to purchase such necessary apparatus or appliances as may be necessary for properly preserving such flag or flags.

SECTION 437. If any district shall not, at its annual meeting, or at a subsequent special meeting, prior to the third Monday of November following, vote a tax sufficient to maintain a school in said district for the term of six months during the ensuing year, the district board shall then, on or before the Wednesday next following said third Monday of November, estimate and determine the sum necessary to be raised to maintain such school, and the district clerk shall forthwith certify to the town clerk, the amount so fixed, who shall assess the same as other district taxes are assessed, and all school money received from the school fund income shall be applied exclusively to the payment of teachers' wages.

Additional
tax, when col-
lected.

SECTION 438. The district board shall contract with and hire duly qualified teachers in the name of the district, and the contract made shall specify the wages per week, month or year, to be paid, and when completed, shall be filed in the office of the district clerk, with a copy of the certificate of the teacher so employed attached thereto, and a copy of such contract shall be furnished by the clerk to the teacher. No contract with any person not holding a diploma or certificate then authorizing him to teach shall be valid; and all such contracts shall terminate if the authority given to teach shall expire by limitation and shall not be renewed, or if it shall be revoked.

Contract with
teacher.

SECTION 439. The board shall have power to make all needful rules for the government of the schools established in the district, such rules to take effect when a copy of the same, signed by a majority of the board, shall be filed with

Rules — expul-
sion of pupils.

the clerk; to suspend any pupil from the privileges of the school for non-compliance with the rules established by them, or by the teachers with their consent; to expel from school any pupil who shall persistently refuse or neglect to obey the rules above mentioned, whenever, upon due examination, they shall become satisfied that the interests of the school shall demand such expulsion; and to admit any person between twenty and thirty years of age, residing in the district, to any public school under their control, free of tuition, when, in their judgment, it will not interfere with the pupils of school age therein.

Admission of adults, etc.

Board's duties as to text books, change of.

SECTION 440. The district board shall determine what school and text-books shall be used in the several branches taught in the schools; they shall make a list of such books and file one copy with the clerk, and keep one copy posted in the schoolhouse. When any such text-books shall have been adopted, except in districts furnishing free text-books to all pupils attending school therein, they shall not be changed for the term of three years, and no change of text-books shall be made by a school board, except in districts furnishing free text books as aforesaid, unless authorized by a majority vote of the legal voters of a district, at a regular annual school meeting; and it is hereby made the duty of the district clerk to embody in his notice of such annual meeting, the fact that the question of a change of text-books will be submitted to the meeting.

List of books to be made after text books are selected.

SECTION 440a. The several boards of education having the government in cities of the public schools, shall determine what school and text-books shall be used in the several branches of study pursued in the schools, and shall make a list of such books, file a copy with their clerk or secretary and keep a copy posted in each school building. When any such text-books shall have been adopted, except in such city or cities as furnish to the pupils attending the pub-

lic schools therein, free text-books, they shall not be changed for a term of three years. Any board of education in any city where the district system is not in force, may, under the limitations of this act, order changes in text books, as aforesaid; provided, except as to free text-books, as aforesaid, that said changes shall be approved by the common council or board of aldermen of such city; and the aforesaid boards of education are hereby authorized to purchase text-books for use in the public schools, and to loan or furnish them to pupils under such conditions or regulations as they may prescribe. But no text-books shall be permitted in any free public schools which would have a tendency to inculcate sectarian ideas.

SECTION 440b. Every member of a district board in any school district in this state, every member of a board of education in any city of this state, in which a list of text-books has been adopted according to law, who shall within three years from the date of such adoption, order a change of text-books in such district or city, shall forfeit the sum of fifty dollars.

Penalty for changing books within three years.

SECTION 441. The district board shall visit the school under their care, examine into the condition thereof, and the progress of the pupils, advise and consult with the teachers in reference to the method of instruction, management and government, and exercise such general supervision as is necessary to carry out the provisions of this chapter.

Board to visit school.

SECTION 441a. Any school district board in the state, insuring in a town insurance company the school property in its charge, is hereby authorized to execute a note for the premium.

Premium note for insurance.

SECTION 442. It shall be the duty of the director of each district:

Duties of directors.

1. To countersign all orders legally drawn by the clerk upon the treasurer of the district.

Countersign all orders.

2. To appear for and on behalf of the district in all actions brought by and against it, when no

To appear in defense of district.

other direction shall have been lawfully given at a district meeting.

To prosecute,
etc.

3. To cause an action to be prosecuted in the name of the district on the treasurer's bond, in case of any breach of any condition thereof, and to apply all money when collected to the use of the district as the same should have been applied by the treasurer.

Bonds of treas-
urer.

SECTION 443. The treasurer of each district shall, within ten days after his election or appointment, execute to the district, and file with the clerk a bond with sufficient sureties in double the amount, as nearly as can be ascertained, of all the money to come into his hands as treasurer of the district, conditioned for the faithful discharge of the duty of his office, and approved by the director and clerk. Such treasurer shall hold his office until his successor shall be elected or appointed, and his bond shall be executed, filed and approved as provided by law. Whenever the director and clerk shall deem the bond of any treasurer insufficient, they shall demand an additional bond with the like condition, in such sum as they shall fix, which shall thereupon be executed, approved and filed in the manner aforesaid, within ten days after such demand. The neglect or refusal to file such bond in either case, shall vacate the office; provided, that no person employed as school director, clerk or teacher, shall hold the office of school treasurer in the same district.

Duties of treas-
urer.

SECTION 444. The treasurer of each school district shall apply for and receive from the town treasurer all school money apportioned to the district or collected for the same by said town treasurer, and pay all money received by him on the order of the clerk, countersigned by the director, and not otherwise. He shall keep a book in which he shall enter all the money received and disbursed by him, specifying particularly the sources from which the same has been received, the persons to whom, and the object for which the same has been paid, and shall afford

the clerk access thereto, when desired, to enable him to make his annual school report. He shall present at each annual meeting, a report in writing, containing a statement of all moneys received by him during the preceding year, and of each item of disbursement made by him, and exhibit the voucher therefor. At the close of his term of office, he shall settle with the district board, and deliver to his successor said book and all vouchers, orders and papers coming into his hands as treasurer, together with all money remaining in his hands as such treasurer.

SECTION 445. The treasurer of any school district shall prosecute the town treasurer of the town in which such district or any part thereof is situated, for the recovery of any money belonging to such district, in all cases when such town treasurer shall refuse or neglect, for the space of ten days from the time fixed by law therefor, to pay the same to the proper officer of such district.

Prosecution of town treasurer.

SECTION 446. It shall be the duty of each school district clerk:

Duties of clerk.

1. To report the name and postoffice address of each officer of his district to the town clerk and to the town treasurer, or if a joint district, the town clerk and the town treasurer of each town in which his district or any part thereof is situated, within ten days after the election or appointment of such officer.

To make reports.

2. To act as clerk when present, and record the proceedings of each district, and minutes of all meetings, orders, resolutions, and other proceedings of the district board, in the record book provided by the board, and to enter therein copies of all reports made by him to the town clerk.

To act as clerk of district board.

3. To make in such book, or in some other suitable one, a record of all orders drawn upon the treasurer.

To record proceedings.

4. To draw orders on the treasurer for money in his hands which has been apportioned

To draw orders on treasurer.

to or raised by the district for that purpose, in payment, when due, of the wages of legally qualified teachers who have been employed by the board, and have taught the school of such district, and also to draw orders on the treasurer for money in his hands, to be disbursed for any other purpose, voted by a district meeting, according to the provisions of section 430; and each order shall designate the object for which and the fund upon which it is drawn, and shall be countersigned by the director. No order shall be drawn, countersigned or paid, which is in favor of any person who has taught school in said district when not holding a certificate of qualification therefor, as provided by law, nor for the payment of which the money has not been appropriated according to law, and no order shall be drawn for any money received from the school fund income, for any other purpose than payment of teachers' wages.

To furnish a school register.

5. To furnish at the expense of the district for the use of each teacher, a school register in the form prescribed by the state superintendent, to procure the same to be returned to him at the expiration of the teacher's employment, and to preserve the same with the records and papers of the district.

To perform other duties.

6. To perform such other duties as are or shall be imposed upon him by law.

Compulsory attendance of children at school.

SECTION 446a. 1. Every parent or other person having under his control, any child between the ages of seven and thirteen years, shall cause such child to attend, for at least twelve weeks, in each and every school year, some public or private school; provided, however, that this act shall not apply to any child that has been or is being otherwise instructed for a like period of time in the elementary branches of learning, or that has already acquired such knowledge, or whose mental or physical condition is such as to render his or her attendance at school and application to study inexpedient and impracticable, or who lives more than two miles from any

school by the nearest traveled road, or who is excused for sufficient reasons by any court of record. Every person who shall violate the provisions of this section, shall, upon conviction thereof, be fined in any sum not less than three dollars nor more than twenty dollars, for each and every offense.

2. It shall be the duty of the director of any school district, or the president of any board of education of any incorporated village or city, or any truant officers appointed by such board of education, to prosecute any offense occurring under this act, and such person neglecting to prosecute for such fine within fifteen days after a written notice has been served upon him, by any qualified elector or taxpayer within the district, village or city within which the offending party shall reside, shall be liable to a fine of not less than ten nor more than twenty dollars for each and every offense.

Relating to
truancy.

3. The board of education of every city and incorporated village, and the district school board in every school district, may appoint one or more persons, who shall be designated as truant officers, whose duty it shall be, acting discreetly, to apprehend upon view, all children between seven and thirteen years of age, who habitually frequent or loiter about public places, and have no lawful occupation, and place such children, when so apprehended, in such schools as the parent or other person having the control of such children may designate. And such officers shall report all cases of truancy to their respective boards of education, within a reasonable time. The persons appointed such truant officers shall be entitled to such compensation as shall be fixed by the boards appointing them, and such compensation may be paid out of the school fund.

Truant officers
to be ap-
pointed.

4. The fines provided for by this act shall, when collected, be paid over by the officers collecting the same to the proper school treasury of the city, village or school district in which such person convicted resides, to be applied and ac-

Payment of
fines.

counted for by such treasurers in the same way as other moneys raised for school purposes, and shall be placed by such treasurers to the credit of any city or district in which such person resided at the time of conviction.

Annual school census.

5. It shall be the duty of all officers empowered to take the annual school census to ascertain the number of children between the ages of seven and thirteen years in their respective districts, the number of children between such ages who did not attend school, and, in so far as possible, the cause or causes of such failure to attend school.

Studies enumerated.

SECTION 447. Orthography, orthoepy, reading, writing, grammar, geography, arithmetic, history of the United States, the Constitution of the United States, and the constitution of this state, shall be taught in every district school, and such other branches as the district board may determine. All instruction shall be in the English language, except that the district board or the board of education of any incorporated village or city, may, in their discretion, cause any foreign language to be taught by a competent teacher to such pupils as desire it, not to exceed one hour each day. School district boards, town boards of school directors, and boards of education, may, in their discretion, provide for kindergarten, for instruction and training of primary grades, in separate departments or otherwise.

Physiology and hygiene.

SECTION 447a. Provision shall be made by the proper local school authorities for instructing all pupils in all schools supported by public money, or under state control, in physiology and hygiene, with special reference to the effects of stimulants and narcotics upon the human system. The text-books used in giving the foregoing instruction shall receive the joint approval of the state superintendent of public instruction and the state board of health.

Teacher — who may teach.

SECTION 448. Every person who shall desire to teach in any of the common schools, unless he shall hold a diploma or certificate then au-

thorizing him to teach, shall procure such certificate from the proper examining officer, as hereinafter provided; and no certificate shall have force, except in the district of the examining officer who issued the same.

SECTION 449. There are hereby established Grades of certificates. three grades of teachers' certificates, to be known as certificates of the first, second and third grades. Each certificate shall show the branches in which the holder has been examined, and his relative attainments in each branch. No person shall receive any certificate who is known to the examining officer to be of immoral character, who is deficient in learning or ability to teach, or who does not write, and speak the English language with facility and correctness.

SECTION 450. Every applicant for a certificate shall be examined in the subjects hereinafter mentioned for the several grades respectively, as follows: For the third grade, in orthoepy, orthography, reading, penmanship, arithmetic, English grammar, geography, the history of the United States, the constitution of the United States, the constitution of the state of Wisconsin, physiology, and hygiene, with special reference to the effects of stimulents and narcotics upon the human system, and the theory and art of teaching. For the second grade, in all the foregoing, and also in grammatical analysis, physiology, physical geography and elementary algebra. For the first grade, in all the foregoing and also in higher algebra, natural philosophy and geometry, and if found qualified, shall receive the certificate appropriate to his grade. A third grade certificate shall entitle the holder to teach for such period, not more than one year, as may be specified therein, in any town in the superintendent district in which he is examined, except that it may be limited by the county superintendent to any town or school district therein. A second grade certificate shall entitle the holder to teach in any Scope of examination—

town in such superintendent district, and be in force two years from its date. A first grade certificate shall entitle the holder to teach in any town in such superintendent district, and be in force four years from its date; but the county superintendent may limit the same to one year, and remove the limitation upon satisfactory evidence that the holder has successfully taught a public school in this state for at least six months. Whenever any person has passed a satisfactory examination by any county superintendent of any county in this state, and obtained a certificate of either grade herein provided for, and shall purpose to teach in any other county in this state, it shall be lawful for the superintendent holding the papers written, upon the request of any county superintendent, to transfer to the superintendent requesting the same, the papers written at the examination at which the certificate was obtained, and if found satisfactory, a certificate thereon, of the proper grade, may be issued, to be co-terminus with the original certificate, in the discretion of the county superintendent, to the same effect as though the applicant had been examined by the superintendent in person.

Rights under certificates.

SECTION 451. Each county superintendent shall, under the advice and direction of the state superintendent, establish for his county the standard of attainment in each branch of study, which must be reached by each applicant, before receiving a certificate of either grade, and the standard so established shall be uniform in the superintendent's district. He may demand an examination in such additional branches as the applicant may be required to teach, and whenever he shall deem it necessary may require a re-examination of any teacher in his district for the purpose of ascertaining his qualifications to continue as such teacher.

Standard of attainment.

