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Attorney General documents.



When private persons had rights  
one against the other, the Court  
had power to grant a mandamus  
or direct specific performance,  
or something in the nature of an  
injunction, to command that the  
right claimed by the one party  
should be accorded to by the other.

But it was never contemplated that  
the action for a mandamus was to  
supersede the prerogative writ of  
mandamus.

*Baxter v London City Council*  
63 X.T. (N.S.) at p. 771

*Approved - followed in*  
*Smith v Chesham District Council*  
1877, 23 D. p. 539

Actions seeking declaratory judgments

That rule (Emp. Order XXV - r. 5 - now  
same no) enlarges the jurisdiction conferred  
by s. 50 of the Chy. Procedure Act 1852, which was held  
to apply only when the party would be entitled to  
consequential relief if he chose to ask for it.  
The rule leaves it to the discretion to pronounce  
a declaratory judgment when necessary, but it is  
power which must be exercised with great care  
and jealousy. As a rule I refuse to exercise  
the discretion; but in some cases I make an  
exception. (The judge exercised the discretion in favor of  
him which was whether or not the party has forfeited his  
life estate by reason of non-compliance with the terms  
and covenants contained in the will)  
*London v Collins - 54 X.T. Reports app. 906*  
*Challis J.*

Actions seeking declaratory judgments (contd)  
*In Baxter v London City Council*  
a declaratory judgment was asked for

*In Oct. notwithstanding their rules*  
1080 to 1091 (11th & 12th Ed. p.  
1206-1214)  
applications are made for prerogative  
writ *In re Robertson & S. J. Ry Co*  
14 Oct. L.R. 497

Any application for prerogative writ  
should be refused until pending  
action of mandamus disposed of.

In a case where a mandamus  
was sought to compel the granting  
of administration to a next of  
kin, where the existence or non-  
existence of a will was being litigated  
in the same court - an application  
for a writ of mandamus was refused

*Shuttleworth on Mandamus 242*  
*Arden, 5 March 1874*  
*In re Sheward v Eddy 4 W.L.R. 143.*

There must be no other effective  
lawful means of enforcing the right  
*Shuttleworth 232*

It is well settled that where there is a  
remedy equally convenient, beneficial  
and effective, a mandamus will not be  
granted.  
*Shuttleworth 232*  
*Re Boston 20 X.T. 2, 1877*

*In the case of Collyer in 232-247.*  
*Re City of London Corporation*  
*1850 2 X.T. 764 - see V. Williams 21. 4/10/782*



No. 11, L. 1907.

In the Supreme Court of British Columbia:

Between:

LEE WING, an infant, by LEE LEONG, his next friend,

PLAINTIFF;

-and-

FRANK H. EATON, Superintendent of Schools for the City of Victoria, and The BOARD OF SCHOOL TRUSTEES of Victoria,

DEFENDANTS.

Endorsement on Writ:

The Plaintiff's claim is for a declaration that he, being between the ages of six and sixteen and resident in the City of Victoria, is entitled to be provided by the Defendants with school accomodation and tuition in the public schools of the City of Victoria, free of charge.

AND for a Mandamus to compel the Defendants to provide such school accomodation and tuition free of charge, and to issue a permit authorising the Plaintiff's attendance at the public schools of the City of Victoria.

AND for other relief.

AND for costs.

*1907-12-14*

WOMAN'S WORK  
A sale of work to be held at the Victoria Fair will be held at the Victoria Fair...



# UNLETTERED CHINESE BARRED FROM SCHOOL

## Mandamus to Board of Trustees Refused by the Court

Mr. Justice Irving refused yesterday morning to grant the writ of mandamus asked for by Fred. K. Peters, K.C., compelling the local board of school trustees to admit a Chinese child to the public schools. It will be remembered that at the beginning of the present term of school an unusual number of Chinese children and boys applied for permits admitting them to the schools, with the result that the board passed a new rule providing that children that did not understand sufficient English to render them amenable to the discipline of the school should not be granted permits to attend.

Though it has not been so stated officially, the underlying reason of the action of the trustees was the belief that the school facilities granted to Orientals in this province were being abused in an attempt to secure a refund of the \$500 head tax. There have been a number of cases in the past where Chinamen have obtained admission to the schools and after attending a year have left the school after securing a certificate of attendance. This certificate is then used in securing the refund of the head tax under the Dominion regulation that students who have proved that they are students by attending school for not less than one year, shall be entitled to a refund of the \$500 paid on entry into the country, provided such application is made within eighteen months after arrival.

It is also a fact that the accommodations of Victoria schools are taxed to the utmost just now, and that the admission of a number of Chinese children to the schools who are ignorant of English would entail the providing of a separate class room and teacher until the Orientals had acquired a working knowledge of English.

In making his application for a writ of mandamus, Fred. Peters, K. C., quoted from the provincial statutes the clauses constituting the boards of school trustees and defining their duties, and argued that it was their bounden duty under the law, from which there was no escape, to provide free of charge to all children between the ages of six and sixteen, and he further quoted a clause imposing penalties on parents who did not send their children to school.

Counsel did not complain of the regulation requiring the child to first have a permit issued to him. He thought that some such regulation might fairly be considered necessary in order to keep track of the children going to school, and to know exactly how many pupils would have to be provided for. His lordship suggested that permits might well be refused to children in a bad state of health, or of vicious habits or even if they were so stupid as to keep the other children back in their studies without profit to themselves. Mr. Peters, however, would not concede that they were entitled to prevent a child going to school because he was stupid. Counsel stated that there were between twelve and fifteen children affected by the ruling, and he read a letter which he had addressed to the trustees setting forth his contention. He submitted that the facts, which for the rest were not in dispute, established that there was a duty which the board of trustees were bound to perform, that they had refused to perform it to the injury of his clients, and on this showing submitted that he was entitled to his writ.

H. A. Maclean, deputy attorney-general, appeared for the school trustees and in his address said he would ask the court to refuse the writ on the ground that as a writ had been filed and a suit started the plaintiff was not entitled to a mandamus at that stage, which would be tantamount to deciding the case before it was heard, unless some great and immediate damage demanding instant relief could be shown. He further urged that if there was any legitimate cause for complaint, that the proper remedy lay in an appeal to the Council of Public Instruction as provided by the statute.

In reply Mr. Peters submitted that he was not obliged to take the appeal as suggested, especially as if he took that course he would be bound by the result. The counsel said that in this case it was not really a question of school discipline, but a phase of the anti-Asiatic agitation, the result being that the issue of any appeal as suggested would be a foregone conclusion. In their efforts to keep out the Chinese the trustees had passed a rule which would debar children of any nationality from access to the schools if they happened not to know the English language, and such a regulation was illegal and contrary to the principles underlying public education in Canada. He also submitted that he was not obliged to show any special damage requiring instant relief, but urged that it was merely a point of law that was involved, and that could be more conveniently settled now than at any other time.

In denying the writ asked for, his lordship declined to enter into the merits of the controversy or to decide upon the legality of the regulation complained of. He held that the statute had expressly designated the Council of public instruction as the court to which appeals should be taken from the rulings of the board of trustees, and who were given powers to meet exigencies arising out of the act. On that ground he refused Mr. Peters his writ.

From remarks made by his lordship prior to giving his decision it seemed clear that he was of the opinion that circumstances might arise under which the school trustees would be justified in withholding permits from would-be scholars, although he declined to express a direct opinion on the case in question.

Writ of British

Instant by Mr

-522-

K. Superior Court  
of Victoria  
and  
SCHOOL TRUSTEES

*Victoria  
30<sup>th</sup> Nov 1907*

Writ of British

The Plaintiff's claim is for  
he being between the ages of six and  
in the City of Victoria, is entitled  
Defendants with school accommodations  
the schools of the City of Victoria,  
AND for a Mandamus to compel  
provide such school accommodations and  
and to issue a permit authorizing the  
ance at the public schools of the Ci  
AND for other relief.  
AND for costs.



NOTICE OF MOTION.

Affidavit of [faded]

1907, L. No. 11.

In the Supreme Court of British Columbia:

TAKE NOTICE that the Court will be moved on Friday, the 8th day of November, 1907, at the hour of 10:30 o'clock in the forenoon, or so soon thereafter as Counsel can be heard, by Counsel on behalf of the Plaintiff, for an order of Mandamus requiring the Defendants to provide the Plaintiff with school accommodation and tuition in the public schools of the City of Victoria, free of charge, and to issue a permit authorising the Plaintiff's attendance at the public schools of the City of Victoria; or for such further or other order as shall be deemed proper.

AND TAKE NOTICE that upon and in support of such application will be read the affidavits of Lee Leong and Charles E. Wilson sworn and filed herein, and the Exhibits therein referred to.

I made an application on or about [faded] of August, 1907, to the Defendant [faded]

DATED this 4th day of November, A.D., 1907.

Peters and Wilson,

Solicitors for Plaintiff.

1907

[Faded text from the reverse side of the page, including a large 'W' watermark and various illegible words and phrases.]



Colonist  
22 January 1908

NEWS

### CHINESE BOYS STILL UNDER OLD DISABILITY

#### Full Court Dismisses Appeal From Decision of Mr. Justice Irving

The full court, consisting of Justices Martin, Morrison and Clement, yesterday dismissed the appeal in the case of Lee Wing vs. Eaton, where counsel for the plaintiff was seeking to obtain a writ of mandamus compelling the school trustees to admit a Chinese boy to the public schools of Victoria. This decision, while in a sense a victory for the trustees, does not really in any way advance the settlement of the question as to whether school children who cannot speak English have a right to go to the public schools.

The court dismissed the application on the ground that there was nothing in the affidavit before them to show that the father of the applicant was a resident of Victoria or whether the child himself lived in the city. The affidavit, which was made in Chilliwack, merely recited that the boy came here from China and a few days afterwards made application to be admitted to the school and was refused. Fred Peters, K. C., for the plaintiff, stated that in point of fact all parties reside in Victoria, though the father happened to be working in Chilliwack at the time he swore to the affidavit, the child remaining in Victoria, in the custody of his uncle. Mr. Justice Martin said that, of course, the court did not doubt that what counsel said was strictly accurate, but they could only act upon the facts before them, which were not sufficient to give him a standing in court. Mr. Justice Clement remarked that the dismissal of the appeal would not in any way prejudice any other steps he might wish to take.

The first application for a mandamus came up before Mr. Justice Irving and was refused on the ground that the statute provided that an appeal from a decision of the board of trustees should be taken to the council of public instruction, which is identical with the executive council. Mr. Peters contended that this appeal was provided for and only open to teachers and others in the employ of the school board. In any event such an appeal would under the existing circumstances, be obviously futile, and a judicial decision was necessary. His position was that there was a legal right of which the plaintiff had been deprived and he was entitled to come to the court and ask that it be enforced. This request the learned judge had refused, and he asked the court to give a ruling on this point without going into the merits, which could be subsequently threshed out before the judge. This the court declined to do, considering that if there was not sufficient material to enable them to inquire thoroughly into the whole matter, they should not take it up at all. Deputy Attorney-General McLean represented the Crown, but was not called upon by the court.

This litigation arose out of a resolution passed by the board of school trustees just prior to the opening of the fall term, denying the schools to children who did not understand enough English to make them amenable to school discipline. This course was adopted because the schools, already crowded with scholars, were threatened with an influx of Chinese children and boys entirely ignorant of the language, many of whom the trustees believed to be merely going to attend school for a year in order to qualify for a return of the head tax as a bona fide student.

Lee Wing himself is but a child, and there are some fourteen other Chinese children in the same position. There were, however, a large number of other Chinese applicants who were refused admission at the same time.

NOTICE OF MOTION

In the Supreme Court of

TAKE NOTICE that the

Friday, the 8th day of November,

at 10:30 o'clock in the forenoon,

as Counsel can be heard, by Counsel

Plaintiff, for an order of Mandamus

for the purpose of providing the Plaintiff

with a writ of Mandamus and a writ of Habeas

Corporam, and a writ of Certiorari, and

of Victoria, free of charge, and

authorizing the Plaintiff's attorney

schools of the City of Victoria;

or other order as shall be deemed

AND TAKE NOTICE that the

application will be read the affidavit

and Charles E. Wilson sworn and filed

Exhibits therein referred to.

DATED this 4th day of November

Peters



Affidavit of Lee Leong.

1907, L. No. 11.

In the Supreme Court of British Columbia:

I, LEE LEONG, of the Town of Chilliwack, in the ~~XXXXXX~~ Province of British Columbia, make oath and say:-

1. That I am a member of the firm of Peters and Wilson, Solicitors for the Plaintiff herein, and as such have knowledge of the matters hereinafter stated. I say of Wing, and also his next friend in this action.

2. The said Lee Wing arrived at the City of Victoria, from China, on the 18th day of August, 1907.

3. The said Lee Wing is of the age of thirteen years, and is unable to speak or write the English language.

4. Being desirous that my son Lee Wing should attend the public schools and obtain an English education, I made an application on or about Thursday, the 22nd day of August, 1907, to the Defendant Frank H. Eaton, as Superintendent of Schools for the City of Victoria, for a permit admitting the said Lee Wing to the schools of the City of Victoria, but said Superintendent refused and still refuses to grant such permit.

5. On or about Thursday, the 22nd day of August, 1907, application was made by Lee Leong, (Sgd.) Lee Leong, and SWORN at Chilliwack, B.C., this 28th day of October, A.D., 1907, before me,

J.H. Bowes,  
A Commissioner, etc.  
Victoria, for a permit admitting the said Plaintiff Lee Wing to the schools of the City of Victoria, but said Superintendent refused, and still refuses, to grant such a permit.



7. On the 30th day of August, 1907, the Defendants, Affidavit of C.E. Wilson. the Board of School Trustees of Victoria, passed a Resolution, a true copy of which is now produced and shown to me and marked Exhibit "B" hereto. 1907, L. No. 11.

In the Supreme Court of British Columbia:

On the 4th day of September, 1907, my partner Mr. Charles Eilbeck Wilson, of the City of Victoria, in the Province of British Columbia, make oath and say:-

1. That I am a member of the firm of Peters and Wilson, Solicitors for the Plaintiff herein, and as such have a knowledge of the matters hereinafter deposed to.

2. The Plaintiff Lee Wing arrived at the City of Victoria, from China, on the 18th day of August, 1907.

3. The said Lee Wing is of the age of thirteen years, and is unable to speak or write the English language.

4. Now produced and shown to me, and marked Exhibit "A" to this my affidavit, is a copy of the by-laws of the Defendants, the Board of School Trustees for the City of Victoria.

5. By clause No. 3 of Section V of the said by-laws, it is provided that new pupils demanding admission to the schools shall be required by the Principal to produce a permit from the City Superintendent.

6. On or about Thursday, the 22nd day of August, 1907, application was made by Lee Leong, the father of Lee Wing, and also his next friend in this Action, to the Defendant Frank H. Eaton, as Superintendent of Schools for the City of Victoria, for a permit admitting the said Plaintiff Lee Wing to the schools of the City of Victoria, but said Superintendent refused, and still refuses, to grant such a permit.





7. On the 30th day of August, 1907, the Defendants, the Board of School Trustees of Victoria, passed a Resolution, a true copy of which is now produced and shown to me and marked Exhibit "B" hereto.

8. On the 4th day of September, 1907, my partner Mr. Peters wrote to the said Superintendent Eaton a letter, a true copy of which is now produced and shown to me and marked Exhibit "C" hereto, and on the 11th day of September Mr. Peters attended the meeting of the School Board on behalf of the Plaintiff Lee Wing and various other Chinese boys, and laid before the Trustees the reasons why the said Board should reconsider and repeal the said Resolution of the 30th day of August, 1907.

9. The said Board of School Trustees refused to repeal, vary, or modify the said resolution, and on the 12th day of September, 1907, wrote Mr. Peters the letter now produced and shown to me and marked Exhibit "D" hereto.

10. On Wednesday the 18th day of September, 1907, I attended the said Defendant Eaton in company with the said Plaintiff Lee Wing, and then made a formal application for a permit for the said Lee Wing under Clause No. 3 of Section V of the said by-laws of the Board of School Trustees, but the said Defendant Eaton refused to grant such permit.

(Sgd.) Charles E. Wilson.

Sworn before me, this  
4th day of November, A.D.,  
1907.

(Sgd.) A.J. Kitto,

A Commissioner, etc.



Exhibit "B"  
Exhibit "A".

By-laws of the Board of School Trustees.

Section 5, paragraph 3:

Resolution passed by the Board  
of School Trustees.

In all cases new pupils demanding admission shall be required by the Principal to produce a permit from the City Superintendent.

That no pupils be admitted to the schools until (See Sections 39 and 41 of School Act.) as to be amenable to the ordinary regulations and school discipline.

