

and the receipt of the state treasurer in the possession of the officers of any insurance company, shall operate as a license to such company to transact the business of insurance until the last day of January next succeeding the payment of the sum named in such receipt.

SECTION 2. Section 7 of said chapter 158 is hereby amended so as to read as follows: Section 7. The property except real estate, of all insurance companies now organized, or which may be hereafter organized in this state, shall be exempt from taxation for all purposes. Section 7 amended.

SECTION 3. The 14th subdivision of section 2 of chapter 130 of the general laws of 1868, entitled "an act to provide for the assessment of property for taxation and the levy of taxes thereon," is hereby amended so as to read as follows: 14th. All the property except real estate of all insurance companies now organized or which may hereafter be organized in this state. Section 2 amended.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved March 11, 1869.

CHAPTER 182.

[Published March 17, 1869.]

AN ACT to establish a township system of school government.

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

SECTION 1. Each town which is now or may hereafter be organized in this state, is hereby declared and constituted one school district for all the purposes of this act, 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 subdistricts. Each town constituted one district.

SECTION 2. New subdistricts may be formed and the boundaries of any subdistrict may be altered by How subdistricts formed.

the town board of directors at any regular meeting of said board: *provided*, that the formation and alteration of joint subdistricts shall be by the concurrent action of the boards of directors or all the towns embraced in part in such subdistricts.

Town board of directors.

SECTION 3. The clerks of the several subdistricts in any organized town, together with the clerks of the joint subdistricts, the school houses of which are situated in such town, shall constitute the town board of school directors.

Powers of the board.

SECTION 4. 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.

Shall have custody of school houses, etc.

SECTION 5. The board of directors in each town are hereby invested in their corporate capacity, with the title, care and custody of all school houses, school house sites, furniture, apparatus and other property of all kinds belonging to the sub school districts therein, with full power to control the same, in such manner as will best subserve the interests of the schools in such town.

Annual meeting of board.

SECTION 6. The said board shall meet annually upon the first Monday in October in each year, at or as near as may be, the place where the last annual election was held. The second regular meeting of the board shall be held on the third Monday of March in each year. The hour of meeting shall be ten o'clock in the forenoon.

Special meetings.

SECTION 7. Special meetings may be called by the president and secretary 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.

Officers of the board.

SECTION 8. The members of the board, 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 vice president, and

a secretary, who may or may not be one of their number: *provided*, he shall be a resident of the town to which the board belongs.

SECTION 9. The board of each town shall have power to purchase or hire 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 school houses, outhouses or any other buildings for school purposes, as they may deem advisable; and also, whenever in the opinion of the board any school house or school house 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.

May purchase, hire and repair school houses.

SECTION 10. It shall be the duty of the board at the regular meeting in March, to estimate and determine the amount of money which will be necessary for the support of schools, and for the building and repairing of school houses in the town for the year ensuing.

Shall estimate amount of money necessary.

SECTION 11. It shall be the duty of the board to establish and maintain such and so many schools in the several subdistricts under their charge as they may deem requisite and expedient: *provided*, that there shall be at least one common school in each subdistrict, and that all such schools shall be kept each year not less than five 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.

Shall establish and maintain schools in sub-districts.

SECTION 12. All the powers conferred upon school district boards by the provisions of chapter 155 of the general laws of 1863 and the acts amendatory thereto, excepting those the exercise of which would conflict with the provisions of this chapter are hereby conferred upon the town boards of directors provided for in this act.

Powers of district boards conferred upon town boards.

SECTION 13. The president, vice president and secretary of the town board of directors shall constitute

Executive committee—their powers and duties.

an executive committee, which committee shall carry out, put in force and execute all orders of the board, and for this purpose all power and authority vested in the board by the provisions of this act shall be deemed vested in the executive committee, and any duty devolved upon the said board by the said provisions shall devolve upon the executive committee: *provided*, that all the acts of the executive committee shall be subject to review by the board at any regular meeting thereof.

Shall employ teachers.

SECTION 14. The executive committee shall employ so many qualified teachers as they may 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, and shall specify the wages per week, month or year, as agreed upon by the parties.

Duties of secretary.

SECTION 15. The secretary shall record all the proceedings of the board in a book kept for that purpose; 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.

Shall keep map of district.

SECTION 16. He shall make and keep in his office an accurate map of his town, showing the boundaries of all subdistricts and joint subdistricts, and the location of all school houses and highways therein. When a new subdistrict is formed by the board of directors, or one is altered, he shall within ten days thereafter, certify to the clerk of each subdistrict affected by such formation or alteration, a copy in writing of the record of the action of the board in the matter.

Shall have supervision of schools.

