

(3.) To hear the declaration of office made by the chairman, in case he should be elected trustee.

8.—Prescribed Order of Business at a School Meeting.

The following is the order in which the business of an annual school meeting should be taken up:—

- (1.) Calling the meeting to order by the senior trustee.
- (2.) Election of chairman and secretary.
- (3.) Reading of trustees' annual report and auditors' statement of receipts and expenditure.
- (4.) Reception of trustees' report and auditors' statement.
- (5.) Election of trustee to fill the vacancy of the year.
- (6.) Election of trustee or trustees to fill any other vacancy.
- (7.) Election of a school auditor for the next year.
- (8.) Deciding by whom the school expenses of the school shall be raised, (that is by the trustees, or by the township council).

NOTE.—The school meeting has no power to alter the trustees' estimate of these expenses, nor to interfere with the appointment of the teacher, or to reduce his salary. These expenses, which cannot be reduced by the meeting, include the items of rent, insurance, repairs, fittings, printing; salary of teacher; maps, apparatus, tablets, library, prize and text books; fuel, cleaning, lighting fires, care of premises; postage, stationery; collector's fees; cost of site, building, teacher's residence, outbuildings, shed, fence; planting and laying out grounds; school bell and all other necessary expenses incurred by trustees in maintaining the school.

- (9.) Any other business, of which due notice has been given.

NOTE.—No business can be lawfully transacted at a school meeting, unless due notice shall have been given of it by the trustees, inspector, &c., beforehand.

9.—Rules to be observed at each School Meeting.

The following rules are to be observed at each school meeting, (see also section 10 of this chapter), viz:

(1.) *Poll demanded.*—The name of those who vote for, and of those who vote against, a motion, shall be entered upon the minutes, if two electors require it, at the time of voting, and even after the chairman has declared the motion carried. (See section 14, below.)

(2.) *Votes.*—All votes shall be taken in the manner desired by a majority of electors present, and a poll shall be granted if two electors desire it. Every vote tendered shall be received by the chairman, unless objection be made to it. In that case the chairman shall require the person, whose vote is questioned, to make the declaration provided by law. After making it, the vote must be received and recorded without further question.

(3.) *Protest.*—No protest against an election, or other proceedings of the school meeting shall be received by the chairman. All protests must be sent to the Inspector, at least within twenty days after the meeting.

(4.) *Adjournment.*—A motion to adjourn an annual school meeting until the business is finished is unlawful; but a motion to adjourn a special school meeting shall always be in order; provided that no second motion to the same effect shall be made until after some intermediate proceedings shall have been had; or provided that such special meeting has not been called for the selection of a school site. (See section 3 of chapter VII.)

(5.) *Reconsidering Motion.*—A motion to reconsider a vote may be made by any elector at the same meeting; but no vote of reconsideration shall be made more than once on the same question at the same meeting, unless by unanimous consent.

(6.) *Close of the Meeting.*—The school meeting must not close before eleven o'clock in the forenoon, nor shall it continue open after four o'clock in the afternoon—beyond which latter hour no business can be lawfully transacted by the meeting.

(7.) *Transmitting Minutes to Inspector.*—At the close of the meeting, the chairman should sign the minutes as entered by the secretary in the minute book. Within fourteen days after the meeting, the chairman must send to the inspector a copy of the minutes (as signed by himself and the secretary), under a penalty of five dollars.

(8.) *Declaration of Office.*—The trustee, or trustee-elect, should at once make the declaration of office before the chairman of the meeting, or within fourteen days after the close of the meeting. In case the chairman is elected trustee, he should in like manner make the declaration of office before the secretary.

NOTE.—In no case is an oath of office, or signed declaration by the trustee-elect required. The act must be verbally performed. Even if it be not performed, the trustee is nevertheless a legal trustee until fined by a magistrate for neglect to make the declaration. On being fined, the office is vacated, and a new election should be at once held. Even should a trustee's election be appealed against to the inspector, the trustee himself must hold office and act, until his election is legally set aside. The principle is, that an individual coming into office by colour of an election or appointment, is an officer *de facto* (in fact), and his acts, in relation to the public, are valid until he is lawfully removed, although it be conceded that his election or appointment was illegal in the first place. When his election is confirmed, he becomes a trustee *de jure* (of right), and no further objection can be made to him.

