

said section, the words, "town insurance companies," so that said section, when so amended, shall read as follows: Section 1972. There shall be paid to the commissioners of insurance by every insurance corporation, person, or agent, to whom this chapter applies, except town insurance companies, millers' and manufacturers' mutual insurance corporations, the following fees; for filing the first declaration or statement with certified copy of charter, twenty-five dollars; for filing the annual statement of any insurance corporation other than life or accident corporations, twenty-five dollars; for filing such annual statement of any life or accident insurance corporation, twenty-five dollars; for each certificate of authority to agents of all corporations doing business in this state, one dollar; for every copy of paper filed in his office, fifteen cents per folio; and for certifying and affixing seal, fifty cents. Millers' and manufacturers' mutual insurance corporations organized under the provisions of section one thousand nine hundred and forty-one, *a, b, c, d, e* and *f*, shall pay the following fees: For filing the first declaration or statement and issuing certificate thereon, ten dollars; for filing annual statement and issuing certificate thereon, three dollars; in case two or more corporations shall combine to effect insurance under a joint policy or policies, each and every such corporation so combining shall pay the fees above provided, the same as if each and every one wrote separate policies.

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

Approved March 3, 1879.

[No. 133, A.]

[Published March 7, 1879.]

CHAPTER 163.

AN ACT relating to and amendatory of chapter two hundred and sixty-three of the laws of Wisconsin of the year 1878, entitled an act to incorporate the city of Jefferson.

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

SECTION 1. Chapter two hundred and sixty-three New chapter. of the laws of Wisconsin for the year 1878, entitled an act to incorporate the city of Jefferson, is hereby amended by adding thereto a new chapter, to be known as chapter fifteen, and to read as follows:

CHAPTER XV.

RELATING TO PUBLIC SCHOOLS.

School district. SECTION 1. The school districts and parts of districts within the incorporate limits of the city of Jefferson shall constitute one district, for the better regulation and management of the public schools of said city.

Board of education. SECTION 2. There shall be elected by the common council of the city of Jefferson, a board of education, which shall be composed of one school commissioner from each ward of said city. The first election of commissioners shall be at a meeting of said common council, to be held on the third Tuesday of April, A.

Terms of office. D. 1879, when a full board shall be elected. The commissioners first elected as aforesaid shall enter upon the duties of their office on the third Tuesday after their election, and shall continue in office as follows: The commissioner from the first ward, one year; the second ward, two years; the third ward, three years, and until their successors are elected and qualified. And thereafter, the term of all commissioners elected shall commence on the first Tuesday of May after their election; and on the third Tuesday of April in each year after the first election, there shall be elected a school commissioner to succeed any member of the board of education whose term of office will expire on the succeeding first Tuesday of May, who shall hold his office for the term of three years and until his successor is elected and qualified.

Corporate powers. SECTION 3. The school commissioners, elected under the provisions of section two of said chapter fifteen, shall constitute a board to be styled the board of education of the city of Jefferson, which shall be a corporate body in relation to all the powers and duties conferred on them by virtue of this act, and a majority of said board shall form a quorum for the transaction of business. It shall be the duty of the common council to supply by appointment any vacancy which may occur from time to time in the number of said school commissioners by resignation or otherwise. The said commissioners shall receive no compensation for their services.

Vacancies, how filled.

Officers. SECTION 4. The board of education shall, at its first regular meeting in May of each year thereafter, elect one of its members president, who shall preside at all meetings of the board, and preserve order and decorum thereat, and decide all questions of order

subject to appeal to the board: *provided, further*, that in the absence of the president, the board shall elect a president *pro tempore*. The city clerk of the said city of Jefferson shall be *ex-officio* clerk of the said board of education.

SECTION 5. The clerk of said board shall keep a record of the proceedings thereof, and perform such other duties as the board may prescribe, which record, or a transcript thereof, certified by the president and clerk, shall be received in all courts as *prima facie* evidence of the facts therein set forth, and such records and all the books and accounts of said board shall at all times be subject to the inspection of the city council and of any committee thereof. Duties of clerk.