SECTION 17. He shall have the immediate charge and supervision of all the schools in his town, and shall, under the direction of a board of directors, 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 methods of instruction and government, and shall report to the board from time to time such improve-

ments as his experience shall dictate are calculated to benefit the school.

SECTION 18. He shall draw orders on the town treasurer for moneys in the hands of such treasurer which have been apportioned to the town, and for moneys collected or received by him from other sources for school purposes, for the payment of teachers' wages, the purchase of school house sites, the building, buying, hiring, repairing and furnishing of school houses, and for all other purposes authorized by this act or by the board of directors acting under it: *provided*, that each order shall designate the object for which and the fund upon which it is drawn, and shall be countersigned by the president.

Shall draw orders for teacher's wages.

SECTION 19. 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 moneys for school purposes from all sources, and the disbursements of the same during the year ending on third Monday of March, in which statement shall be given, under separate heads:

Shall make written statement of moneys received and disbursed in separate items.

1st. The amount in the treasury at the beginning of the year.

2d. Amount received from the state fund.

3d. Amount collected by town treasurer.

4th. Amount received from all other sources.

5th. The manner in which sums have been expended, specifying the amount paid under each head of expenditure.

6th. Amount remaining in the treasury.

7th. Amount of indebtedness of the township district and when and how payable.

The secretary shall accompany the above statement with the estimates of the board of the amount necessary for the support of schools during the ensuing year, specifying the sums needed under the following heads:

Shall also give estimates in separate items.

1st. Amount for teachers' wages.

2d. Amount for school house sites, and for building, hiring or purchasing school houses.

3d. Amount for fuel.

4th. Amount for incidental expenses, including repairs, maps, globes, charts and for all needful school room appurtenances.

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

Statements and estimates to be submitted to vote of electors.

SECTION 20. It shall be the duty of the board of supervisors of each town in the state to present the statement 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: *provided*, that upon motion they may be increased or diminished; and *provided further*, that if for any reason moneys 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.

Secretary shall furnish school registers.

SECTION 21. The secretary shall furnish school registers in the form prescribed by the state superintendent of public instruction, 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 registers shall be deposited with the clerk of the subdistricts at the end of each term of school.

Shall make report to county superintendent, and what report to contain.

SECTION 22. It shall be the duty of the secretary, between the fifteenth and twenty-fifth days of September in each year, to make and transmit to the superintendent of schools for the county, a report in writing, bearing date on the 15th day of September in the year of its transmission, stating,

1st. The whole number of subdistricts and parts of subdistricts separately set off within the town.

2d. The length of time a school shall have been taught in each of said subdistricts or parts of districts.

3d. 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.

4th. 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 of supervisors and the amount raised by the town at its annual town meeting.

5th. The manner in which said moneys have been expended, and whether any and what part remains unex-

pended, with such other information as the state superintendent may from time to time require.

SECTION 23. The town clerk shall assess all sums voted at the annual town meeting, or at the fall 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 moneys are 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 the town board of directors.

Town clerk to assess moneys for school purposes.

SECTION 24. If for any reason the electors of a town shall fail to vote an amount of money sufficient to maintain a school in each subdistrict for the term of five months during the year ensuing, then the secretary shall, on or before the fourth 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 as necessary for teachers' wages, fuel, repair of school houses 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 with the other taxes.

If electors fail to vote sufficient money, how proceed.

SECTION 25. It shall be the duty of the town treasurer of each town to apply for and receive from the treasurer of his county, all moneys apportioned for the use of common schools in his town, and to pay out the same, together with all moneys collected or received by him for school purposes, upon the order of the president and secretary of the town board of directors.

Town treasurer to receive school moneys.

SECTION 26. The annual meeting of each subdistrict shall be held on the last Monday in September in each year. The time of such meeting shall be seven o'clock in the afternoon.

Time of annual meeting.

SECTION 27. The inhabitants qualified by law to vote at a subdistrict meeting, when assembled in annual meeting, shall have power and it shall be their duty,

Business at subdistrict meeting.

1st. To appoint a chairman for the time being.

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

3d. To choose a clerk.

4th. To recommend to the town board of directors the number of months they desire to have school

maintained in their subdistrict the ensuing year, and whether they desire a male or a female teacher; the improvements and repairs which ought to be made on the school houses, out houses, grounds, etc.; what maps, charts or other aids in teaching should be furnished, and generally, any thing, matter or plan which in their judgment will advance the cause of education and benefit the school of their subdistrict.

Clerk shall record proceedings.

SECTION 28. The clerk shall record the proceedings of all district meetings in a book to be kept for that purpose; shall certify to the town board of directors any recommendation adopted by the electors of his subdistrict in accordance with the provisions of the preceding section, and shall have charge of the school house and of all property therein or belonging or attached thereto, subject to the order or direction of the board of directors.

Shall be a member of board, and attend all meetings.