SECTION 452. Any applicant refused a certificate as teacher by the county superintendent, may apply to the state superintendent for a

examination. The superintendent, upon demand, shall give any applicant refused a certificate, a written statement of the reasons of such refusal, which shall be presented to the state superintendent by the person desiring re-examination. If, upon such re-examination, the state superintendent shall be satisfied that such applicant is legally qualified, he shall issue a certificate of the proper grade, which shall entitle him to the same privileges as if it had been issued by the county superintendent.

Re-examination of applicant.

SECTION 452a. The high school board of each high school district in this state, in which there is or shall hereafter be maintained, a free high school, according to the provisions of law, shall make out and deliver to each graduate of such respective high schools at the time of graduation, a certificate of his standing in the various branches which he has pursued in such school, and any such graduate who shall have duly passed an examination for and received a first grade certificate from the county superintendent of schools of the county where he shall then reside, or shall have so graduated, upon furnishing to any county superintendent satisfactory proof of having successfully taught at least one school year under such first grade certificate, such county superintendent may countersign such certificate of graduation or diploma, and the same when so countersigned shall have the same force and effect (for all purposes) of a first grade county certificate for the period of four years, from and after the time when the same is so countersigned.

Graduates of high schools entitled to certificates.

SECTION 453. When any charge shall be made in writing, to any county superintendent, over the signature of a complainant, against any teacher in the superintendent's district, affecting his moral character, learning or ability to teach, the county superintendent shall give to such complainant, the teacher and the district board by whom he is employed, at least ten days' notice in writing, of the time and place

Charges against teacher, how heard.

when and where he will hear the same, which shall in all cases contain a statement of such charges. At the time and place fixed in such notice, he shall proceed to hear the proofs on either side, and may administer oaths therefor, and give the accused a reasonable opportunity to defend himself, and if he shall find the charges sustained and sufficient, he may annul his certificate. Such annulling of a certificate shall not disqualify a teacher until notice thereof, containing the name, date, and reasons therefor, shall be filed in the office of the town clerk, and a copy thereof delivered to the clerk of the district in which such teacher is employed.

State certifi-
cates.

SECTION 454. The state superintendent shall, before the second Wednesday of August in each year, appoint three competent persons, residents of this state, who shall constitute a board of examiners. Said board shall meet at the capitol once or more each year, at such time, and also at such other places as the state superintendent shall prescribe, for the examination of all applicants for state certificates; provided, the state superintendent is hereby authorized to examine principals of high schools and of free high schools who shall have been elected superintendents of the city schools, containing such high schools, and to grant certificates to successful candidates, valid for one year, and in a single locality. The state superintendent shall prescribe the manner of making application, of conducting and managing such examinations, reporting the results thereof, and with the advice of the examiners, in what branches of study, in addition to those fixed by law, the applicant for an unlimited state certificate shall be examined.

Qualifications
for.

SECTION 455. To entitle an applicant to a limited state certificate, the examiners shall be satisfied, and shall report to the state superintendent that he possesses the requisite scholarship in all the branches of study required for a first grade county certificate, and also in mental philosophy and English literature. To entitle

him to an unlimited state certificate they shall be satisfied and report that he possesses the requisite scholarship in all the branches above named, and in all such others as shall have been prescribed. Each applicant shall furnish to the state board of examiners such evidence as the board may require of good moral character, experience, and success in teaching, and upon the recommendation of the board the state superintendent shall issue to each successful applicant such certificate as is awarded by the report of the examiners. A limited state certificate shall qualify to teach in any public school in the state without further examination, for five years from its date, unless sooner annulled. An unlimited state certificate shall qualify to teach without any further examination, in any public school in the state, until the same is annulled.

SECTION 456. The state superintendent shall record the date of each certificate, and the name, age and residence of the person to whom issued; and he shall preserve on file in his office, all papers relating to the examination of applicants for state certificates.

Record of examination.

SECTION 457. Any state certificate may be revoked by the state superintendent for incompetency or immoral conduct; but before any such revocation, the holder shall be served with a written statement of the charges against him, and shall have an opportunity for defense.

Certificates, how revoked.

SECTION 458. There shall be paid out of the state treasury to each examiner appointed as aforesaid, five dollars per day for all time actually and necessarily spent in going to, holding and returning from, any such examination, and all his actual and necessary expenses therein, to be fixed and certified by the state superintendent.

Pay of examiners.

SECTION 458a. 1. The teachers' certificates granted by other states, which are fully and fairly equivalent to the Wisconsin unlimited certificate, may be countersigned by the state superintendent upon the recommendation of the

Diplomas may be countersigned.

state board of examiners. The holder of such certificate shall furnish to the board of examiners, such evidence of learning, and good moral character, experience and success in teaching, as is required for the unlimited state certificate.

Diploma to entitle to teach.

2. The state superintendent is hereby authorized to countersign diplomas granted upon the completion of a regular collegiate course of the university of Wisconsin, or upon the completion of the full course of any Wisconsin state normal school. No diploma shall be countersigned except the holder thereof shall furnish evidence satisfactory to the state superintendent of good moral character and one year's successful teaching in a public school. The certificate granted upon the completion of the elementary course of any Wisconsin state normal school may be countersigned by the state superintendent. When countersigned it shall have the force and effect of a limited state certificate in this state; but no such certificate shall be countersigned unless satisfactory evidence be furnished the state superintendent of good moral character, and successful experience in teaching a public school for eight months after the date of its issuance. Provided, that a limited state certificate and a certificate from the elementary course of the normal schools shall not qualify the holder as principal of a free high school having a four-years' course of study.

Other diplomas that entitle to teach.

3. The holder of a diploma granted by any incorporated college, or university, whose regular collegiate courses are fully and fairly equivalent to corresponding courses in the university of Wisconsin, and the holder of a diploma granted by a state normal school whose course of study is fully and fairly equivalent to the courses of study in the Wisconsin normal schools, may present such diploma, together with evidence of the required standing of the college, university or normal school granting the same, to the state board of examiners. The

applicant shall furnish therewith testimonials of good moral character and of two years' successful teaching in a public school after the date of issue of said diploma. The holder of a diploma recommended favorably by the board shall be entitled to receive an unlimited state certificate. The holder of a diploma upon which a state certificate has not been issued, and which was granted upon the completion of a course of study accredited as herein provided, may be given a special license by the state superintendent to teach for two years in a public school, upon the recommendation of the state board of examiners, made in pursuance of such examination as to learning, moral character and ability to teach as said board may require.

4. All diplomas and life certificates provided for in the three preceding sections, when countersigned, shall have the force and effect given by law to the unlimited state certificate.

Diplomas equal to unlimited state certificates.

5. Any state certificate, or its equivalent, may be revoked by the state superintendent for incompetency or immoral conduct; but before any such revocation the holder shall be served with a written statement of the charges against him, and shall have an opportunity for defense.

May revoke certificates.

SECTION 458b. After any person has graduated from the Milwaukee high school and normal department thereof, and shall hold a diploma from the school board of Milwaukee, certifying to these facts, and shall have successfully taught five years in a public school in this state, the state superintendent shall have authority to countersign the diploma of such teacher after such examination as to a moral character, learning and ability to teach, as to the said superintendent may seem proper and reasonable.

Milwaukee high school diplomas.

2. The diploma of such graduate, countersigned by the state superintendent as aforesaid, shall be evidence of the qualifications of such graduate to teach in any common school in this

To be countersigned by the state superintendent.

state, and shall have the force and effect of an unlimited state certificate.

Diploma of kindergarten training course of normal schools.

SECTION 458c. Any diplomas granted by the board of regents of normal schools to persons who complete the kindergarten training course, established by said board in any of the state normal schools, shall be regarded as certificates legally qualifying the holders thereof to teach for one year in any kindergarten forming a part of the public school system of the state.

State superintendent may countersign diploma of kindergarten teacher.

2. When any person has, after receiving the diploma referred to in section 1, of this act, taught in a public kindergarten in this state one year, the state superintendent may, after such examination as to moral character, learning and ability to teach, as to him may seem proper, countersign the diploma of such teacher, and thereafter such countersigned diploma shall legally qualify the holder thereof to teach without further examination in any public kindergarten in the state, or until the same shall be annulled.

Diploma of university of Wisconsin or normal school may be countersigned by state superintendent.

SECTION 458d. Any person holding a diploma granted upon the completion of a regular collegiate course of the university of Wisconsin, or upon the completion of the full course of any state normal school in this state, upon presentation of the same to the state superintendent, shall be entitled to receive from that officer a certificate, which shall authorize the person receiving the same to teach in any public school in the state for one year. In like manner, the holder of a certificate granted upon the completion of the elementary course of any Wisconsin state normal school, not countersigned by the state superintendent, may present such certificate to the state superintendent, and thereupon receive a certificate, which shall be a license to teach in any public school in the state for the period of one year, in which such elementary certificate would authorize the holder to teach if countersigned by the state superintendent. The state superintendent is hereby authorized and

directed to issue the certificates herein provided for, and when issued the same shall have the force and effect of a legal license to teach in the public schools required to be obtained before entering into contract as a teacher with any school officers in this state.

SECTION 459. In settlement for wages between teachers and district boards, and other employers of teachers in the public schools, twenty days of teaching shall constitute a school month unless it be otherwise specified in the contract, and all legal holidays occurring on school days shall be counted, although no school be taught; but school taught on a legal holiday shall not be counted for two school days, and no Saturdays shall be counted. The district board may, in their discretion, give to any teacher employed, without deduction from his wages therefor, the whole or any part of his time spent by him in attending the sessions of any institute held in the county embracing the school district or any part thereof, upon such teachers furnishing to the district clerk, to be filed by him, a certificate of regular attendance on such institute, signed by the person conducting the same.

School month.
—holidays, etc.

SECTION 460. Every teacher employed by a district board shall enter in the school register, the names, ages and studies of all scholars attending school, and daily, their attendance and absence, and such other facts as the county superintendent or state superintendent may require; which register the teacher shall deliver to the clerk at the time he shall cease to be employed by such district, or at any other time when the same may be required for the use of the district board, and the teacher shall make in writing and transmit to the district board or to the county superintendent, a report concerning any matter relating to his school, in such form and manner as the board or superintendent may prescribe; and any teacher who shall willfully neglect or refuse to make the proper entries in the school register as above required, shall for-

School register—how kept.

feit his wages for teaching during the time of such neglect or refusal.

Duties of county superintendents.

SECTION 461. It shall be the duty of every county superintendent:

To examine teachers.

1. To examine and license teachers in his district and to annual certificates as provided by law.

To visit schools.

2. To visit and examine each district, and all the schools in his district, at least once in each year, and as much oftener as may be necessary; to inquire into all matters relating to the management, course of study, mode of instruction, text-books, and discipline of such schools, and the condition of the schoolhouse, sites and out-buildings and appendages, and of the district generally; to advise with and counsel the district boards in relation to their duties, and particularly in relation to the construction, warming and ventilation of schoolhouses, and the improving and adorning of the school grounds, and to recommend to the school officers and teachers the proper studies, discipline and management of schools.

To direct alterations and repairs.

3. To direct, after proper examination, the district board to make any alteration and repairs which shall, in his opinion be necessary to the health, comfort and progress of the pupils, and to abate any nuisance in or upon the premises, provided the same can be done at an expense not exceeding twenty-five dollars.

Declare school building unfit for use.

4. To make an order in concurrence with the chairman of the town board in which any schoolhouse is situated, which they shall deem unfit for school purposes and not worth repairing, declaring such fact and reciting the reason therefor. They shall deliver such order to the clerk of the district, and transmit forthwith a copy thereof to the clerk of the town, and also to the state superintendent. Such order shall take effect from its date, unless within thirty days after it is delivered to the district clerk the same shall be reversed by the state superintendent for cause shown; and from the time said order shall take

effect, the district shall not share in any apportionment of the school fund income for any school kept in any building so declared to be unfit for school purposes.

5. To report annually to the board of supervisors of his county the condition of the schools under his supervision.

To report to county board.

6. To receive from the town, city or village clerk, the abstracts of the reports of the district clerks required to be made by law, and to transmit the same to the state superintendent; and before the first day of May in each year, to transmit to the state superintendent the name and postoffice address of each town clerk in his district, and from time to time such other facts relating to education in his district as the state superintendent shall require.

To transmit reports of clerks.

7. To organize and conduct at least one institute for the instruction of teachers in each year, and to advise in all questions arising under the operations of the school laws in his district.

To conduct institutes.

8. To divide his district into inspection districts bounded by town lines, and containing not more than four towns each, when the number of schools in his district, including graded schools, shall exceed one hundred and fifty; but to form not less than four inspection districts, if the number of schools is less than one hundred and fifty; not less than three if the number is less than one hundred; to hold in each inspection district at least two meetings in each year for the examination of teachers, and to furnish each district clerk in the same a written notice of each meeting, to be posted by him in some conspicuous place in his district. Such notice shall contain the names of the towns embraced in the inspection district to which it relates, and the time, place and objects of the meeting. The examination of the teachers thus held shall be public, and shall be conducted by oral and written questions and answers, which shall be uniform in his district. Whenever, for any cause satisfactory to the county superintendent, any per-

To form inspection districts—Examinations to be public.

son desiring a certificate as a teacher shall be unable to attend upon such examinations, he may be examined at any time fixed by him, and if found qualified by law to teach, may receive a certificate of the proper grade, which shall remain in force until the next regular examination in such inspection district.

Superintendent to attend convention.

SECTION 461a. 2. It shall be the duty of every county superintendent of schools in this state to attend annually at least one convention of county superintendents, called and held by the state superintendent for the purpose of consultation, advice and instruction with county superintendents of schools upon matters pertaining to supervision and management of public schools.

Shall receive actual and necessary traveling expenses.

3. All actual and necessary expenditures for traveling from his residence to the place of holding the nearest and most accessible convention, and returning thereto, and for board and lodging during the time of actual attendance on such convention, shall be paid by the county in which the superintendent resides, and bills for such expenses shall be audited and allowed by the several county boards of supervisors, upon the presentation of the same with the certificate of the state superintendent attached thereto, showing that the claimant attended such convention for the number of days specified in the bill; provided, not more than one such account shall be paid in each year.

Superintendent not to teach.

SECTION 461b. 1. No county superintendent of schools (except as hereinafter provided) shall engage in teaching during the term for which he was elected, nor shall any person under contract to teach be qualified to hold the office of county superintendent of schools.

Nor engage in other pursuits.

2. No county superintendent of schools shall engage in any profession or occupation, nor shall he absent himself from the county or district for which he is elected to engage in any occupation, profession or pursuit during the term for which he is elected, for such time or in such

manner as to interfere with the proper discharge of his duties as superintendent of schools.

