

(10) The clerk of the town, city or village shall file with the bursar of the university a copy of the resolution authorizing attendance at the university high school and the bursar shall on or before the first day of July of each year make a sworn statement to the clerk of such town, city or village showing the amount of tuition due as required by subsection (4) of this section. Upon receipt of such statement taxes shall be levied for payment of the tuition and the tuition shall be paid the university in the same manner as taxes are levied and moneys paid for tuition for attendance at free high schools. Nothing in subsections (9) and (10) shall be construed to require the university to admit persons to the high school, and it shall be the sole judge of its capacity for seating and instruction and the qualifications of the applicant for admission.

SECTION 2. This act shall take effect upon passage and publication.

Approved June 14, 1927.

No. 569, A.]

[Published June 16, 1927.

CHAPTER 237.

AN ACT to amend section 49 of chapter 23, laws of 1907, as amended by chapter 54, laws of 1913, relating to municipal court of the county of Outagamie.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 49 of chapter 23, laws of 1907, as amended by chapter 54, laws of 1913, is amended to read: (Chapter 23, Laws of 1907) Section 49. Unless a jury is waived or demand made as provided in the preceding section and in all civil and all criminal actions on appeal from justice court and triable before a jury and in prosecutions for violations of section * * * 351.30 of the statutes the same shall be tried before a jury empaneled as follows:

At least two days before the day fixed for trial, unless otherwise ordered by the court, the clerk shall draw in the presence of the court the names of * * * *thirty-six* persons from the box containing the names of the "Appleton Jury List." The parties shall then strike from the names so drawn, alternately,

beginning with the plaintiff, one name at a time until each party has struck * * * *nine* names. When all strikes have been made a venire shall be issued for the persons whose names remain on said list, arranged in the same order as they appear on the list, to serve as jurors and made returnable on the day fixed for trial. The jury so struck shall be called in the order they appear upon the venire * * * *Each party shall be entitled to two peremptory challenges in open court at the trial which shall be exercised alternately, the plaintiff beginning, and each party may waive one or both such peremptory challenges. The parties to the action shall be deemed two, all plaintiffs being one party and all defendants being the other party, except that in case where two or more defendants have adverse interests, the court, if satisfied that the due protection of their interests so requires, in its discretion, may allow to the defendant or defendants on each side of said adverse interest, not to exceed two such challenges. After those excused as challenged for cause, set aside or excused by the court, shall retire and the remaining jurors shall be less than sixteen in number, unless peremptory challenges are waived sufficiently so that twelve jurors will be left when the peremptory challenges are completed, the clerk shall draw as before from the box three times as many names as shall be sufficient to complete the panel of sixteen, and such names shall be entered at the foot of such panel, and upon the peremptory challenges having been exercised, the first twelve who shall appear and have not been peremptorily challenged or challenged for cause, set aside or excused by the court, shall be the jury.*

SECTION 2. This act shall take effect upon passage and publication.

Approved June 14, 1927.

No. 520, A.]

[Published June 16, 1927.

CHAPTER 238.

AN ACT to create subsection (3) of section 40.21 of the statutes, relating to the taking of the annual school census.

The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new subsection is added to section 40.21 of the