

No. 88, A.]

[Published June 19, 1909.]

**CHAPTER 493.**

AN ACT to create sections 495—1 to 495—19, inclusive, of the statutes, relating to free high school districts.

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

**SECTION 1.** There is added to the statutes nineteen new sections to read: Section 495—1. With the advice and consent of the state superintendent a free high school to be known as a union free high school may be established and maintained in any tract of contiguous territory with an area of not less than thirty-six square miles, such territory to be bounded by section lines or by lines bounding in part an existing free high school district, or in cases where impassable streams, lakes or swamps render it impracticable to follow section lines such natural boundaries may be substituted.

No such union free high school district shall be established or maintained unless at least twenty-five persons of school age resident of such tract of territory give evidence through examination or otherwise satisfactory to the state superintendent that they are prepared to begin a high school course.

Section 495—2. In case the tract of territory is entirely included in one town and said tract does not include within its boundaries an incorporated village, it is hereby made the duty of the town board of that town to submit the question of establishing such union free high school to the voters of such tract upon filing with the chairman of said town board a petition praying for such submission for election. Said petition shall describe the boundaries of the proposed union free high school district and shall be signed by at least one-fifth of the persons resident therein and qualified to vote at any school district meeting. The chairman shall within ten days after the receipt of the petition notify the clerk of his town, and the clerk shall cause at once ten days' notice of such election to be given by posting at least six copies thereof in at least six different public places in such tract of territory, or by publishing such notice in any newspaper published therein once each week for two weeks immediately prior to the time set for holding the election. The election shall be conducted and the vote canvassed according to the statutes for conducting town meetings.

Section 495—3. In case the said tract of territory shall lie in two or more towns and contains no incorporated village,

such petition may be presented to the chairman of any one of the town boards of supervisors of such towns, and this chairman shall, within five days of the receipt of said petition, notify the other chairman or chairmen as the case may be, of the receipt of the petition and shall set a date for a meeting of all the chairmen of the towns interested for the purpose of fixing a time and place for holding such union free high school election; and it shall be the official duty of said chairman to meet on said date and fix upon the time and place for holding such election. If any chairman is unable to attend he shall delegate one of the other supervisors of his board to attend upon this meeting to act in his place. The election shall be noticed and conducted for the entire tract of territory which is to be included in the proposed union free high school district by the town board of the town in which the election is held and in the manner provided for above in the case where all the territory is included in one town.

Section 495—4. In case the tract of territory which it is proposed to form into a union free high school district shall contain an incorporated village the petition may be presented to any town chairman as designated above, or to the president of the village. It shall then be the duty of the official to whom the petition is presented to notify each chairman (or the village president) of the receipt of such petition and to fix a time and place for a meeting of said officers for the purpose of fixing a day for holding the election. The election for the village shall be held in the village on the same day the election for the territory lying outside is held and the election for the territory lying outside the village and which it is proposed to include in the union free high school district may be held in the village or at any other convenient place agreed upon and designated in the notice. The election for the village shall be noticed and conducted and the votes canvassed in the manner provided by statute for conducting village elections and the election for that territory lying outside the village limits and which it is proposed to include in the union free high school district shall be noticed and conducted and the votes canvassed in the manner provided by statute for noticing and conducting town elections. If this outlying territory comprises parts of two or more towns, the supervisors at the meeting referred to above shall designate the town the officers of which shall notice, control and direct such election.

Section 495—5. In all cases the vote shall be by ballot, those ballots in favor being written or printed "for the union free high school," those opposed "against the union free high

school," and the question shall not be adopted unless a majority of the electors voting in that part of the territory outside of the village and a majority of the electors voting in the village, shall be in favor thereof.

Section 495—6. The result shall be certified at once by the election officers to the clerk of each town and the village concerned and if the question be adopted, the result shall also be certified to the state superintendent by the clerk of each municipality interested, such certificate to be filed with the state superintendent within six days after the election, and such tract of territory shall upon approval of the state superintendent constitute a union free high school district.