3. Any county superintendent of schools who neglects or violates any of the provisions of subdivisions 1 or 2, of this section, shall be subject to removal from office. Penalty.

4. None of the provisions of this section shall be applicable to counties in which the salary of county superintendent of schools is less than eight hundred dollars per annum. When act not to apply.

SECTION 461c. 1. Whenever the county seat of any county in this state is located in an independent city, with a separate superintendent of schools having jurisdiction only in such city, it shall be lawful for the county superintendent of schools to reside in such city and to keep an office in the public building or other place provided for that purpose by the county, notwithstanding such county seat may not be under the jurisdiction of the county superintendent of schools. Where superintendent may reside.

2. Whenever any county in this state shall be divided into two superintendent districts, and two county superintendents of schools shall be elected in and for said county, it shall be lawful for such county superintendents of schools to reside at the county seat of the county in and for which they were elected, and to keep an office in the public building belonging to the county, or other place provided for that purpose by the county, notwithstanding such county seat may not be within the jurisdiction of either of such county superintendents of schools. Counties with two superintendent districts.

SECTION 461d. The county board of supervisors of each county in this state, may allow the county superintendent of schools such sum over and above his salary as superintendent, as he shall certify that he has actually expended in defraying his traveling expenses when engaged in his official duties; provided, such reimbursement shall not exceed two hundred dollars in any one year; such expenses shall be audited County superintendent entitled to traveling expenses not to exceed \$200.

and allowed by the county board of supervisors at its annual meeting in November of each year.

Examination
fee of \$1.00.

SECTION 461e. 1. Any applicant presenting himself for examination by any county superintendent of schools for a certificate entitling him to teach in the county superintendent's district shall, before such examination is entered upon, pay to the said county superintendent an examination fee of one dollar.

Certificate
fee of \$1.00

2. Any person making application to any county superintendent for the issuance of a certificate based upon papers written in an examination held in another superintendent's district, under the provisions of section 450, of this chapter, shall, before the issuance of such certificate, pay to the county superintendent to whom the application is made an examination fee of one dollar.

Graduate of
high school to
pay \$1.00 to
have his cer-
tificate
countersigned.

3. Any graduate of a high school making application to any county superintendent for the countersigning of his certificate of graduation or diploma, under the provisions of section 452a, of this chapter, shall, before such certificate of graduation or diploma shall be countersigned and delivered, pay to the county superintendent to whom the application is made an examination fee of one dollar.

Money to con-
stitute an
institute fund.

4. All moneys paid to the county superintendent under the provisions of this act, shall constitute an institute fund, and shall be used under the direction of the county superintendent in defraying the necessary expenses, in whole or in part, of conducting one or more teachers' institutes annually for the instruction of the teachers in his district, in the theory and art of teaching and in the branches taught in the common schools; and in compensation for lectures at such institutes by others than the conductors and county superintendent. No person shall be employed by any county superintendent of schools under the provisions of this section, as institute conductor or lecturer, who is engaged in publishing text-books or dealing in school

supplies, or who is an agent or employe of any individual or company thus engaged, or who is proprietor or manager of, or in any way pecuniarily interested in, any teachers' employment agency or bureau; nor shall the committee on teachers' institutes of the board of regents of normal schools approve any such person for services in institutes provided for in this section; nor shall any such person be employed as instructor or lecturer in any institute supported in whole or in part by the state.

5. The county superintendent shall annually make and file with the county clerk of the county within which he resides, a statement, verified by his affidavit, giving the names of all persons examined by him since the beginning of the term he is then serving, or since the date of his last statement, together with the dates when such persons were examined. He shall also embody in the same statement the names of all persons to whom certificates have been issued upon papers written in another superintendent's district, and the dates when such certificates were issued, and also the names of all persons, graduates of high schools, whose diplomas he has countersigned, together with the dates of countersigning. At the expiration of his term of office, the county superintendent shall file with the county clerk a sworn statement similar to those hereinbefore provided for in this section, covering the time from the close of his last regular series of examinations to the close of his term, and he shall embody in such statement a summary, giving the number of persons in each of the three classes herein named, and of all the persons so reported by him to the county clerk during his term of office; the amount of fees received by him during his term of office, the amount paid out by him, and the amount remaining in his hands. And he shall pay over to his successor in office all moneys thus remaining in his hands at the expiration of his term of office.

Names of persons examined to be filed by county superintendent.

How the money shall be paid out.

6. All moneys collected by the county superintendent under the provisions of this section shall be paid out each year for the purposes specified in subdivision 4, of this section, and for no other purposes. Each payment shall be entered in a book kept by the county superintendent for that purpose, which shall be open to public inspection, and be by him delivered to his successor in office, and shall be accompanied by a statement of the name of the person to whom the payment is made, and the character of the service rendered, or material furnished. No money shall be paid for services rendered as an instructor in any institute, unless the person rendering such service shall hold a certificate signed by the state superintendent, certifying that the committee on institutes of the board of regents of normal schools approves of said person as a competent institute instructor. The said committee on teachers' institutes is hereby authorized and directed to prepare annually and transmit to each county superintendent in the state, a list of persons approved by the committee for service in the institutes herein provided for.

County superintendent shall give bonds

7. The county board shall require the county superintendent to give bonds with good and sufficient sureties, for the proper performance of the duties prescribed by this section, in an amount which shall not be less than twice the amount likely to be collected and disbursed by him annually under this section.

County and city superintendents required to send names and address of parents of deaf, dumb and blind children to school for the deaf at Delavan.

SECTION 461f. It shall be the duty of each county and city superintendent of schools to send to the superintendent of the state school for the deaf at Delavan, and to the superintendent of the state school for the blind at Janesville, the address of parents with the name and age of each deaf or blind child known to be in his county or city, and to inform parents, guardians and custodians of deaf mutes and blind children in his county or city, respecting the several schools for deaf mutes and the blind in the state, and the conditions of admission to them; and for this purpose, the superintendents of such institu-

tions shall provide each such superintendent with sufficient printed information and with the names and residences of all deaf mutes and blind children known to be in his county or city. And each such superintendent shall include in his annual report to the county board of supervisors, or the city board of education, a statement of the number of deaf mutes and of blind children of school age in such county or city then receiving an education, or the number of each not receiving an education, and of the number of personal visits he has made during the year upon the parents, guardians or custodians of such children, to induce them to give such children a proper education.

SECTION 461g. 1. No person shall be eligible to the office of county superintendent who shall not at the time of his election or appointment, have taught in the public schools of the state for a period of eight months, and who shall not at the time of such election or appointment, hold a certificate entitling him to teach in any public school in the state, or a certificate to be known as a county superintendent's certificate, and which shall be issued by the state superintendent after examination by, and upon the recommendation of the board of examiners for state certificates.

Qualifications of county superintendent.
Eight months teaching requisite.

2. The board of examiners for state certificates shall, at the time of holding the regular examinations for state certificates now provided for by law, examine all applicants for the county superintendent's certificate herein provided for, upon the branches upon which examination is now required for a first grade county certificate, and also upon school law, upon the organization and management of district schools, and upon the supervision of district schools.

Examination for county superintendent certificates.

3. The board of examiners for state certificates shall, in addition to the examination now provided for by law, hold in the month of July of each year, three examinations simultaneously at three different points in the state. The

Number of examinations annually by board of examiners for state certificates.

points where such examinations shall be held shall be determined by the state superintendent, and shall be chosen with reference to the accommodation of applicants in different parts of the state. The examinations so held shall be for the purpose of examining applicants for the county superintendent's certificate herein provided for. Each of the three examinations shall be held under the supervision of a member of the board of examiners, but the scope and character of the examination shall be previously determined by the board of examiners and the state superintendent. Printed questions shall be prepared on each subject upon which the applicant is required to be examined, and the board of examiners shall examine the papers written by applicants and shall file all papers so written in the office of the state superintendent.

Persons entitled to state superintendent certificates.

4. All persons passing the examination prescribed in subdivision 3, of this section, to the satisfaction of the board of examiners for state certificates, and who shall furnish satisfactory testimonials of moral character to the board of examiners shall, upon recommendation of the board, receive from the state superintendent the county superintendent's certificate, which, together with the eight months' experience in teaching in the public schools provided for in subdivision 1, of this section, shall constitute a legal qualification to hold the office of county superintendent of schools. It shall also legally qualify the holder to teach in any public school in the state for which a first grade county certificate is now a legal qualification. Such certificate shall remain in force until revoked by the state superintendent in accordance with the provisions of law.

Candidates for superintendent of schools not to go on ticket until satisfactory evidence of eligibility is produced.

5. The county clerk shall not place the name of any person upon the official ballot as a candidate for the office of county superintendent of schools, unless such person shall have filed in the office of the county clerk, at least fifteen days before the date on which the election is to be

held, proof of having successfully taught in the public schools of the state for a period of eight months, and a copy of the certificate required by this section.

6. The provisions of law for payment of expenses and per diem of members of the board of examiners while conducting examinations for state certificates, shall extend to the examinations herein provided for, for the county superintendent's certificate. Relating to expenses, etc.

7. The provisions of this section shall not operate to disqualify for re-election any person holding the office of county superintendent of schools at the time of its passage, nor any person who has at any time held the office of county superintendent of schools in the state of Wisconsin. Does not affect present incumbents.

SECTION 462. It shall be the duty of the district clerk, between the tenth and fifteenth days of July in each year, to make and transmit to the town, city or village clerk, a written report, dated on the tenth day of July of such year, signed by him and verified by his affidavit, showing: Reports of district clerks.

First. The number of children, male and female, designated separately, over the age of four and under the age of twenty years, residing in the district, and the names of their parents, guardians or other persons with whom such children resided, respectively, on the last day of June preceding. But no such children residing in, held or cared for at any charitable or penal institution of this state, shall be included in such enumeration or report. And whenever the state superintendent shall receive information that any such children have been enumerated in the school census of any school district included in the reports made to him, on the basis of which apportionment of money from the school fund income is made, he may require from the district clerk or the secretary of the board of education of said district, a verified statement of the the whole number of children of school age resid- Number of children—Who not to be counted.

ing in the district not excluded by the provisions of this section, in such form and manner as the said superintendent may prescribe. Unless the certificate herein provided for shall be made, no money shall be apportioned for the benefit of said school district.

Designation to be separate of males and females.

Second. The whole number of children, males and females designated separately, between the ages of four and twenty years, taught in the district school during the year, for which such report is made, by teachers duly qualified.

School attendance.

Third. The number attending school during the year, under the age of four, and the number over the age of twenty years.

Time school taught.

Fourth. The whole time, in days, any common school has been taught in the district, including holidays, and the whole number of days such school has been taught by teachers qualified according to law, including holidays, and the days the teachers may have attended an institute during the year while the school was in session, for which no deduction in wages was made by the district board.

Names of teachers, wages, etc.

Fifth. The names of all teachers employed during the year, the number of days taught by each, including holidays, and the monthly wages paid to each; and the time allowed any teacher for attendance on any institute for which no wages were deducted.

Receipts of money.

Sixth. The amount of money received from the town treasurer during the year, designating separately the amount received from apportionment of the school fund income, the amount received from tax levied by county board of supervisors, the amount received from tax voted by the district, and the amount received from all other sources during the year, and the manner in which the same has been expended, showing separately the expenditure of school money received from the state.

General statistics.

Seventh. Such other facts and statistics in relation to the schools, public or private, in such district, as the state superintendent may, from

time to time, require. The clerk of each joint school district shall report to the town clerk of each town, a part of which is embraced in such district, the number of children residing in such part, in the manner set forth in this section, and the remainder of the items specified in this section shall be embraced in the report made to the town in which the schoolhouse is situated.

SECTION 462a. In addition to the duties of the clerks of the several school districts of this state, relating to the taking of the census of the school children, as now provided by law, the said clerks shall also report the names of the children in their respective districts, and the age of each of them over the age of four and under the age of twenty years. Such clerks shall also report the amount of the indebtedness of their respective districts.

Names of children to be taken.

SECTION 463. Each town clerk shall, on or before the first day of August in each year, make and transmit to the county superintendent of the county or district in which his town is situated, a report, bearing date on the tenth day of said month, stating:

Town clerk's report to county superintendent.

1. The whole number of school districts separately set off within the town, and the number of parts of joint districts in which the schoolhouse belonging thereto, are located in his town.

Number of school districts.

2. The districts and parts of districts from which reports shall have been made within the time limited for that purpose.

District reports.

3. The length of time a school shall have been taught in each such district or parts of districts.

Time school has been taught.

4. The amount of public money received in each.

Public money received.

5. The number of children taught in each, and the number of children over the age of four and under the age of twenty years residing in each.

Number of children taught.

6. The whole amount of money received in the town for school purposes since the date of the last preceding report, setting forth separately the amount received from the state

Whole amount of money received.

through the county treasurer, the amount levied by the county board, the amount raised by the town at its annual meeting, in towns where the township system of school government has been adopted.

The amount of money raised.

7. The amount of money raised by district tax for school purposes.

How money has been expended.

8. The manner in which said moneys have been expended, and whether any and what part remains unexpended, with such other information as the state superintendent may require, and as may be reported to him by the district clerks.

County superintendent's report to the state superintendent.

SECTION 464. Each county superintendent shall, on or before the fifteenth day of August, in each year, make and transmit to the state superintendent a report in writing, setting forth the whole number of towns in his district, distinguishing those from which the required reports have been made to him by the town clerks, and containing an abstract of their reports, and also embracing an abstract of the annual report of the secretary of each free high school in such district, and of each secretary of town board of school directors of towns having the township system of school government, and of the clerk of each incorporated village and city under his supervision. Each county superintendent shall also, within the time above mentioned, make and deliver to the county clerk and to the county treasurer, a written statement of the whole number of children in each town, village and city under his supervision, over the age of four and under the age of twenty years, returned from the districts which have maintained schools for six or more months during the past year as appears from the reports of town clerks.

Reports from cities and villages.

SECTION 465. The city clerk of each city, and the village clerk of each specially incorporated village, or the clerk of the board of education of each city and village under the jurisdiction of the county superintendent, shall, within the time prescribed, make and transmit to him the

reports required by section 463; and in all cities having a superintendent of schools, and which are not under the jurisdiction of a county superintendent, such superintendent of schools shall make the annual report required by said section directly to the state superintendent; and in such cities, having no superintendent of schools, such report shall be made by the clerk of the board of education thereof.