I understand from you personally that if these children choose to attend private schools, and thus require a knowledge of English, there would perhaps be no difficulty in their gaining permits to attend the public schools.

You will remember on the 27th inst. I had a conversation with you, and during it we arranged that before the Board passed finally on the matter, I should be allowed an opportunity of presenting the views of my clients to them.



You will also recall Exhibit "B" in the resolution, at which  
 the resolution of Exhibit "C" which, happily, I was  
 not afforded the opportunity to present.  
 I also refer to the fact that permits have been  
 granted to all Chinese applicants who were in Victoria before  
 the 1st of April last, and, if this is correct (which it is not  
 correct), the

**Resolution passed by the Board  
 of School Trustees.**

Dear Sir:- Re Admission to Chinese Boys to Schools:  
 April.

I am instructed in the interest of several Chinese  
 boys who have lately arrived in Victoria to write you pressing  
 for their admission as students in the public schools in Vic-  
 toria.

That no pupils be admitted to the schools until  
 As I understand it, the position affairs is  
 they can so understand the English language as to be amen-  
 as follows: There are, I believe, about 15 children lately  
 able to the ordinary regulations and school discipline.  
 arrived from China who have made application for permits to

attend the primary schools. These permits have been refused,  
 and an Order of the Board passed, I believe last Friday, to  
 the effect that no child shall be permitted to attend the pri-  
 mary school who does not know enough English to be able to  
 understand the proceedings in the school, and be amenable to  
 school discipline. I understand from you personally that if these  
 children choose to attend private schools, and thus acquire  
 a knowledge of English, there would perhaps be no difficulty  
 in their getting permits to attend the public schools - say  
 at the beginning of next year.

You will remember on the 27th August last, I had  
 an interview with you, at which it was arranged that before  
 the Board passed finally on the matter, I should be allowed  
 an opportunity of presenting the views of my clients to them.

But they are entitled to receive the same benefits  
 as other taxpayers.

If a similar number of French Canadian  
 children unable to speak English (and there are many such  
 in Canada) should apply for admission to our schools, it



You will also remember that owing to the meeting, at which the resolution was passed, I was not afforded the opportunity promised.

Letter from Fred. Peters to Frank Eaton:  
 granted to all Chinese applicants who were in Victoria before the 1st of April last, and, if this is correct (which I do not doubt), the question immediately at once will be confined

Dear Sir:- Re Admission to Chinese Boys to Schools:  
 April.

The question raised is one of principle, and my clients now wish to present their case, with a view, if necessary, of taking legal steps to enforce what they believe their rights.

1st: As I understand it, the position of affairs is as follows: There are, I believe, about 15 children lately arrived from China who have made application for permits to attend the primary schools. These permits have been refused, and an Order of the Board passed, I believe last Friday, to the effect that no child shall be permitted to attend the primary school who does not know enough English to be able to understand the proceedings in the school, and be amenable to school discipline.

I understand from you personally that if these children choose to attend private schools, and thus acquire a knowledge of English, there would perhaps be no difficulty in their getting permits to attend the public schools, say at the beginning of next year.

You will remember on the 27th August last, I had an interview with you, at which it was arranged that before the Board passed finally on the matter, I should be allowed an opportunity of presenting the views of my clients to them.

fair play they are entitled to receive the same benefits as other taxpayers.

6th: If a similar number of French Canadian children unable to speak English (and there are many such in Canada) should apply for admission to our schools, is



You will also remember that owing to the meeting, at which the resolution was passed, being called hurriedly, I was not afforded the opportunity promised.

I also understand from you that permits have been granted to all Chinese applicants who were in Victoria before the 1st of April last, and, if this is correct (which I do not doubt), the question immediately at once will be confined entirely to the children who have arrived here since the 1st of April.

The question raised is one of principle, and my clients now wish to present their case, with a view, if necessary, of taking legal steps to enforce what they believe their rights.

1st: We contend that under our school law, all children of school age, resident in B.C., have an absolute right to be educated at the public schools.

2nd: That this right is the same, whether the children are English, French, German, Chinese, or any other nationality.

3rd: That the fact that the Chinese children cannot speak English is no reason for their exclusion. Many such children have been heretofore admitted, and experience has shown that in a very short time they become well able to follow the class work.

4th: If there are too many children unable to speak English to be conveniently admitted to the general primary class the School Board is bound to supply such children with a separate room and teacher. This course has in the past been followed by the Board.

5th: The Chinese in Victoria pay a large amount of school tax, and it is submitted on every principle of fair play they are entitled to receive the same benefits as other taxpayers.

6th: If a similar number of French Canadian children unable to speak English (and there are many such in Canada) should apply for admission to our schools, is



it conceivable that they would be refused admission on the ground that they could not speak English? We venture to say no such question would ever be raised. Why should it be different with the Chinese?  
 Letter from Eaton to Peters.

7th: In the newspapers it has been suggested that these Chinese children only attend school so that they may be enabled to receive back the \$500. paid on landing in Canada, and that in some way this question was before the School Board. I understand from you that the Board have not acted on any such proposition, and have taken the same view that I submitted to you verbally, viz: that the return of the \$500. is a matter absolutely between the individual child and the Government, to be decided when the application is made, if it ever should be made, and that the right to be educated is precisely the same whether the student intends in the future to be a laborer, or a professional man, or a merchant. The question simply is not within the jurisdiction of this School Board.

I sincerely hope some solution of this question may be arrived at, but I am bound to inform you that my instructions are ~~xxxxx~~ positive to take legal steps to enforce our clients' rights, and that quickly, as the term is slipping away quickly.

Our contention is that the Board should at once appoint a teacher, or, failing that, admit them to the general class.

Yours truly,  
 (Sgd.) F. Peters.



Exhibit "D".

Letter from Eaton to Peters.

12th September, 1907.

Dear Sir:-

I am instructed to notify you that the School Board has given due consideration to the reasons presented by you in your letter of 4th instant, and in your address to the School Board last evening with a view to inducing the Board to rescind its resolution of a recent date in regard to the admission to the schools of children who cannot speak or understand English, and to say that the Board cannot see its way at present to withdraw the resolution in question, or to modify its terms in any particular.

I have, etc.

(Sgd.) F.Eaton,  
Supt. of City Schools.

Public Schools Act 1905  
1905 - c. 44. s. 6.

Sub. sec. (C),

It shall be lawful for the Council of  
Public Instruction from time to time

"to determine all cases of appeal  
arising from decisions of Trustees  
and to make such orders thereon as  
may be required"

\_\_\_\_\_ Hill v Clifford [1907] 2 Ch 236  
The Legislature has thought fit to entrust  
these powers to this special tribunal, &c  
See Goveall Banting at p 250

"and, although the ordinary Courts may be  
competent to consider whether the facts  
were true, it seems to me that, having  
regard to the history of the Act, it is  
extremely doubtful whether it would  
be competent for those Courts to hold  
that the special tribunal created by  
the Act had formed an erroneous  
opinion that the acts imputed to  
the defendants, and proved before  
them by the report of the Committee,  
amounted to such conduct as  
aforesaid \_\_\_\_\_

See Goveall Banting at p. 263.

Appel<sup>n</sup> for mandamus

1901 c 48, s. 14 making  
Bd of School Trustees  
Corporation

c. 48 - s. 5

1897 c. 107

s.  
s. 199





1907.

See Wing

v.

Eaton et al

08

Brief on Motion  
for Interlocutory  
Mandamus and  
upon Appeal to Full Court.

20<sup>th</sup> Feb 1907  
Attention on motion when it could  
not be proceeded with, unless with  
having red. assignment from C.J.  
D.A.H.

30<sup>th</sup> Feb 1907  
Petition for Motion - Inclusion  
of certain motion referred on  
ground that pett should have  
appeared to Council of Public  
Instruction against refusal  
of Trustees to admit pett  
to their schools  
D.A.H.

21<sup>st</sup> Jan. 1908  
Interlocutory appeal dismissed  
by Full Court Martin, Morrison and  
Clement J. - Petition for appeal  
Mulligan, Coulson  
D.A.H.





BY-LAWS  
OF THE  
Board of School Trustees  
OF THE  
CITY OF VICTORIA.

Approved by the Council of Public Instruction,  
February 3, 1903.

THE THOS. R. CUSACK PRESS, VICTORIA.



BY-LAWS  
OF THE  
Board of School Trustees  
OF THE  
CITY OF VICTORIA.

Approved by the Council of Public Instruction,  
February 3, 1903.

THE THOS. R. CUSACK PRFSS, VICTORIA.

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BRITISH COLUMBIA. ATTORNEY GENERAL.  
Attorney General documents.



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the Schools.  
Section VI.—Teachers' Salaries.

## BY-LAWS

—OF THE—

## VICTORIA SCHOOL BOARD

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### POWER OF TRUSTEES TO MAKE BY-LAWS.

Public Schools Acts, Clause 36 (a).

“The Board of Trustees shall also have power to make by-laws (not inconsistent with the provisions of this Act or the Regulations of the Council of Public Instruction) relative to the organization and meetings of the Board, and to any of the matters enumerated in Sections 34, 36, 41, 79, 80 and 81 hereof. Such by-laws shall be submitted to the Council of Public Instruction for approval, and having received such approval, shall thereafter have the force and validity of



regulations of the Council of Public Instruction within the school district for which such by-laws were framed."

### SECTION I.

#### ORGANIZATION OF THE BOARD.

1. The inaugural meeting of the Board shall be called for the first Wednesday following the annual election in the Council Chamber, City Hall, or in the office of the Board, at the hour of eight o'clock p.m.; and should a meeting from any cause not then be held, for each succeeding evening, at the same hour, until a meeting is obtained. The Secretary of the Board shall call the meeting to order and read the returns of the election held; when the elected members shall take their places and proceed to the election of a chairman.

2. At the next meeting following his election, the Chairman shall nominate the following Standing Committees, subject to confirmation by the Board; each committee to consist of three members exclusive of the Chairman of the Board.

(a.) Finance.

(b.) Building and Grounds.

3. The Chairman of the Board shall be *ex-officio* a member of all committees.

4. On appointment by the Board of other than Standing Committees, the first named, unless otherwise stated, shall be Chairman.

5. The officials of the Board shall be a Secretary and a Superintendent of Schools, and such other officers as may be deemed necessary; all of whom shall hold office during the pleasure of the Board.

### SECTION II.

#### MEETINGS OF THE BOARD.

1. After the first or inaugural meeting, the Board shall meet on the second Wednesday in each month, at 8 p.m., unless otherwise ordered by a special motion; and four members shall constitute a quorum.



2. Special meetings may be called by the Chairman, or by a written requisition stating the special business addressed to the Chairman and signed by at least four members of the Board.

3. Unless there shall be a quorum present in fifteen minutes after the time appointed for the meeting of the Board, it shall stand adjourned until the next regular meeting, or until the next meeting is called, as hereinbefore provided. The Secretary shall take down the names of the members present at the expiry of such fifteen minutes.

4. The Board shall not remain in session later than 11 o'clock p.m. unless it is otherwise determined by a two-thirds vote of the members present.

5. No business shall be transacted at any special meeting of the Board other than that which has been indicated in the notice calling such meeting.

## SECTION III.

## RULES OF ORDER.

1. The Chairman shall preside at all meetings, call the Board to order at the hour appointed, and cause the business of the meeting to be proceeded with. In his absence the Secretary shall call the meeting to order, and a Chairman *pro tempore* shall be elected by the Board.

2. The Chairman shall declare the results of all votes, and the names of those who vote against the question shall be entered on the minutes when any member calls for the yeas and nays. Any member abstaining from voting shall be counted as voting nay.

3. Every member, previous to speaking, shall rise and address the Chair, confining himself to the question under debate.

4. A motion must be put in writing and seconded before it is stated by the Chairman, after which it will be disposed of only by a vote of



the Board, unless the mover, by permission of the Board, withdraw it.

5. The order of business at all regular meetings of the Board shall be as follows:

- (a.) Reading the Minutes.
- (b.) Communications.
- (c.) Reports of Standing Committees, Special Committees, the City Superintendent or other officers.
- (d.) Unfinished Business.
- (e.) New Business.

No variation in the foregoing order of business shall be permitted, unless by a vote of the Board, which shall be taken without debate.

6. The Chairman shall consider a motion to adjourn as always in order; and that motion shall be decided without debate.

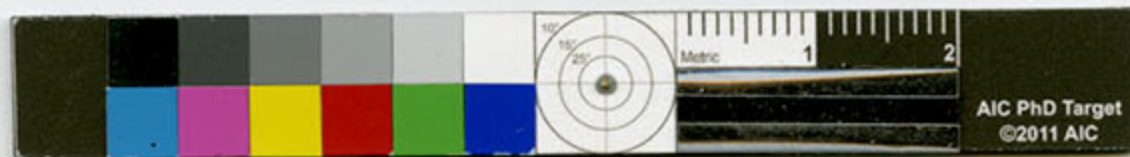
7. Every member who shall introduce a petition or motion upon any subject which may be referred to a Special Committee shall be one of the Committee.

8. Committees shall report to the Board in writing, and no report of any Committee shall be received unless signed by a majority of its members.

9. The conduct of the business of meetings of the Board in all respects other than as herebefore specified shall be governed by the ordinary rules of parliamentary procedure.

10. Except in cases of emergency, no money shall be expended by any Committee or member of the Board, unless authorized by a vote of the Board.

11. Any of the provisions and regulations contained in Sections I, II and III and relating to the organization of the Board, meetings of the Board and general rules of order, may be suspended by the unanimous consent of all the members of the Board or by a two-thirds vote of the Board at a regularly called and constituted meeting of the Board.



## SECTION IV.

## DUTIES OF THE SECRETARY.

1. The Secretary shall attend all meetings of the Board, and record the minutes of the proceedings of such meetings; keep books showing the state of the accounts of the Board; and, in conjunction with the Chairman of the Board, sign all vouchers for the payment of money.

2. He shall notify each member of all meetings of the Board, at least twenty-four hours previous to the time at which such meetings shall have been appointed to take place.

3. He shall receive and take charge of all documents, and conduct all correspondence. He shall also perform such other duties as are required by the School Act of the Province, and the Rules and Regulations of the Council of Public Instruction, and any additional duties pertaining to his office which may be assigned him by the Board from time to time.

## SECTION V.

## ORGANIZATION AND CONDUCT OF SCHOOLS.

1. The pupils of the graded schools shall be distributed as nearly as possible so that not less than forty nor more than fifty shall be assigned to any one teacher; and redistribution shall be made as often as may be necessary to maintain this degree of numerical uniformity.

2. The pupils assigned to any one teacher shall constitute a division; in other words, there shall be as many divisions as there are teachers in charge of separate class rooms.

3. Pupils will not be admitted to the lowest primary classes after the first week of school following mid-summer, Christmas and Easter holidays respectively, except by express permission of the City Superintendent. And in all cases new pupils demanding admission shall be required by the principal to produce a permit from the City Superintendent.

*Sec 41  
of School  
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Power Board  
to pass by law*





4. Teachers absent from duty from any cause whatsoever shall report the fact in writing to the Board, giving the reasons in full for such absence; and in cases of sickness shall furnish a physician's certificate thereto, if required by the Board to do so.

5. Teachers shall not accept compensation from any pupil for private instruction given on the school premises.

6. Except by express permission of the Board:

(a.) No collection shall be taken up or subscriptions solicited from the pupils by the teacher or other persons; nor shall pupils be authorized by the teacher to solicit subscriptions or sell tickets with a view to raising money for any purpose.

(b.) No concert or entertainment at which a fee is charged or collection taken up for any purpose, shall be given by the pupils of any school.

(c.) No announcement shall be made or matters of business transacted in any school except such as are directly connected with the legitimate work of the school.

7. If in any case under the sanction of the Board, money is collected by the teacher from the pupils, a strict account must be made to the Board.

8. Complaints of parents or guardians against the instruction or discipline received by their children must be presented in the first instance to the teacher in charge, the principal of the school or the City Superintendent, and any appeal by the complainants to the Board must be made in writing.

9. Employees of the Board shall not canvass any Trustee either on their own behalf or that of other employees for increase of salary; they shall likewise refrain from canvassing Trustees on behalf of any applicant for appointment to any position in the service of the Board.



10. Competition for prizes offered by citizens or teachers shall be subject to the approval of the Board.

### SECTION VI.

#### TEACHERS' SALARIES.

1. The salary of the Principal of the High School shall not be less than \$1,500, and the annual salaries of regular High School assistants shall be not less than \$900 and not more than \$1,200.

2. The salaries of graded school teachers shall be governed by the following limitations:

(a.) No salary shall exceed \$1,200 and, except in the case of teachers under provisional or temporary appointment, no salary shall be less than \$480.

