

dence, together with the costs and disbursements of the plaintiff in such action which shall be taxed and inserted in the entry of judgment according to the practice in equity cases. But if, upon such accounting, the court shall find that nothing is due the plaintiff, or that any amount is due the defendant, judgment shall be rendered in favor of such defendant for such amount and the costs and disbursements of the action.

Additional remedy for recovery of license fees. SECTION 7. In addition to the remedy hereinbefore provided for the collection of the said license fees and as cumulative thereto said license fees may be recovered by any action or suit at common law or in equity appropriate to the collection of debts.

SECTION 8. This act shall take effect and be in force from and after its passage and publication.

Approved June 10, 1905.

No. 642, A.]

[Published June 13, 1905.

CHAPTER 329.

AN ACT to amend section 492, of the statutes of 1898, as amended by chapter 345, laws of 1903, relating to election of officers in certain free high school districts.

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

District Officers. SECTION 1. Section 492, statutes of 1898, as amended by chapter 345, laws of 1903, is hereby amended to read as follows: Section 492. (Statutes of 1898, as amended by chapter 345, laws of 1903.) The officers of each *free high school* district shall be a director, treasurer and clerk, whose terms shall be each three years beginning with the annual town meetings, and 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 first at the same election at which the question of establishing a high school is submitted, to take their offices if the resolution therefor be adopted. Thereafter such officers shall be elected at the annual town meeting or charter election. The votes cast shall be canvassed and the

result declared and certified as provided in the preceding sections. But in all cities not under a county superintendent which now constitute free high school districts or which shall hereafter adopt the resolution provided for in section 490 and become free high school districts, the board of education in each such city shall be the high school board and the city treasurer shall be ex-officio the treasurer of the high school district unless the board of education embrace a treasurer; and in all districts maintaining a graded school of not less than two departments which now constitute free high school districts or which shall hereafter adopt said resolution, the district board in each shall be the high school board and the district treasurer shall be the treasurer of the high school district. Whenever a sub-district shall vote to establish and maintain a free high school, such sub-district shall constitute a free high school district, shall elect a free high school board, the clerk for one year, the treasurer for two years, and the director for three years; thereafter one officer shall be elected annually in place of the one whose term expires at the annual meeting of such sub-district, and such high school board shall perform all the duties and have the same authority as high school boards in towns or districts. The clerk shall certify all taxes levied for high school purposes to the town, city or village clerk, who shall apportion the same upon the taxable property of the sub-district, and the treasurers of such municipality shall collect the taxes thus apportioned and pay over the same to the high school treasurer and return the delinquent taxes to the county treasurer as in other cases. Where a high school district consists of two or more towns or school districts, or one or more towns or school districts and an incorporated village or city, the officers thereof shall be elected for the same terms as in other districts by joint vote of the town boards of such towns or the board or boards of the school district or districts, town or towns, and three members *elected* by the board of the village or council of the city which have united in forming such district; *except that in all cases where the free high school district is composed of one town and an incorporated village only, the election of high school district officers shall be held at the time of the annual town meeting on the first Tuesday in April of each year at the usual polling places for holding such elections; provided that in cases where such usual polling places are outside the village limits and no village election is held on that day an additional and convenient polling place shall be provided for within the village limits. Separate ballots and a separate ballot box for school district officers shall be provided.*

The names of the candidates for school district officers voted for shall be printed or written on a ticket separate from the town ticket and the ballots cast at this election for school officers shall be canvassed and counted at a joint session of the canvassing boards of the town and village. Such town boards shall hold their first meeting to elect officers at two o'clock P. M. on the first Tuesday following the town meeting, at the office of the clerk of the town having the largest population, and thereafter shall meet for such purpose at the same time at such place as may be determined upon. The first meeting of the board or boards of the town or towns or a school district or districts with the members elected by the board of any village (with the above exception) or council of any city which forms such a district shall be held at two o'clock P. M. on the first Tuesday next following the village or city election at the office of the clerk of such village or city; all subsequent meetings shall be held at the same time at such place as may be determined upon. A majority of all the members representing such town or towns, school district or districts and such village board or city council shall be necessary to constitute a quorum. The secretary of the meetings of such boards shall certify the names of the officers of the district elected thereat to all the clerks of the towns, school districts, village or city in the district. The officers so elected shall have the same authority, be charged with the same duties and be under the same liabilities as other officers of such districts.

Conflicting laws repealed. SECTION 2. All acts and parts of acts in conflict with this act are hereby repealed.

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

Approved June 12, 1905.