

proceed with the performance of their duties as prescribed in section 33 of the Act.

15. No.

16. The Board of Separate School Trustees. (See sub-section 3 of section 33 of the Act.)

17 to 21 (inclusive). These are all matters as to which the trustees have to exercise their judgment and discretion.

**Removal of Snow from Street.**

214—F. D. S.—1. Can a ratepayer in our village compel the council to open up a street (which has not been used all winter and is now covered with three or four feet of snow) so that he can draw in firewood, or should he have the snow shovelled himself?

2. Will the council be liable if they do not open it after being notified?

The ratepayer has used a trespass footpath all winter instead of using the street. His property also joins the main used street.

1 and 2. A ratepayer cannot compel the council to clear off a large quantity of snow upon a road at large expense to convenience such ratepayer, but it may by neglect to keep the road in a reasonable state of repair render itself liable in damages if an accident happens.

**Assessment of Farmer's Son—Power of Council as to Assessment Roll.**

215—J. D.—1. J. R. resides on his mother's farm occupying a house. Mrs. R. resides in B. and rents this farm to another son, F. R., but reserves the house for J. R. Now she does not want J. R. assessed on this farm. Mrs. R. has always been assessed as owner and J. R. as F. M. F. as her son. What form must he be assessed in?

2. What power has the council got in regard to the assessment roll? Can they refuse to accept it until it has been inspected by the clerk and found correct?

3. Can they refuse to accept it in any case?

1. If J. R. has *bona fide* resided on his mother's farm for twelve months prior to the preparation of the assessment roll, and is a British subject of the full age of 21 years, he is entitled to and should be assessed as a farmer's son, or he may be assessed as an occupant or tenant under his mother pursuant to the provisions of section 14 of The Assessment Act.

2 and 3. The council has no power to refuse to accept the assessment roll. Section 56 of The Assessment Act provides that it is to be filed with the clerk, completed and added up with the affidavits attached for the inspection of parties interested, and to be dealt with by the municipal Court of Revision and the County Judge on appeal from that court.

**Proceedings on Change of School Site.**

216—P. S.—Copy of the minutes of a special meeting held to ascertain the feeling of the ratepayers of school section number six in the municipality of \_\_\_\_\_, with regard to the moving of the school house.

\_\_\_\_\_, February 13th, 1904.

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, that \_\_\_\_\_ act as chairman of the meeting. Moved by \_\_\_\_\_, seconded by \_\_\_\_\_, that \_\_\_\_\_ act as secretary of this meeting. Carried.

Moved by \_\_\_\_\_, seconded by \_\_\_\_\_ that as the legality of this meeting is called in question, this meeting was adjourned until Saturday, the 27th inst., at 10 o'clock, a. m.

(Signed) \_\_\_\_\_, Chairman.

(Signed) \_\_\_\_\_, Secretary.

When school section number six of this municipality was organized and established only very few settlers were residing in the northern part of it while most of the ratepayers and nearly all children of school age were living on the south end. When the school site was selected and the school house built it was located near the south end as shown in the accompanying map in order to accommodate the majority of the existing population. Since then the northern end of the section has also been more occupied and contains now the majority of children of school age, as well as the majority of ratepayers, and for several years past efforts have been made by the latter to have the school site changed to a more central location also shown on the map, but up to this year the trustees

were opposed to a change. This year one trustee is anxious and determined to get the site changed, if possible, and one is decidedly opposed to it, and the third is willing to agree to a change on condition that the present school house can be sold at a certain price which probably will not be realized for it as the site reverts back to the original grantee or his assigns if no longer used or needed for school purposes.

In July, 1902, an informal special meeting of the ratepayers of said section was held at which no minutes in writing were taken, but at which it was unanimously verbally agreed to either move the present school house to the site indicated or to build a new one the following season, and to levy a special section rate of 23½ mills on the dollar, realizing \$96.58 but used the money afterwards for general school purposes, and took no steps whatever toward changing the site to a more central location.

At the request of the dissatisfied ratepayers the secretary-treasurer called a special meeting to be held at the school house on the 13th inst. He is working away from home all week and wrote the notice on Sunday the 7th inst., though they were dated and posted up by one of the trustees on Monday, the 8th inst. At the meeting objections were raised by ratepayers opposed to a change disputing the legality of the meeting, as only five clear days' notice had been given, and because as stated, the secretary-treasurer wrote the public notice calling the meeting on a Sunday. The meeting was therefore adjourned until Saturday, the 27th inst. New public notices were to be posted up by the trustees and the site definitely selected by them in the meantime.

1. Are the steps verbally but unanimously agreed upon at the meeting held July, 1902, regarding the changing of the school site, and the levying of a section rate for that particular purpose binding on the trustees, or if they had a right to use the money so raised for general school purposes, and to take no action toward changing the site?

