

and ten, of the general laws of 1874, is hereby amended by adding thereto the following words; *provided*, that so much of said road as may be laid out through the counties of Bayfield, Ashland and Burnett, shall be opened and obstructions removed therefrom only under the order and direction of the county board of supervisors of said county.

Laying out of  
state road.

SECTION 2. This act shall take effect and be in force from and after its passage.

Approved March 5, 1875.

## CHAPTER 339.

[Published March 23, 1875.]

AN ACT to amend section 19, of chapter 155, general laws of 1863, entitled "An act to codify the laws of this state relating to common schools."

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

SECTION 1. Section 19, chapter 155, of the general laws of this state passed in the year 1863, entitled "An act to codify the laws of this state relating to common schools," is hereby amended so as to read as follows: Section 19. The inhabitants of any school district or of any joint 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 any adjournment of such annual meeting in their district, shall have the power: 1st. To appoint a chairman for the time being. 2d. To adjourn from time to time as occasion may require. 3d. To choose a director, treasurer and clerk. 4th. To designate a site for a district school house. 5th. To vote such tax on the taxable property of the district, as the meeting shall deem sufficient to purchase or lease a suitable site for a school house; to build, hire or purchase a school house, 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 school house of more than six hundred dollars in any one year, unless the

Amended.

General power  
of inhabitants  
of school dis-  
trict.

To choose  
school officers,  
locate, and vote  
tax for building  
school houses.

Proviso.

Proviso.

supervisors of the town in which such school is to be situated, shall certify in writing that, in their opinion, a larger sum should be raised, and shall specify 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 shall have power to raise and collect in any one year, for the purposes above specified, more than one thousand dollars unless the supervisors shall certify as above set forth. 6th. To vote a tax on the taxable property of the district of such sum as the meeting shall deem proper for the payment of teacher's wages in the district; *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 school purposes other than for the purposes prescribed in the fifth subdivision of this section in such district of more than five hundred dollars in any one year.

To vote tax for teacher's wages.

Proviso.

Power of district board to determine tax to be raised for school purposes

*And provided further*, that in case any district shall not at its annual meeting or at a special meeting held subsequent to the annual meeting and prior to the third Monday of November, vote a tax sufficient to maintain a school in said district the ensuing year for the term of five months, then the district board shall have power and it shall be their duty to estimate and determine the sum necessary to be raised to maintain such school, and the district clerk shall certify to the town clerk the amount thus determined upon, who shall assess the same as other district taxes are assessed. *And provided further*, that 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 for teachers' wages; 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 for teachers' wages. 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 for teachers' wages. If, when a district board shall have failed to vote a tax for school purposes, any district board who shall wilfully refuse or neglect to estimate and determine a sum sufficient to maintain a school for five months as aforesaid, each member of the board thus refusing or neglecting, shall be deemed

Limit of amounts to be raised for teacher's wages.

Penalty for neglect of district board to determine sum for maintaining schools.

guilty of a misdemeanor and shall be liable to a penalty of not less than fifty and not more than one hundred dollars, or to imprisonment in the county jail not less than one month nor more than three months. And when any district board shall have estimated and determined the sum necessary to maintain a school for five months, the ensuing year, any district clerk who shall wilfully refuse or neglect to certify such sum to the town clerk in time to have the same embodied in the assessment roll for that year, shall be deemed guilty of a misdemeanor, and shall be liable to a penalty of not more than one hundred dollars, nor less than fifty dollars. 7th. To authorize and direct the sale of any school house, site or other property belonging to the district when the same shall be no longer needed for the use of the district. 8th. To impose such a tax as may be necessary to discharge any debts or liabilities of the district lawfully incurred. 9th. To vote a tax not exceeding seventy-five dollars in any one year, for the purchase of maps, black-boards, and apparatus for illustrating the natural sciences. 10th. To vote a tax on the district, 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 of public instruction; *provided*, that any school district having less than two hundred children of school age shall not vote a tax on the district exceeding fifty dollars in any one year for such library. 11th. To authorize the district board to admit to the privileges of the school persons over 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 person thus admitted. 12th. To determine the length of time a school shall be taught in their district the then ensuing year, which shall not be less than five months, and whether such school shall be taught by a male or female teacher, or both, and whether the school moneys to which the district is entitled from the income of the school fund 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 deter-

Penalty for neglect of clerk to certify amount to be raised.

Authority to sell school property.

To impose taxes for payment of debts.

For purchase of books, etc.

For district library.

Proviso.

To authorize district board to admit non-resident pupils and those over 20 years of age.

To determine length of time school shall be taught whether by male or female teachers, and how school fund shall be applied.

To direct prose-  
cutions or de-  
fense in actions

To alter re-  
peal or modify  
proceedings.

Construction of  
foregoing sec-  
tion.

mine the same. 13th. To give such direction and make such provision as may be deemed 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. 14th. To alter, repeal and modify their proceedings as occasion may require.

SECTION 2. The foregoing section shall not be construed to authorize or require the district board of any school district to estimate and determine the amount necessary to maintain a school in their district where a special provision is made by law for the support of a public school or schools in such district.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved March 5, 1875.

## CHAPTER 340.

[Published March 23, 1875.]

AN ACT to amend section 3, of chapter 85, of the general laws of 1867, entitled, "An act relating to the returns and canvass of votes, and amendatory of sections 58, 60 and 68, of chapter 7, of the revised statutes, entitled, "Of elections."

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

Amended.

SECTION 1. Section three (3), of chapter eighty-five (85), of the general laws of 1867, entitled, "An act relating to the return and canvass of votes, and amendatory of sections fifty eight (58), sixty (60), and sixty-eight, of chapter seven (7), of the revised statutes, entitled, "of elections," is hereby amended so as to read as follows: Section 3. Section sixty-eight (68), of said chapter seven (7), is hereby amended by adding thereto the following: If from any town, ward or election district of the county there shall have been no returns received by Saturday, at 12 o'clock M, next after the election, the clerk may dispatch a special messenger to obtain such returns from the person having them in charge, and such person shall deliver to said messenger the returns required, which returns the messenger shall deliver to the clerk of the board of supervisors with all convenient dispatch. If in the canvass of votes any re-

When returns  
not received  
from election  
district, clerk  
to dispatch spe-  
cial messenger.