SECTION 466. The state superintendent shall, on or before the first day of June in each year, furnish to each clerk, superintendent, or other officer by whom a report should be made, blank forms upon which such officers shall make their annual reports; and whenever any amendments shall be made to the provisions of this chapter, he shall furnish a copy of such amendments to every school district in the state.

Blanks to be furnished by state superintendent.

SECTION 467. It shall be the duty of the town clerk:

Duties of town clerks defined.

1. To report to the county superintendent within ten days after his election or appointment, his name and post-office address, and likewise the name and post-office address of each district clerk, within ten days after the same are filed in his office.

Names and postoffice address to be reported.

2. To see that the annual reports of the several district clerks are made correctly and in due form; to file and safely keep all reports whatsoever made to him; and all orders and notices of the town board relative to any school district.

To see that reports are correct.

3. To record such description of school districts, and such orders concerning the organization, alteration or dissolution thereof, as shall be made by the town board.

To record description of school district.

4. To make and keep in his office a map of the town, showing the exact boundaries of all the school districts therein, as appear from the records on file; and when a new district is formed, to make and furnish a map thereof to the district clerk.

To make and keep map of school district boundaries.

To apportion
school money.

5. To apportion the school money collected by the town, and that received from the state for the several school districts of the town, on the third Monday of March each year, or as soon as the same shall be collected or received by the town treasurer, to the several districts and parts of districts within the town, as provided in these statutes.

Town treasurer's duties.

SECTION 468. It shall be the duty of the town treasurer:

To receive,
and apply
all moneys
apportioned.

1. To apply for and receive from the county treasurer all moneys apportioned for the use of common schools in his town, and to pay the same, together with all moneys collected in the town for the support of the schools, to the treasurers of the districts entitled to receive them, upon the order or apportionment of the town clerk.

To pay over
on demand
to district
treasurer.

2. To pay to the district treasurer, on demand, all school district taxes raised in each district and collected by him, and the amount of all school district taxes returned to the county treasurer of his county as delinquent, whenever the same shall have been paid to him by said county treasurer, or whenever he shall receive credit from the county treasurer for such delinquent tax or any part thereof, on account of any demand or claim due from such town to such county.

To certify
amount of
money on
hand.

3. On or before the second Monday of March in each year, to certify to the town clerk the amount of school money in his hands to be apportioned by said clerk, and immediately upon the receipt of any money from the school fund income, to certify the same to the said clerk for apportionment.

Certified
statement of
money paid
to district
treasurer.

4. On the last Monday in June in each year, to make and forward to the clerk of each school district in whole or in part in his town, a certified statement of the amount of money paid by the town treasurer during the year next preceding, to such district treasurer, specifying the date

and amount of, and the account upon which each such payment was made.

5. If the county treasurer shall neglect or refuse to pay over the school money which by law should be paid to the town treasurer, he shall commence and prosecute an action on the official bond of such county treasurer for the recovery of such money.

To prosecute the county treasurer on his official bond.

SECTION 469. All school district taxes, unless otherwise specially provided by law, shall be assessed on the same kinds of property as taxes for town and county purposes; and all personal property which, on account of its location or the residence of its owner is taxable in the town shall, if such locality or residence be in the school district, be likewise taxable for school district purposes.

Assessment of district taxes.

SECTION 470. Whenever any real estate in any school district shall not have been separately valued in the assessment roll of the town, and the valuation of such real estate cannot be definitely ascertained from such assessment roll, the town clerk shall estimate the value of the same in proportion to the valuation affixed in said assessment roll to the whole tract of which such lot or piece of land forms a part.

Valuation of real estate.

SECTION 471. In case of a joint district, the town assessors of the towns in part embraced therein, shall meet at the district schoolhouse on or before the Saturday next preceding the time fixed for the return of the assessment rolls, and shall then compare the valuation of taxable property in the several parts of such district separated by town lines, and determine whether the relative valuation be just or not; if considered unjust, they shall then determine the relative proportion of district taxes to be assessed upon the several parts. If they cannot agree upon either of said matters, they shall call to their aid the supervisors of the several towns so in part embraced; if the assessors and supervisors cannot determine the question, they shall call to their aid the chairman of an adjoining

Assessment in joint district.

town, whose vote shall decide the controversy. The determination when made shall be certified in writing to the district clerk. If any assessor shall refuse or neglect to act when called on as above provided, he shall forfeit twenty dollars.

Statement to
be made by
district clerk—
joint districts.

SECTION 472. Each district clerk shall, on or before the third Monday of November in each year, deliver to the town clerk a statement in writing, verified by his affidavit, showing the amount of taxes voted to be raised at the last annual meeting, or at the first meeting after the organization of the district, or both, as the case may require, and all of the taxes voted at any special meeting held during the then next preceding year, and also the amount of tax therefor voted to be collected in such year, if any, for the annual payment of any loan, and also the amount to be paid by such district, if any, under the provision of section 421, of this chapter. In case of a joint district, he shall deliver to the town clerk of each town in which any part of the district is situated, a statement so verified, showing the proportion of such taxes to be assessed in that part of the district within such town. If such proportion shall not have been determined as provided in the last preceding section, it shall be ascertained from the valuation contained in the last assessment roll of the respective towns; and to that end the town clerk of each such town, shall, on or before the last Monday in September in each year, deliver to the district clerk a certified statement of the valuation of the real and personal property in that part of such district lying within his town, as the same appears from said assessment roll.

How assess-
ment made by
town clerk.

SECTION 473. The town clerk shall assess the taxes so certified, upon the property liable thereto, placing the same in a separate column, in the next tax roll of his town, whenever so certified, before he shall have delivered the roll to the town treasurer for collection, although after the third Monday of November; if any such shall not be assessed in the next tax roll after being

voted, it shall be assessed in that of the next succeeding year. Such taxes shall be collected, or returned delinquent, by the town treasurer and collected by the county treasurer, in all respects like other taxes.

SECTION 474. Whenever upon any unusual exigency any school district shall, before the annual meeting vote a special tax to be collected with the next levy, the district may by vote authorize the district board to borrow for a period not exceeding one year, a sum not exceeding the amount of such tax, and by such vote set apart such tax when collected to repay such loan; and thereupon the district board may borrow such money of any person, and on such terms, and execute and deliver to the lender such obligation therefor, and such security for the repayment, including a mortgage or pledge of any real or personal property of the district, subject to the directions contained in the vote of the district, as may be agreed upon and not prohibited by law.

Borrowing money—when security.

SECTION 475. For the purpose of aiding in the erection of a schoolhouse, any school district may, by vote at any annual or lawfully called special meeting, authorize the district board to borrow money. The resolution to be voted on shall be in writing, specifying the amount to be borrowed, the rate of interest and the time and manner of payment, which shall be in annual installments, the last of which shall be payable in not exceeding ten years from the first day of February next ensuing. Such resolution shall be read to the meeting and the vote taken thereon by ballot. The ballots shall be written or printed: those in favor, "for the loan;" those opposed, "against the loan." The resolution and the vote shall be recorded, and, if adopted by a majority, the district board shall be thereupon authorized to borrow such sum of any person, on such terms, and execute and deliver to the lender such obligation therefor and such security for payment, including a mortgage or

How board authorized to borrow for building purposes.

pledge of any real or personal property of the district, subject to the direction contained in the resolution voted, as may be agreed upon, not prohibited by law, and shall also levy a tax to be annually collected thereafter sufficient to pay the interest annually on such loan, and the annual installments of the principal provided to be paid in each year.

Expenditure of
borrowed
money.

SECTION 476. The money borrowed under authority of either of the last two preceding sections, shall be paid into the district treasury, and be expended only for the purposes for which it was voted or borrowed. After any such loan shall have been made, no power shall exist to rescind or reconsider any such vote, or obstruct the collection of such tax; and the district treasurer shall apply every such tax, when received by him, exclusively to the payment of such debt, so far as necessary to discharge the amount to which such tax was devoted.

Refunding
indebtedness.

SECTION 476a. Any school district may, by vote at an annual or lawfully called special meeting, authorize the district board to borrow money for the purpose of refunding its indebtedness upon loans previously made. A written resolution shall be presented and read at such meeting, specifying the amount to be borrowed, the rate of interest, and the time when each installment of principal shall be paid, and the amount of each installment; the last installment of principal, however, shall be payable in not exceeding twenty years from the time the indebtedness was originally contracted. The vote on such resolution shall be taken by ballot. The legal voters favoring the adoption of such resolution shall cast a ballot on which shall be the words "for the loan," those opposed shall cast a ballot on which shall be the words, "against the loan." If a majority of the votes cast are in favor of the loan, the district board shall be thereupon authorized to borrow such amount from any person or persons, on such terms as may be agreed upon, not in conflict with the di-

rections contained in such resolution, and not prohibited by law; and the board shall execute the bonds or other obligations of the district, in such sums, not exceeding the amount so voted, as to the board shall seem best, and deliver the same to the person or persons lending such money. The district shall also levy a tax to be collected annually thereafter sufficient to pay the annual interest on such loan, and the installments of the principal to be paid in any year.

2. After any such loan shall have been made, such vote shall not be rescinded or reconsidered, nor shall the collection of such tax be obstructed, and the tax when collected shall be applied exclusively to the payment of such indebtedness.

Vote not to be rescinded—tax, how applied.

3. The money borrowed by authority of this section shall be paid into the district treasury, and shall be expended solely for the purpose for which it was borrowed.

Money, how used.

SECTION 477. Whenever a school district shall have designated by a majority vote of the electors thereof present at an annual meeting, or at a special meeting called for that purpose, a schoolhouse site, or an addition thereto, and shall be unable to obtain the same on account of the refusal of the owner to sell or lease the same for a just and reasonable compensation, or on account of his being a non-resident, or unknown, the district board, when directed so to do by a vote of the electors of such district meeting, shall make application to the town board of their town to locate and establish the site or any addition thereto, so designated.

Schoolhouse sites—how obtained.

SECTION 478. Whenever any such application shall be made to the town board, said board shall make and sign a notice in writing of such application, containing a description of the land upon which it is proposed to locate such a site or addition, and the time and place when and where they will meet to decide upon the same. Such notice shall be served or caused to be served by the district clerk upon all the oc-

Notice to landowners.

cupants of such land, and all the owners thereof who are known and are residents of this state, at least six days previous to the day fixed for such meeting. Such notice shall be served by delivering a copy thereof to each such occupant and owner, or by leaving the same at their respective residences, with some person of suitable age and discretion; and if the owner or owners of said land be unknown to said board, or shall reside without this state, then such notice may be served by publishing the same in the newspaper published nearest said land, once in each week for six successive weeks next before the said day of meeting.

Compensation,
how made.

SECTION 479. The town board shall meet at the time and place fixed in said notice, and upon due proof of the service of publication of said notice, they shall locate and establish such site or addition for said district. They shall cause an accurate survey and description to be made, and fix and award the compensation to be made to the respective owners for the same, including all damages respectively sustained by such owners by reason of such taking of said lands, and within ten days thereafter make out and sign duplicate certificates, containing a statement of their action upon such application, an accurate description of the land taken, and the amount of compensation and damage awarded to each of said owners, one of which shall be delivered to the occupant or owner of the lands so taken, if known and a resident of this state, and the other, together with the proofs of publication or service of said notice and such survey, to the clerk of said district, who shall cause said certificate to be recorded in the office of the register of deeds of the proper county; provided, that said board may, in their discretion, before agreeing upon their award, adjourn from time to time, not exceeding in all ten days.

Payment,
how made.

SECTION 480. The sum of money so awarded by said board shall be paid to the owner of the land upon which such site or addition is located,

or in case the owner is a non-resident or unknown, or refuses to accept the money, it shall be deposited with the treasurer of the district to the order of the owner of said land; said district shall not occupy said land without the consent of the owner thereof, until such money shall be paid, tendered or deposited as aforesaid.

SECTION 481. Any person aggrieved by the decision of the town board, in the award of damages or otherwise, may, within twenty days after filing their duplicate certificate with the clerk of such district, appeal therefrom to the circuit court of any county in which such site or addition, or any part thereof, is situated, by filing with such clerk a notice of appeal, specifying all the grounds of his appeal, and paying to such clerk one dollar for state tax and one dollar for making returns thereto. Within twenty days thereafter, such district clerk shall deliver to the clerk of said circuit court a certified copy of such certificate, together with such notice of appeal, with the date of service thereof indorsed thereon, and pay to him one dollar state tax; and thereupon the clerk of said court shall enter an action in his court record, in which the said appellant shall be plaintiff and the school district defendant. The issue in said action shall be the legality of all the proceedings taken by the school district and town board in taking the lands of the plaintiff for such schoolhouse site or addition thereto, which are set forth in the notice of appeal as grounds therefor, and the amount of compensation and damages to which he is entitled therefor. Such issue shall be tried without further pleadings, as other issues of fact are tried, and judgment thereon be rendered and enforced as in other personal actions in such court; provided, that when the legality of the proceedings is not made an issue, or is sustained, and the plaintiff does not recover a larger sum for damages than was awarded to him, he shall not recover, but shall pay costs.

Appeal from
award, how
taken and
tried.

Not more than
one acre to
be taken.

SECTION 482. No schoolhouse site shall contain more than one acre, unless with the consent of the owner of the land taken therefor. All land so taken against the will of the owner, when it shall cease to be used as a schoolhouse site or addition, shall revert to the original owner, his heirs or assigns; and no land shall be so taken that may not be taken for highway purposes, without the consent of the owner thereof.

Proceedings
by joint
districts.

SECTION 483. If such application be made by a joint district, it shall be made to the town boards of the several towns in which such district is situated, and such town boards shall act together as one board in all proceedings as hereinafore prescribed.

Land of in-
fant, how it
may be ob-
tained.

SECTION 484. Whenever any school district shall locate a site for a schoolhouse upon any land owned by an infant, or in which an infant has an interest, the circuit or county court of the county in which the land is situated, may, upon application of the parent or guardian of such infant, authorize such parent or guardian to execute a perpetual lease of such site, not exceeding one acre in quantity, and when any such land is held in trust for an infant, his trustee may in like manner apply for authority to make such perpetual lease. All such leases shall vest in the lessee the interest of such infant and of his trustee in such land, so long as the same is occupied for school purposes. Such authority shall not be granted unless it shall be made to appear satisfactorily to said court that premises are needed for school purposes, that the said school district is willing to pay therefor a consideration deemed adequate by the court and that the interest of such infant will not be prejudiced by reason of said lease, and before making such order the court shall require the person authorized to make such lease to give a bond to account for and pay over the consideration received therefor, as in cases provided by law for the sale of the lands of minors.

