

[the] same, his agent, attorney, counsel, or some one on his behalf, shall make an affidavit that such application is made in good faith, and not for the purpose of delay.

Taxable costs.

SECTION 3. In all cases when a new trial shall be granted under the provisions of this act, the party applying therefor, in addition to the requirements of the preceding sections, shall also be required by the court to pay or tender to the opposite party all taxable costs which he may have incurred after the service of the notice of trial for the term at which the cause was tried.

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

Approved April 12, 1866.

## CHAPTER 116.

[Published April 25, 1866.]

39. 151.69.  
96. 75-

AN ACT to incorporate the "board of regents of normal schools," and to define the duties thereof.

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

Board of regents  
to be body cor-  
porate—their  
powers.

SECTION 1. The "board of regents of normal schools," created by chapter 22 of the revised statutes, and the several acts amendatory thereof, and their successors in office, are hereby constituted a body corporate, with the name and style of the board of regents of normal schools of the state of Wisconsin; and under that name and style shall have perpetual succession, with the right to purchase, have, hold, control, possess and enjoy to them and their successors in office, in trust for the state of Wisconsin, for educational purposes solely, any lands, tenements, hereditaments, goods, chattels and effects of whatsoever nature or description the same may be, which may be necessary and required for the legitimate purposes, objects and uses of the state normal schools authorized by this act, and none other, with full power to sell or dispose of such personal property, or any part thereof, when in their judgment it shall be for the interest of the state; to make all such contracts and agreements as shall be

necessary to carry into effect the purposes of this act; to sue and be sued, plead and be impleaded, in all courts of this state; to have and use a common seal, and the same to change, alter or renew at pleasure; to make such by-laws and regulations as they may deem proper for the well-ordering and government of said corporation, and the transaction of its business: *provided*, that said board of regents shall not have power to sell, mortgage or dispose of, in any way, any real estate so held by them as aforesaid, without the express authority of the legislature of this state, nor have power to borrow money; nor shall the indebtedness contracted or liabilities incurred by said board of regents ever at any time exceed in the aggregate the amount of money which under the provisions of law shall then be at their disposal, in the hands of the state treasurer; nor shall the said board of regents ever reduce the amount at their disposal, in the hands of the state treasurer, below the aggregate amount of their indebtedness or liability, except in payment of such indebtedness or liability; *and provided, further*, that the proceeds derived from the sale of any real or personal estate by said board of regents, shall be paid by them into the treasury, and shall become a part of the income of the normal school fund.

SECTION 2. Said corporation shall be subject to the provisions of chapter twenty-two of the revised statutes of 1858, and the acts amendatory thereof, and to the provisions of chapter 537 of the general laws of 1865, so far as the same can apply and are not inconsistent with the provisions of this act.

Subject to certain provisions of law

SECTION 3. The said "board of regents of normal schools" shall have power and authority to demand and receive the sum or sums of money donated and subscribed by any persons, or any town, incorporated village, city or county of this state, to aid in the erection of the necessary buildings for normal schools, in such manner as said board may prescribe, and apply the same to the erection and completion of the required buildings, the purchase of the necessary books, apparatus, furniture and fixtures, and for various other incidental expenses to be incurred by said board, in pursuance of the provisions of this act; and if any surplus shall remain, to apply the same to the expenses of conducting said normal schools, and any

Powers of board of regents in relation to normal schools.

deficit which may arise in the erection and completion of said buildings and purchases aforesaid, shall be paid out of the income of the normal school fund, not to exceed the sum of ten thousand dollars for the completion of the buildings of any one normal school, and for furniture and fixtures pertaining to the same. Such sum shall be paid by the state treasurer, from time to time, on the warrant of the secretary of state, to be drawn in pursuance of the certificate of the secretary of the board, and countersigned by the president, and such other evidence as the secretary of state shall require; and no such certificate shall be issued until the sum or sums donated and subscribed by any person or town, incorporated village, city or county, to aid in the erection of a normal school building, shall have been paid in full into the state treasury, nor until work shall be done or services rendered, or buildings erected, or fixtures or furniture purchased, for a normal school, under the direction of the board of regents of normal schools, entitling the applicant to such certificate, according to a contract or agreement with said board for that purpose. No member of the board of normal regents shall receive any pay for traveling to or attendance at any meeting of the board, nor for any service rendered; but all moneys actually and necessarily expended by any member in traveling, attending meetings, or performing any other duty or service directed to be performed, shall be refunded to him, on duly authenticated accounts presented to and audited by the board, and the amount thus audited shall be drawn from the state treasury only on the warrant of the secretary of state, in pursuance of the certificate of the board, signed by the president and secretary thereof.

Expenses of board to be paid.

Purposes of normal schools.

SECTION 4. State normal schools shall be established and continued at such places as the board of regents of normal schools may designate, upon sites selected by said board; the exclusive purpose of which shall be instruction and training of persons, both male and female, in the theory and art of teaching, and in all the various branches that pertain to a good common school education; also, to give instruction in agriculture, chemistry, in the arts of husbandry, the mechanic arts, the fundamental laws of the United States and of this state, and in what regards the rights and duties of citizens.