(b.) Not more than one-half the salaries shall exceed \$600;

Not more than one-third the salaries shall exceed \$700;

Not more than one-fifth the salaries shall exceed \$800;

Not more than one-eighth the salaries shall exceed \$900;

And not more than one-tenth the salaries shall exceed \$1,000.

3. During each mid-summer vacation, not later than August first, the salaries of teachers then on the staff shall be determined for the ensuing year.

4. Beginning with the school year 1903-4 the salaries of all teachers shall be paid in ten equal monthly instalments on the last day of each month from September to June inclusive.

5. A teacher who resigns at any time except at the end of a school term shall be liable to forfeit one-twentieth of the amount of his or her yearly salary; otherwise, payment for a part of a year's service shall be like part of a year's salary.



16 REGULATIONS OF THE VICTORIA SCHOOL BOARD.

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6. No deduction shall be made from the salary of any teacher for absence from duty on account of illness, or for any cause recognized by the Board as unavoidable; *provided* such absence shall not exceed ten days in any term.

7. If the period of a teacher's absence on account of illness exceeds ten days, but does not exceed three months, the salary accruing during such extended absence, shall be subject to a deduction of the amount necessary to pay the substitute serving therein; and the balance thereof shall be payable at the discretion of the Board to the teacher so absent. The Board shall in all cases determine the sum which the substitute shall receive.



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Box 126 File 1908/44

BRITISH COLUMBIA. ATTORNEY GENERAL.  
Attorney General documents.

MANUAL

—OF—

THE SCHOOL LAW

—AND—

SCHOOL REGULATIONS

—OF—

BRITISH COLUMBIA.



THE GOVERNMENT OF  
THE PROVINCE OF BRITISH COLUMBIA

VICTORIA, B. C. :  
Printed by RICHARD WOLFENDEN, V.D., I.S.O., Printer to the King's Most Excellent Majesty.  
1906.

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1900.

PROVINCE OF BRITISH COLUMBIA.

—:—

EDUCATION OFFICE,  
VICTORIA, May, 1906.

The Council of Public Instruction has directed the publication of a Manual of School Law, together with the Rules and Regulations made and established by the Council, for the guidance of Trustees and Teachers.

The Public Schools of the Province must be conducted in accordance with the provisions herein published.

By order of the Council of Public Instruction.

ALEXANDER ROBINSON,  
*Superintendent of Education.*



CHAPTER 44.

An Act to amend and consolidate the "Public Schools Act."

[9th April, 1905.]

(Consolidated for convenience only.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

*Short Title.*

1. This Act may be cited as the "Public Schools Act, 1905."

*Interpretation.*

2. In the construction of this Act, the following expressions shall have the following meanings, respectively, unless there is something in the context inconsistent therewith:—

- "School District" shall mean and include each portion of territory into which the Province is divided for local school government:
- "Teacher" shall mean and include any person holding a legal certificate of qualification for teaching a public school:
- "Ratepayer" shall mean and include any person rated in the School District assessment list in respect of real or personal property or income:
- "Householder" in the case of Rural School Districts or Assisted Schools shall mean and include any person who has his place of residence or place of business in the district:
- "Householder" in the case of Municipal School Districts shall mean and include any person of the full age of twenty-one years who occupies a dwelling, tenement, hotel or boarding-house, or any



part or portion of a dwelling, tenement, hotel or boarding-house, and who shall, unless exempt by Statute or Municipal By-law, have paid directly to the Municipality rates, taxes or fees of not less than two dollars for the current year:

"Freeholder" in the case of Rural School Districts or Assisted Schools shall mean and include any person who holds a freehold estate, that is, lands or tenements in fee simple, fee tail or for a term of life:

"School Year" shall mean and include an ordinary calendar year, beginning on the 1st day of July and ending on the 30th day of June, and shall be divided into two terms of six months each, a summer term ending on the 31st day of December, and a winter term ending on the 30th day of June:

"Indian" shall mean and include any person who is either a full-blooded Indian, or any person with Indian blood in him who is living the Indian life on an Indian Reserve:

The terms "persons," "land," "property," "real property," "real estate," "personal property," "personal estate," shall have the same meanings, respectively, as defined in section 2 of the "Assessment Act, 1903," and amending Acts; except that the terms "land," "real property" and "personal property" shall include "railways":

"Rural Municipality" shall mean and include any portion of territory, outside of cities and towns, which is or may hereafter be incorporated into a municipality.

*Schools to be Free and Non-sectarian.*

3. All Public Schools established under the provisions of this Act shall be free, and shall be conducted on strictly secular and non-sectarian principles. The highest morality shall be inculcated, but no religious dogma nor creed shall be taught. The Lord's Prayer may be used in opening or closing school.

*Council of Public Instruction.*

4. The members of the Executive Council shall constitute a Council of Public Instruction.

*Superintendent of Education.*

5. It shall be lawful for the Lieutenant-Governor in Council to appoint a Superintendent of Education for the Province, who shall ex officio be Secretary of the Council of Public Instruction.

*Powers of Council of Public Instruction.*

6. It shall be lawful for the Council of Public Instruction, from time to time—

- (a.) To create and to define the boundaries of School Districts, in addition to those already existing, and from time to time to abolish or to alter the boundaries of existing, or hereafter created, Districts: Provided that no School District shall be created unless within the portion of the Province to be included within the boundaries thereof there be resident not less than twenty children of school age, between six and sixteen years of age; and that there be assessable property and income sufficient to provide for the necessary school expenditure:
- (b.) To extend the boundaries of Municipal School Districts as may be deemed expedient, so as to include any portion of the adjoining territory within the Municipal School District:
- (c.) To set apart in every School District such a quantity of the waste lands of the Crown as in the opinion of the Council may be necessary for school purposes in such District:
- (d.) With the sanction of the Lieutenant-Governor in Council, to grant, on the application of the school trustees of any School District, such sums as by the provisions of this Act are hereinafter authorised to be paid on account of the salary of the teacher or teachers in such School District; in regularly organised Rural School Districts not yet provided with a school-house, or in any new Rural School Districts that may hereafter be formed under the provisions of this Act, or in any section of a Rural Municipality not already provided with a school-house, to defray the cost of erecting a school-house or providing a house or room in which the Public School of such Rural School District or Rural Municipality may be held:
- (e.) With the sanction of the Lieutenant-Governor in Council, to grant such sum as shall be thought proper in aid of the establishment and carrying on of a school in any part of the Province, not being a School District, and having not less than ten and not more than nineteen children between the ages of six and sixteen years resident therein, upon the application of a majority of the parents resident in such part of the Province:
- (f.) To appoint two or more Examiners, at such remuneration as shall be thought proper, who, together with the Superintendent of Education, shall constitute a Board of Examiners, and shall examine teachers and grant certificates of qualification. Such certificates shall be of four classes, viz.: third class certificates, second class certificates, first class certificates, and academic certificates:
- (g.) To divide the Province into Inspectoral Districts and to appoint, at a remuneration to be fixed by the Council, one or more Inspectors to visit the Public Schools:

- (h.) To make and establish rules and regulations for the conduct of the Public Schools, to prescribe the duties of teachers, and their classification:
- (i.) To determine the subjects and percentages required for all classes and grades of certificates of teachers, as well as to make and prescribe rules for the governance of candidates for certificates of qualification as teachers:
- (j.) To select, adopt, and prescribe a uniform series of text-books to be used in the Public Schools of the Province, as well as the courses or standards of instruction and study for schools:
- (k.) To suspend or cancel for cause the certificate of qualification of any teacher, subject to the approval of the Lieutenant-Governor, as expressed by an Order in Council:
- (l.) To determine all cases of appeal arising from decisions of Trustees, and to make such orders thereon as may be required:
- (m.) To make any provisions, not inconsistent with this Act, that may be necessary to meet exigencies occurring under its operation; and generally from time to time to make and enforce all such general rules, orders, and regulations as may be necessary for the purpose of giving full effect to all or any of the provisions of this Act:
- (n.) To establish a Normal School, with Model Departments, and to make regulations for its conduct and management:
- (o.) To establish a High School in any Municipal School District where it may be expedient to do so, wherein the higher branches may be taught, and every such High School shall be under the control of the Local Board of School Trustees for the Municipal School District: Provided, however, that no High School shall be established in any Municipal School District where there are less than twenty persons duly qualified and available as High School pupils.

*Duties of Superintendent of Education.*

7. It shall be the duty of the Superintendent of Education:—

- (a.) To have, subject to the Council of Public Instruction, the supervision and direction of the Inspectors and schools;
- (b.) To enforce the provisions of this Act, and the regulations and decisions of the Council of Public Instruction:
- (c.) To examine and inquire into, from time to time, the progress of the pupils in learning, the order and discipline observed, the system of instruction pursued, the mode of keeping the school registers, the average attendance of pupils, the character and condition of the buildings and premises, and to give such directions as he may deem proper:

- (d.) To establish a school exclusively for females in any School District where he may deem it expedient so to do; and such school, when so established, may be presided over by a female teacher or teachers, but otherwise shall be subject to the same obligations and regulations as Public Schools generally, under this Act:
- (e.) To organise, under regulations framed by the Council of Public Instruction, a Teachers' Institute or Teachers' Institutes:
- (f.) To grant temporary certificates of qualification, countersigned by the Provincial Secretary; which temporary certificates shall be valid till the next examination of teachers:
- (g.) To make annually, for the information of the Legislature, a report of the actual state of the Public Schools throughout the Province, showing the number of pupils taught in each School District, the branches taught, and average attendance; the amount of moneys expended in connection with each school, the number of official visits made to each school, the salaries of teachers, the number of qualified teachers, their standing and sex, together with any other information that he may possess respecting the educational state and wants and advantages of each school and district in the Province, and such statements and suggestions for improving the Public Schools and school laws, and promoting education generally, as he may deem useful and expedient; which report shall be laid before the Legislature within fifteen days after the opening of the next succeeding session thereof:
- (h.) To be responsible for all moneys paid through him on behalf of the Public Schools, and to give such security as the Lieutenant-Governor in Council may require:
- (i.) To prepare suitable forms, and to give such instructions as he may judge necessary and proper for making all reports and conducting all proceedings under this Act:
- (j.) With due diligence, after any complaint shall have been made to him respecting the mode of conducting any election of Trustees (as hereinafter provided for), to investigate such complaint, and report the facts to the Council of Public Instruction, who shall confirm or set aside such election; and in the latter case they shall appoint the time and place for a new election in such district:
- (k.) To close schools where the average attendance falls below ten in regularly organised School Districts, or below eight in "Assisted Schools":
- (l.) To cause copies of this Act, with regulations of the Council of Public Instruction, to be published and furnished gratuitously to Trustees and Teachers.

*Duties of Inspectors.*

8. It shall be the duty of each of the Inspectors, and he is hereby empowered:—

- (a.) To visit and inspect annually, or oftener when required, each school within his Inspectoral District: to inspect the school register and generally to ascertain if the provisions of this Act are there carried out and obeyed, and to transmit to the Superintendent a report of such inspection:
- (b.) To furnish trustees and teachers with such information as they may require respecting the operation of this Act and the performance of their duties, and to advise with the teachers in all that may tend to promote their efficiency and the character and usefulness of their schools:
- (c.) To aid the Superintendent in carrying out a uniform system of education, and generally in giving effect to this Act and the regulations of the Council of Public Instruction:
- (d.) To appoint a trustee or trustees of schools in cases hereinafter provided, and an auditor whenever the annual meeting, or meeting at which trustees have been elected, has failed to do so, or where the auditor appointed dies, or refuses, or becomes incapable of acting, or has permanently left the district:
- (e.) To report to the Superintendent the districts in his opinion entitled during the ensuing year to pass from the status of "Assisted" schools to that of regularly organised school districts:
- (f.) As soon as possible after having received through the Education Office a petition from the parents of any isolated locality praying for the establishment of an Assisted School, to visit such locality and transmit to the Superintendent his opinion regarding the establishment of such school:
- (g.) To promote the advancement of education by holding public meetings as frequently as possible, and especially to encourage the establishment of schools in localities where none exist:
- (h.) When not otherwise employed to render assistance in the Education Office, or when required by the Superintendent to visit and inspect any school outside of his Inspectoral District.

*Duties of Superintendent of City Schools.*

9. The Board of Trustees of any City hereinafter designated a City of the First Class may appoint a City Superintendent as the administrative head of the schools of such City, whose duties, functions and prerogatives shall be held to include:—

- (a.) The assignment of teachers to their respective places on the staff, subject to the approval of the Board of School Trustees:

- (b.) The determination of the school which pupils shall respectively attend:
- (c.) Supervisory and appellate authority in all matters relating to school organisation, instruction and discipline:
- (d.) Advisory functions in respect to all matters within the official jurisdiction of the trustees:
- (e.) Responsibility to the Council of Public Instruction for the proper administration of the school system of the City:

Provided, that the appointment of such City Superintendent and the revocation of his appointment, shall be subject to the approval of the Council of Public Instruction.

*Duties of Teachers.*

10. It shall be the duty of every teacher in the Public Schools:—

- (a.) To teach diligently and faithfully all the branches required to be taught in the school, and to maintain proper order and discipline therein, according to the engagement entered into with the trustees, and the provisions of this Act:
- (b.) To call the roll morning and afternoon, and otherwise to keep an accurate register in the manner prescribed by the Council of Public Instruction; such register to be open at all times to the inspection of the Trustees, Inspectors and Superintendent, and to be handed over to the Secretary of the Trustees at the expiration of the term of service:
- (c.) To keep a visitors' book (which the trustees shall provide), and enter therein the visits made to his school, and, if deemed advisable, to present such book to the visitor and to request him to make therein any remarks suggested by his visit:
- (d.) To send to the parent or guardian of each pupil a monthly report of the progress, attendance and punctuality of such pupil:
- (e.) To furnish to the Superintendent of Education, monthly, or when desired, any information which it may be in his power to give respecting anything connected with the operation of his school, or in anywise affecting its interest or character:
- (f.) To report promptly to the trustees the appearance of any infectious and contagious disease in the school, or unsanitary condition of the outhouses or surroundings:
- (g.) To have special care as to the use of school books and apparatus, registers and maps, the neatness and order of the desks, and to reimburse the trustees for any destruction of school property by pupils which is clearly chargeable to gross neglect or failure to exercise proper discipline on the part of the teacher:

- (h.) To have, at the end of each half-year, public examinations of his school, of which he shall give due notice to the trustees of the school, and through his pupils to their parents and guardians:
- (i.) To verify by affidavit, before any Justice of the Peace, the correctness of such returns as the Superintendent may, from time to time, require to be so verified:
- (j.) In case of his desire to resign, to give at least thirty days' notice of his intention to resign, such notice to terminate with the close of the school term, or to be given within ten days after the close of the annual school meeting.

*School Districts.*

**11.** All existing School Districts shall continue until altered under this Act; except that School Districts contained in Rural Municipalities at the time this Act comes into force shall cease to exist, and the duties and terms of office of all School Trustees of such Districts shall cease and determine when this Act comes into force.

**12.** School Districts shall be divided into the following classes:—

- (a.) Municipal School Districts, comprising such areas as are embraced within the corporate limits of the respective incorporated Cities, Towns and Rural Municipalities, and such additional territory as may be added under sub-section (b) of section 6 of this Act:
- (b.) Rural School Districts, comprising all School Districts not contained within the corporate limits of the incorporated Cities, Towns and Rural Municipalities.

**13.** Municipal School Districts shall be further divided into the following sub-classes:—

- (1.) City School Districts of the first class, including all incorporated cities or towns wherein the average actual daily attendance of pupils attending public schools equals or exceeds one thousand for the school year, and comprising at the present time the Cities of Victoria and Vancouver:
- (2.) City School Districts of the second class, including all incorporated cities or towns wherein the average actual daily attendance of pupils attending public schools equals two hundred and fifty, but does not exceed nine hundred and ninety-nine, for the school year, and comprising at the present time the Cities of Ladysmith, Nanaimo, Nelson, New Westminster, Revelstoke and Rossland:
- (3.) City School Districts of the third class, including all incorporated cities or towns wherein the average actual daily attendance of pupils attending public schools falls below two hundred

and fifty for the school year, and comprising at the present time the Cities of Cranbrook, Cumberland, Enderby, Fernie, Grand Forks, Greenwood, Kamloops, Kaslo, Kelowna, Phoenix, Sandon, Slokan, Trail and Vernon:

- (4.) Rural Municipality School Districts, including all Rural Municipalities.

All Cities, Towns and Rural Municipalities that may hereafter be incorporated from time to time shall also be included in one or other of these four classes: Provided, however, that the transfer of any city or town shall not take effect until the quarter succeeding that in which the average actual daily attendance shall exceed that of the class in which such city or town had been theretofore classified.