SECTION 485. The clerk of the district, or such other person as the legal voters shall appoint, shall be the librarian, and have the care and custody of the district library, under the supervision of the district board. All actions relating to such libraries or for the recovery of any penalties lawfully established in relation thereto, shall be brought in the name of the proper school district.

Libraries—Librarian—actions.

SECTION 486. The legal voters of any two or more adjoining school districts, may, with the approval of the town board, unite their libraries and library money and may purchase a joint library or additions thereto for such districts, to be selected by the district boards thereof or by such person as they shall designate, and to be under charge of librarians to be appointed by such district boards. Every such joint library and its appurtenances shall be vested in, and all actions relating thereto shall be brought in the names of all the districts owning such joint library. In case such district shall desire to divide any such joint library, such division shall be made by the directors of the districts owning the same, or by the town supervisors if such directors cannot agree; and any school district may donate and sell any book or books belonging to the district library, to the town in which it is situated, to form a part of the town library.

Joint libraries.

SECTION 486a. 1. The treasurer of each town in this state shall withhold annually from the money received from the school fund income, for the several school districts whose schoolhouses are located in the town of which he is the treasurer, an amount equal to ten cents for each person of school age residing in such school districts, for the purchase of books as hereinafter provided.

Funds for library.

2. Between the first day of April and the first day of July in each year, the town clerk, with the assistance of the county superintendent of schools, shall expend all money withheld by the town treasurer as provided in section 1, of this

Books, how purchased.

act, in the purchase of books selected from the lists prepared by the state superintendent as hereinafter provided, for the use of the several school districts from which money has been so withheld, and he shall distribute the books thus selected and purchased, among the several school districts, in proportion to the sums of money withheld from each.

Lists of books
to be prepared.

3. It is hereby made the duty of the state superintendent to prepare annually or biennially, as he may deem necessary, lists of books suitable for use in school district libraries, and furnish copies of such list to each town clerk and each county superintendent, as often as the same shall be published or revised, from which lists the several town clerks shall select and purchase books for use in the public school libraries in the several towns of the state as provided in this act.

Town clerk's
duty as to
books.

4. It shall be the duty of each town clerk to keep a complete record of the books purchased by him and distributed to the several school districts, in a record book furnished by the state superintendent upon application. For such services properly rendered, the town clerk shall be allowed the usual per diem of two dollars for the time actually and necessarily spent.

District clerk
to be librarian.

5. Unless the school district shall, at the annual meeting, elect some other person to be librarian of the district, the district clerk shall act as librarian for the district and shall receive and have the care and custody of the books distributed to the district, pursuant to the provisions of this act, and shall loan them to teachers, pupils and other residents of the district, in accordance with the rules and regulations prescribed by the state superintendent. He shall keep a complete record of the books received from the town clerk for the district in a record book furnished by the state superintendent through the town clerk. It is further provided that during the periods that the school is in session the library shall be placed in the schoolhouse, and the teacher shall act as

librarian, under the supervision of the district clerk, or of the librarian elected at the annual meeting. The state superintendent shall have authority to suspend the operation of this act for any year, in any or every town, by giving due notice of such suspension to the respective town clerks on or before the tenth day of June. The state superintendent is hereby authorized and required to prepare and furnish to each town clerk suitable record books for his use, and the use of the several district clerks in his town.

When act may
be suspended.

6. The superintendent of farm institutes shall deposit, each year, with the state superintendent of public instruction, a sufficient number of copies of the farm institute bulletin, to supply every public school library of the state with one copy of each edition of said bulletin, which bulletins the state superintendent shall send to the various town clerks, who shall distribute them to the public school libraries of the schools in their respective towns, from which libraries the said bulletins shall be loaned in like manner and under the same regulations prescribed for the loaning of books from the public school libraries of the state.

Disposition of
farm institute
bulletins.

SECTION 487. No execution shall issue on any judgment against a school district, except upon leave of the court upon motion, after the failure of the remedies provided in these statutes.

Execution,
when to issue.

SECTION 488. Whenever a final judgment shall be obtained against any school district, the judgment creditor, his assignee or attorney, may file with the town clerk, a certified transcript of such judgment, or of the docket thereof, together with his affidavit, showing the amount due thereon and all payments, if any, and that the judgment has not been appealed from or removed to another court, or if so appealed or removed has been affirmed; and thereupon the town clerk shall assess the amount thereof, with interest from the date of its rendition to the time when the warrant for the collection thereof will expire,

Transcript of
judgment to
be filed.

Duty of town clerk - Judgments - against joint districts.

upon the taxable property of such district, placing the same in a separate column on the next tax roll; and the same shall be collected and returned as town taxes are, and paid to the party entitled thereto. In case of a judgment against a joint district, a transcript and affidavit as aforesaid shall be filed with the clerk of each town in which any part of the district is situated, and the town clerk in each town shall assess on the taxable property of the part of such district situated in his town, the same proportion of the whole amount, with interest as aforesaid as is assessed on such part for the other district taxes in such year. Such proportion may be ascertained by the certificate of the district clerk or the certificate of the several town clerks interested to each other, showing the amount of other district taxes certified by the district clerk to each town clerk. Whenever, for any cause, the amount which ought to be assessed on any such district, or part of district, as above provided, shall not be so assessed in the next tax roll after the filing of such transcript and affidavit, the town clerk shall assess the same on the next or any subsequent tax roll within two years thereafter.

Appeal certificate to be filed.

SECTION 489. Whenever an appeal shall be taken from such judgment against a district, and a transcript thereof and affidavit shall have been filed as above provided, the director may file a certificate of such appeal with the town clerk; and thereupon he shall suspend the assessment of such judgment until the determination of such appeal. If such judgment be thereafter affirmed, on proof thereof by certificate of the clerk of the appellate court, the town clerk shall assess the same, with interest, in the next tax roll.

Establishment of high schools—requirements.

SECTION 490. Any town or incorporated village or city, any school district or sub-district which contains within its limits an incorporated village, or which has a graded school of not less

than two departments, may establish and maintain not exceeding two high schools in the manner and with the privileges herein provided. Provided, that no such high school shall be established or maintained unless twenty-five persons of school age, resident of the town, city, village, school district or districts, sub-district or sub-districts, pass a satisfactory examination in the branches required to be taught in the common schools, and are prepared to begin a high school course. The question of establishing such schools may be submitted by the town, school district or sub-district, or village board, or common council, to the legally qualified voters, at any annual or duly called special meeting, or election, upon written resolution therefor, proposed for adoption; provided, notice of such purpose, embodying such resolution, be given in the manner provided for notifying a special district meeting, town meeting or charter election. In the case of a sub-district, the meeting may be called by the clerk of such sub-district. The vote shall be taken by ballot, and canvassed according to the statutes for conducting elections in such municipality, those ballots in favor being written or printed, "for high school;" those opposed, "against high school." If the resolution be adopted, such town or towns, school district or districts, sub-districts, village or city shall constitute a high school district. But no city, incorporated village or school district in which a high school heretofore established has been reported, recognized and aided as a free high school, shall be required to take any vote on the resolution provided for in this section, but may continue to report and receive aid on due compliance with the law in other respects.

Not to apply,
where.

SECTION 491. Two or more adjoining towns 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 two supervisors of each town, and the election shall be notified and conducted in each town as provided

Towns may
unite in estab-
lishing.

in the preceding section. Such resolution shall not be adopted unless a majority of the votes cast in each town 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; and the supervisors of the several towns proposing to unite shall, within one week after such elections, meet and canvass the votes and certify the result to the town clerk of each town. If such resolution be adopted, the several towns so voting to unite shall constitute a joint high school district.

State aid, how obtained.

SECTION 491a. Whenever any town in which no graded school exists, or when any two adjoining towns, in which no graded school exists, shall vote to establish and maintain a free high school, as provided in sections 490 and 491, of this chapter, and such free high school shall have been established and maintained in the manner now provided by law for establishing and maintaining free high schools, for at least three months, and when the high school boards of such town, or of two such towns adjoining which unite to maintain such school, shall make the report required by section 496, of this chapter, in order to obtain the aid furnished by the state of Wisconsin in maintaining free high schools, they shall append thereto a certificate, to the effect that such school is established and maintained in a town or by towns wherein no graded school exists.

Schools classified—amount of state aid.

SECTION 491b. Upon receiving the reports and appended certificate provided for in section 496 of this chapter, it shall be the duty of the state superintendent to make a separate and distinct class of the schools thus established and maintained in towns where no graded schools exist, 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 in such school, and the state 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 same time and in the same

manner as he is now required to fix the amount to be paid to high school districts, and certify the same to the secretary of state. 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, of this chapter, and in addition to all other sums to be levied for the year.

SECTION 492. The officers of each such district shall be a director, treasurer and clerk, whose terms of office shall be each three years, beginning with the annual town meeting and until his successor shall have been chosen or appointed; 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 results 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 embraces a treasurer; and in all districts maintaining a graded school of not less than two de-

Officers--
Terms--When
existing
boards to be
officers.

partments, which now constitute free high school districts, or which shall hereafter adopt said resolution, the district board in each such district shall be the high school board; and the district treasurer shall be the treasurer of the high school district. Whenever a sub-district under the township system 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 in all respects as the high school boards in towns or districts. The clerks shall certify all taxes levied for high school purposes to the town, city or village clerk or clerks, who shall assess the same upon the taxable property of the sub-district, and the treasurers of such municipalities shall collect the taxes thus assessed, and pay over the same to the high school treasurer, and return the delinquent taxes to the county, as other taxes are collected and paid over, or are returned as delinquent.

Duties of officers--Bond--Report.

SECTION 493. The officers aforesaid shall constitute the high school board, and as such board and as such officers shall conduct the affairs of such high school district on the same general plan provided for a school district, and shall have and possess, with respect to such high school district, all the powers, and be charged with all the duties conferred and imposed in these statutes on the district officers and district board of a school district, applicable to such high school district; the treasurer shall give a like bond, to be approved and filed in a similar manner. The high school district clerk shall make a similar report to that provided in section 462, omitting the first subdivision. The board may grade such school and establish the

branches of study to be taught therein, under the advice of the state superintendent. Every forfeiture and punishment against neglect or violation of duty in a school district officer, shall be held equally to apply to a high school district officer for like neglect or violation. The reports of free high schools in cities not under a county superintendent shall be included in the reports from such cities to the state superintendent, made by the city superintendent or clerk of the board of education.

SECTION 494. All such high schools shall be free to all pupils resident in the district. Every principal of any high school hereafter elected or appointed shall, in addition to his qualifications as teacher of a common school, be a graduate of some university, college or normal school, or shall hold a state certificate, or shall pass an examination in the studies required to be taught in any such school; provided, the state certificates authorized by the laws of Wisconsin, and the certificates authorized by section 496a, of this chapter, shall legally qualify their holders, both as principals and as teachers of common schools; and each principal and each assistant teacher in a free high school shall be eligible to teach only on approval of his certificate by the state superintendent; and the high school board or boards of education having charge of such schools, shall determine, with the advice and consent of the state superintendent, the course of study and minimum standard of qualification for admission to the same.

SECTION 495. The high school board shall, annually, on or before the second Monday in September, meet and determine the amount necessary to be raised by tax for the support of such high school, and certify the same to the proper town, city or village clerk; if a joint high school district, they shall certify to the town clerk of each town the proportionate amount thereof to be raised by such town, such proportion to be determined according to the total val-

School free.

Qualifications
of principal.

Course of
study.

Taxes, how ap-
portioned.

Payments,
how made.

uation of all the taxable property in such town as equalized by the town boards of review. Such tax shall be assessed on the next tax roll by such clerk or other officer making the same, and collected and returned as other taxes, and paid to the high school district treasurer. Such moneys shall be paid out only on orders drawn and countersigned as prescribed in case of school districts. Any town which is a single high school district may, by resolution adopted at the annual town meeting, limit the amount to be raised for high school purposes in such town during such year. In case of a joint high school district, the town boards of the several towns embraced may, by a joint resolution adopted by all such town boards before the first day of July, likewise limit the amount to be raised in such district.

State aid,
amount of,
how obtained
—Levy of
taxes, etc.

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 the high school of such district, during such school 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, of this chapter. 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 the state superintendent shall fix the

amount to be paid such high school district, and certify the same to the secretary of state, with one of such reports annexed; provided, the state superintendent shall be authorized to withhold the certificate from any free high school district for reasons based upon failure to comply with the laws relating to free high schools, which reasons he shall have transmitted in writing to the free high school board thereof, on or before the thirtieth day of the preceding June. On such certificate, at any time after the first day of December, the certified amounts 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, in addition to all other sums to be levied for the year. Hereafter, when by any neglect or omission, any free high school shall fail to have apportioned to it its share of state aid under this act, 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 free high school would have been entitled to, had it complied with the provisions of this act, and certify the same to the secretary of state, with the report of such district or districts annexed thereto, and the secretary of state shall thereupon draw his warrant for such amount or amounts in favor of such district or districts. The whole amount annually paid under the provisions of this section shall not exceed the sum of twenty-five thousand dollars, and if more be demanded by such districts, they shall be paid proportionally; provided, however, that if the whole amount authorized to be paid annually in aid of free high schools in towns having no graded schools, by section 491b, of this chapter, 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 free high schools in towns having no graded schools, may be added

to and apportioned among the free high schools provided for in sections 490 and 491, of this chapter; but no more than fifty thousand dollars shall be apportioned to both classes of free high schools in any one year as now provided by law.

State superintendent to supervise schools.

SECTION 496a. 1. The state superintendent shall prepare a course or courses of study suitable to be pursued in free high schools, publish the same, and furnish them upon application for the information of localities contemplating the maintenance of free high schools. He shall exercise such personal supervision and make such personal inspection of the work of all free high schools organized under the provisions of the statutes of this state as they seem to require, and other duties of his office may warrant; he shall examine or cause to be examined, all teachers of high schools, required by law to pass special examinations to qualify them for teaching in high schools, and grant certificates to such as pass examinations satisfactorily, which certificate shall be in such form and for such time as he may prescribe, and shall authorize the holders to teach in such special place or places, or in the whole state, as the qualifications of the candidate may warrant. The course of study herein authorized to be prepared shall include instruction in the theory and art of teaching, and organization, management and course of study of ungraded schools, and all examinations of teachers shall include examinations upon these subjects.