SECTION 6. The common council of the said city of Jefferson shall have the power, and it shall be its duty to raise from time to time, by a tax upon the real and personal estate in said city which shall be liable to taxation in addition to the amount of school moneys now or hereafter appropriated or provided by law for common schools in said city, such sums as the said council shall deem necessary or proper for any or all of the following purposes, estimates therefor having been previously submitted to said council by the board of education for the information of the council; and it is hereby made the duty of the board of education of the city of Jefferson to submit said estimates to the common council on or before the first Tuesday of July in each year: 1. To purchase, lease or improve sites for school houses. 2. To build, purchase, lease, enlarge, alter, improve and repair school houses, and their out-houses and appurtenances. 3. To purchase, exchange, improve and repair school apparatus, books, furniture and appendages. 4. To procure fuel and defray the contingent expenses of the district library of said city. 5. To pay the wages of teachers due after the application of the public moneys, which may by law be appropriated and provided for that purpose: *provided, nevertheless*, that no tax shall be laid for such purposes oftener than once in each year: *and provided, also*, that the amount to be raised for teacher's wages, and for contingent expenses in any one year, shall in no case exceed four dollars for each person that draws public money, nor less than two dollars; that the amount to be raised in any one year, for repairing school houses and the appurtenances, shall not exceed fifteen hundred dollars, and for buying sites, and erecting or purchasing new school houses, shall not exceed three thousand dollars. Additional tax for school purposes.

Not oftner than once a year.

Limited.

Levy and collection of tax.

SECTION 7. The common council shall cause the tax or taxes herein provided for to be levied and collected annually on all such real and personal property or capital of any kind within said city, as is subject to taxation by the laws for levying taxes for the state, for the time being; said taxes to be levied and collected in the same manner as annual taxes are levied and collected in said city.

Money to be paid to city treasurer.

SECTION 8. All moneys to be raised pursuant to the provisions of this act, and all school moneys by law appropriated to or provided for said city, shall be paid to the treasurer of said city, who, together with the sureties of his official bond, shall be accountable therefor in the same manner as for other moneys of said city. The said treasurer shall also be liable to the same penalties for any official misconduct as in relation to the other moneys of said city.

How money may be drawn.

SECTION 9. The treasurer of said city shall not pay out any moneys in his hands received by said city, either as school moneys or collected or received by virtue of any of the provisions of this act, excepting upon an order drawn upon him and signed by the president and clerk of said board of education, and no such order shall be drawn except by virtue of a resolution of the said board.

For default.

SECTION 10. The said board may cause a suit or suits to be prosecuted in the name of the city of Jefferson, upon the official bond of the treasurer, or of any collector of said city, for any default, delinquency or official misconduct in relation to the collection, safe keeping or payment of any moneys in this act mentioned, or any other school moneys by law appropriated to or provided for said city.

POWERS AND DUTIES OF BOARD.

Powers and duties of board.

SECTION 11. The said board shall have power, and it shall be its duty: 1st. To establish and organize such, and so many schools in the several wards of the city (including the common schools now existing there) as they shall deem requisite and expedient, and to alter and discontinue the same. 2d. To purchase or hire school houses and rooms, and lots and sites for school houses, and to fence or improve them as they may deem proper: *provided*, the amount necessary has been appropriated by the common council of said city. 3d. Upon such lots, and upon any sites now owned by said city, to build, enlarge, alter, improve and repair school houses as it may deem advisable. 4th. To pur-

chase, exchange, improve and repair school apparatus, books for pupils, furniture and appendages, and to provide fuel for the schools, and defray their contingent expenses and the expenses of the district library. 5th. To have the custody and safe keeping of the school houses, out houses, books, furniture and appendages, and to see that the ordinances of the city council in relation thereto are observed. 6th. To contract with and employ all teachers in the common schools of said city who shall have been licensed by the county superintendent of schools of the county of Jefferson, and at its pleasure to remove them. 7th. To pay the wages of such teachers out of the school moneys which shall be appropriated to said city, so far as the same shall be sufficient, and the residue thereof from the money authorized to be raised for that purpose by section six of said chapter fifteen, by tax upon the city. 8th. To defray the necessary contingent expenses of the board. 9th. To have in all respects the superintendence, supervision and management of the common schools in said city, and from time to time to adopt, alter, modify and repeal, as it may deem expedient, rules and regulations for their organization, government and instruction, for the reception of pupils and their transfer from one school to another, and generally for their good order, prosperity and public utility. 10th. Whenever, in the opinion of the board, it may be deemed advisable to sell any of the school houses, lots or sites, or any of the school property now or hereafter belonging to the city, to report the same to the common council. 11th. To prepare and report to the common council such ordinances and regulations as may be necessary or proper for the protection, safe keeping, care and preservation of school houses, lots and sites, and appurtenances, and all other property belonging to the city connected with or appertaining to the schools, and to suggest proper penalties for the violation of such ordinances and regulations; and annually to determine and certify to said city council the sums, in its opinion, necessary or proper to be raised, under the sixth section of said chapter fifteen, specifying the sums required for each of the purposes therein mentioned and the reason therefor. 12th. The board of education shall adopt for the use of the several public schools in the city, suitable text-books, which shall be uniform, and when the board shall have adopted for use in the public schools of this city any text book or text books, the same shall not be changed by the board,

