

No. 463, S.]

[Published June 13, 1905.]

**CHAPTER 330.**

AN ACT providing for the attendance of certain persons upon certain schools.

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

**Attendance at school on reservation compulsory.** SECTION 1. Whenever the government of the United States shall organize or cause to be organized and maintained on any reservation for school purposes within this state, special schools for general educational purposes and the expense of tuition, lodging, food and clothing of the pupils enrolled therein is borne wholly or in part by the United States or the state of Wisconsin, it shall be compulsory on the part of every parent or guardian within the state having control of a child or children between the ages of five and eighteen years, eligible to attend such school, to cause such child or children to attend such school for a period of at least nine months in each year, or during the annual term; provided, that any child may be excused from attendance thereat by the principal or superintendent of the school upon its being shown to his satisfaction that the physical or mental condition of such child renders application to study or attendance at school inadvisable for the period required, or that the child is taught in some private or other public school or at home in the branches usually taught in the public schools of the state, or is actually and necessarily compelled to labor for the support of the parent or guardian, or that the residence of the parent or guardian of such child is more than ten miles distant from said school and that free transportation of said child is not provided for by the United States or the state of Wisconsin; the facts in each and every case named above to be determined upon investigation by the principal or superintendent of said school.

**Refusal or neglect of guardian to cause attendance of child.** SECTION 2. In all cases of refusal or neglect on the part of the parent or guardian and before attempting to enforce the provisions of this act, it shall be the duty of the principal or superintendent of the school within said territory to serve or cause to be served upon the parent or guardian a demand for the at-

tendance of such child who has not been excused therefrom. Such notice shall be in writing and give the name of each child and designate the school upon which attendance is required. If the parent or guardian claims that the child should be excused for one or more of the reasons given in section one (1) of this act, it shall be the duty of the principal or superintendent of such school to make immediate investigation of the matter and to place his findings in the case in writing. If after such investigation the child is found eligible to attend such school and the parent or guardian shall fail or refuse to comply therewith within ten days after service of a written notice to such effect, then and in such case the principal or superintendent of said school shall make complaint against such parent or guardian as required by law.

**Penalty.** SECTION 3. Any parent or guardian failing to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than five dollars nor more than twenty-five dollars or by imprisonment in the county jail not less than five days or more than thirty days, and in case of conviction for a second or any subsequent offense shall be punished by both such fine and imprisonment.

**Duty of district attorney, sheriff, etc.** SECTION 4. It shall be the duty of the district attorney of the county in which such offense is committed to prosecute all actions arising under the provisions of this act when such complaint is made by the superintendent or principal of the school. It is likewise made the duty of sheriffs, constables and peace officers in the state to take cognizance of this act and assist principals and superintendents of schools in carrying out its provisions.

**Conflicting laws repealed.** SECTION 5. All acts or parts of acts conflicting with this act are hereby repealed.

SECTION 6. This act shall take effect and be in force from and after its passage and publication.

Approved June 10, 1905.