SECTION 29. He shall be a member of the town board of directors, shall attend all meetings of the board, and shall carry out all lawful orders of the same, having reference to the school house of his district or the school maintained therein.

Shall give notice of annual meetings.

SECTION 30. He shall give at least six days' previous notice of every annual meeting of the electors of his subdistrict, by posting notices therefor in four or more public places in the subdistrict, one of which notices shall be affixed to the outer door of the school house, and he shall act as secretary of all such meetings when present.

When executive committee shall appoint clerk.

SECTION 31. When a new subdistrict is formed or a vacancy occurs in the office of subdistrict clerk, the executive committee of the town board of directors shall appoint a clerk, who shall hold his office until the annual meeting of the subdistrict next succeeding such appointment.

If subdistrict composed of parts of two or more towns, the board of towns in which school house is situated, to control.

SECTION 32. When a subdistrict is composed of parts of two or more towns, the board of directors of the town in which the school house is situated shall have the entire control of said subdistrict, and shall maintain school therein as in other subdistricts; and the clerk of such joint subdistricts shall be a member of the board of directors of said town, whether he resides in the same or not. At the annual meeting in October, the board of directors shall calculate and determine the cost of maintaining the school in said joint subdistrict.

for the year ending at the close of the term preceding the meeting of the board, and the secretary shall certify such amount to the secretary of the board of each town embraced in part in such joint subdistrict, together with the assessed valuation of said subdistrict and of 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 treasurer of the town in which the school-house of said joint subdistrict is situated, for such a proportion of the whole cost of maintaining said school as aforesaid, as the assessable property of his town embraced in said joint subdistrict is to the whole valuation thereof; and said order shall be paid out of any moneys in the hands of said treasurer, collected or received by him for the support of schools in his town.

SECTION 33. In case either of the towns embraced in part in said joint subdistrict shall not have adopted the township system of school government, the certificate before mentioned shall be made to the clerk of said subdistrict, 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 his town, on the fourth 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 subdistrict, and shall be paid over by the town treasurer collecting the same, to the treasurer of the town in which the school house of said joint subdistrict is situated.

If towns have not adopted township system, how proceed.

SECTION 34. When the school house of a joint subdistrict 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 chapter 155 of the general laws of 1863, and the acts amendatory thereto; but if any portion of said joint subdistrict shall be embraced in a town which has adopted said township system, then the proportion of any district tax which should be assessed upon the property of such part of said subdistrict, shall be certified by the town clerk of the town in which the school house of said joint subdistrict is situated, to the secretary of the town board of directors of

How collect taxes.

the town comprising the part of the said joint subdistrict before mentioned, and said secretary shall draw an order upon the town treasurer of his town, in favor of the treasurer of the joint subdistrict for the amount of tax thus certified, and the said town treasurer shall pay the same out of any moneys held or received by him for school purposes.

Board of directors to make estimate.

SECTION 35. Prior to the erection of any school house by the town board of directors, they shall estimate and determine the valuation of all the school houses and sites in their town, and when so determined, the secretary shall place upon record a tabular statement containing the number of each subdistrict, the value of its school house 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 school house or purchase a site, such tax shall be so distributed and assessed upon the several subdistricts, that those having the least amount invested in school houses 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 towards said tax in proportion to the valuation of their property at the time the tax is assessed, in order that the sums paid by the different subdistricts in the town for the purchase of sites and the erection of school houses, shall be equalized: *provided*, that 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 provisions in reference to equalizing such taxes shall not be operative in such town.

Each city and village having graded schools, to constitute separate district

SECTION 36. Each city in this state, and every village having a graded school with not less than three departments, shall constitute a separate school district; and all those cities and villages having no system of school government provided for in their charters, shall be subject to the provisions of chapter 155 [general laws of 1863] and the acts amendatory thereto. Whenever the territory of a school district of an incorporated village shall extend beyond the limits of said village, the whole of such territory shall remain in such district

and form a part thereof until detached by authority of law, and the provisions of this act shall have no force or effect in such villages or districts.

SECTION 37. The legal voters of any town in the state may, at any town meeting or spring election or at any fall 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 the case of other votes cast at such election; and if it shall appear that a majority of the ballots cast have written thereon the words, "township school government—yes," then the provisions of this act shall immediately become operative in such town; otherwise they shall have no force or effect therein.

May vote on question of township school government.

SECTION 38. The clerks of the various school districts, together with the clerks of the joint school districts, the school houses of which are situated in any town adopting the township system in the manner provided in the preceding section, shall constitute the first board of directors for such town. They shall meet and organize within two weeks after the election at which said township system shall be adopted, and they shall hold their offices till the next annual meeting of the subdistricts of their town.

Clerks of district to constitute first board of directors.

Approved March 11, 1869.