**14.** Where any territory has been included within a Municipal School District in accordance with sub-section (b) of section 6, the provisions of this Act respecting Public Schools in Cities and Rural Municipalities shall apply thereto, and such territory for all school purposes shall be deemed to be united to such Municipal School District, and all property situate in such territory shall be liable to assessment for school purposes, in the same manner and to the same extent as if the same were included in the limits of the incorporated City, Town or Rural Municipality.

**14A.** In cases where the attendance at any public school in a Municipal School District is made up partly of pupils residing in another Rural Municipality, the Municipal Corporation of the Municipality whence such non-resident pupils attend shall contribute to the support of the school a per capita grant for each of such non-resident pupils based upon the proportion which the cost of each pupil in attendance bears to the total cost of maintaining the school: such per capita grant to be paid annually to the Municipal Corporation of the Municipality in which the school is situated.

**14B.** A statement of the cost to the Municipality where the school-house is situated of the attendance of non-resident pupils shall be submitted by the Municipal Corporation of such Municipality at the end of the school year to the Corporation of the Municipality whence such pupils attend, and in the event of a dispute arising over the amount due from one Municipality to another, in accordance with the preceding section hereof, the dispute shall be referred to the Council of Public Instruction, whose decision in the matter shall be final.

**15.** All Rural Schools established under sub-section (c) of section 6 of this Act, shall be known as "Assisted Schools": Provided that no Assisted School shall be established in a locality comprised within a Rural Municipality or regularly organised Rural School District.

**16.** The salaries of teachers shall be provided from the two following sources, namely:—

- (a.) The Provincial Treasury;
- (b.) District Assessment.

Except in the case of Assisted Schools, all other items of fixed and current expenditure shall be provided for by district or local assessment, and the purchase of school-houses and lands and erection of school buildings may be provided for by loan extending over a period not exceeding twelve years, unless authorised by a special order of the Council of Public Instruction.

**17.** A per capita grant of three hundred and sixty dollars for cities of the first class, four hundred and twenty dollars for cities of the second class, four hundred and sixty-five dollars for cities and towns of the third class, and four hundred and eighty dollars for Rural Municipalities per annum, based on the actual number of teachers, manual training and domestic science instructors, employed in the Public Schools, including High Schools, of such Cities, Towns or Rural Municipalities, shall be paid by the Minister of Finance, out of the Public School Fund quarterly to each of the Municipal Corporations of the City School Districts of the first, second and third class, and monthly to the Municipal Corporations of Rural Municipalities, respectively; provided that the schools have been conducted in accordance with the Rules and Regulations prescribed by the Council of Public Instruction, and that each Public School and High School building and its equipment be satisfactory to the said Council.

**18.** A per capita grant of four hundred and eighty dollars for Rural School Districts per annum, based on the actual number of teachers, manual training and domestic science instructors, employed in the Public Schools of such Rural School Districts, shall be paid monthly by the Minister of Finance out of the Public School Fund to each of the teachers, manual training and domestic science instructors, employed in such Public Schools; provided that the schools have been conducted in accordance with the Rules and Regulations prescribed by the Council of Public Instruction, and that each Public School building and its equipment be satisfactory to the said Council.

**19.** In the event of the salary of any teacher, manual training or domestic science instructor, employed in the Public or High Schools of the Municipal School Districts, being increased by the Board of Trustees, a supplementary per capita grant of half the amount of such increase shall also be paid by the Minister of Finance out of the Public School Fund, quarterly, on the last days of March, June, September and December, in City School Districts, and monthly in Rural Muni-

cipality School Districts, to each of the Municipal Corporations, but in no case shall such supplementary grant so to be paid aforesaid by the Minister of Finance exceed the sum of one hundred dollars per annum.

**19A.** A further per capita grant of one dollar for every dollar by which the salary of any teacher, manual training or domestic science instructor, employed in the Public Schools in Rural School Districts shall be increased by district assessment, shall also be paid by the Minister of Finance out of the Public School Fund, monthly, to each of such teachers, manual training or domestic science instructors, but in no case shall such supplementary grant so to be paid as aforesaid by the Minister of Finance exceed the sum of one hundred dollars per annum.

**20.** No School District shall be entitled to receive any portion of the legislative grant whose Trustees have neglected to transmit within the time provided by this Act the returns of the preceding year, or whose school has not been kept in operation at least six months during the school year, unless with the sanction of the Council of Public Instruction.

**21.** A reduction of the grant to be made may, in the discretion of the Council of Public Instruction, be made in the case of any School District in which the average attendance of the resident pupils enrolled for the year has been less than forty per cent. of such enrolled number, or in case of any teacher not having taught the full number of prescribed school days in the school in which he is employed. In the latter case a proportionate part only of the grant shall be paid to or in respect of such teacher.

**22.** The salaries of teachers employed in Assisted Schools shall be fixed by the Legislature and paid monthly from the Provincial Treasury. The building in which the school is held, as well as the desks and furnishings, shall be supplied and the incidental expenses in connection with its maintenance met, as decided at the annual meeting, either by the voluntary contributions of parents and others interested or by local assessment.

**23.** All Rural Schools within the Esquimalt and Nanaimo Railway Belt, outside of municipalities, shall, for the purpose of the foregoing section, be considered and classed as "Assisted Schools," but in all other particulars shall be subject to the provisions of this Act.

**23A.** In the event of the annual meeting of any Assisted School for which boundaries are not defined deciding to raise funds by local assessment, in accordance with section 22 hereof, application must be made forthwith to the Superintendent of Education to have the district defined and boundaries gazetted.

**23B.** Where boundaries have been defined for any Assisted School and the annual meeting has decided under the provisions of section 22 of this Act to raise money by local assessment, the same provisions with regard to the assessment of property and levy and collection of taxes and qualification of voters shall apply thereto as in the case of regularly organised Rural School Districts.

**24.** It shall be the duty of each Inspector to determine and report to the Superintendent what School District or Districts (if any) under his supervision may be entitled, during the ensuing year, to special aid, and the Council of Public Instruction may, upon receipt of the report of the Inspector, and taking into consideration the position and circumstances of such District or Districts, allow to any such District such additional amount as by the said Council may be deemed necessary.

#### MUNICIPAL SCHOOL DISTRICTS.

##### *Election of Trustees and School Meetings.*

**25.** The Board of Trustees for each Municipal School District shall be elected, in the manner hereinafter provided, by the votes of the electors possessing the qualifications prescribed in the "Municipal Elections Act" for electors entitled to vote for Mayor or Reeve, and when preparing the annual voters' list in the cities where the said Act does not govern the election of Mayor, or in Municipalities wherein outside territory has been included for school purposes under subsection (b) of section 6, a list of the names of those entitled to vote for School Trustees, but not included in the Municipal annual voters' list as entitled to vote for Mayor or Reeve, shall be added thereto.

**26.** Each voter shall be entitled at each election to as many votes as there are members of the Board of Trustees to be elected, but may only give one vote for any one candidate.

**27.** The nomination and election of the Board of Trustees shall be held at the same time and by the same Returning Officer or Officers, when possible, and conducted in the same manner as the municipal nomination and election for Mayor or Reeve would be conducted, and the provisions of the "Municipal Elections Act," or of the special Act or Acts of Incorporation of the respective Cities or Rural Municipalities, and amendments, respecting the time for opening and closing the poll, the mode of voting, corrupt or improper practices, vacancies, and declarations of challenged voters, shall, as nearly as may be, apply to the election of Boards of School Trustees.

**28.** The Municipal Council shall have power, by resolution, to name the polling place for the election of School Trustees.

**29.** Every person who shall have been duly elected Trustee shall, before taking his seat, make the following declaration before any Judge of the Supreme Court, or a Judge of any County Court, or before a Justice of the Peace, and shall procure from such Judge or Justice of the Peace a certificate of the same having been duly made and subscribed:—

"I, A. B., Trustee elect for the Victoria (or, as the case may be) School District, do declare that I am a British subject, possessing the qualifications by law required, and that I am not in any way disqualified from holding the office of School Trustee, and I have not, nor will have while holding office, any interest, directly or indirectly, in any contract or services connected with this School Board. I have not, by myself or any other person, knowingly employed any bribery, corruption or intimidation to gain my election, and I will faithfully perform the duties of my office, and I will not allow any private interest to influence my conduct in school matters."

**30.** For each of the City School Districts of the first class there shall be seven Trustees; for each of the City School Districts of the second class there shall be five Trustees; for each of the City School Districts of the third class there shall be three Trustees; and for each of the Rural Municipality School Districts there shall be five Trustees. These shall constitute a Board of Trustees for each City or Rural Municipality School District, respectively, and each of such Boards shall be a body corporate in relation to all the powers and duties conferred upon it by virtue of this Act, and shall be styled "The Board of School Trustees of Victoria" (or, as the case may be); the organisation, rights, powers, duties and liabilities of each of which Boards shall be as herein defined.

**31.** There shall be elected annually in each Municipal School District, as provided in section 27 hereof, as many trustees as shall be necessary under the provisions of section 30 hereof to complete the Board of Trustees for that Municipal School District. Trustees so elected shall serve for a term of two years, and it shall be competent for them to remain in office and exercise all the powers of trustees until their successors have been duly elected. Trustees elected prior to the date on which this Act comes into force, and whose term of office is at that time unexpired, shall continue in office until the end of the two years' term for which they have been respectively elected. In the event of a Rural School District becoming a City School District, or of a City School District being transferred from one class to another, the first election under the new conditions shall be held as directed by a special Order in Council; and in the event of unorganised territory being incorporated into a Rural Municipality, the terms of office of the Boards of Trustees of the respective Rural School

Districts within such territory shall immediately cease and determine, and the first election of trustees under the new conditions shall be held as directed by a special Order in Council.

**31A.** Immediately after the coming into force of this Act, the electors of each Rural Municipality shall elect five School Trustees in the manner provided for by this Act for the annual election of School Trustees in Municipal School Districts, the date of nomination and polling to be fixed by the Municipal Corporation, and the terms for which such Trustees shall serve shall be as follows:—

- (a.) The three trustees receiving the highest number of votes shall serve until the annual election of School Trustees in 1908:
- (b.) The two trustees receiving the next highest number of votes shall serve until the next annual election of School Trustees.

Thereafter the School Trustees elected at the annual meeting to succeed retiring members of the Board shall be elected for two years.

**32.** In every Municipal School District, any person being a householder in the School District, and being a British subject of the full age of twenty-one years, and otherwise qualified by this Act to vote at an election of School Trustees in the said School District, shall be eligible to be elected or to serve as a School Trustee in such Municipal District.

**33.** In case of a vacancy arising from the resignation of a Trustee, or from any cause other than the expiry of the regular term of office, the remaining Trustees shall forthwith take steps to hold an election to fill the vacancy so created, and the person thereupon elected shall hold his seat for the residue of the term for which his predecessor was elected, or for which the office is filled.

**34.** Such election shall be conducted in the same manner, and be subject to the same provisions, as an annual election, and the Public School Board shall name a Returning Officer to act at such election, who shall give at least six days' notice of the nomination of candidates, and in case a poll be demanded, the election shall be held on the third day following the day of said nomination, unless such day is a Sunday or statutory holiday, in which case the election shall be held on the next lawful day after such Sunday or holiday: Provided, however, that such election may, if convenient, be held concurrently with the annual election.

**35.** The Board of Trustees shall meet at least once in each month, and a majority of members shall constitute a quorum.

**36.** The Board of Trustees shall, at the first meeting after the annual election, appoint one of its number to be Chairman of the Board, and the member so appointed shall preside at all meetings of

the Board, and generally fulfil all the duties usually performed by such an officer: such Chairman shall have a casting vote in case of an equality of votes between the other members of the Board upon any question before the Board, but shall not otherwise vote as a member of the Board. In case of the absence from any meeting of the Chairman, the members present at such meeting shall appoint one of their number to act as Chairman of such meeting.

**37.** The Board of Trustees of each Municipal School District shall appoint its own Secretary (who may be one of the Trustees) and fix his salary. The Secretary shall keep a record of the proceedings of the Board, and perform such other duties as the Board may prescribe in relation to its corporate affairs, and such record, and all books, accounts, vouchers, and papers of the Board, shall at all times be subject to the inspection of the Council of Public Instruction and any Committee of the Municipal Council appointed by resolution of such Council for that purpose.

*Duties and Powers of Boards of Trustees of Municipal Districts.*

**38.** The salaries of teachers employed in the Public Schools in all incorporated Cities, Towns and Rural Municipalities, shall be fixed and paid at the discretion of the respective School Trustees of such incorporated Cities, Towns and Rural Municipalities; and such salaries, and all other expenses for the purchase and lease of school sites, erection, enlargement or rent of school buildings, for furniture and repairs, and all other incidental expenses whatsoever incurred by the Boards of School Trustees in the respective Cities, Towns and Rural Municipalities, shall be borne and paid by the Municipal Corporations of the said Cities, Towns and Rural Municipalities respectively.

**39.** The Board of Trustees shall have power, and it shall be the duty of the Board, to provide sufficient school accommodation and tuition free of charge, except as provided in section 46, to all children in the district between six and sixteen years of age, inclusive, and for such purpose shall organise and establish such and so many schools as it shall deem requisite, with power to alter and discontinue the same; to purchase, lease, or expropriate lands or buildings for school purposes; to erect, enlarge, alter, repair, and improve school buildings and grounds and their appurtenances, according to the requirements of the case; to furnish school-houses and procure furniture, maps, and apparatus, and to provide text-books for indigent pupils; to provide fuel and light, and defray the contingent expenses of the several schools, and of the Board of Trustees; to have the custody and safe keeping of the school property of the district, and to insure the school buildings and furniture; to determine the sites of school-houses; to appoint the number of teachers for whose salaries provision has been

made in the estimates: to appoint, dismiss, and fix the salaries, wages, or remuneration from time to time of other officers or employees, as may be deemed necessary by the Board to secure the efficient management of the schools; to report annually to the Municipal Council upon the expenditure of the moneys received by the Board; to furnish annually, on or before the fifteenth day of January in each year, to the Superintendent of Education, a full report of its proceedings, also returns of all schools, in accordance with the forms supplied by him. These returns must be signed by the Secretary of the Board and sworn to by him before a Justice of the Peace.

**39A.** The Board of Trustees shall also have power to determine the schools which pupils shall respectively attend, and it shall be competent for the School Trustees to divide the district into school wards for the purpose only of determining the attendance of resident pupils at the respective schools.

**40.** Any Statute to the contrary notwithstanding, the Council of any City, Town or Rural Municipality in the Province, including the Cities of Vancouver and New Westminster, may in each and every year pass a by-law or by-laws for levying a special rate of not more than five mills on the dollar for school purposes, and the Council may, in addition to such rate, apply any portion of the ordinary revenue to school purposes.

**41.** The Board of Trustees shall also have power to make by-laws (not inconsistent with the provisions of this Act or the regulations of the Council of Public Instruction) relative to the organisation and meetings of the Board, and to any of the matters enumerated in sections 38, 39, 39A, 46, 122, 123 and 124 hereof. Such by-laws shall be submitted to the Council of Public Instruction for approval, and having received such approval shall thereafter have the force and validity of regulations of the Council of Public Instruction within the school district for which such by-laws were framed.

**42.** The Board of Trustees, shall, on or before the first day of February, in each year, cause to be prepared and laid before the Municipal Council a detailed estimate of the sums required by the Board for the current year's ordinary expenses of maintaining the schools, which sums shall be paid over from time to time as required, upon the order of the Trustees, by the Municipal Treasurer, to the several persons to whom such moneys are payable; and the Board shall further prepare the like detailed estimate of the sums required to meet any special or extraordinary expenses which may be legally incurred by the Board, which last-mentioned estimate shall be subject to consideration, alteration and final approval by the Council; and if the Council shall finally reject or disapprove of any such last-mentioned

sum or sums, it shall be the duty of the Council, not more than thirty days after the receipt by the Mayor or Reeve of the written request of the Secretary of the Board in that behalf, to submit for the assent of the electors, in the manner prescribed by section 68 of the "Municipal Clauses Act," a by-law authorising the proposed expenditure, and, if necessary, the raising of the moneys required to defray the same, upon the credit of the municipality (but the petition referred to in section 69 of the "Municipal Clauses Act," shall not be required); and in the event of such by-law receiving the assent of the electors in the manner set forth in section 75 of the "Municipal Clauses Act," the Municipal Treasurer shall pay out of the proceeds of the debentures so issued all expenses connected with the issuance of the said loan, and the balance shall be paid out in manner hereinbefore in this section provided.

