

having jurisdiction, and not to the chief superintendent. The law provides for an appeal from the decision of the inspector in such cases to the chief superintendent. In no case should the complaint in the first instance be made to the Education Department; and, in all cases, parties appealing must send the inspector a copy of their appeal, so that he may have an opportunity to send such explanations as he may deem necessary to that Department.

17.—Mode of Calling Special School Meetings.

The notice calling a special school meeting, should specify the place, time and objects of the meeting. It may be issued by the secretary, or trustees, or by the Inspector. Three notices of the meeting should be put up in a conspicuous place in the section, at least six days before the meeting. (See section 2 of this chapter.)

18.—What an Ordinary Special School Meeting can do.

A special if called to transact ordinary business can

(1.) *Discuss*, and decide at its pleasure, the business named in the notices calling it; or, it may, (unless restricted as below.)

(2.) *Adjourn* the further consideration of such business until another meeting.

(3.) *Rescind* (unless restricted as below) the resolutions of a former meeting, and pass others in their place.

19.—What a School Section Meeting Cannot do.

A school meeting cannot lawfully:

(1.) *Elections*.—Rescind any resolution or vote of a former meeting for the election of a school trustee.

(2.) *Contract*.—Rescind any resolution of a former meeting, if in the meantime a contract, agreement, or obligation has been entered into under its authority, unless at the same time it fully provides for the payment of compensation or damages caused by the rescinding of such resolution or vote.

(3.) *Adjourn*.—The annual meeting, or any meeting called for the appointment by it and by the trustees of arbitrators, to decide upon a school site. (See next chapter, section 4.)

(4.) *Award*.—Set aside or ignore the award of arbitrators appointed to select a school site.

(5.) *Rate Bill*.—Impose rate bill for fees, fuel, or other purposes, upon residents, or non-residents. See chapter 4 on non-residents.)

(6.) *Trustees' Right*.—Interfere with the trustees in their right to employ a teacher, erect a school-house, or decide upon the expenses of the school, or the improvement of the school premises.

ELECTION OF BOARDS OF PUBLIC SCHOOL TRUSTEES

IN CITIES, TOWNS, AND INCORPORATED VILLAGES.

Taken from the Second Part of the "School Law Lectures to Normal School Students," by Dr. HODGINS.

1.—Day and hour for the Election of Boards of Public School Trustees.

The election of members of public school trustee board, in cities, towns and incorporated villages, must be held on the second Wednesday in January of each year, commencing at the hour of nine o'clock a.m., and closing not later than five o'clock p.m.

[NOTE.—The hour for holding the school election in cities, towns and incorporated villages is different from that at which it is held in rural sections. In this respect it follows the municipal instead of the school law. The object, doubtless, was to facilitate the settlement, by the county judge, of school election complaints, by assimilating the school law to that governing the municipal elections.]

2.—How long shall the School Election last?

The election shall last for one day only. It shall commence at nine o'clock in the forenoon, and close at five o'clock in the afternoon, after which hour no vote shall be received for any candidate.

3.—Where shall the Public School Trustees Election be held?

The election of public school trustees in cities and towns, divided into wards, shall be held "at the place of the last municipal elections," and in towns and incorporated villages not divided into wards, it shall be held "at the place of the then last annual election of councillors."

[NOTE.—In case the election of a public school trustee (on complaint being made to him) be set aside by a county judge, the law authorizes him "to appoint the time and place of holding a new election." (See sections 6 and 7 of this chapter.)

4.—Who shall preside at a Public School Trustee Election?

Each public school trustee election in cities, towns and incorporated villages, shall be held under the direction "of the returning officer" of the municipality concerned; "but in case of the default of such returning officer, then under the direction of such person as the electors present may choose."

5.—How shall a Public School Trustee Election be conducted?

The school law declares that "the school elections in cities and

towns shall be conducted in the [same] manner as an ordinary municipal ward election."

