

thereof, the police justice may require the complainant to give security for costs either before or after the issuing of process; and if he shall certify in his docket, that the complaint was willful and malicious, or without probable cause, he shall enter a judgment against the complainant to pay all the costs that shall have accrued to the court, sheriff or constable, and the fees of witnesses in the proceedings had upon said complaint; which judgment shall be collected and enforced, against such complainant and surety in the manner and form as prescribed by section 4760, of the revised statutes of Wisconsin.

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

Approved April 17, 18891.

No. 155, A.]

[Published May 4, 1891.

CHAPTER 305.

AN ACT to amend chapter 134, of the laws of 1889, relating to the charter of the city of Onalaska.

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

Amends chapter 134, laws of 1889.

Board of education to elect president; his duties.

SECTION 1. Section 4, of chapter 7, of chapter 134, of the laws of 1889, is hereby amended to read as follows: Section 4. The board of education shall at its regular meeting in July of each year, elect one of its members president, who shall preside at all meetings of the board and preserve order and decorum thereat, and decide all questions of order subject to the appeal of the board. He shall sign all orders drawn by the secretary for the payment of teachers' and janitors' wages, and other necessary expenses of the board of education, and in suits brought against the school district he shall appear in behalf of the district, unless some other

provision is made by the board of education. He shall declare all votes on questions coming before the board, and on all questions appropriating money, or adopting text-books, the vote shall be taken by ayes and noes, and recorded; on any other question the ayes and noes shall be called when any member shall request it. In the absence of the president the board shall elect a president *pro tempore*.

SECTION 2. Chapter 7, of chapter 134, of the laws of 1889, is further amended by adding thereto, after section 6, the following subdivisions: The board of education shall, at its regular meeting, held on the first Monday of July, 1891, or within fifteen days thereafter, elect some suitable person, having the necessary qualifications, as city superintendent of schools, who shall hold his office until the first Monday in July, 1892, and until his successor shall be elected and qualified; and thereafter, the board of education shall annually, at its first regular meeting on the first Monday of July of each year, or within fifteen days thereafter, elect a city superintendent of schools, whose term of office shall commence on the first Monday in July, and said superintendent shall continue in office one year, and until his successor is elected and qualified, unless removed by a two-thirds vote of the common council for misconduct or other sufficient cause. And it shall be the duty of the board of education to supply by election any vacancy which may occur from time to time in said office of school superintendent, by death, resignation or otherwise. The city superintendent shall, in addition to his other duties, act as secretary to the board of education, and the common council shall have power to fix the compensation of the city superintendent. The superintendent of schools shall have and exercise the following powers and duties:

First. He shall examine all teachers making application for schools, and such examination shall be public; provided, that said superintendent shall have authority in his discretion, when not otherwise directed by the board of education, to issue such certificates to any applicant or applicants who may have been already once examined and licensed by him, as aforesaid, in any previous year, without re-examination of such

Amends chapter 134, laws of 1889.

City superintendent of schools; his election powers and duties.

Amends chapter 134, laws of 1874.

Striking out provision for service of notice on owner of land.

applicant or applicants; and also to issue certificates to persons holding a state certificate or a diploma as a graduate of a normal school in the state of Wisconsin, without examination.

Secondly. He shall carry into effect the ordinances of the common council, and the rules and regulations of the board of education in reference to the schools of the city.

Thirdly. He shall visit all the schools of the city at least once a month during each term, and report the condition to the board of education with such suggestions for their improvement as he may deem proper.

Fourthly. He shall report for the consideration of the board of education, such text-books as he may think advisable and proper for the use of the schools, and suggest such alterations therein, from time to time, as he may think most beneficial for the schools in said city.

Fifthly. He shall take or cause to be taken, the school census in the manner, and at the time provided by law for taking such census, and shall make out and transmit to the state superintendent, a report containing the facts set forth in the general school laws of the state, a copy of which report he shall present to the board of education at the next meeting thereof.

SECTION 3. This act shall take effect and be in force on and after the date of its passage and publication.

Approved April 17, 1891.