**42A.** In the case of Boards of School Trustees elected in Rural Municipalities for the first time after the coming into force of this Act, the detailed estimate referred to in section 42 shall be submitted to the Municipal Corporation within ten days after the election of the Board of School Trustees, and the same provisions shall govern the raising of the sum or sums mentioned in such estimate as in the case of the regular annual estimate referred to in said section 42.

**42B.** The Board of School Trustees shall on or before the first day of February in each year cause to be prepared and laid before the Superintendent of Education a detailed statement of the number of teachers, manual training and domestic science instructors to be employed in the schools for the ensuing year and the salaries to be paid to each of such teachers, manual training and domestic science instructors, and shall thereafter, on or before the last days of March, June, September and December in each year, submit to the Superintendent of Education a statement of all appointments of teachers, manual training and domestic science instructors made during the preceding quarter, setting forth clearly therein the date of each appointment and the amount of salary to be paid to each of such teachers, manual training and domestic science instructors.

**43.** The Municipal Treasurer shall upon the receipt of any moneys from time to time paid into his hands on account of the rates and taxes, set apart and keep in a separate account, to be called "The Board of School Trustees' Account," so much and such proportion of such moneys as the amount ordered to be assessed and levied for school purposes in such Municipality, and pay over such moneys so set apart to the Board of School Trustees, as are mentioned in section 42 hereof, and shall, whenever requested, exhibit to the said Board the state of such account; and such moneys so set apart, or that ought to be set apart, shall not be applied to any other purpose



whatsoever by the Municipal Treasurer. It shall not be lawful for the said Board to incur any liability beyond the amount shown by such account to be at their disposal.

**43A.** In cases where the Boards of Trustees of Rural School Districts contained within Rural Municipalities before the coming into force of this Act, have legally incurred liabilities in respect of teachers' salaries, incidental expenses, or other legitimate expenditures for school purposes of the current year, or in like circumstances in the case of Rural School Districts in any unorganised territory which may hereafter be incorporated into a Rural Municipality, such liabilities shall be assumed by the Municipal Board of School Trustees to be elected under section 31 of this Act.

**44.** Property acquired by the Boards of School Trustees or the Municipal Corporations for school purposes shall not be subject to taxation, nor be liable to be taken in execution; but in case of any judgment being recorded against the Boards of School Trustees, they shall forthwith notify the Municipal Council of the amount thereof, and the Municipal Council shall levy and collect the same as in other cases provided for by this Act.

**45.** The Municipal Council shall annually appoint an auditor to audit the accounts of the Board of Trustees, and the expenses of such audit shall be paid out of the contingent expenses of the Board.

**46.** The Board of Trustees of any Municipal School District may, by resolution, declare that it is desirable that tuition fees should be paid in respect of all or any of the pupils attending at any High School situate within its limits, so as to make such High School more or less self-sustaining, whereupon it shall be the duty of such Board to settle the amount to be paid by parents and guardians for such High School pupils attending the High School, and to fix the times of payment, and, when necessary, to sue for and recover such amounts, in the name of the Municipal Treasurer, who shall receive and apply the same to the purposes specified in section 39 of this Act; but in settling such amount the Board shall make provision by which pupils whose parents or guardians find it beyond their means to pay the tuition fees imposed by the Board, may have the advantages of the High School, either altogether without fee, or at some smaller fee within the means of the parent or guardian.

**47.** Trustees shall serve without emolument or reward, except as provided by section 37 hereof, and shall not be interested, directly or indirectly, in any contract authorised by the Board of Trustees.

**48.** The Board of Trustees in every Municipal School District shall cause to be published annually in January, in at least three issues of

some newspaper circulating in the district, a detailed, audited statement of all receipts and expenditures for the year ending the 31st December, which statement shall be signed by the Chairman and Secretary of the Board and countersigned by the Auditor appointed in that behalf by the Municipal Council: Provided, however, that if the Corporation of any Municipality shall in their annual published statement include a detailed, audited statement of all receipts and expenditures for the year ending the 31st December, as hereinbefore provided and signed by the Chairman and Secretary of the Board and countersigned by the said Auditor, it shall not be necessary for the Board of Trustees to also publish such statement.

#### RURAL SCHOOL DISTRICTS.

##### *District Assessment.*

**49.** Any sum required by any Rural School District in further payment of teachers' salaries, over and above the sum provided by the Province, and any sum required for other school purposes during the year, including, without limitation by reason of such particularity, the purchase or improvement of school grounds, the purchase, erection, repair, furnishing, rent, care and insurance of school houses and out-buildings; the purchase of fuel, light, prescribed maps, apparatus and books (for the use of indigent pupils), the payment of interest accruing during the year on money that has been borrowed, or that may be borrowed, any indebtedness on account of such objects previously incurred, the expense of conveying children to school in cases where by law it is provided that any such expenses may be incurred, contingencies or unforeseen expenses, and personal expenses incurred by the Trustees in the execution of their trust, when sanctioned in writing by the Council of Public Instruction, together with any other expenses required for providing and maintaining an efficient school or schools, may be determined upon by the School District at a meeting having power to vote money, and any amount so determined upon shall, whether or not the several purposes be specified, be assessed and levied in respect of real and personal property, and every person shall be rated and assessed in the District in respect of his real and personal property upon such part thereof as lies or is situate within such district.

**50.** [*Repealed*].

**51.** All property exempt from taxation under the "Assessment Act, 1903," or any amendment thereof, shall also be exempt from taxation under this Act, with the following exceptions:—

- (a.) Homesteads and pre-emptions, as exempt under section 9 of the "Assessment Act, 1903, Amendment Act, 1905," shall not be exempt from assessment under this Act:

(b.) Live stock, agricultural implements, agricultural machinery and vehicles, as exempt under section II of the "Assessment Act, 1903, Amendment Act, 1905," shall not be exempt from assessment under this Act.

**52.** It shall be the duty of each Provincial Assessor to prepare a draft School Assessment Roll for each School District within his Assessment District, according to Form No. 1 in the Schedule hereto, and to fill into such draft from his District Assessment Roll and such other information as may be available to him, the names and addresses of all persons liable to be rated and assessed in such Rural School District for real or personal property, and on or before the date of the annual school meeting to forward to the Secretary of the School Board for each Rural School District within his Assessment District the draft Assessment Roll for such School District.

**52A.** It shall be the duty of the Board of School Trustees of each Rural School District forthwith after the holding of any meeting of such district having power to vote money and at which money is voted, and after the receipt of the draft School Assessment Roll, as mentioned in the preceding section hereof, to prepare a supplementary list setting forth therein to the best of their ability corrections and revisions to the draft School Assessment Roll and the reasons therefor, together with the names and addresses of all persons liable to be rated for school purposes in such District whose names have been omitted in the aforesaid draft Assessment Roll, and to set opposite the name of each person the nature of the property for which he is liable to be rated and assessed, viz., either real or personal property, and also to include in such supplementary list the names of persons in such School District who are exempt from assessment under section 59 of this Act. It shall also be the duty of the Board of Trustees, as soon as possible after the holding of such meeting to return to the Provincial Assessor the draft Assessment Roll together with the supplementary list (if any) and to furnish to such Assessor a statement of the amount determined upon at such meeting to be the amount to be raised in the School District, which statement shall be in Form No. 2 in the Schedule hereto, and certified to by the Secretary of the Board of Trustees.

**53.** Where any Rural School District lies partly within one Provincial Assessment District and partly in another, such Rural School District shall, for the purposes of this Act, be rated and assessed by the Provincial Assessor of the Assessment District within which the greater part of such Rural School District lies.

54.  
55.  
56. } [Repealed.]  
57.  
58.

**59.** Persons unable to pay or persons resident on islands too sparsely populated to maintain a school and too distant from the mainland to permit children to attend school thereon, may be by the annual meeting exempted either in whole or in part from the district rate, and the Trustees shall return to the Assessor a list of such exemptions.

**60.** Neither lapse of time nor any statute of limitations shall be any bar to the collection of any school rate, but payment of the same may be enforced at any time after the time allowed by law for voluntary payment shall have expired.

**61.** Any irregularity or defect in substance or form in the assessment district assessment list shall not affect the validity of any Rural School District assessment founded thereon.

**62.** Every Rural School District assessment made, or to be made, shall be legal if the aggregate amount thereof shall not exceed the amount ordered to be assessed by more than ten per cent.

**63.** It shall be the duty of each Provincial Assessor upon being furnished by the Board of Trustees of any Rural School District within or partly within his Assessment District with the draft Assessment Roll and supplementary list (if any) and certified statement provided for by section 52A of this Act, and he is hereby empowered:

- (a.) To complete the draft Assessment Roll by including therein the necessary additions, corrections and revisions set forth in the supplementary list (if any) and by setting opposite the name of each person in such Assessment Roll the amount on which he is liable to be taxed under this Act, whether for real or personal property. Persons assessed as the owners of real estate in the Assessment District shall until the filing of the next assessment list be deemed to be the owners thereof for the purposes of Rural School District assessment:
- (b.) To apportion the amount to be raised in the following manner: The sum to be raised shall be levied on real and personal property by a fair apportionment according to the valuation contained in the above-mentioned assessment roll, no one class of property assessed being charged a higher rate than another.

**64.** It shall be the duty of each Provincial Collector of Taxes, upon being furnished by the Assessor with the revised and completed Assessment Roll of the Rural School Districts within his Assessment District—

- (a.) To collect the school rates to be raised in such Rural School Districts in the same manner, as near as may be, as other rates and taxes are collected under and by virtue of the "Assessment Act, 1903," or any amendment thereof:

(b.) To remit all moneys collected by him in respect of each Rural School District, monthly, to the officer in charge of the Treasury, with a statement of the amounts so collected and of the School Districts from which the same are collected.

**65.** The provisions of the "Assessment Act, 1903," or any amendment thereof, with respect to the date of completion of assessment roll, due date, assessment, levy, collection, delinquency and enforcement of payment of taxes and interest thereon shall, as far as practicable, apply to the date of completion of assessment roll, due date, assessment, levy, collection, delinquency and enforcement of payment of taxes and interest thereon imposed under this Act, in the same manner as if the said provisions were incorporated in and made part of this Act.

**65A.** Section 6 of the "Assessment Act, 1903," as amended, shall not apply to this Act, but the Corporations as therein specified shall be assessed and taxed as other persons under this Act. 1906, c. 39, s. 70.

**65B.** In estimating the value of railways and railway property, the real estate of such railways, including the right of way and improvements thereon, shall be estimated and valued on the same basis as other real estate in the neighbourhood, and such plant and personal property of the railway as is usually found within the School District shall also be valued and assessed therein. 1906, c. 39, s. 68.

**65C.** During the first six months of the calendar year 1906, the Minister of Finance may, upon application of the Board of Trustees of any Rural School District, and with the approval of the Council of Public Instruction, advance out of the Consolidated Revenue Fund of the Province such portion of the amount voted by the District as may be deemed advisable for the purpose of assisting the District in the payment of current requirements for teachers' salaries and incidental expenses, and any moneys so advanced as aforesaid shall be repaid by the officer in charge of the Treasury out of the amounts remitted from time to time by the Provincial Assessor on account of the school rates collected in such Rural School District. 1906, c. 39, s. 69.

**65D.** The Council of Public Instruction may from time to time, by Order in Council, provide such regulations and forms, not inconsistent with the provisions of this Act, as may be deemed necessary and advisable for the instruction of Assessors and for their assistance in obtaining information and carrying into effect the provisions of this Act respecting the assessment of property. 1906, c. 39, s. 71.

**65E.** The Order in Council passed by the Council of Public Instruction on the fourth day of January, 1906, setting forth the

qualifications of voters and trustees for the first annual school meeting in Rural School Districts under this Act is hereby ratified and confirmed, and the proceedings of all school meetings held and votes taken, both for the election of Trustees and for voting money, whether to supplement teachers' salaries or for other items of fixed and current expenditure, in accordance with the provisions thereof and otherwise lawfully conducted, are hereby legalised and shall have the same force and standing as if the provisions of such Order in Council had originally formed part of this Act. 1906, c. 39, s. 72.

**66.** All school rates which become delinquent in accordance with section 65 of this Act shall thereupon bear interest at the rate of six per cent. per annum from the date of delinquency until paid or recovered; such added interest shall be deemed a charge upon the property of the person whose school rates are delinquent in all respects as if such interest had originally formed part of the rates assessed thereon, and may be recovered as part of the delinquent school rates.

**66A.** The assessment roll for all Rural School Districts in which money for school purposes is to be raised for the year commencing January 1st, 1906, in accordance with section 49 of this Act, shall be completed by the Assessor for each of such Rural School Districts immediately on receipt from the Board of Trustees of such district of particulars as provided in section 52A of this Act, and on completion of the assessment roll as aforesaid the rates shall forthwith become due and payable and may be collected immediately thereafter, and the provisions of section 65 of this Act shall, as far as practicable, apply to the levy, collection, delinquency and enforcement of payment of such taxes and interest thereon.

**67.** Every person assessed in any Rural School District under the provisions of this Act shall have the same right of appeal as is provided for by the "Assessment Act, 1903," or any amendment thereof: Provided, however, that no such appeal shall be allowed in cases where property is assessed at the same value or amount as in the assessment roll of the Assessment District in which such property is assessed.

**68.** The Minister of Finance shall pay over quarterly, on the last days of March, June, September and December, to the Board of Trustees of each Rural School District the amounts collected by the Provincial Assessor from such district under the provisions of this Act.

**69.** No action shall be brought against any School Trustee individually or against the Trustees in their corporate capacity, or against the Secretary of Trustees, for anything done by virtue of the office of Trustee or Secretary, unless within three months after the act

committed, and upon one month's previous notice thereof in writing, and the action shall be tried in the district where the cause of action arose. The defendant in any such action may plead the general issue and give the special matter in evidence. If it appears that the defendant acted under the authority of this Act, or any Act in amendment hereof, or of any regulations made pursuant to the powers herein given, or that the cause of action arose in some other district, the judge or jury shall give him a verdict. The provisions of this section shall not extend to actions upon contract.

**70.** In the case of a judgment being recovered against the Trustees in their corporate capacity, they shall notify the Assessor and he shall satisfy the same by forthwith assessing the amount of such judgment upon the ratepayers of such Rural District in the same manner as a school rate ordered by the school meeting would be assessable, and such rate or assessment may be collected in the same manner as any school rate ordered by the school meeting may be collected.

*Election of Trustees and School Meetings.*

**71.** The School District shall have power to elect three Trustees and an Auditor, and to determine upon all questions of local or district support of schools in conformity with this Act, but no person shall act as Auditor of any accounts of the year in which he may have been a Trustee.

**72.** An annual meeting for the election of School Trustees shall be held in all Rural School Districts and Assisted Schools on the second Saturday in July in every year, commencing at ten o'clock in the forenoon, the nomination closing at twelve noon, and the voting (if any) at four o'clock in the afternoon of the same day.

**73.** In all meetings, one of the Trustees, or the Secretary of the Trustees, or a person so authorised in writing by the Trustees, shall call the meeting to order and act as temporary chairman until the election of a chairman, as provided by section 75; and in the election of a chairman qualified voters only shall vote, and the temporary chairman himself shall be a qualified voter, and shall have but one vote, and that only in case of a tie.

**74.** The persons entitled to vote at the first annual school meeting held in any Rural School District after the passing of this Act, and at any subsequent school meeting in such district, before and until an Assessment list shall have been made out for such district, shall be such persons as are householders or freeholders, or the wives of householders or freeholders in such district, of the full age of twenty-one years and who shall have resided in the district for a period of six months prior to the date of the meeting. Chinese, Japanese and Indians shall not vote.

**74A.** Except as provided in section 74 hereof, a person shall not be entitled to vote at any school meeting in any Rural School District on any question whatever unless such person shall be a ratepayer in the district, or the wife of a ratepayer in the district, and unless such person shall have paid all district school rates imposed upon him for the then preceding year, in case any shall have been imposed. Chinese, Japanese and Indians shall not vote.

**74B.** A person shall not be entitled to vote at any Assisted School meeting unless such person shall be a householder or freeholder, or the wife of such householder or freeholder, in the locality in which the Assisted School is situated, of the full age of twenty-one years, and unless such person shall have resided in the locality for a period of six months prior to the date of the meeting. Chinese, Japanese and Indians shall not vote.

**75.** At all meetings a majority of the ratepayers of the District present shall elect from their number a chairman to preside over the meeting, who shall decide all questions of order, and shall take the votes of the qualified voters only, deciding according to the majority of votes, and shall give a casting vote in case of an equality of votes. The Secretary of the Board of Trustees shall act as Secretary of the meeting, and when there is no Secretary of the Board, or he is not present, the meeting shall elect a Secretary of the meeting. The minutes of the meeting shall be read to the meeting before its close, and shall be signed by the Chairman and the Secretary and transmitted to the Trustees immediately after the meeting; such minutes shall be preserved by the Trustees and be open at all reasonable times to the inspection of the ratepayers.