NOTE.—The "manner" thus referred to is defined in the municipal law as follows:—

(1.) The returning officer shall preside, or, in his absence, a person chosen by the electors. He shall enter in a poll book, in separate columns, the names of the candidates proposed, and shall, opposite to such columns, write the names of the electors offering to vote at the election. He shall also in each column, in which is entered the name of a candidate voted for by an elector, set the figure "1" opposite the voter's name.

(2.) The returning officer shall, at the close of the poll, add up the number of votes set down for each candidate for the office of trustee, and shall publicly declare the same, beginning with the candidate having the greatest number of votes, and so on with the others; and shall thereupon publicly declare elected the candidate or candidates respectively who shall stand highest on the poll.

(3.) In case two or more candidates have an equal number of votes, the returning officer shall give a vote for one or more of such candidates, as the case may be, so as to decide the election; and, except in such case, no returning officer shall vote at any election held by him.

(4.) The returning officer shall, on the day after the close of the election return the poll book to the clerk or secretary of the public school board. He shall also append thereto his solemn declaration that the poll book contains a true statement of the poll, and transmit his certificate for the persons (naming them) who have been duly elected.

6.—Who shall call Meetings for the Election of Public School Trustees?

(1.) On the incorporation of towns and incorporated villages, not divided into wards, the first meeting for the election of public school trustees shall be called by the "returning officer appointed to hold the first municipal election in such town or village."

NOTE.—For boundaries of newly incorporated villages. (See sec. 5, ch. iv.)

(2.) In case of the "neglect for one month" of the returning officer to call this first school meeting for the election of six trustees, in a town or village not divided into wards, "any two freeholders in such town or village may call a meeting for such purpose."

(3.) The annual meeting for the election of public school trustees in cities, towns and incorporated villages shall be called by the public school board.

(4.) A county judge who, on appeal, sets aside a public school trustee election, is required by law to "appoint a time and place of holding a new election."

NOTE.—The county judge is merely required to "appoint the time and place of holding a new election," in case he sets aside an election, against which an appeal had been made to him. He may either call the meeting himself, or direct the trustees to do so. (See section 13 of this chapter, next page.)

7.—When must Public School Meetings be held?

(1.) The annual school meeting must be held on the second Wednesday of January of each year, at nine o'clock a.m.

(2.) A special school meeting may be held at any time fixed upon by the trustees at their discretion.

(3.) The county judge is authorized to "appoint the time and place of holding a new election, when he sets aside one against which a complaint has been made to him."

8.—For what purpose can School Meetings be called?

Public school trustees in cities, towns and incorporated villages, are authorized to call school meetings for—

(1.) The annual election of school trustees.

(2.) The election of a public school trustee or trustees, to fill a vacancy or vacancies in the school corporation, which may be caused at any time by (1) death, (2) resignation, (3) removal from the municipality, (4) void election, (5) refusal to act, or (6) other cause. (See section 20 of this chapter, page 121.)

NOTE.—See "Note," to 6th section above.

(3.) "Any other school purpose which they may think proper."

NOTE.—The board of trustees is not required to call a public school meeting, or otherwise consult their constituents in regard to the selection of a public school site, the erection of a school house, or the raising of moneys for the support of the schools. They may do so, however, at their pleasure. But the resolutions passed at such a meeting are not binding upon the trustees. They would be valuable only as an expression of opinion on the part of the ratepayers. Trustees are not required to submit their annual report to a public school meeting, but they are required to publish it in the local newspaper. (See section 8, of chapter xvi.)

9.—What notice must be given in calling School Meetings?

In all cases six days' notice, in at least three public places in each ward, town or village, must be given of each public school meeting, whether it be called by a returning officer (see section 6 of this chapter) or by the board of trustees, or by order of a county judge, in case an election be set aside by him.

10.—Who has a right to vote at School Meetings?

Any assessed freeholder or householder of a city, town or incor-