or any teacher or other person, for three years thereafter, and the said board shall adopt and, at its discretion, modify or repeal by-laws, rules and regulations, for their government and for the organization, discipline and management of the public schools of said city, and generally adopt all such measures as shall promote the good order and public utility of said schools: *provided*, that such by-laws, rules and regulations shall not conflict with the constitution and laws of this state.

Children of non-residents may attend school.

SECTION 12. The said board of education shall have power to allow the children of persons not residents within the city to attend any of the schools of said city under the care and control of said board, and upon such terms as the board shall by resolution prescribe.

Expenditures not to exceed amount in treasury.

SECTION 13. It shall be the duty of said board in all its expenditures and contracts to have reference to the amount of money that shall be subject to its order during the then current year for the particular expenditure in question, and not to exceed such amount.

District library.

SECTION 14. The said board of education shall be the trustee of the district library in said city, and all the provisions of law which now are or may hereafter be passed relating to district school libraries shall apply to the said board in the same manner as if it were trustee of an ordinary school district; it shall also be vested with the discretion as to the disposition of the moneys appropriated by any law of the state for the purchase of libraries, which is therein conferred upon the inhabitants of school districts. It shall be its duty to provide a library room and the necessary furniture therefor, and appoint a librarian; to make all purchases of books for the said library, and from time to time to exchange or cause to be repaired the damaged books belonging thereto.

Powers and duties of board of education.

SECTION 15. It shall be the duty of the said board annually, on or before the third Tuesday in April in each year, to prepare and report to the common council true and correct statements of the receipts and disbursements of moneys under and in pursuance of the provisions of this act during the preceding year, in which account shall be stated, under appropriate heads: 1st. The moneys raised by the common council under the sixth section of said chapter fifteen. 2d. The school moneys raised by the treasurer of the city from the county and town treasurers. 3d. Moneys received by direct tax. 4th. All other moneys received by the city treasurer, subject to the order of the board, specifying the source. 5th. The manner in which such sums

of money shall have been expended, specifying the amount paid under each head of expenditures; and the common council shall forthwith cause the same to be published in at least one newspaper published in said city.

SECTION 16. The said board of education shall be subject, from time to time, to the rules and regulations made by the state superintendent of common schools, so far as the same may be applicable to it, and not inconsistent with the provisions of this act. Board subject to rules.

SECTION 17. The common council of the city of Jefferson shall have power, and it shall be its duty, to pass such ordinances and regulations as the board of education may report as necessary and proper for the protection, safe keeping, care and preservation of the school houses, lots, sites, and appurtenances, and all necessary property belonging to or connected with the schools in said city, and to impose proper penalties for the violation thereof, subject to the restrictions and limitations contained in this act, and in chapter two hundred and sixty-three of the laws of Wisconsin of the year 1878; and all such penalties shall be collected in the same manner that the penalties for a violation of the city ordinances are by law collected, and when collected shall be paid to the treasurer of the city, and be subject to the order of the board of education, in the same manner as other moneys raised pursuant to the provisions of this act and the provisions of chapter two hundred and sixty-three of the laws of Wisconsin of the year 1878. Care and preservation of school property.

SECTION 18. Whenever the said board of education shall report to the common council that it is advisable to sell any of the school houses, lots or sites, or any of the school property now or hereafter belonging to the city, the common council may sell the same upon such terms as it may deem advisable. The proceeds of all such sales shall be paid to the city treasurer, and shall be subject to the order of said board, to be expended by it on purchase, leasing, repairs or improvements of other school houses, lots, school furniture, apparatus or appurtenances. Sale of school property.