**76.** A correct copy of the proceedings of the first and of every annual, and of every special, school meeting of any Rural School District or Assisted School, signed by the Chairman and Secretary of the meeting and countersigned by the Secretary of the Board of Trustees, shall be forthwith transmitted by the Secretary of the School Trustees to the Superintendent of Education: Provided always, that such copy of proceedings of annual meeting in Rural School Districts shall specify clearly the amount of salary to be paid during the coming year to each teacher, manual training or domestic science instructor employed in such Rural School District.

**77.** If any person offering to vote at an annual or other school meeting shall be challenged as unqualified by any legal voter, the Chairman presiding at such meeting shall require the person so offering to make the following declaration:—

"I do declare and affirm that I am a ratepayer of this district and that I have paid all district school rates imposed upon me within the last twelve months and that I am legally qualified to vote at this meeting":

*Or,*

"I do declare and affirm that I am the wife of a ratepayer of this district and that my husband has paid all district school rates imposed upon him within the last twelve months, and that I am legally qualified to vote at this meeting":

Whereupon the person making such declaration shall be permitted to vote upon all questions proposed at such meeting; but if any person refuse to make such declaration, his or her vote shall be rejected; and if any person wilfully makes a false declaration of his or her right to vote, he or she shall, on a summary conviction thereof, be liable to a fine not greater than one hundred dollars.

**78.** At the annual school meeting the District shall elect Trustees or a Trustee, as hereinafter provided, and an Auditor for the school accounts of the coming year, and shall also decide what school accommodation shall be provided, and what amount shall be raised by the District for the support of teachers to supplement the sum hereinbefore provided by the Provincial Treasury, and for all other items of fixed and current expenditure, and shall also decide whether any and what sum shall be raised for the purchase or building of school-house, for the purchase or improvement of school grounds, or for general school purposes; and shall receive and pass upon the annual report of the School Trustees: Provided, that if any of the business of the annual meeting, except the election of Trustees, remains uncompleted on the day of meeting, it shall be lawful for the meeting to adjourn to a stated date and time, when the business of such meeting may be completed, and the proceedings had at such adjourned meeting shall be legal under this Act and shall have the same force and effect as if completed on the day on which such annual meeting was first called. This section shall be retroactive and apply to meetings held before the passing of this Act.

**79.** Special meetings may be held (a) upon the call of the Trustees, to fill an occasional vacancy occurring in the Board of Trustees, or for any necessary purpose other than that of voting money; and (b) upon the requisition of a majority of the ratepayers of the district, for the purpose of voting money, or adding to any amount previously voted for any purpose authorised by this Act; notice of which meetings, specifying the objects thereof, shall be given by the Trustees, by posting notices of the time and place thereof in three of the most conspicuous places in the district (one of which shall be the school-house) at least ten days before the time of the meeting.

**80.** The school accommodation to be provided by the district shall, as far as possible, be in accordance with the following arrangements:

(a.) For a district having sixty pupils or under in regular attendance, a house with comfortable sittings, with one teacher:

- (b.) For a district having from sixty to one hundred and twenty pupils in regular attendance a house having two apartments, one for a primary and one for an advanced department, with two teachers, or if one commodious building cannot be secured, two houses may be provided in different parts of the district, with a teacher in each, one being devoted to the younger children, and the other to the more advanced:
- (c.) And, generally, for any district having upwards of one hundred and twenty pupils in regular attendance a house or houses with sufficient accommodation for junior, intermediate and senior classes; provision being made for a teacher for every sixty children or fraction thereof.

**81.** Whenever a majority of the ratepayers of two or more contiguous rural districts agree to unite into one district for the purpose of establishing a central graded school, with at least two teachers, and of providing for the conveyance to and from such school of the children living at a considerable distance therefrom, there shall be granted from the Provincial Treasury to the Board of School Trustees of such united district a sum not exceeding one-half of the total expense incurred on account of such conveyance.

#### RURAL SCHOOL TRUSTEES.

##### *Their Terms of Office, Qualifications and Corporate Rights.*

**82.** There shall be three Trustees for each Rural School District who shall be British subjects and qualified voters and residents of the School District, or the wives of qualified voters and residents of the School District (except that the husband or wife of an acting Trustee shall not be eligible for election); and the Trustees of each District shall be a body corporate, under the name of "The Trustees of Esquimalt (or as the case may be) School District"; and no such corporation shall cease by reason of the want of Trustees.

**82A.** There shall be three Trustees for each Assisted School in the Province, whose personnel, powers, duties, terms of office and mode of election shall, as far as possible, be similar to those of Trustees in regularly organised Rural School Districts; the words "qualified voter" being substituted for the word "ratepayer" wherever the same occurs in sections providing for or dealing with such personnel, powers, duties, terms of office and mode of election.

**83.** Immediately after the formation of any new School District or Districts, pursuant to the provisions of this Act, the Superintendent of Education shall prepare notices, in writing, describing such district or districts, respectively, and appoint a time and place for the first school meeting for the election of Trustees, and shall cause copies of such notices to be posted in at least three public places in each of such

School Districts at least ten days before the time of holding the meeting; and the Trustees elected at any such meeting shall respectively hold office until the next annual meeting for the election of Trustees, and no longer.

**84.** The Trustees elected at the first annual school meeting in any district shall respectively hold office as follows:—

- (a.) The person receiving the largest number of votes shall continue in office until the next ensuing annual school meeting after his election, and for two years thereafter, reckoning therefrom, and from that time onward until his successor shall have been elected:
- (b.) The person receiving the next largest number of votes shall continue in office until the next ensuing annual school meeting after his election, and for one year thereafter, reckoning therefrom, and from that time onward until his successor shall have been elected:
- (c.) The person receiving the next largest number of votes shall continue in office until the next ensuing annual school meeting in such district, and until his successor shall have been elected.

**85.** A Trustee shall be elected to office at each ensuing annual school meeting, in place of any Trustee whose term of office is about to expire, and the Trustee so elected shall serve for the next ensuing three years; and upon the expiration of his term a Trustee shall be eligible and may present himself for re-election.

**86.** Any irregularity in the mode of electing a Trustee shall not invalidate the election, unless formal objection is taken thereto by a qualified voter before the adjournment of the meeting, if the person so elected possesses the qualifications required by this Act for the office of Trustee.

**87.** The election of a Trustee shall not be declared nor held to be invalid by reason of any non-compliance with the provisions of this Act as to the time or place at which any annual or special school meeting is held, nor by reason of any irregularity in the calling of such meeting, if it appears to the tribunal having cognisance of the question of the validity of such election that such non-compliance or irregularity did not affect the result of the election.

**88.** Any Trustee elected to fill an occasional vacancy shall hold office only for the unexpired term of the person in whose place he has been elected.

**89.** Trustees holding office at the time this Act comes into force shall continue in office and perform all the duties of Trustees under this Act until their successors are elected in accordance with the provisions of this Act.

**90.** It shall be the duty of the Trustees of each School District to appoint the place of each annual school meeting of the ratepayers of the district, and of elections and of a special meeting for the filling up of any vacancy in the Trustee Corporation occasioned by death, removal, or other cause, and to cause notices of the time and place to be posted in three or more public places in such district, one of which shall be upon the school-house, at least ten days before the holding of such meeting, and to specify in such notices the object of such meeting. They shall also call and give like notices of any special meeting for any school purpose which they may think proper.

**91.** In case, from the want of proper notices, or from any other cause, any annual school meeting required to be held for the election of Trustees, or any special meeting or election, shall not be held at the proper time, any five ratepayers in such district may, within twenty days after the time at which such meeting should have been held, call a meeting by giving ten days' notice, to be posted in at least three public places in such School District, and the meeting then called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

**92.** Any person chosen as Trustee may resign by giving written notice of such intention to his colleagues in office.

**93.** Should a district at the annual meeting fail to elect a Trustee or Trustees, or should a Trustee after having been duly elected decline to act, a Trustee shall be appointed, upon the written requisition of five ratepayers of the district, by the Inspector, who in case of further neglect to act shall have power to make further appointments.

**94.** A Trustee shall not, directly or indirectly, be interested, otherwise than in his corporate capacity in any contract provided for herein, except that a Trustee may, with the consent of the Superintendent of Education, contract with the Board of Trustees for the sale or purchase of a school-site or building.

**95.** It shall be the duty of the Rural Board of School Trustees, and they are hereby empowered:—

- (a.) To acquire, take and hold for the corporation any real or personal property, moneys or income for school purposes, and to apply the same according to the terms on which the same were acquired or received, with power, when so authorised by the School District in annual meeting, or a meeting called for such purpose, to sell or dispose of the same and apply the proceeds towards payment of charges against the district for the purchase or erection of school property, if such charges exist:
- (b.) To purchase or rent lands or buildings for school purposes, contract for the erection and furnishing of school buildings, repair

and keep in order and insure the building and furniture, secure maps, apparatus and books, and generally to provide for all school purposes, as authorised by the school meeting:

- (c) To borrow, when authorised by the school meeting, money for the purchase and improvement of grounds for school purposes, or for the purchase or building of school-houses, or for the furnishing of the same; and such amount shall be repaid by equal yearly instalments, not exceeding twelve, or such greater number of years as the Council of Public Instruction shall by special order allow, with any interest accruing, to be assessed upon the district, and the money so borrowed shall be a charge upon the district, and for money so borrowed the Board of Trustees shall have power to give certificates of indebtedness:
- (d) To determine the site of the school-house, but immediately thereafter the Board of Trustees shall call a special meeting of the voters of the district to approve of the selection made; if a majority of the voters of such district present at this meeting do not ratify the site chosen by the Trustees, the voters of the district shall at this meeting determine upon a suitable site, and their decision, subject to the approval of the Council of Public Instruction, shall finally decide the matter:
- (e) In case the voters of a School District neglect or refuse to select a site which meets with the approval of the Council of Public Instruction, the Superintendent of Education, or any person appointed by him, shall visit the School District, and, after careful inspection, shall select the sites, and such selection, subject to the approval of the Council of Public Instruction, shall finally decide the matter.

**96.** It shall be the duty of the Rural Board of School Trustees, and they are hereby empowered to provide school privileges free of charge to all children between the ages of six and sixteen, inclusive, who may be resident in the district, and, when authorised by the school meeting, improved accommodation, as far as possible in accordance with the provisions of section 80 hereof, with power to admit to school privileges senior grade pupils from other districts, and if the Trustees shall deem it necessary, they may exact from such pupils such reasonable tuition fee as may be sanctioned by the Superintendent. Persons above sixteen years of age who desire to attend school in the district in which they reside, shall have the right of doing so free of charge, if there is sufficient school accommodation. Any person assessed for district school rates in two or more districts shall have the right to send his children to the school of any district in which he may be assessed, or part of them to the school of one district and part to the school of another district. Any parent, master or guardian, who pays district school rates in any school district shall be

entitled to send any child under his care, custody or control to the school of such district.

**97.** It shall be the duty of the Rural Board of School Trustees to appoint one of themselves to be Secretary and Treasurer to the Corporation, who shall give such security as may be required by a majority of the Trustees for the correct and safe keeping and forthcoming, when called for, of the papers and money belonging to the Corporation, and for the correct keeping of a record of their proceedings in a book procured for that purpose, and for the receiving and accounting for all school moneys which shall come into his hands, and for the disbursing of such moneys, in the manner directed by a majority of the Trustees.

**98.** The bond given by the Secretary of the Rural Board of School Trustees shall, so long as it remains uncanceled, or until a new bond be taken, be deemed a continuing security during his continuance in office, although in terms for one year.

**99.** Every Rural Board of School Trustees shall meet at least once in every three months.

**100.** The Board of School Trustees of Rural Districts shall (a) cause to be prepared and read at the annual meeting, a report for the year then ending, which report shall, amongst other things, contain a statement of the educational condition of the district and its needs, and exhibit a full account of the receipt and expenditure of all school moneys during the year, which account shall have been duly audited as hereinafter provided; and (b) prepare and transmit annually on or before the fifteenth day of July, a report to the Superintendent, signed by a majority of the Trustees, and sworn to before a Justice of the Peace, and specify therein:—

- (a) The whole time the school in their district was kept by a qualified teacher, during the year ending the 30th day of June:
- (b) The amount of money received from the Council of Public Instruction and the manner in which such money has been expended:
- (c) The total amount of money received and paid during the year to supplement the provincial grant to the teacher, and, in graded schools with two or more teachers, the exact amount paid to each teacher:
- (d) The whole number of children residing in the School District under the age of six years and between six and sixteen, the number of children taught in the school or schools respectively in such district, distinguishing the sexes, and the average attendance of pupils during the year:
- (e) The branches of education taught in the school, the number of pupils in each branch, the number of visits made by each

Trustee, the number of public school examinations, visits, and lectures, and by whom made or delivered, and such other information as may be required:

- (f.) The uses to which the school buildings and lands have been applied during the year, and the damage arising or the revenue derived therefrom.

**101.** The Auditor shall, at least two weeks before the next annual meeting, call upon the Board of Trustees to submit to him their accounts for the year, with all vouchers, agreements, etc., and shall examine into and decide upon the accuracy thereof, and whether the Board of Trustees have truly accounted for, and expended for school purposes, the moneys received by them, and report upon such accounts at the annual meeting; and if the Auditor objects to the lawfulness of any expenditure made by the Trustees, they shall submit the matters in difference to such meeting, which may either determine the same or submit the same to the Superintendent, whose decision shall be final.

#### GENERAL PROVISIONS.

**102.** It shall be the duty of the Trustees of every School District, whether Municipal or Rural, and they are hereby empowered:—

- (a.) To suspend or expel from school any pupil whom the teacher may report to the Trustees as persistently disobedient or addicted to any vice likely to affect injuriously the character of other pupils, until the Trustees and teacher shall receive from such pupil assurance of reform:
- (b.) To select and appoint (from amongst those persons properly qualified) the teacher or teachers in the School District of such Trustees, and to remove and dismiss such teacher or teachers upon giving at least thirty days' notice before the close of the term to the teacher or teachers of such intention of removal and dismissal, and the reason or reasons therefor. The Trustees shall, upon notification from the Council of Public Instruction of the inefficiency or misconduct of the teacher, give such teacher thirty days' notice of dismissal. Nothing in this section shall be taken to confer on any teacher a right to such thirty days' notice, or salary in lieu of notice, where any teacher has been suspended by the Trustees for gross misconduct: Provided always, that in any case where the Trustees have suspended or dismissed any teacher on a charge of gross misconduct such teacher may appeal to the Council of Public Instruction, who shall have power to take evidence and confirm or reverse the decision of the Trustees; but in case of a reversal of the decision, the teacher shall not, without the consent of the Trustees, be reinstated in the same school.

- (c.) To report forthwith to the Superintendent of Education the appointment, resignation, or dismissal of any teacher or teachers in their district, and in case of dismissal to state the reasons for such dismissal:
- (d.) To visit at least monthly each school under their charge, and see that it is conducted according to the provisions of this Act, and the Rules and Regulations of the Council of Public Instruction; to provide for the health of the school and to see that the schools are properly supplied with the books prescribed by the said Council, and that no books unauthorised by the Council are used:
- (e.) If any parent or guardian, after due notice from the Trustees that a child under the care of such person is unprovided with the necessary prescribed school books, shall neglect or refuse to furnish such child with the books required, the Trustees shall, subject to the power to exempt indigent persons, furnish them at the expense of the district, and the cost thereof may be collected from the parent or guardian by warrant of the Trustees as in the case of assessed rates.

**103.** In case a school is summarily closed for any cause the teacher shall not be paid salary for a longer period than one month from the date of such closing.

**104.** A person shall not be appointed nor retained as a teacher in any public school unless he shall hold a third, second, first class, or academic certificate, or temporary certificate of qualification.

**105.** Temporary Certificates shall be granted according to the following regulations:—

- (a.) The expression "persons properly qualified," in sub-section (b), section 102 of this Act, shall mean persons holding a third, second, first class, or academic certificate of qualification: Provided, however, that the Trustees may, upon their satisfying the Superintendent of Education of their inability to secure a person properly qualified, suitable as a teacher for their school, appoint as a teacher, temporarily, the holder of a temporary certificate:
- (b.) A temporary certificate shall be valid until the next public examination of teachers has been held, and no longer; and no person to whom a temporary certificate has been issued, who has neglected or failed to obtain at such next public examination a certificate of qualification, shall be entitled to receive a second temporary certificate, except in the case of the holder of an expired third class certificate, who may obtain a second temporary certificate upon satisfying the Superintendent of Education that he was prevented by illness or other satisfactory cause from attending at such public examination.