Section 495—7. If an existing free high school district is included in the tract or territory embraced in the proposed union free high school district, the formation of the union free high school district and the establishment of a high school according to the provisions of this act shall annul the organization of the existing free high school district.

Section 495—8. The officers of such high school district shall be a director, treasurer, and clerk, who shall have the same authority, be charged with the same duties and be under the same liabilities as like officers of other free high school districts. The term of each shall be three years, beginning with the annual union free high school district meeting held on the third Monday in March, and each officer elected shall continue in office until his successor shall have been chosen; provided that at the first election the clerk shall be chosen for one year, the treasurer for two years, and the director for three years, and all of said officers may be chosen at the same election at which the question of establishing a union free high school is submitted. In such case a separate ballot box shall be provided for the election of officers, and a plurality of the votes cast shall be sufficient to elect. In case an incorporated village shall be included in the proposed union free high school district the officers of the election in the outside territory shall meet at once after the polls are closed, in the office of the village clerk and the votes for said officers in the outside territory and in the village shall be counted as a joint vote, and a plurality of the votes cast shall be sufficient to elect.

The time until the first annual meeting shall be counted as the first year in determining the term of office. Thereafter officers shall be elected annually in place of those whose terms expire at the annual meeting of such union free high school district.

Section 495—9. The annual union free high school district

meeting for the election of officers and the transaction of other business shall be held on the third Wednesday in March, unless that be a legal holiday, in which case it shall be held the next day.

The election of district officers shall be held in some convenient room in the union free high school building, if there be such building, and if not, then in soem other convenient room determined upon by the board and specified in the notice. If the notice does not so specify it shall be understood that the building in which the last annual meeting was held shall be the building designated.

The election of officers shall be by ballot and suitable ballot boxes shall be provided therefor. The polls shall be opened at one o'clock in the afternoon of the day fixed by law for holding the annual free high school district meeting and shall be closed at seven o'clock of the same day. The time of opening and closing the polls, as well as the place of holding the election, shall be specified in the notice of such election or meeting, but a failure to so specify the time of opening and closing the polls and designating the place where the annual meeting or election is to be held and conducted shall not vitiate such election.

Immediately after the polls are closed and the ballots counted the electors shall organize for the purpose of conducting the regular and usual business, other than the election of officers, necessary for carrying on and maintaining the union free high school. As soon as the meeting is regularly organized the result of the election of officers shall be declared.

The officers conducting the election shall consist of the union free high school district clerk and two other persons selected by the school district board. If an incorporated village is comprised in the district one officer shall be selected from the village and one from the territory lying outside of the village and included in the union free high school district. The inspectors and clerks of this election shall make and keep a list of all the electors, men and women, voting at the election.

The amount of compensation paid to the inspectors or clerks of election shall be such sum as may be agreed upon by the district board, not to exceed two dollars for each inspector engaged and acting in conducting this election, said compensation to be paid from any funds in the treasury of the school district not otherwise appropriated.

Section 495—10. It shall be the duty of the district board to meet on the Saturday immediately preceding the annual

meeting, carefully examine the accounts of the treasurer and make up a full and itemized report of all receipts and expenditures since the last annual meeting, of the amount in the hands of the treasurer or the amount of the deficit, if any, for which the district is liable, of the amount necessary to be raised by taxes for the report of the school for the ensuing year, and of the amount required to pay the interest or principal of any debt due or to become due during the year; which report shall be submitted in writing at the annual meeting and recorded by the clerk at length with the action thereon in the proceedings of the meeting.

Section 495—11. The clerk shall give at least six days' previous notice of the annual meetings by posting notices therefor in six or more public places in the district, one of which shall be affixed to the outer door of the union free high school building, if there be one in the district, and he shall give like notice for any adjourned meeting if the adjournment be for more than one month; but no annual meeting shall be deemed illegal for want of due notice, unless it shall appear that the omission to give such notice was wilful and fraudulent.