SECTION 19. The title to the school houses, sites, lots, furniture, books, apparatus and appurtenances, and all other property in this act mentioned, shall be vested in the city of Jefferson, and the same, while used or appropriated for school purposes, shall not be levied upon or sold by virtue of any warrant or execution, nor be subject to taxation for any purpose. Title to school property.

whatever; and the said city, in its corporate capacity, shall be able to take hold and dispose of any real or personal estate transferred to it by gift, bequest or devise, for the use of the common schools of the said city, whether the same shall be transferred in terms to said city by its proper style, or by any other designation, or to any person or persons, or body, for the use of said schools.

Custody of school funds.

SECTION 20. All moneys authorized to be raised by virtue of this act, or by virtue of chapter two hundred and sixty three of the laws of Wisconsin of the year 1878, for school purposes, on being raised as therein provided, shall be held by the treasurer of said city, and by him placed to the credit of said board of education, and shall be drawn out in pursuance of a resolution or resolutions of said board, by draft drawn by the president and countersigned by the clerk of said board, payable to the person or persons entitled to receive such moneys, and the said treasurer shall keep the funds authorized by this act to be received by him, separate and distinct from any other fund that he is or may by law be authorized to receive.

Eligibility to membership of board of education.

SECTION 21. No person in the city of Jefferson engaged in teaching any of the public schools of said city, shall be eligible to the office of commissioner of common school in any of the several wards of said city, and no member of the board of education shall be employed to teach any of the schools of said city.

Members of board to have no interest in contracts.

SECTION 22. No member of the board of education shall have any interest, direct or indirect, in any contract made by said board, and any contract so made, in which any member of said board shall have such interest, shall be absolutely void.

Notice of election of board.

SECTION 23. Immediately upon the election of the first board of education of the city of Jefferson, as provided for in this act, it shall be the duty of the clerk of the city of Jefferson, and he is hereby required, under his signature and the corporate seal of said city, to officially notify the respective clerks and treasurers of school districts numbers one and twelve of the town of Jefferson, in the county of Jefferson, of such election.

Duty of school district clerks.

SECTION 24. Upon receiving the notice specified in section twenty-three of this act, and within one week after the time by section two of this act fixed for said board of education to enter upon the duties of its office, it shall be the duty of the said clerks of said school districts numbers one and twelve of the said

town of Jefferson, and they, the said clerks, are hereby required to hand over and deliver to the clerk of the board of education of the city of Jefferson, all contracts, books, papers, and other material of whatsoever nature in their hands, appertaining and belong to their respective school districts, together with a true statement of the business of their respective offices up to and including the time of such delivery, which said statement shall be in writing, and verified by the oath of said clerks respectively.

SECTION 25. Upon receiving the notice specified in section twenty-three of this act, and within one week after the time by section two of this act fixed for said board of education to enter upon the duties of its office, it shall be the duty of the said treasurers of said school districts numbers one and twelve of the said town of Jefferson, and they, the said treasurers, are hereby required to hand over and deliver to the treasurer of the city of Jefferson, all moneys, books, papers, and other material, of whatsoever nature in their hands, appertaining and belonging to their respective school districts, together with a true statement of the business of their respective offices, up to and including the time of said delivery, which said statement shall be in writing and verified by the oath of said treasurers respectively.

Duty of school district treasurers.

SECTION 26. All acts and parts of acts heretofore passed, inconsistent with this act, are hereby repealed.

Repealed.

SECTION 27. This act shall be published in the Jefferson Banner, a newspaper published at the city of Jefferson, Jefferson county, Wisconsin, and shall take effect from and after its passage and publication.

Publication of this act.

Approved March 3, 1879.

[No. 132, A.]

[Published March 6, 1879.]

CHAPTER 164.

AN ACT to authorize the City of Jefferson to borrow money.

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

SECTION 1. The commissioners of public lands are hereby authorized to loan a portion of the trust funds of the state, not to exceed five thousand dollars, to the city of Jefferson, in the county of Jefferson, in this state, and the said city is hereby authorized to borrow

Amount of loan authorized.