10.—Optional Rules.

NOTE.—The following are rules of order suggested, which may or may not be observed, at the pleasure of the meeting, viz:

(1.) *Addressing Chairman.*—Every elector, previous to speaking, should rise and address himself to the chairman.

(2.) *Order of Speaking.*—When two or more electors rise at once, the chairman shall name the elector who shall speak first, when the other elector, or electors, shall next have the right to address the meeting in the order named by the chairman.

(3.) *Motion to be read.*—Each elector may require the question or motion under discussion to be read for his information at any time, but not so as to interrupt an elector who may be speaking.

(4.) *Speaking twice.*—No elector shall speak more than twice on the same question or amendment without leave of the meeting, except in explanation of something which may have been misunderstood, or until every elector choosing to speak shall have spoken.

(5.) *Motions to be seconded.*—A motion cannot be put from the chair or debated unless the same be in writing (if required by the chairman), and seconded.

(6.) *Withdrawal of Motion.*—After a motion has been announced, or read by the chairman, it shall be deemed to be in the possession of the meeting; but it may be withdrawn at any time before decision, with the consent of the meeting.

(7.) *Kinds of Motions to be received.*—When a motion is under debate, no other motion shall be received, unless to amend it, or to postpone it, or for adjournment, if a special meeting, as provided in clause (4), section 9 of this chapter.

(8.) *Order of putting Motion.*—All questions shall be put in the order in which they are moved. Amendments shall always be put before the main motion: the last amendment first, and so on.

11.—First Business of the Annual School Meeting.

After appointing a chairman and secretary, the first business, before electing a new trustee, is the reading of the school trustee and auditors' report for the past year for the information of the meeting. (For other items of business to be brought forward, see section 8 of this chapter.)

12.—What the Trustees and Auditors' Report shall contain.

The law of 1871 declares that "the report of the trustees required by law to be laid before the annual school meeting shall (1) include a summary of their proceedings; and (2) state of the school during the year, together with (3) a detailed statement of receipts and expenditure, signed by either or both of the school auditors of the section; and in case of a difference of opinion between the auditors on any matter in the accounts, it shall be referred to and decided by the County Inspector.

13.—Who may or may not be a Trustee.

Any fit and proper person who is a resident assessed rate-payer of the school section, may be trustee thereof; but no inspector, teacher, non-resident, or supporter of a separate school can lawfully hold that office. The chairman of the meeting (if a rate-payer, and otherwise eligible), may be elected. In that case he should make a verbal declaration of office before the secretary of the meeting. Should a person elected as trustee refuse to serve, he subjects himself to a penalty of five dollars; but a retiring trustee need not serve for four years after his term of service expires. (See chapter I, sections 1 and 2.)

14.—Three Modes of Trustee Election Prescribed.

In electing a trustee, one of the three modes authorized by law may be adopted, viz: (1) by acclamation; (2) by a show of hands; and (3) by polling the votes. The law requires the chairman to adopt the latter mode at the request of any two electors present, even although he may, on a show of hands, have declared the person elected.

15.—Complaints to be made to Inspector.

Any person having a legal objection, either to the proceedings of the annual meeting, or to the election of the trustee, has a right of appeal against either, within twenty days, to the inspector alone. The inspector is required by law to receive and to investigate the complaint, and either confirm the proceedings and election, or set them aside within a reasonable time.

16.—Appeal to the Chief Superintendent against Inspector's Decision.

Should any rate-payer object to the Inspector's decision, no further proceedings should take place in the matter until an appeal is made to the head of the Education Department (as provided by law in such cases) and decided.

NOTE.—Should the proceedings and election be set aside, and no appeal be made to the chief superintendent, the inspector, or trustees, if desired, should call another meeting for a new election. If no complaint be made to the inspector in writing within twenty days after the meeting, the proceedings (however irregular they may have been) must be held to be valid and binding upon all parties concerned. It should be borne in mind that the complaint (if made at all) must be referred, in the first place to the inspector