SECTION 5. The said normal schools shall be under the direction and control of the "board of regents of normal schools," and shall be governed and supported as herein provided. Said board shall proceed to erect suitable buildings upon the sites selected by them, as soon as the title thereto is vested in them in fee, in trust as aforesaid, and the sums of money, or United States bonds, or Wisconsin state bonds, as security donated and subscribed for the erection of the buildings, are paid into the state treasury, subject to be drawn only on the warrant of the secretary of state, as provided in section three of this act; and they may procure suitable plans and specifications for buildings, and they may employ persons to superintend the erection of said buildings.

To be under control of board of regents.

SECTION 6. Said "board of regents of normal schools" shall have power to appoint a principal and assistant, and such other teachers and officers as may be required for each of said state normal schools, and to fix the salary of each person so employed, and to prescribe their several duties. They shall also have power to remove either the principal, assistant or teachers, or any person employed by them, and to appoint others in their stead. They shall prescribe the various books to be used in the said state normal schools, and shall make all the rules, regulations and by-laws necessary for the good government and management of the same; and no member of the said "board of regents of normal schools" shall during his continuance in office as a member of said board, act as the agent of any publisher or publishers of school books, or school library books, or be or become interested in the publication or sale of any such books, as agent or otherwise, on pain of expulsion by a majority vote of the board.

Principal and assistants of normal schools.

SECTION 7. Said board shall also establish a model school or schools for practice, in connection with each state normal school, and shall make all the regulations necessary to govern and support the same; and they may in their discretion admit pupils free of charge of tuition.

Model school.

SECTION 8. As soon as any state normal school is prepared to receive pupils, the superintendent of public instruction shall give notice of the fact to each clerk of the board of supervisors for each county of the state, and the said board of regents of normal schools shall

Notice of normal schools being ready to receive pupils.

cause notice to be published in at least one newspaper in each congressional district.

Admission of students to normal schools.

SECTION 9. The "board of regents of normal schools" shall make such rules and regulations for the admission of students to each state normal school, as they may deem necessary and proper. Every applicant for admission shall undergo an examination in such manner as may be prescribed by the board; and if it shall appear that the applicant is not a person of good moral character, or that he will not make an apt and good teacher, such applicant shall be rejected. The said board may, in their discretion, require any applicant for admission to any state normal school, other than such as shall, prior to admission, sign and file with said board a declaration of intention to follow the business of teaching common schools in this state, to pay or secure to be paid such fees for tuition as to said board may seem proper and reasonable.

Visitors to normal schools.

SECTION 10. After any state normal school shall have commenced its first term, and at least once in each year thereafter, it shall be visited by three suitable persons, not members of the board, but to be appointed by the superintendent of public instruction, who shall examine thoroughly into the condition, organization and management of the school, and shall report to the superintendent of public instruction their views in regard to its success and usefulness, and any other matters they may judge expedient. Such visitors shall be appointed annually, and their report shall bear date of the 31st day of August, and cover the year preceding such date. The president of the board of regents of normal schools shall also make to the superintendent of public instruction an annual report, bearing date of the 31st day of August, which shall contain a full and detailed account of the doings of the said board, and of all their expenditures, and of all moneys received, and the prospect, progress and condition of said state normal schools; and such report, together with the reports of the different boards of visitors, shall be transmitted to the legislature by the superintendent of public instruction, as a part of his annual report, and in addition to what is now required by law.

Annual report of president.

Treasurer.

SECTION 11. The state treasurer shall by virtue of his office, be the treasurer of the board of regents of normal schools, but the said board shall have power to

appoint suitable persons to receive and pay to the state treasurer any tuition fees or other moneys that may be due from any student or other person.

SECTION 12. Lectures on chemistry, anatomy, physiology, astronomy, the mechanic arts, agriculture, and on any other science or branch of literature that the said board may direct, may be delivered to those attending said schools, in such manner and on such terms and conditions as the said board may prescribe. Lectures.

SECTION 13. The said board shall have power to grant diplomas in testimony of scholarship and ability to teach, but no such diploma shall be granted to any person who has not passed a thorough and satisfactory examination in the course of study prescribed by the board of regents of normal schools. Certificates of attendance upon the normal schools may be given, on conditions to be fixed by the said board. After any person has graduated at any state normal school, and has taught a public school in this state one year, the superintendent of public instruction shall have authority to countersign the diploma of such teacher, after such examination, as to moral character, learning and ability to teach, as to the said superintendent may seem proper and reasonable. Diplomas, &c.

SECTION 14. Any person holding a diploma granted by the said board of regents of normal schools, certifying that the person holding the same is a graduate of a state normal school, and that he is qualified to teach a common school, shall, after the same has been countersigned by the superintendent of public instruction, as provided in section thirteen of this act, be deemed qualified, and such diploma shall be a certificate of qualification, to teach in any common school of this state, and as such, shall have the full force and effect of a first grade certificate, until annulled by the superintendent of public instruction. Diploma deemed certificate of qualification to teach.

SECTION 15. Chapter twenty-two of the revised statutes of 1858, and the acts amendatory thereof, and chapter 537 of the general laws of 1865, shall be so construed and understood as to carry out the provisions of this act; and all acts and parts of acts conflicting with the provisions of this act, are hereby repealed. Repeal.

SECTION 16. This act shall take effect and be in force from and after its passage and publication.

Approved April 12, 1866.