

[Published March 25, 1859.]

CHAPTER 94.

AN ACT to amend and consolidate chapter twenty-two of the revised statutes, entitled "Of academies and normal schools," and chapter 139 of the acts of a general nature of 1858.

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

Amended.

SECTION 1. That chapter twenty-two of the revised statutes, entitled "Of academies and normal schools," and chapter one hundred and thirty-nine of the acts of a general nature of 1858, are hereby so amended and consolidated so as to read as follows :

Fund apportioned.

(SEC. 1.) It shall be hereafter the duty of the commissioners of school and university lands to apportion the income of twenty-five per cent. of the nett proceed arising from the sale of swamp and overflowed lands grants to this state by an act of congress, entitled "An act to enable the state of Arkansas and other states to reclaim the swamp and overflowed lands within their limits," approved September twenty-eight, one thousand eight hundred and fifty, to normal institutes and academies as hereinafter provided : *Provided*, that nothing in this section shall interfere with the fund set apart for drainage purposes.

Proviso.

Regents, how appointed

SEC. 2. For the purpose of more fully carrying out the provisions of this chapter, there shall be a board of nine regents, to be called the "Board of Regents of Normal Schools," no two of whom shall reside in any one county of this state. They shall be appointed by the governor, by and with the approval of the senate. The governor and superintendent of public instruction shall be *ex-officio* members of the said board of regents. The governor shall have power to fill all vacancies which may occur by death, resignation or otherwise, until the next meeting of the legislature, or while the legislature is not in session, but the appointments thus made shall be confirmed by the senate during the next succeeding session of the legislature.

Term of office

SEC. 3. The term of office of all members of the board of regents hereafter to be appointed (except when such appointment is for an unexpired term) shall commence on the first day of January, and shall continue for three years. The board of regents shall be divided into three classes, so that the term of office of one class shall expire in each year.

SEC. 4. The said board of regents shall have au-^{Rules and}thority to make all by-laws and needful rules and regula-^{regulations.}tions necessary for carrying into effect the provisions of this act, not inconsistent with the constitution and laws of this state. The officers of the board shall be a president, vice-president and secretary; they shall severally hold their offices for the term of one year, and until their successors are elected, and shall perform the duties incident to their several offices.

SEC. 5. The board of regents shall hold an an-^{Annual meet-}annual meeting at the capital of the state, on the second^{ing.} Wednesday of April in each year, or at such time as may hereafter be designated by said board. The said regents shall not receive any compensation for their services, but shall be allowed from the income of the normal fund ten cents per mile for the distance traveled in attending any such meeting on the most direct and usual routes of travel. The secretary shall receive such addi-^{Compensation}tional compensation from the said income fund for his services as the regents may designate, not exceeding two dollars and fifty cents per day for the time actually devoted to such services. The mileage of the members of the board, and the *per diem* of the secretary, shall be paid out of the proper fund by the treasurer of the state, on the certificate of the president and secretary of the board, and a sum sufficient therefor is hereby appropriated.

SEC. 6. A majority of the board of regents shall^{Special meet-}constitute a quorum for the transaction of business, but^{ings.} a less number may adjourn from time to time. Special meetings of the board of regents may be called by the governor or president of said board, on a petition signed for that purpose by any three members of the board. At all special meetings of the board two-thirds of all the regents shall be necessary to constitute a quorum. Any regent may be removed from office, for cause, by a vote of two-thirds of the board.

SEC. 7. All applications for any of the income of^{Distribution} the normal fund, pursuant to the provisions of this act,^{of fund.} shall be made to the board of regents of normal schools in such manner as they shall direct, and the school land commissioners shall distribute the income fund specified in section one of this act to such institutions and in such ratio as the board of regents shall designate, and no religious test shall ever be required of any student or scholar in any of the institutions and schools receiving any of the income fund designated in this act.

Regents to re-
quire evi-
dence, &c.

SEC. 8. The regents shall require of each institution applying for any of the income fund designated in section one of this act, satisfactory evidence, which shall be uniform, that the provisions of this act have been fully complied with. They shall require a report annually, at such time as they shall designate, of the number, age, residence, studies, and number of days' attendance of each pupil or scholar returned to them entitled to the distributive share of said income fund; and they shall make a report of the state and condition of such institution drawing from the income fund to the governor, at the same time that other state officers are required to report. A copy of the proceeding of the board of regents, fully and fairly kept and certified by their president and secretary, shall be filed annually, at the close of each fiscal year of this state, in the office of the secretary of state.

What schools
entitled to re-
ceive fund.