**106.** No Trustee shall hold the office of Teacher within the district of which he is a Trustee; and a continuous non-residence of three months by a Trustee shall cause a vacation of his office: Provided always, that no clergyman of any denomination shall be eligible for the position of Superintendent, Inspector, Teacher or Trustee.

**107.** Any Trustee who during his Trusteeship is convicted of any criminal offence, or who becomes insane, or ceases to be an actual resident within the School District of which he is a Trustee, shall ipso facto forfeit and vacate his seat, and the remaining Trustee or Trustees shall declare his seat vacant, and forthwith call a special meeting for the election of his successor:

This section shall apply to a Trustee elected, and to a conviction made, or other cause of forfeiture matured, either before or after the passing of this Act.

**108.** It shall not be lawful for any powder magazine, or store-house or place where powder or other dangerous explosive substances are kept or stored, to be or to remain within a distance of five hundred yards from any school-house or place or building used for the purposes of a school, or where scholars do or may assemble for the purposes of this Act.

If any person wilfully violates the provisions of this section he shall, upon summary conviction thereof, be liable to a fine not exceeding five hundred dollars.

**109.** The Board of Trustees of each School District wherein a High School or Collegiate Institute is situate shall, for the purposes of the control and of the management of the affairs of such High School or Collegiate Institute, be a body corporate and politic, under the name of "The Collegiate Institute Board."

**110.** It shall be lawful for any Collegiate Institute Board to enter into affiliation with any one or more of the recognised universities of the Dominion of Canada, subject to the sanction of the Council of Public Instruction, which may by its charter and regulations be authorised to admit such Board into affiliation, and for the purpose of carrying out any agreement for affiliation there is hereby conferred upon and granted to each Collegiate Institute Board all necessary powers and authorities.

**111.** The Lieutenant-Governor in Council may, by letters patent under the Great Seal of the Province, grant a charter or charters of incorporation to any of the Boards of School Trustees of Districts having a High School or College with a staff of at least three teachers, constituting Board of Trustees mentioned in such Letters Patent, and their successors, duly elected under the provisions of the Public School Law of

the Province for the time being, a body corporate and politic under the name and style of "The Board of Governors of the College," and in and by said Letters Patent the Lieutenant-Governor shall specify the powers, rights and immunities to be held and enjoyed by said body; and from and after the issue of such Letters Patent the persons named therein, and their successors, shall be a body corporate and politic, and shall have such of the powers, rights, and immunities vested by law in such bodies as may be specified in the said Letters Patent, but except as is so specified the provisions of sub-section (37) of section 10 of the "Interpretation Act" shall not apply to any such body.

**112.** It shall be lawful for the Lieutenant-Governor in Council, from time to time, to grant to the corporations of Cities, Towns or Rural Municipalities all or any portion of the lands set apart as school reserves, or acquired by the Crown for school purposes in said Cities or Towns, and situate therein, in trust for school purposes and as school sites. It shall also be lawful for the Lieutenant-Governor in Council, from time to time, to grant to the Boards of Trustees of Rural School Districts all or any portion of lands set apart as school reserves, or acquired by the Crown for school purposes in such Rural School Districts, and situate therein, in trust for school purposes and as school sites.

**113.** The said lands, when granted and conveyed to and vested in the said several corporations, shall be held by them upon trust as aforesaid, and shall not be conveyed, alienated, or otherwise disposed of, except with the consent of the Council of Public Instruction.

**113A.** The Municipal corporations of Cities, Towns or Rural Municipalities and Boards of Trustees of Rural School Districts may, with the consent of the Lieutenant-Governor in Council, sell and dispose of, at public auction or private sale or lease, any property held by them under section 112 of this Act, not required or which has ceased to be used for school purposes, or which it may be considered advisable to dispose of: provided that the terms and conditions of such sale shall first be submitted to and approved by the Council of Public Instruction, and the moneys arising from such sale shall not be disposed of for any purpose other than the purchase of new school site or erection of new school building, except with the approval and assent of the Council of Public Instruction.

**114.** All lands which may be conveyed as provided in section 112 of this Act shall revert to the Crown upon the failure of the corporations of said cities or towns or of the School Trustees thereof, or of the Boards of Trustees of Rural School Districts, to conform to, comply with and carry out the provisions of this Act, or other the Act or Acts for the time being in force on this behalf, or to maintain the schools in

accordance with the provisions of the school law for the time being in force.

*Board of Examiners.*

**115.** The Board of Examiners shall have authority to grant certificates the designation and validity of which shall be as follows:—

- (a.) Third Class, valid for three years; but no person shall be allowed to renew a third class certificate, except as hereinafter provided in section 120 hereof:
- (b.) Second Class, valid for life:
- (c.) First Class, valid for life:
- (d.) Academic, valid for life:

All applicants for second class, first class, and academic certificates must be graduates of the Provincial Normal School, or of other Normal Schools approved by the Council of Public Instruction; except that a period of ten years of active service in the public schools of the Province shall be deemed equivalent to graduation from the Normal School.

**116.** Every certificate of qualification obtained at any examination shall be signed by the Superintendent of Education, and by at least one Examiner, and shall be countersigned by the Provincial Secretary.

**117.** A certificate shall not be given to any person as a teacher who does not furnish satisfactory proof of good moral character, and satisfy the Board of Examiners that he is a fit and proper person to be granted a certificate.

**118.** Graduates in Arts, of recognised British or Canadian Universities, who have proceeded regularly to their degrees, shall be exempt from examination in other than professional subjects; but may be required, by oral examination, to further satisfy the Examiners as to their knowledge of the Art of Teaching, School Discipline and Management, and the School Law of the Province.

**119.** Bonâ fide students of a High School, or of any College in the Province, who, having passed the Departmental Junior Grade Examinations, have also passed the examination for matriculation in Arts of any University specified in section 110 of this Act, shall be exempt from examination in other than professional subjects of second class certificates; bonâ fide students of a High School in the Province, who have passed the examination for Senior Matriculation in Arts of any university specified in section 110 of this Act, shall be exempt from examinations in other than professional subjects of first class certificates; bonâ fide students of a High School or College in the Province that is in affiliation with any University specified in section 110, who have further passed the examination upon the first year

course in Arts of such University, shall be exempt from examination in other than professional subjects of first class certificates; and bonâ fide students of a High School or College in the Province that is in affiliation with any University specified in section 110, who have further passed the intermediate examination in Arts of such University, shall be exempt from examination in other than professional subjects of academic certificates.

**120.** Regularly employed teachers holding Third Class Certificates, who, previous to August, 1901, held either a Third Class, Grade A, or a Third Class, Grade B, Certificate, shall be entitled to an annual renewal of their Third Class Certificate on application to the Superintendent of Education, provided, either that they are graduates of an approved Normal School, or that by the 30th June, 1905, they shall have completed ten years of active service on the teaching staff of the Province.

**121.** There shall be set apart by the officer in charge of the Treasury for the time being, out of the general revenue of the Province, in each year, such sum as may be voted by the Legislative Assembly for public school purposes, and the said sum of money shall be called the "Public School Fund."

**122.** Every child, from the age of seven to fourteen, inclusive, shall attend some school, or be otherwise educated, for six months in every year; and any parent or guardian who does not provide that every such child under his care shall attend some school or be otherwise educated shall be subjected to the penalties hereinafter provided by this Act. But in City School Districts every child within the age limits hereinbefore mentioned shall attend school during the regular school hours every school day, subject to the exemptions provided for in section 124 of this Act.

**123.** It shall be the duty of the Trustees of every Public School, or of the Superintendent of Education, or any person authorised by them or him, after having been notified that the parents or guardians of any child continue to neglect or violate the provisions of the last preceding section of this Act, to make complaint of such neglect or violation to a Magistrate or Justice of the Peace; and it shall be competent for the Police Magistrate of any city or town, and for any Magistrate or Justice of the Peace in any town or school district where there is no Police Magistrate, to investigate and decide in a summary manner upon any such complaint made by the Trustees, or any person authorised by them, against any parent or guardian for violation of the last preceding section of this Act, and to impose a fine not exceeding five dollars for the first wilful offence, and double that penalty for each subsequent offence, which fine and penalty shall be enforced as provided in section 126 of this Act.

**124.** It shall be the duty of the Police Magistrate, or any Magistrate or Justice of the Peace where there is no Police Magistrate, to ascertain, as far as may be, the circumstances of any party complained of for not sending his child or children to some school, or otherwise educating him or them; and he shall accept any of the following as a reasonable excuse:—

- (a.) That the child is under instruction in some other satisfactory manner:
- (b.) That the child has been prevented from attending school by sickness, or any other unavoidable cause:
- (c.) That there is no public school open which the child can attend, within a distance not exceeding three miles, measured according to the nearest passable road from the residence of such child:
- (d.) That such child has reached a standard of education of the same or of a greater degree than that to be attained in such public school.

**125.** Any person who wilfully disturbs, interrupts, or disquiets the proceedings of any school meeting authorised to be held by this Act, or any school established and conducted under its authority, or interrupts or disquiets any public school by rude or indecent behaviour, or by making a noise, either within the place where such school is kept or held, or so near thereto as to disturb the order or exercises of such school, shall for each offence, on conviction thereof before a Justice of the Peace, on the oath of one credible witness, forfeit and pay for public school purposes, to the school district within which the offence was committed, such sum, not exceeding twenty dollars, together with the costs of the conviction, as the said Justice may think fit.

**126.** All fines, penalties and forfeitures mentioned in this Act may be sued for, recovered, and enforced, with costs, by and before any Police Magistrate, Stipendiary Magistrate, or Justice of the Peace having jurisdiction within the school district in which such fine or penalty has been incurred; and if any such fine or penalty and costs be not forthwith paid, the same shall, by and under the warrant of the convicting Justice, be enforced, levied, and collected, with costs of distress and sale of the goods and chattels of the offender, and shall by such Justice be paid over to the Treasurer of the school district; and in default of such distress, such Justice shall, by his warrant, cause the offender to be imprisoned for any time not exceeding thirty days, unless the fine and costs, and the reasonable expenses of endeavouring to collect the same, be sooner paid.

**127.** Chapter 170 of the Revised Statutes of British Columbia, 1897, being the "Public Schools Act," chapter 48 of the Statutes of 1901,

being the "Public Schools Act Amendment Act, 1901," and chapter 47 of the Statutes of 1903-4, being the "Public Schools Act Amendment Act, 1904," are hereby repealed as from the first day of January, 1906.

**128.** This Act shall come into force on the first day of January, 1906.

Form No. 1  
 SCHEDULE.  
 PUBLIC SCHOOLS ACT.  
 SCHOOL ASSESSMENT ROLL FOR THE YEAR 190 . . . . .

Rural School District . . . . .  
 Assessment District . . . . .  
 Total assessed value \$ . . . . .  
 Amount to be raised \$ . . . . .  
 Rate levied being . . . . . per dollar.

No. on Roll	Resident or Non-Resident.	Name of Ratepayer and P. O. address.	Description of Real Property.	Assessed values. Real property of all kinds, improved or unimproved.	Personal Property.	Total of assessed values.	School rates at rate levied.	Amount paid.	Date of payment.	Number of official receipt issued.	Date of mailing notice of assessment.	Date of delivery when not mailed.

Date of completion of Roll . . . . . 190 . . . . .

FORM No. 2.

"PUBLIC SCHOOL ACT."

*Rural School District Assessment.*

Certificate to be furnished to Provincial Assessors by Secretary of Board of Rural School Trustees, under section 52 of "Public Schools Act."

RURAL SCHOOL DISTRICT \_\_\_\_\_

ASSESSMENT DISTRICT \_\_\_\_\_

I, \_\_\_\_\_, Secretary of the Board of Trustees of the above-named Rural School District, hereby certify that at the meeting of the Ratepayers of said Rural School District, held on the \_\_\_\_\_ day of \_\_\_\_\_, 190 \_\_\_\_\_, having the power to vote money, and at which money was voted, it was determined that the amount to be raised by assessment for school purposes for said District for the year 190 \_\_\_\_\_, shall be dollars (\$ \_\_\_\_\_).

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of January, 190 \_\_\_\_\_.

Secretary of Board of Trustees for said Rural School District.

To the Assessor of \_\_\_\_\_

Post Office Address \_\_\_\_\_

## RULES AND REGULATIONS.

RULES AND REGULATIONS OF THE COUNCIL OF PUBLIC INSTRUCTION FOR  
THE GOVERNMENT OF PUBLIC SCHOOLS IN THE PROVINCE OF  
BRITISH COLUMBIA.

## ARTICLE 1.

*Clause 1.*—The hours of teaching shall be from 9 A.M. to 12 M. and from 1 P.M. to 3:30 P.M., from March to October, inclusive; and from 9:30 A.M. to 12 M., and from 1 P.M. to 3 P.M. from November to February, inclusive. The first and second primer classes may, at the discretion of the School Board, be dismissed at 2:30 P.M.

*NOTE.*—The noon recess may in City School Districts be extended at the discretion of the School Board from 12 M. to 1:30 P.M., but in that event the afternoon session must be correspondingly lengthened.

*Clause 2.*—There shall be a recess of fifteen minutes, extending from 10:45 to 11 o'clock, in each morning's work during the whole year, and a recess of ten minutes, extending from 2:30 to 2:40 o'clock, in each afternoon's work from March to October, inclusive.

*Clause 3.*—(a.) Each pupil shall be allowed the full time allotted for recesses:

(b.) In no case shall a pupil be detained after school hours for a longer period than half an hour:

(c.) Teachers must use discretion in assigning "home" lessons to children. It is recommended that no home work be exacted from pupils in the Primers and First Readers.

## ARTICLE 2.

Every Saturday, Sunday, Good Friday, Easter Monday, Empire Day (24th May), Labour Day, Thanksgiving Day and King's Birthday shall be a holiday. Any day proclaimed a holiday by the Lieutenant-Governor shall also be a school holiday. Holidays, proclaimed as such by the Mayors of cities, shall not be regarded as school holidays.

*NOTE.*—The object of Empire Day is the development of the Empire idea. Consequently, the lessons, recitations and other exercises of the last teaching day preceding Empire Day (May 24th) should be such as to bear directly upon the history and resources of Canada and the British Empire, and tend to promote a spirit of true patriotism and loyalty. The school flag (British or Canadian, which it is earnestly recommended that the trustees shall provide) should be raised on Empire Day, Dominion Day, the King's Birthday, the anniversaries of great national events, the day of opening or closing school in any term, etc.

## ARTICLE 3.

There shall be two vacations in each year:

- (a.) In all schools throughout the Province the summer vacation shall extend from the first day of July to the fourth Sunday in August.
- (b.) The winter vacation shall continue for two weeks preceding the first Monday in January after New Year's Day.

## ARTICLE 4.

*Clause 1.*—Teachers on the permanent staff (*i. e.* holding other than Temporary Certificates), at the close of the school-year (June 30th), who have been employed for more than half the prescribed teaching days in the year, shall be paid their usual salaries for July.

*Clause 2.*—Teachers on the permanent staff at the close of the year (June 30th), who have not been employed for more than half the prescribed teaching days in the year, shall be paid salary for July, provided they continue teaching during August and September following the summer vacation.

*Clause 3.*—When a school is closed for one or more of the prescribed teaching days in a month without authority having been first obtained from the Council of Public Instruction, salary will not be paid to the teacher for the time that the school is closed.

*NOTE.*—In case of the prevalence of an epidemic, illness of teacher, or other cause equally satisfactory to the Council of Public Instruction, Trustees may forthwith temporarily close the school, but immediate notification must be given the Department by the Secretary of the Board, with the reason therefor, in order to prevent reduction of grant to teacher and district.

In case a school is summarily closed for any cause, the teacher shall not be paid salary for a longer period than one month from the date of closing. Sec. 103.

## ARTICLE 5.

Teachers, during temporary absence from duty, must provide substitutes satisfactory to the Board of Trustees, and must satisfy the claims of such substitutes for services rendered.

A substitute cannot serve, without the consent of the Education Department, for a longer period than ten consecutive teaching days in the school year, except in the event of sickness of teacher.

## ARTICLE 6.

It shall be the duty of every teacher in the Public Schools:—

*Clause 1.*—To teach diligently and faithfully all the branches required to be taught in the school, and to maintain proper order and discipline therein, according to the engagement entered into with the trustees, and the provisions of the School Act.

*Clause 2.*—To call the roll morning and afternoon, and otherwise to keep an accurate register in the manner prescribed by the Council of Public Instruction; such register to be open at all times to the inspection of

the Trustees, Inspectors and Superintendent, and to be handed over to the Secretary of the Trustees at the expiration of the term of service to be preserved as a district record.