State superintendent to furnish blanks.

2. The state superintendent shall furnish suitable blanks for annual and special reports for all free high schools, which shall include the number, age and sex of all pupils enrolled, the number in each class or year of the course of study, the number pursuing English branches only, the number completing the course of study each year, and such other statistics as may be deemed necessary.

SECTION 496b. 1. It shall be lawful for any high school board of education in this state having charge of a free high school, or of a high school having a course of study equivalent to the course or courses prescribed by the state superintendent for free high schools, to establish and maintain a department of manual training in connection with the schools under its control and management.

Manual training department allowed.

2. The expense of maintaining such manual training department shall be provided for in the same manner as other expenses of maintaining high schools are provided for, by taxes assessed upon the taxable property of the territory included in the corporation, district or districts maintaining the high school in connection with which the manual training department is established, and such department shall be under the management, direction and control of the board having the management and control of the high school.

How maintained.

3. It shall be the duty of the state superintendent, as far as the other duties of his office may warrant, to give such information and assistance as may seem necessary in organizing and maintaining manual training departments, and in arranging schemes and outlines of work. The state superintendent, with the aid of the supervisor of high schools, shall also have general supervision of all manual training departments established and maintained under the provision of this section; shall from time to time inspect the same, make such recommendations relating to the management as he may deem necessary, and in his biennial report make such report thereon as shall give full information concerning their number, character and efficiency, and their value as an educational factor.

State superintendent to furnish information.

4. The state superintendent shall establish a standard of qualification for all teachers in manual training departments, and may grant special certificates to such applicants as are to his judgment fully qualified to instruct in spe-

Standard of qualification of teachers.

cial lines of manual work, which certificates shall be in such form and for such time as he may prescribe, and shall be regarded as certificates legally qualifying the holders thereof to teach in any manual training department forming a part of the public school system of the state.

Approved list
of schools.

5. Any high school whose course of study or outline of work in manual training has been approved by the state superintendent, and whose teacher or teachers have been duly qualified according to subdivision 4, of this section, may, upon application, be placed upon an approved list of schools maintaining manual training departments. A school once entered upon this approved list may remain there and be entitled to the special state aid hereinafter provided in this act, so long as the scope of work and its character is maintained from year to year in such a manner as to meet the approval of the state superintendent; provided, that the state superintendent shall not under the provisions of this section, place upon the said approved list more than ten schools.

Report to be
made annually
in July to state
superintendent.

6. On the first day of July each year the clerk of each high school board maintaining a school on the approved list, or the city superintendent of any city where such an approved school is maintained, shall make a report to the state superintendent, in such form as may be required, setting forth the facts relating to the cost of maintenance of the manual training department, the character of the work done therein, the number and name of teachers employed therein, and the length of time such department was maintained during the year. And upon the receipt of such report, if it shall appear that the department has been maintained in a satisfactory manner for a period of not less than six months during the year ending with the date of the report, the said superintendent shall make certificate to that effect and file the same with the secretary of state.

7. Upon receiving the certificate of the state superintendent provided in subdivision 6, of this section, the secretary of state shall immediately draw his warrant upon the state treasurer for the sum of two hundred and fifty dollars, payable to the treasurer of the district or corporation maintaining a school which is in the list of approved schools maintaining manual training departments, and reporting as herein provided.

\$200 to be paid out of the state treasury.

8. There is hereby annually appropriated out of any money in the state treasury not otherwise appropriated, a sum sufficient to carry out the provisions of this section, and all sums so paid for the establishment and support of manual training departments, shall be annually added to the state tax, and levied and collected as other state taxes are collected; provided, that the total amount expended under the provisions of this section shall not exceed the sum of twenty-five hundred dollars in any one year.

Appropriation section.

SECTION 497. Any person conceiving himself aggrieved by any school-district meeting, or by any town board, in forming or altering, or in refusing to form or alter, any school-district, or by any other thing done by any officer or board under the provisions of this chapter, may appeal to the state superintendent. Such appeals shall be taken and heard in the manner prescribed by him, and he shall make and file his decision within thirty days after the hearing thereof is closed. The decision appealed from shall be operative until the same shall be reversed; and no decision on appeal to said superintendent made by him after the lapse of thirty days from the time the hearing thereof is closed, shall be effectual.

Appeals to state superintendent.

SECTION 498. Every district clerk who shall wilfully neglect to make the annual report for his district, as required by law, shall be liable to pay the whole amount of money lost by such district in consequence of his neglect, which shall be recovered in an action in the name of and for the use of the district.

Liability of district clerk.

Liability of
town clerk
and superin-
tendent.

SECTION 499. Every town clerk who shall neglect or refuse to make and deliver to the county superintendent his annual report as required in this chapter, within the time limited therefor, shall be liable on his official bond to pay the town the amount which such town or any school district therein shall lose by such neglect or refusal, with interest thereon; and every county superintendent who shall neglect or refuse to make the report required of him by this chapter, to the state superintendent, shall be liable to pay to each town the amount which such town or any school district therein shall lose by such neglect or refusal, with interest thereon, to be recovered in either case in an action prosecuted by the town treasurer in the name of the town. All money collected or received by any town treasurer, under the provisions of this section, shall be apportioned and distributed to the school-districts entitled thereto, in the same manner that the money lost by any such neglect or refusal would have been apportioned and distributed.

Penalties for
neglect of
duty.

SECTION 500. Every taxable inhabitant receiving the notice mentioned in sections 413 and 415, and every chairman of the first district meeting in any district, who shall wilfully neglect or refuse to perform the duties enjoined upon him by this chapter, shall respectively forfeit the sum of five dollars. Every person duly elected to the office of director, treasurer or clerk of any school-district, who shall neglect or refuse, without sufficient cause, to accept such office and serve therein, or who, having entered upon the duties of his office, shall neglect or refuse to perform any duty required of him by the provisions of this chapter, shall forfeit the sum of ten dollars; and every school-district officer who shall neglect or refuse to deliver to his successor in office all records, books and papers appertaining to such office, shall forfeit not exceeding fifty dollars.

SECTION 501. Neither the state superintendent, his assistant, nor any person in his office, nor any county superintendent, nor school district officer nor any officer or teacher connected with any public school, shall act as agent or solicitor for the sale of any school books, maps, charts, school library books, school furniture, apparatus or stationery, or furnish any assistance to or receive any reward therefor from any author, publisher, bookseller or dealer doing the same. Every person violating this section shall forfeit not less than fifty nor more than two hundred dollars for each offense, and be liable to removal from office therefor.

Officers and teachers not to be agents for school books, etc.

SECTION 502. Every district clerk who shall draw an order upon the treasurer for any purpose not authorized by law, and every director who shall countersign such order, shall forfeit for each such order not less than twenty nor more than one hundred dollars.

Penalty for drawing unauthorized orders.

SECTION 503. (Has become section 440b.)

SECTION 504. In case the town board, or any other officer, shall neglect or refuse to carry into effect any decision of the state superintendent, made upon an appeal from their or his action or refusal to act, each supervisor or other officer refusing or neglecting shall forfeit the sum of fifty dollars; and every town clerk who shall so neglect or refuse shall also be liable to removal by the town board upon proper notice thereof.

Decisions of state superintendent to be obeyed.

SECTION 505. All actions for the recovery of any forfeiture, incurred under the provisions of this chapter, shall be prosecuted by the director of the school district interested, except when such director has incurred a forfeiture, in which case such action shall be prosecuted by the treasurer of such district; and in case either shall refuse or neglect to prosecute, he shall forfeit twenty dollars. All forfeitures recovered shall be first applied to the necessary expenses of such prosecutions, and one-half of the remainder shall be paid into the district treasury for the use of the district, and the other half to

Actions to recover penalties, prosecution of.

the county treasurer for the benefit of the school fund.

Any voter may
prosecute—
when.

SECTION 506. Whenever any person or officer designated in this chapter to prosecute an action for a forfeiture, or for a neglect of duty, shall fail to prosecute such action for the space of ten days, after being requested in writing by a vote of the proper district so to do, any voter may prosecute such action for the recovery of such forfeiture, or for any neglect of duty, in the manner herein prescribed.

District offi-
cers, how re-
moved.

SECTION 507. Any school district officer may be removed from office by the county judge, for wilful neglect of any duty, upon the written application of the majority of the legal voters of his district, or of any person aggrieved by such neglect, containing a full statement of all the charges preferred against him. A copy thereof, with a notice of the time and place, when and where a hearing upon the same will be had, shall be served upon such officer at least ten days before such hearing. Such officer shall have full opportunity to be heard in his defense; and the judge, upon satisfactory proof of such neglect of duty, may by order remove such officer from his office, and in case of removal shall forthwith file such order in the office of the town clerk, and cause a copy thereof to be served upon each of the other officers of the district. The person so removed from office shall not be appointed to fill the vacancy occasioned by such removal; and for all services performed by the county judge under the provisions of this section, he shall receive three dollars for each day actually employed, to be paid by the county.

Subscription
for Journal of
Education.

SECTION 508. Each school district clerk, and each town clerk or secretary of a town board of directors, may subscribe annually for one copy of the Wisconsin Journal of Education, to be paid for by the district or town respectively, out of the school money.

SECTION 509. The state superintendent is hereby authorized to furnish to any school dis-

trict, or to any school or distinct department thereof in any city, village or town, one copy of Webster's International Dictionary, on the receipt of an affidavit of the district clerk, the school superintendent, or the secretary of the board of education of such village, city or town, that such school or department has not yet been supplied, or that the dictionary furnished to said school or department has been lost or is unfit for use, and on payment in advance of the cost price to said superintendent for any so to be replaced; and the state superintendent is further authorized to sell at the cost price to the industrial school for boys at Waukesha, the industrial school for girls at Milwaukee, the institution for the blind at Janesville, and the institution for the deaf and dumb at Delavan, on the written requisition being made by the superintendent of the institution, as many copies of Webster's International Dictionary, not exceeding the number of school departments in the institution under his charge, as may be necessary for the educational purposes of the same. The state superintendent may also furnish each county superintendent of schools, each teacher employed in the several state normal schools and the University of Wisconsin, each state officer and member of the legislature, and their employes, with one copy of Webster's International Dictionary at the cost price of the same to the state. The state superintendent is hereby authorized to purchase from time to time each year, at a cost not exceeding seven dollars per copy, delivered at his office, a sufficient number of copies of Webster's International Dictionary to furnish the schools herein provided to be supplied; and there is hereby annually appropriated from the state treasury, out of the funds not otherwise appropriated, a sum sufficient to carry into effect the provisions of this section.

Dictionaries
to be supplied
schools, and
sold at cost.

SECTION 510. All such dictionaries heretofore or hereafter received by the several districts, shall belong to the district library, but during

Books part of
library.

the time a school is taught they shall be and remain in the school rooms, during the hours of school, for the exclusive use of the scholars and teachers, and under the control of the teachers or principals, who shall be responsible to the districts for their loss, or for any unnecessary damage they may receive.

Dictionaries to be accounted for.

SECTION 511. The state superintendent shall pay to the state treasurer, all money received on account of dictionaries sold as aforesaid, and render an account of all dictionaries sold, in his annual report to the legislature.

Who are residents of districts.

SECTION 512. Every person of lawful school age, maintained as a public charge, shall, for school purposes, be deemed a resident of the district in which he lives; for every person so maintained by the county, the county board shall for each year allow to the district in which such person may attend school an amount for each person so attending equal to the amount expended in that year for each pupil in such district for school purposes; and in case such person be maintained by any town, such town board shall allow a like amount to such district. Such account shall be reckoned by the district officers, without reference to the number of pauper children attending such school.

Women may be school officers.

SECTION 513. Every woman of twenty-one years of age, and upwards, may be elected or appointed as director, treasurer or clerk of a school district; director or secretary of a town board, under the township system; member of a board of education in cities; or county superintendent; or town inspector of common schools.

Each town may be a district or sub-district.

SECTION 516. Every town which is now or may hereafter be organized in this state, is hereby declared and constituted one school district, for all the purposes in this chapter hereinafter prescribed, and the several school districts and parts of joint districts, which are now or may hereafter be established in the

several organized towns, shall be styled and known as sub-districts, whenever such town shall have voted to adopt the township system of school government, as provided in section 552.

SECTION 517. New sub-districts may be formed and the boundaries of any sub-district may be altered by the town board of directors at any regular meeting of said board; but the formation and alteration of any joint sub-district shall be by concurrent action of the boards of directors of all the towns embraced in part in such sub-districts; provided, that no sub-district shall be maintained or hereafter formed which has residing within its limits less than fifteen children of school age; provided, further, that in any sub-district the town board may maintain so many branch schools as the convenience of the school population may require.

Subdistricts,
how formed.

SECTION 518. The clerks of the several sub-districts in any organized town, together with the clerks of the joint sub-districts, the school houses of which are situated in such town, shall constitute the town board of school directors.

Board of direc-
tors.

SECTION 519. The said board shall be a body corporate, and shall possess the usual powers of a corporation for public purposes, by the name and style of "the board of school directors of the town of—" (the name of the town to which the board belongs), and in that name shall sue and be sued, and be capable of contracting and being contracted with, and of holding real and personal estate, and of selling the same, as authorized by the provisions of this act; and the clerks of the various school districts, together with the clerks of the joint school districts, the schoolhouses of which are situated in any town adopting the township system, shall constitute the first board of directors of such town; they shall meet and organize within two weeks after the election at which such township system shall be adopted; and

Their powers
defined.

they shall hold their offices until the next annual meeting of the sub-districts of such town.

Lease of school property.

SECTION 520. The board of directors in each town are hereby invested, in their corporate capacity, with the title, care and custody of all schoolhouses, schoolhouse sites, furniture, apparatus and other property of all kinds belonging to the sub-districts therein, with full power to control the same in such manner as will best subserve the interests of the schools in such town.

Time and place of meetings of board.

SECTION 521. The said board shall hold two regular meetings in each year. The first regular meeting shall be designated the annual meeting, shall occur upon the second Monday in July in each year, and be held at or as near as may be, the place where the last annual election was held. The second regular meeting shall be designated the semi-annual meeting, shall occur on the third Monday in March in each year, and be held at such place as the board may designate by rule, or at the preceding annual meeting. The hour of meeting shall be ten o'clock in the forenoon.