Section 495—12. Special meetings shall be called by the clerk or in his absence by the director or treasurer on the written request of twenty legal voters of the district, and notices thereof specifying particularly the business to be transacted shall be posted in the manner prescribed for calling the annual meeting; and the electors when lawfully assembled at a special meeting shall have power to transact the same business as at the first or annual meeting except the election of officers. But no more than one such special meeting to consider the same subject shall be held in the district in the same school year. No tax or loan or debt shall be voted at a special meeting unless three-fourths of the legal voters shall have been notified either personally or by a written notice left at their places of residence, stating the time, place and objects of the meeting, and specifying the amount proposed to be voted at least six days before the time appointed therefor, exclusive of the day on which the meeting is to be held.

Section 495—13. Every resident elector of the district shall be entitled to vote in any annual meeting, provided such elector has resided therein for at least thirty days next preceding any meeting.

Section 495—14. The inhabitants of any school district qualified by law to vote at a high school district meeting when

assembled at the first and each annual meeting in their district or at any adjournment thereof, shall have power:

(1) To appoint a chairman for the time being, and in the absence of the clerk to appoint some person to act in his stead, and the person so appointed shall certify the proceedings of such meeting to the district clerk, who shall enter the same in the records of the district and file and preserve the certificate of such temporary clerk.

(2) To adjourn from time to time as occasion may require.

(3) To vote such tax 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 necessary furniture and ventilating and heating apparatus, and to provide for the equipment and maintenance of the union free high school.

(4) To authorize and direct the sale of any union free high school house, site or other property belonging to the union free high school district when the same shall be no longer needed for use in the district.

(5) To impose such a tax as may be necessary to discharge any debts or liabilities of the district lawfully incurred.

(6) To authorize the union free high school district board to borrow money as provided in the statutes.

(7) To authorize the union free high school board district board to purchase text-books for use in such high school, to be loaned or furnished pupils under such conditions as, by such vote and regulations of the board thereunder, may be prescribed.

(8) To determine the length of time a union free high school shall be taught in said union free high school district the then ensuing year, which time shall not be less than nine months.

Section 495—15. The board may fill by appointment any vacancy that may occur in their number within ten days after such vacancy shall occur; and if such vacancy shall not be so filled, the town or village clerk of the town or village in which the union free high school house is situated shall fill such vacancy by appointment. any person upon being notified of his appointment shall be deemed to have accepted the same unless within five days thereafter he shall file with the clerk or director a written refusal to serve, and any person so appointed shall hold office until the next annual meeting, at which the electors shall fill such vacancy for the unexpired term.

Section 495—16. If any union free high school district at its annual or at any subsequent special meeting prior to the

third Monday of November following, shall not vote a tax sufficient to maintain a union free high school for the term of nine months during the current year, the board, on or before the next Wednesday following said third Monday in November shall determine the sum necessary to be raised to maintain such school, and the clerk shall forthwith certify to the town or village clerks the amount so assessed who shall assess the same as other district taxes are assessed.

Section 495—17. The incorporation of a part of the territory of a union free high school district organized under the provisions of this act, as a village or city shall not affect the organization of such free union high school district.

Section 495—18. All taxes provided for in this act shall be levied and collected as in the case of single or joint common school districts of the state.

Section 495—19. All acts and parts of acts relating to town free high schools not conflicting with the preceding sections shall be in force and effect and shall apply to union free high schools established under this act, and the provisions relating to state aid to town free high schools shall be applicable to all union free high schools established under this act.

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

Approved June 16, 1909.

No. 918, A.]

[Published June 19, 1909.]

## CHAPTER 494.

AN ACT to appropriate to H. McArthur a sum of money herein named.

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

SECTION 1. There is appropriated to H. McArthur out of any moneys in the treasury, not otherwise appropriated, the sum of five hundred dollars, to pay the expenses incident to his care after an injury received while quartermaster sergeant of Battery "A" 1st Regiment Field Artillery, Wisconsin National Guard, on July 17, 1908, while attending to his duties as such non-commissioned officer, without fault or negligence on his part, while mounting the car of the train, he was thrown in such manner that his foot was caught under the wheels and crushed, causing the loss of his left foot.

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

Approved June 16, 1909.