SEC. 9. Every chartered college or university in this state, in which the usual college course of studies has been established and prosecuted, having corporate property to the amount of fifty thousand dollars above all incumbrances, every female college or seminary having corporate property to the amount of twenty thousand dollars, and every incorporated academy having corporate property to the amount of five thousand dollars, and every union or high school under the control of any city, village, town or district board of commissioners, trustees, or directors having control of the schools in such city, village, town, or district, according to the laws of this state, which shall establish and maintain a normal department in connection therewith, for the education of teachers, shall receive from the income of said fund, in such ratio as the board of regents shall designate.

Agents, how
employed.

SEC. 10. The board of regents of normal schools are hereby authorized and empowered to employ such agent or agents as they may find necessary, whose duty it shall be, under the direction of said board, to visit and exercise a supervisory control over the normal department of all such institutions in the state as shall apply to said board for a participation in the normal school fund, also to conduct county teachers' institutions, and give normal instruction in the same, and otherwise cooperate with the superintendent of public instruction in providing a system of public educational addresses, to be delivered in the various counties in the state, and there is hereby appropriated a sum sufficient out of said

Addresses
provided for.

normal school fund to defray the expenses of said agency.

SEC. 11. All the income of the fund provided ^{Income fund distributed.} in section one of this act, after the payment of the expenses of the board and of the agency aforesaid, shall be distributed to the colleges, universities, academies, and union or high schools severally (except the state university,) which shall have established and maintained such separate normal department according to the number of pupils instructed in such studies, and for such a period of time as the board of regents may designate as a qualification or condition for receiving the benefits of this act, until the amount awarded to any one of such institutions shall reach the sum of three thousand dollars annually.

SEC. 12. The number of students pursuing the ^{Reports, how made.} course of studies which may have been designated by the board of regents in the normal department of any college, university, academy, and union or high school receiving the benefit of this act shall be reported to the board of regents, upon the oath of the president or principal and the secretary of the board of trustees of such institution.

SEC. 13. Warrants of the board of regents, ^{Warrants, how drawn.} signed by the president and secretary thereof, and countersigned by the secretary of state, shall be drawn on the state treasurer in favor of such institutions for the amount appropriated to them severally, which apportionment shall be made on or before the second Wednesday of April annually. Each institution shall give a receipt, signed by its treasurer, or by the president ^{Receipts given.} and secretary of the board of trustees, to the state treasurer, on receiving any of the fund provided for in this act, and the state treasurer is hereby authorized to pay from the fund provided for in the first section of this act all such warrants as are drawn upon him by the president and secretary of said board of regents in accordance with this act.

SEC. 14. If any person authorized by this act, or ^{Penalty for making false report, &c.} by the rules and regulations provided by the board of regents to make report from any normal school of the number of scholars taught therein, shall make any false report of the number of students, the person so offending shall, on conviction thereof, be punished by fine not exceeding two hundred dollars nor less than fifty dollars, or by imprisonment in the county jail not more than six months nor less than one month; and if any person, for

the purpose of enabling any institution to draw any moneys as hereinbefore provided, shall make any false statement relative to the value of the property of such institution, or as to the establishing and maintaining a normal department in connection therewith, the person so offending shall, on conviction thereof, be punished by imprisonment in the county jail not more than one year nor less than six months, and by fine not less than one thousand dollars nor more than three thousand dollars.

Discretionary
power.

SEC. 15. Whenever any town, city or village in this State shall propose to give a site and suitable buildings and fixtures for a state normal school, free from all incumbrances, said board of regents may consider the same, and if, in their opinion, the interests of education will be advanced thereby, they may, in their discretion, select from such propositions the one most feasible, and located in such place as is deemed easiest of access, and apportion to the same annually a sum not exceeding three thousand dollars, for the support and maintenance of teachers therein.

Relating to
tuition.

SEC. 16. No charge shall be made for tuition to any pupil or scholar in said state normal school, whose purpose is to fit himself as a teacher of common schools in this state; and the number and qualification of scholars, and regulations under which they shall be admitted, shall be determined by the board of regents.

Take effect.

SEC. 17. This act shall take effect and be in force from and after its passage.

Approved March 14, 1859.

[Published March 24, 1859.]

CHAPTER 95.

AN ACT conferring jurisdiction on the county court of Bad Ax county.

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

Jurisdiction
of county
court.

SECTION 1. There is hereby conferred upon the county court of Bad Ax county jurisdiction in all civil actions both as to matters of law and equity equal to and commensurate with the circuit court within the said county of Bad Ax, in all sums not exceeding the sum of one thousand dollars, and said county court may exercise the