Special meetings, how called—expenses of board.

SECTION 522. Special meetings may be called by the secretary, or in his absence or disability, by the president, upon the application of one-third of the members of the board. Such meetings shall be called by notifying each member of the board personally, or by leaving a written notice at his place of residence or business, stating the time, place and objects of the meeting, at least five days before the time appointed therefor. The members of the board of school directors shall be reimbursed for expenses actually and necessarily incurred in attending all meetings of the board, bills for which shall be audited by the board.

Officers of board—secretary's compensation.

SECTION 523. The members of the board of school directors, a majority of whom shall constitute a quorum, assembled at the first and each succeeding annual meeting, shall elect from their number a president and a vice-presi-

dent; also a secretary, who may or may not be of their number, but who shall be a resident of the town to which the board belongs, and hold said office for one year, or until his successor is elected. Such secretary shall receive a compensation for services rendered at not less than two nor more than three dollars per day; by vote at the annual town meeting the electors may limit the number of days for which he shall receive compensation during the year, and he shall present a statement of his services rendered at the annual meeting of the board. Vacancies in either of the offices herein provided for may be filled at any special meeting of the board, the notice for which shall state the object of the meeting to be, to fill the vacancy existing, or at any semi-annual meeting, and persons elected to fill any vacancy shall hold the office for the remainder of the unexpired term.

SECTION 524. The board of school directors of each town shall have power, out of the funds provided by the town for that purpose, to purchase or hire sites, houses and rooms for the use of schools, and to fence and improve the same, as they may deem proper, and upon such sites to build, enlarge, alter, improve and repair schoolhouses, outhouses, or any other building for school purposes: they may provide suitable water supply, as they may deem advisable. The board may, in their discretion, provide for the transportation of all pupils to and from the schoolhouse who live more than one and a half miles from the schoolhouse. Whenever, in the opinion of the board, any schoolhouse or schoolhouse site is no longer needed for school purposes, the same may be sold and conveyed in the corporate name of the board, such conveyance to be executed by the president and secretary of the board.

Powers of board as to school buildings, sites, etc.

SECTION 525. Said board shall, at the regular meeting in March, annually, estimate and determine the amount of money which will be necessary for the support of schools, and for the

Estimate of expenses.

building and repairing of schoolhouses in the town, for the year beginning on the first day of July next following.

Schools, how long to be kept.

SECTION 526. Said board shall establish and maintain such and so many schools in the several sub-districts under their charge as they may deem requisite and expedient; provided, that there shall be at least one common school in each sub-district, and that all such schools shall be kept each year not less than six months. The board shall have, in all respects, the supervision and management of all the schools, with full power to adopt, enforce, modify and repeal, from time to time, all rules and regulations not inconsistent with the laws of this state, necessary for their organization, gradation and control, and for the instruction given by them in the different branches of education taught therein, and to establish and enforce proper penalties for the violation of such rules.

General powers of board.

SECTION 527. All powers conferred upon district boards by the provisions of this chapter, excepting those, the exercise of which would conflict with the provisions of law relative to the township system, are hereby conferred upon the town boards of directors herein provided for.

Executive committee, powers of.

SECTION 528. The president, vice-president and secretary of the town board of directors shall constitute an executive committee, who shall carry out, put in force and execute all orders of the board, and for this purpose all power and authority vested in such boards shall be deemed vested in the executive committee; and any duty devolved upon the said board shall devolve upon the executive committee; but all the acts of the executive committee shall be subject to review by the board at any regular meeting thereof.

Employment of teachers—terms of contract.

SECTION 529. The executive committee shall employ so many qualified teachers as they shall deem necessary to give instruction in all the schools under the charge of the board.

Each contract shall be in writing, shall be signed by the teacher and by the president and secretary, shall specify the wages per week, month or year, agreed upon by the parties, and when completed shall be filed in the office of the secretary of the town board of school directors, with a copy of the teacher's certificate attached thereto.

SECTION 530. The secretary shall record all the proceedings of the board; he shall keep an accurate and specific account of all expenses incurred by the board, including a list of all orders drawn by him, with the date, amount, person in whose favor, and object for which each order was issued; he shall properly file all papers deposited with him in accordance with law, and shall keep and preserve all books, papers and records belonging to his office, and deliver the same to his successor.

Secretary's duties.

SECTION 531. He shall make and keep in his office an accurate map of his town, showing the boundaries of all sub-districts and joint sub-districts, and the location of all schoolhouses and highways therein. When a new sub-district is formed by the board of directors, or one is altered, he shall, within ten days thereafter, certify to the clerk of each sub-district affected by such formation or alteration, a copy in writing of the record of the action of the board in the matter.

To keep a map showing districts.

SECTION 532. He shall have the immediate charge and supervision of all the schools in the town, and shall, under the direction of the board, organize and grade them, and assist the several teachers thereof in classifying and arranging them. He shall visit each school in his town at least twice during each term thereof; shall examine into its condition and progress; consult with and advise the teachers in regard to the methods of instruction and government, and shall report to the board from time to time such improvements as his experience shall dictate are calculated to benefit the school.

To supervise schools.

Orders for ex-
penses, how
drawn.

SECTION 533. He shall draw orders on the town treasurer for money in the hands of such treasurer, which have been apportioned to the town, and for money collected or received by him from other sources for school purposes, for the payment of teachers' wages, the purchase of school sites, the building, buying, hiring, repairing and furnishing of schoolhouses, and for all other lawful purposes, and each order shall designate the object for which and the fund upon which it was drawn, and shall be countersigned by the president.

Statement of
receipts and
disburse-
ments—esti-
mates.

SECTION 534. It shall be the duty of the secretary, at least five days before the annual town meeting, or election, each year, to make to the board of supervisors of the town a written statement, showing the receipts of money for school purposes from all sources, and the disbursements of the same, actual and estimated, during the year ending on the last day of June next following, in which statement shall be given under separate heads:

1. The amount in the treasury at the beginning of the year.
2. Amount received from the state fund.
3. Amount collected by town treasurer.
4. Amount received from all other sources.
5. The manner in which such sums have been expended, specifying the amount paid under each head of expenditure.
6. Amount remaining in treasury.
7. Amount of indebtedness of the township district, and when and how payable.

The secretary shall accompany the above statement with estimates of the board of the amount necessary for the support of schools during the year beginning on the first day of July next following, specifying the sums needed, under the following heads:

1. Amount of teachers' wages.
2. Amount for schoolhouse, sites and for building, hiring or purchasing schoolhouses.
3. Amount for fuel.

4. Amount for incidental expenses, including repairs, furniture, maps, globes, charts, and for all needful schoolroom appurtenances.

5. An amount not to exceed one hundred dollars to purchase library books.

SECTION 535. It shall be the duty of the town board of supervisors of each town in the state to present the statements and estimates above mentioned, to the electors of the town at the annual town meeting or election, and the items of said estimates shall be passed upon separately by a vote of the electors present; but upon motion they may be increased or diminished; and if, for any reason, money for the support of schools shall not be voted at the annual town meeting, or a sufficient amount shall not then be voted, the supervisors shall present the estimates before mentioned to the electors, at the general election in the fall, for a vote thereon.

Voters to act on statement.

SECTION 536. The secretary shall furnish school registers in the form prescribed by the state superintendent, in which every teacher in the town shall be required to enter the names, ages and studies of all the scholars attending school, and, daily, their attendance and absence, which register shall be deposited with the clerk of the sub-district at the end of each term of school.

Secretary to furnish registers.

SECTION 537. It shall be the duty of the secretary on or before the first day of August in each year, to make and transmit to the county superintendent a report in writing, bearing date on the first day of August in the year of its transmission, stating:

Report to county superintendent, what to show.

1. The whole number of sub-districts separately set off within the town, and the number of parts of joint sub-districts in which the schoolhouses belonging thereto are located in his town.

Number of sub-districts.

2. The sub-districts and parts of sub-districts from which reports shall have been made within the time limited for that purpose.

Number which have made reports.

Time school
has been
taught.

3. The length of time a school shall have been taught in each of said sub-districts or parts of districts by a qualified teacher.

Number of
children
taught.

4. The number of children taught in each, and the number of children over the age of four and under the age of twenty years, residing in each, designating males and females separately.

Moneys re-
ceived

5. The whole amount of money received in the town for school purposes since the date of the last preceding report, setting forth separately the amount received from the state through the county treasurer, the amount levied by the county board, and the amount raised by the town at its annual town meeting or general election.

How money
has been ex-
pended.

6. The manner in which said money has been expended, and whether any, or what part, remains unexpended, with such other information as the state superintendent may from time to time require.

Assessment for
schools.

SECTION 538. The town clerk shall assess all sums voted at the annual meeting or at the general election, for the support of schools, upon the real and personal property of the town as found in the assessment roll for the year, in which said money is voted, and the sums so assessed, shall, in all respects, be collected or returned delinquent like other taxes, and when collected, the money shall be held by the treasurer, and be by him paid out on the order of the president and secretary of said board.

Assessments if
amount voted
too small.

SECTION 539. If for any reason the electors of a town shall fail to vote an amount of money sufficient to maintain a school in each sub-district, for the term of six months during the year ensuing, the secretary shall, on or before the third Monday of November of the year in which the electors shall fail to vote as aforesaid, certify to the town clerk the amount estimated by the board of directors necessary for teachers' wages, fuel, repair of schoolhouses and incidental expenses, and the town clerk shall assess the aggregate sum thus certified upon all the

taxable property of the town, in the assessment roll for that year, and the town treasurer shall collect the same as other taxes.

SECTION 540. The town treasurer of each town shall apply for and receive from the treasurer of his county, all money apportioned for common schools in his town, and pay out the same, together with all money collected or received by him for school purposes, upon the order of the president and secretary of the town board of directors, and for no other purposes.

Town treasurer to receive moneys.

SECTION 541. The annual meeting of each sub-district shall be held on the first Monday in July in each year. The time of such meeting shall be seven o'clock in the afternoon, and the place shall be the schoolhouse in the sub-district, if there be one.

Annual meeting when held.

SECTION 542. The inhabitants qualified by law to vote at a sub-district meeting, when assembled in annual meeting, shall have power and it shall be their duty:

Business to be transacted thereat—Appoint officers.

1. To appoint a chairman for the time being.

2. To appoint a secretary if the clerk shall be absent.

3. To choose a clerk.

4. To recommend to the town board of directors the number of months they desire to have school maintained in their sub-district the ensuing year, and whether they desire a male or female teacher; the improvements and repairs which ought to be made on the schoolhouse, outhouse and grounds; what maps and charts or other aids in teaching should be furnished, and generally, anything, matter or plan, which, in their judgment, will advance the cause of education and benefit the school of their sub-district.

Length of terms of school.

SECTION 543. The clerk shall record the proceedings of all sub-district meetings; shall certify to the town board of directors any recommendations adopted by the electors of his sub-district, in accordance with the provisions of the preceding section, and shall have charge of the

Proceedings to be recorded—Duties of clerk.

schoolhouse, and of all property therein or belonging or attached thereto, subject to the order or direction of the board of school directors.

Clerk to be a member of the board—What his report shall show.

SECTION 544. The clerk of the sub-district shall be a member of the town board of school directors, shall attend all meetings of the board, and shall carry out all lawful orders of the same having reference to the schoolhouse of his district, or the school maintained therein. It shall be the duty of the sub-district clerk, between the tenth and fifteenth days of July in each year, to make and transmit to the secretary of the town board of school directors a written report, dated on the tenth day of July of such year, signed by him and verified by his affidavit, showing:

The number of children of school age.

1. The number of children, male and female, designated separately, over the age of four and under the age of twenty years, residing in the district, and the names of their parents or other persons with whom such children resided respectively on the last day of June preceding.

Number of children of different ages.

2. The whole number of children, males and females, designated separately, between the ages of four and twenty years, taught in the district school during the year for which such report is made, by teachers duly qualified.

Number attending school.

3. The number attending school during the year, under the age of four, and the number over the age of twenty years.

Time school has been taught.

4. The whole time, in days, any common school has been taught in the district, including holidays, and the whole number of days, including holidays, such school has been taught by teachers qualified according to law.

Names of teachers employed, etc.

5. The names of all teachers employed during the year, the number of days taught by each, including holidays, and the monthly wages paid to each; and the time allowed any teacher for attendance on any institute, for which no wages were deducted.

Books used.

6. The kinds of books used in the school.

7. Such other facts and statistics in relation to the schools, public or private, in such district, as the state superintendent may from time to time require. The clerk of each joint sub-district shall report to the secretary of the town board of school directors, or to the town clerk of each town, as the case may require, a part of which is embraced in such sub-district, the number of children residing in such part, in the manner set forth in this section, and the remainder of the items specified in this section shall be embraced in the report made to the town in which the schoolhouse is situated.

Other facts and statistics.

SECTION 545. The sub-district clerk shall give at least six days' notice of every annual meeting of the electors of his sub-district, by posting notices therefor in four or more public places in the sub-district, one of which notices shall be affixed to the outer door of the schoolhouse, if there be one in the sub-district, and he shall act as secretary of all meetings when present.

Notice of meetings.

SECTION 546. When a new sub-district is formed or a vacancy occurs in the office of the sub-district clerk, the executive committee of the board of directors shall appoint a clerk, who shall hold his office until the annual meeting of the sub-district next succeeding such appointment.

Appointment of clerk.

SECTION 547. When a sub-district is composed of parts of two or more towns, the board of directors of the town in which the schoolhouse is situated shall have the entire control of said sub-district, and shall maintain school therein as in other sub-districts; and the clerk of such joint sub-district shall be a member of the board of directors of said town, without regard to the town in which he may reside. At the annual meeting in July the board of directors shall calculate and determine the cost of maintaining the schools in said joint sub-district, for the year ending on the last day of June preceding the meeting of the board, and the secretary shall certify such amount to the secretary of

Provisions applicable to joint sub-districts.

the board of each town embraced in part in such joint sub-district, together with the assessed valuation of said sub-district, and each part thereof as found in the assessment roll of the said town for that year; on the receipt of such certificate, the secretary of the board of directors of each of said towns shall draw an order on the treasurer of his town in favor of the town in which the schoolhouse of said joint sub-district is situated, for such a proportion of the whole cost of maintaining said school as aforesaid, as the assessed value of the property of his town embraced in said joint sub-district, is to the whole valuation thereof; unless the proportion of such school district taxes to be assessed in each such town shall have been ascertained, as provided in section 471, in which case he shall draw his order for such proportion, and said order shall be paid out of any money in the hands of said treasurer collected or received by him for the support of schools in his town.

When township system not in force.

SECTION 548. In case either of the towns embraced in part in said joint sub-district, shall not have adopted the township system of school government, the certificate before mentioned shall be made to the clerk of said sub-district, and it shall be his duty to incorporate the proportional sum mentioned in the preceding section in the returns of district taxes made by him to the town clerk of the town not having adopted such system, on the third Monday of November succeeding the receipt of said certificate; and the said sum shall be assessed and collected with the other taxes of that part of the joint sub-district, and shall be paid over by the town treasurer collecting the same, to the treasurer of the town in which the schoolhouse of said joint sub-district is situated.

In such case, how taxes are collected.

SECTION 549. When the schoolhouse of a joint sub-district is situated in a town which has not adopted the township system of school government, the taxes for the support of schools shall be raised, assessed and collected as provided

in this chapter; but if any portion of said joint sub-district shall be embraced in a township which has adopted the township system, then the proportion of any district tax, which should be assessed upon the property of such part of said sub-district, shall be certified by the town clerk of the town in which the schoolhouse of said sub-district is situated, to the secretary of the town board of directors of the town comprising the part of the said joint sub-district before mentioned; and said secretary shall draw an order upon the town treasurer of his town in favor of the treasurer of the joint sub-district for the amount of tax thus certified; and the said town treasurer shall pay the same out of any money held or received by him for school purposes.

SECTION 550. Prior to the erection of any schoolhouse by the board of directors, they shall estimate and determine the valuation of all the schoolhouses and sites in their town, provided by the several districts while under the district system, and when so determined, the secretary shall place upon record a tabular statement, containing the number of each sub-district, the value of its schoolhouse and site, and the valuation of its taxable property as appears from the last assessment roll of the town; and thereafter for a period of ten years from the date of the meeting at which such determination of values was had, when a tax shall be voted to build a schoolhouse or purchase a site, such tax shall be so distributed and assessed upon the several sub-districts that those having the least amount invested in schoolhouses and sites in proportion to the assessed valuation of their property as appears from the record made at the time of the determination of values aforesaid, shall pay most toward said tax in proportion to the valuation of the property at the time the tax is assessed, in order that the sums paid by the different sub-districts in the town for the purchase of sites and the erection of school-

Valuation of school property and apportionment of taxes.

houses shall be equalized; but if the board of directors of any town shall decide that taxes for the purchase of sites and the erection of school houses shall be assessed equally upon property, then the aforesaid provision in reference to equalizing such taxes shall not be operative in such town.

When the provisions of this chapter shall not apply.

SECTION 551. Whenever the territory of a school district of an incorporated village shall extend beyond the limits of such village, the whole of such territory shall remain in such district, and form a part thereof until detached by authority of law; and such district and every village containing a graded school of three or more departments, shall be exempt from the provisions of this chapter relating to the township system, except as hereinafter provided. Whenever a school district includes within its limits an incorporated village or city, or maintains a graded school of three or more departments, the adoption of the township system of school government by any town, city or village whose territory includes such school district, shall not affect the boundaries, organization, or management of such school district, but it shall be exempt from the operation of such township system and be and remain an independent school district, and be conducted and managed in accordance with the law relating to independent school districts, unless said school district shall, by a majority vote of the electors of said district at an annual or special school meeting held previous to the adoption of the township system by said town, decide to accept the township system of school government when adopted by the town of which said district is a part. And provided, further, that the voters of any such district thus exempted from the operation of the township system, shall have no voice in the adoption of the township system by the town.

How township system may be adopted by towns and villages.

SECTION 552. The legal voters of any town in the state may at any annual town meeting, or at any general election, vote upon the question

of township school government. Such voting shall be by ballot, and the ballots used shall have written or printed thereon the words, "township school government, yes," or the words, "township school government, no." A separate box shall be provided for the reception of said ballots, and the votes cast shall be counted, canvassed and a record thereof made as in case of other votes cast at such election; and if it shall appear that a majority of the ballots cast have written or printed thereon the words, "township school government, yes," then the provisions of this chapter, providing for the township system, shall immediately become operative in such town, otherwise they shall have no force or effect therein. No vote shall be taken on the question of township school government in pursuance of this chapter unless notice thereof shall be given as hereinafter provided. The town clerk of any town, upon the petition in writing of any ten electors of said town, shall publish, by posting, in three of the most public places in said town, a notice in writing that the question of township school government will be submitted to the electors of said town at the ensuing annual town meeting or general election. Such notice shall be so published and posted at least ten days before the holding of any such town meeting or election, and any town having adopted the township school government according to the provisions of this chapter, may abolish the same at any town meeting or general election, in the same manner as provided for its adoption in this section; but when the system of township school government shall be adopted, it shall continue in force two years from the date of its adoption, before the question of abolishing it shall be acted upon. Whenever the electors of any incorporated village, having a graded school with three or more departments, shall desire to adopt the township system of schools, they may vote upon the question at any charter or general

election held in such village; such vote shall be by ballot of the form above described, and upon like notice, and if a majority of the votes cast upon that subject shall be in favor of the adoption of said system, then such village shall become a part of the township system of the town in which the same is situated. Whenever any town having adopted the township system of school government shall vote to abolish the same, it shall be the duty of the town board of supervisors, on or before the first day of June next succeeding the date at which the vote was taken, to meet and by an order made in pursuance of section 413, of this chapter, divide the town into suitable independent school districts, making the order to take effect on the first day of July next following. The sub-district clerks and the secretary of the town board of directors for the year preceding, shall make the necessary annual reports for the year ending on that day, as required by law, although the offices held by them shall have been abolished.

Irregular proceedings validated.

SECTION 552a. Whenever any town in this state shall have attempted to adopt the township system of school government, under and pursuant to section 552, of this chapter, the validity of any and all taxes for school purposes, heretofore or hereafter levied and assessed in any such town, shall not be questioned in any action or proceeding heretofore or hereinafter commenced, so far as the regularity of the proceeding of any such town, in the adoption of such township system of school government is concerned, unless the plaintiff shall show that he would be required to pay more than his equitable proportion of taxes; and any and all school taxes heretofore levied in any such towns, which have been voted at the annual town meeting, are hereby declared to be legal and valid, even though the provisions of section 535, of this chapter, shall not have been in all respects complied with.

SECTION 553. Whenever any school district in any town, adopting the township system, shall be indebted at the time of such adoption upon a loan from the state, or otherwise, such district shall remain liable for the payment of such indebtedness, and no alteration of the boundaries of such district as a sub-district in such town shall ever be made until such debt is fully paid, except as provided in section 263. The clerk of such sub-district shall annually certify to the town clerk the sum necessary to be raised as taxes in such sub-district for the payment of such indebtedness, with interest thereon, in the same manner and with like effect, as the clerk of such district was required by law to certify the same, and the town clerk shall extend the amount of such taxes upon the tax roll, upon the taxable property of such sub-district, in like manner as if the same had been certified by the clerk of such district; and the same shall be collected by the town treasurer and be applied by him exclusively to the payment of such debt.

Loans, how paid.

SECTION 2. Chapter 28, of the revised statutes, entitled, "Of the distribution of the school fund income," is hereby amended so as to read as follows:

Chapter 28.

CHAPTER 28.

SECTION 554. The school fund income which shall have been received up to and including the first day of December, including the amount to accrue from the one mill state tax provided for by chapter 287, laws of 1885, to be collected by the several counties of the state before the first Monday in February next succeeding the date of such apportionment, shall be apportioned by the state superintendent between the tenth and fifteenth days of December in each year. Such apportionment shall be made among the several counties, and the several towns, specially incorporated villages, and cities in each county,

Apportionment of school fund income—what schools entitled not to share in it.

according to the number of children in each over the age of four and under the age of twenty years, as shown by the reports made to the state superintendent for the year preceding, ending June 30. Whenever any town, village or city shall fail in any year to raise by tax during the year, for the support of common schools therein, a sum equal to the amount of its share from the school fund income, as determined by the county board of supervisors, in pursuance of section 1074, revised statutes, the amount of the apportionment to such town, village or city for that year, shall be withheld from the next succeeding apportionment, unless the town or village board, or common council of such city, so failing, shall have transferred, as they are hereby authorized to do, from the general fund to the school fund of the town, village or city, for such purpose, the amount of deficit in such school tax, and the town, village, or city clerk shall have filed with the state superintendent his certificate, showing such transfer to the school fund, and his apportionment thereof to the proper school districts, or transfer to the board of education before the tenth day of December. No apportionment shall be made to any city, 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, for six months, unless the state superintendent shall be satisfied that school was so taught for three months, and the failure to maintain it for the full six months was occasioned by some extraordinary cause, and not arising from neglect or intent to avoid the legal obligation; nor to any town, village or city, nor for any school district, reports of which, as required by law, shall not have been made and transmitted during the preceding year to the state superintendent; nor to any city for any year, the report for which shall not show that the number of children between the ages aforesaid residing therein, has been ascer-

tained by an actual census taken under direction of the board of education, or other body having the government of common schools therein, by their clerks, or persons of their appointment for that purpose; provided, that the time any school district shall have provided for the instruction and transportation of its pupils as provided in subdivision 15, of section 430, of chapter 27, of this act, shall be construed as entitling the district thus paying for the instruction and transportation to share in the apportionment of the state school fund income the same as though said school district had maintained a common school for said time.

SECTION 555. The state superintendent shall certify the apportionment made as aforesaid to the secretary of state, and shall immediately give notice thereof to each county clerk and county treasurer, stating the amount apportioned to his county, and to each town, village and city therein. Upon receiving such apportionment, the secretary of state shall draw his warrant upon the state treasurer, payable to the proper county treasurer, for the total amount apportioned each county, and the amount of such warrant shall be paid to the county treasurer entitled to receive the same at the time when he shall pay over to the state treasurer the amount due the state on account of state taxes, as required by law.

Certificate to be made and notice given.

SECTION 556. Whenever any officer shall omit to make within the time fixed, any statement or report required to be made to the state superintendent, he shall notify such officer by mail or otherwise of such omission, but the failure of the state superintendent so to do shall in no manner affect the consequences of such omission. If, at any time within two years after an apportionment, in which any town, village, city or school-district was excluded upon any ground mentioned in section 554, satisfactory evidence shall be filed with the state superintendent that such exclusion was due to some mistake or omis-

Failure of officers to report correction of apportionment.

sion of some officer, and that such town, village, city or school-district was legally entitled to have shared in such apportionment, the state superintendent shall certify such facts, and the amount justly apportionable thereto to the secretary of state, and notify the county clerk and treasurer of the proper county thereof. The secretary of state shall draw his warrant therefor, and the money shall be paid from the school fund income for the use of such town, village, city or school district, as if originally apportioned.

Duty of the
county treasurer.

SECTION 557. Each county treasurer shall apply for and receive the school money due to his county as soon as apportioned and payable, and shall immediately give notice in writing of the amount apportioned to each town, village and city in his county to the treasurer and clerk thereof respectively, and shall pay the same to each such treasurer on demand, who shall pay the same to the proper school treasurer, as provided by law. If any such town, village, or city treasurer shall not demand such money before the next receipt of school money apportioned to such county, the county treasurer shall add such sum remaining in his hands to the money so next received, and distribute the same therewith and in the same proportion among the several towns, villages and cities entitled thereto in such county.

Apportionment of school money among districts.

SECTION 558. The town clerk shall apportion all school money received from the state, and also all raised by the town, among the several districts and parts of districts within the town, in proportion to the number of children between the ages of four and twenty years residing in each, taking such number from the last annual report of their respective clerks. But if, after the date of such reports, any district shall have been altered or a new one formed, so as to render an apportionment founded on such annual reports unjust between any districts, the town clerk shall ascertain the number of such chil-

dren residing in each district thus altered and formed, by the best evidence within his reach, and apportion the school money to such districts in proportion to the number of such children residing therein at the time the apportionment is made; provided, however, that the town clerk shall not include any children in his apportionment to such districts who would not have been entitled to share in the apportionment if they had remained in the districts divided. No money shall be apportioned to any district, or part of a district, except as herein provided, and as provided in section 554, of this chapter, by the discretion of the state superintendent, unless the last annual report thereof, verified by the affidavit of the district clerk, shall show that all school money received from the state during the year ending with the date of such report, has been applied to the payment of the wages of a legally qualified teacher, and that a common school has been taught in such district by a teacher, for at least six months during the year ending with the date of such report; but any time which such report shall show was spent by such teacher in attendance on an institute in the county, and given by the district board without deduction from such teacher's wages therefor, shall be included as part of such six months.

SECTION 559. All money apportioned by the town clerk to any district or part of a district, which shall have remained in the hands of the town treasurer for one year after such apportionment, by reason of such district or part of district neglecting or refusing to receive the same, shall be added to the money next thereafter to be apportioned by such town clerk to the several districts and parts of districts in such town, and apportioned therewith.

Money not paid to be added to next apportionment.

SECTION 560. In reckoning school months, twenty days, as specified in section 459, shall constitute a month, and one hundred and twenty days, six months.

Length of school month.

Repealing section.

SECTION 3. All acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

When to take effect.

SECTION 4. This act shall take effect and be in force on and after the first day of July, 1897.

Approved April 27, 1897.

No. 401, S.]

[Published May 1, 1897.

CHAPTER 355.

AN ACT to amend chapter 12, Sanborn and Ber-ryman's annotated statutes, relating to salaries.

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

Relating to salaries of employes.

SECTION 1. Chapter 12, of Sanborn and Ber-ryman's annotated statutes, is hereby amended by adding thereto three sections, to be known as "Section 170a," "Section 170b," and "Section 170c," establishing the salaries of the employes of the departments of the state govern-ment in the capitol.

Date when salary list to go into effect.

SECTION 170a. From and after the first day of July, 1897, the salaries of the following persons employed by the state are fixed at the annual sum for each, respectively, herein follow- ing, to-wit:

SUPERINTENDENT OF PUBLIC PROPERTY.

| | |
|---|----------|
| Superintendent of public property | \$2,000. |
| Assistant superintend-ent | 1,500. |