*Clause 3.*—To furnish pupils with constant employment in their studies, and to endeavour, by judicious and diversified modes, to render the exercises of the school pleasant as well as profitable.

*Clause 4.*—To inquire into the cause of and record all cases of tardiness and absence of pupils.

*Clause 5.*—To send to the parent or guardian of each pupil a monthly report (on a form supplied or approved by the Education Department) of the progress, deportment, attendance and punctuality of such pupil.

*Clause 6.*—To be present in the school-room at least fifteen minutes in the morning, and five minutes in the afternoon, before the time prescribed for beginning school; subject to the arrangement of the Board of Trustees, to see that the school-house is kept in proper order in respect of cleanliness, neatness, heating and ventilation; to maintain a regular supervision of the pupils in the playground and have a care that games are honourably played; to observe punctually the hours for opening and closing school, and after close of school not to leave the school-grounds until every pupil has departed, and not to allow recesses to exceed the specified time.

*Clause 7.*—To keep a visitors' book (which the Trustees shall provide), and enter therein the visits made to his school, and, if deemed advisable, to present such book to the visitor and to request him to make therein any remarks suggested by his visit.

*Clause 8.*—To receive visitors courteously.

*Clause 9.*—On the last day of each half-year to hold a public examination of his school, notice of which shall be given to the Trustees, and to the parents through the pupils.

*Clause 10.*—Daily to inspect the yards and out-houses, and to report their condition to the Trustees when deemed necessary, and to see that the school-house and premises are locked at all proper times. To exercise vigilance over the school property under his charge, the buildings, out-houses, fences, apparatus, books, &c., so that they may not receive unnecessary injury; and to give prompt notice in writing to the Secretary of the Trustees of any supplies that may be needed for the school, or of any repairs which may be required to be made to the building, outhouses, furniture, &c.

*Clause 11.*—To keep in a conspicuous place in the school-room a time-table showing the order of exercises for each day in the week, and the time devoted to each subject per day.

*Clause 12.*—Not to be absent from school, unless in case of sickness, in which case the absence is to be immediately reported to the Secretary of the Board of Trustees.

*N.B.*—All absences, with reasons for the same, shall be reported monthly to the Superintendent of Education.

*Clause 13.*—To report promptly to the Trustees the appearance of any infectious and contagious disease in the school, or unsanitary condition of the outhouses or surroundings :

*Clause 14.*—To have special care as to the use of school books and apparatus, registers and maps, the neatness and order of the desks, and to reimburse the Trustees for any destruction of school property by pupils which is clearly chargeable to gross neglect or failure to exercise proper discipline on the part of the teacher.

*Clause 15.*—In schools where more than one teacher is employed, to attend all meetings of the teachers called by the Principal.

*Clause 16.*—To render every assistance required of him by the Superintendent of Education or Inspectors, in promoting, examining or classifying pupils.

*Clause 17.*—To verify by affidavit, before any Justice of the Peace, the correctness of such returns as the Superintendent of Education may, from time to time, require to be so verified ; and to furnish the Board of Trustees, when solicited by them or their Secretary, every reasonable assistance in making the returns required by the Education Department.

*Clause 18.*—To furnish to the Superintendent monthly, or when desired, any information which it may be in his power to give respecting anything connected with the operation of his school, or in anywise affecting its interests or character.

*Clause 19.*—Not to detain any pupil in school during the hour's intermission at noon, and, except in extreme cases, to avoid detention after hours.

*Clause 20.*—Strictly to obey the rules and regulations prescribed.

*Clause 21.*—To give at least thirty days' notice to the Trustees of his intention of resigning, such notice to terminate with the close of the school term, or to be given within ten days after the close of the annual school meeting.

*Clause 22.*—To make himself familiar with the School Act.

## ARTICLE 7.

Every teacher shall practise such discipline as may be exercised by a kind, firm and judicious parent in his family, avoiding corporal punishment, except when it shall appear to him to be imperatively necessary, and then a record of the offence and the punishment shall be made in a register used for the purpose, which records shall be open to inspection by the Superintendent of Education, the Inspectors and the Trustees.

## ARTICLE 8.

When a pupil is persistently disobedient, or addicted to any vice likely to affect injuriously the character of other pupils, it shall be the duty of the teacher to report the case to the Trustees, who may suspend or expel such pupil from the school ; and any pupil thus suspended or expelled shall not be admitted to the school until the Trustees and teacher shall receive from such pupil assurance of reform as openly and explicitly as the case may require.

## ARTICLE 9.

The Principal of a school (subject to the provisions of secs. 7, 8, 9, Public Schools Act) shall have supervision over the time-tables, exercises, methods and general discipline pursued in all its lower grades, and over the conduct of all the pupils as committed to teachers generally by these Regulations ; and it shall be competent for the Principal, in his discretion, to exercise, on occasion, paramount authority in discipline, and to administer the same.

*NOTE.*—The Council of Public Instruction recommends that where there is no City Superintendent employed, Trustees always consult with the Inspector or the Principal in securing suitable teachers for the other grades of the school.

## ARTICLE 10.

It shall be the duty of the Principal of every Public School to convene, at least once a month, a meeting of his assistants for conference on all matters affecting the proper management of each division, with a view to securing not only uniformity in discipline and instruction, but also the adoption of the best approved methods. A record shall be kept of the proceedings had at each meeting, which record shall be open to the inspection of the Superintendent of Education, the Inspectors and the Board of Trustees. The Principal must report to the Trustees the names of assistants who fail to attend each meeting.

## ARTICLE 11.

Pupils enrolled in city schools shall not be permitted to change from one school to another during the school-year, except by promotion or on account of change of residence.

## ARTICLE 12.

No person shall be admitted into, or be allowed to continue in, any school as a pupil, if he be afflicted with, or have been exposed to, any contagious disease, until all danger of contagion from such pupil shall have passed away, as certified in writing by a medical man, or other authority satisfactory to the teacher.

## ARTICLE 13.

Any school property that may be wilfully injured or destroyed by any pupil shall be made good forthwith by his parent or guardian.

## ARTICLE 14.

The highest morality shall be inculcated, but no religious dogma nor creed shall be taught. The Lord's Prayer may be used in opening or closing the school.

## ARTICLE 15.

It is required of each and every pupil of a Public School—

*Clause 1.*—That he come to school clean and tidy in his person and clothes ; that he avoid idleness, profanity, falsehood, deceit, quarrelling and fighting ; that he be kind and courteous to his fellows, obedient to his instructors, diligent in his studies, and that he conform to the rules of the school.

*Clause 2.*—That he present to the teacher an excuse from his parent or guardian for tardiness or absence from school, with the reason or reasons therefor. In the case of a graded school, the Principal shall be the judge of the sufficiency of the excuse, and he shall recognise as sufficient reason for either tardiness or absence:—

- (1.) Sickness of pupil.
- (2.) Sickness or affliction in the family.
- (3.) Danger to health from serious exposure.
- (4.) Any other circumstance which renders attendance impracticable.

When the excuse is not deemed sufficient, the teacher shall mark the absence or tardiness *not excused* in the Register, and notice thereof shall be immediately sent to the parent.

*Clause 3.*—That he be present at each inspection and examination of his school or division, or present a satisfactory excuse for absence.

*Clause 4.*—That he do not depart, without the teacher's consent, before the time appointed for closing the school.

*Clause 5.*—That he be amenable to the teacher for any misconduct on the school premises, or in going to and returning from school.

*Clause 6.*—That he come to school with the prescribed text-books and school requisites needed in his class; but in case of his inability to comply with this rule on account of the neglect or refusal of his parents or guardians, the teacher shall notify the Trustees who are to furnish them at the expense of the district, as directed by the law.

#### ARTICLE 16.

The duties and prerogatives of a City Superintendent appointed under the provisions of section 9 of the Public Schools Act, shall be held to include:—

- (a.) The assignment of teachers to their respective places on the staff, subject to the approval of the Board of School Trustees.
- (b.) The determination of the school which pupils shall respectively attend.
- (c.) Supervisory and appellate authority in all matters relating to school organisation, instruction and discipline, including power of suspension of pupils for disregard of the regulations of the Council of Public Instruction.
- (d.) Advisory functions in respect to all matters within the official jurisdiction of the Trustees.
- (e.) Responsibility to the Council of Public Instruction for the proper administration of the school system of the city.

## SCHOOL MEETINGS.

### I.—NOTICE OF MEETINGS.

#### *School Meetings in Rural School Districts.*

1. The notice calling an annual or a special meeting may be signed by the secretary by direction of the trustees, or by a majority of the trustees themselves (exceptions, secs. 83, 91). Copies of such notices shall be put up in at least three of the most public places in the district at least ten days before the time of holding the meeting, and one of such notices shall be placed on the school-house.

2. *References to the Act.*—The day (the second Saturday in July), hour, place, and notices of the annual school meeting, secs. 72, 90, 91.

Special meeting, and first meeting of a new school district, to be held as specified in secs. 79 and 83 respectively.

Provision for the continuation or adjournment of school meetings, sec. 78.

### II.—PROCEEDINGS AT ANNUAL SCHOOL MEETINGS IN RURAL DISTRICTS.

#### *Meetings, how organised.*

1. In all meetings, one of the Trustees, or the Secretary of the Trustees, or a person so authorised in writing by the Trustees, shall call the meeting to order and act as temporary chairman until the election of a regular chairman (who must also be a qualified voter), secs. 73, 75.

Ratepayers and wives of same entitled to vote, secs. 74A, 77.

Chinese, Japanese and Indians shall not vote, sec. 74.

Declaration in case of a voter being challenged as unqualified, sec. 77.

#### *Order of Business, etc.*

2. Duties and powers of the annual school meeting are:—

- (1.) To elect, from among the qualified voters, a chairman; his duties, sec. 75:
- (2.) To elect (if the Secretary of the Board of Trustees, who is by law secretary of the school meeting—also, sec. 75—is absent, or if there is no Secretary of the Board at the time) a Secretary of the meeting, sec. 75:
- (3.) To receive and pass upon (after the first or organisation meeting) the written report of the Board of Trustees (which may be presented by one of the Trustees or by the Secretary of the Board) as to the educational condition of the school or district and its needs, the receipt and expenditure of all moneys; sec. 100 (a).
- (4.) To receive (after the first meeting under the School Act, 1905) the Auditor's report upon the Trustees' accounts, sec. 101:
- (5.) To elect an Auditor of the school accounts for the coming year; secs. 71, 78; qualification of Auditor, sec. 71:



- (6.) To determine what school accommodation shall be provided, and what amount shall be raised by the district during the ensuing year for any or all the objects authorised by law, as specified in secs. 78, 81, 95, 102 (b); and if any sum is included for the purchase or improvement of school grounds, or the purchase or building of school-house, or furnishing the same, to authorise the Trustees to borrow the money (if so desired), and to fix the period (not to exceed twelve years) within which the borrowed amount shall be collected from the district in equal yearly instalments (or a longer period upon order of the Council of Public Instruction), secs. 16, 95 (c):
- (7.) To make provision (if so desired) for establishing a central graded school by union with two or more contiguous rural districts, sec. 81:
- (8.) To elect, from among the qualified voters, *three* Trustees at the first or organisation meeting, sec. 83; and *three* Trustees at the first annual meeting thereafter, sec. 84; and at subsequent meetings to fill the regular vacancy occurring in the Board, sec. 85. Teachers and clergymen not to be trustees, sec. 106. Each Trustee to hold office for *three* years; exceptions, secs. 83, 84, 88, 107. To fill any other vacancy on the Board, sec. 88.

The Secretary's minutes must be read to the meeting before its close, and be signed by the Chairman and the Secretary, and transmitted to the Trustees immediately after the meeting, sec. 75.

In case a district fails to exercise its rights to elect Trustees (sec. 93), or in case any trustee declines to act, the Inspector is to appoint Trustees or a Trustee, on the requisition of five ratepayers of the district, sec. 93.

Trustees are not to be interested directly or indirectly, otherwise than in their corporate capacity, in any contract provided for in the school law, sec. 94.

The minutes of the school meeting are to be permanently preserved by the Board of Trustees, but an accurate copy of the proceedings of the first and of every annual and of every special school meeting, signed by the Chairman and the Secretary of the meeting and countersigned by the Secretary of the Board, is to be forwarded by the Secretary of the Board to the Superintendent of Education, immediately after such meeting.

The foregoing shall apply, as far as possible, to special school meetings and to the meetings required to be held for the election of School Trustees who are to manage and control "assisted" schools.

*Rules of Order to be observed at Annual and Special Rural School Meetings.*

3. The following rules of order should be observed at the meetings:—
- (1.) *Addressing Chairman.*—Every voter shall rise previously to speaking, and address himself to the chairman:
- (2.) *Order of Speaking.*—When two or more voters rise at once, the chairman shall name the voter who shall speak first, when the other voter or voters shall next have the right to address the meeting in the order named by the chairman:

- (3.) *Motion to be read.*—A voter may require the question or motion under discussion to be read for his information at any time, but not so as to interrupt a voter who may be speaking:
- (4.) *Speaking twice.*—No voter 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 one choosing to speak shall have spoken:
- (5.) *Voting.*—The chairman shall decide all questions of order, and shall take the votes of the qualified voters only, deciding according to the majority of votes, and shall give a casting vote in case of an equality of votes, sec. 75:
- NOTE.—Whether voting shall be open or by ballot should be determined by the voters present.
- (6.) *Voters.*—In case objection is made by a legal voter to the right of a person to vote, 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; but if such person refuses to make such declaration his or her vote is to be rejected; penalty for false declaration, sec. 77:
- (7.) *Protests.*—Any irregularity in the mode of electing a trustee shall not invalidate the election, unless formal protest is taken thereto by a qualified voter before the adjournment of the meeting, if the person so elected possesses the qualifications required by the School Act for the office of trustee, sec. 86:
- (8.) *Adjournments.*—A motion to adjourn a school meeting shall always be in order, provided that no second motion to the same effect shall be made until some intermediate proceedings shall have been had:
- (9.) *Motion to be made in writing (if required) and seconded.*—A motion cannot be put from the chair, or debated, unless the same be in writing (if required by the chairman) and seconded:
- (10.) *Withdrawal of motion.*—After a motion has been announced or read by the chairman, it shall be deemed to be in possession of the meeting, but may be withdrawn at any time before decision, by consent of the meeting:
- (11.) *Kind of motion to be received.*—When a motion is under debate, no other motion shall be received, unless to amend it, or postpone it, or for adjournment:
- (12.) *Order of putting Motion.*—All questions shall be put in the order in which they are moved. Amendments shall be put before the main motion, the last amendment first, and so on:
- (13.) *Reconsidering Motion.*—A motion to reconsider a vote may be made by any voter at the same meeting; but no vote of reconsideration shall be taken more than once at the same meeting.

## TRUSTEES AND AUDITORS.

## REFERENCES TO THE ACT.

Declaration of office by City Trustees, sec. 29; term of office by City and Rural Trustees, secs. 31, 84, 85, 89; resignation of office, secs. 33, 92; vacation of office, secs. 106, 107. (For constitution of Boards of Trustees in Vancouver, Victoria and incorporated towns organised under sec. 30, term of office, &c., see sec. 31.)

Organisation of the Board of Trustees, appointment of Secretary, his bond (in case of Secretary of a Rural Board), duties and remuneration, secs. 36, 37, 39, 76, 97, 98.

Board of Trustees a corporate body, secs. 30, 82; corporate and personal responsibility of Trustees, secs. 44, 69, 70.

Appointment or election of an Auditor, secs. 8 (d), 45, 48, 71; their duties, secs. 45, 48, 101.

Powers and duties of Boards with respect to:—

1. Meetings of City and Rural Boards of Trustees, secs. 35, 99.
2. Serving upon the Assessors of Rates in Rural Districts certified statement of amount to be raised, sec. 52A.
3. Serving upon City Council in City Districts estimate of sums required for current year's expenses, sec. 42.
4. School property, secs. 39, 95.
5. Providing school accommodation and school privileges, secs. 39, 80.
6. By-laws, sec. 41.
7. Suspending or expelling, on report of teacher, refractory or vicious pupils, sec. 102 (a).
8. Admission of pupils of other districts, sec. 96.
9. Employing or dismissing teachers, secs. 102 (b), 102 (c), 104.
10. Visitation and supervision of schools, sec. 102 (d).
11. Opening or re-opening of schools, secs. 39, 96. See also Regulations, Article 4, note.
12. Tuition fees, secs. 46, 96.
13. The exclusive use in the school of the text-books prescribed by the Council of Public Instruction, sec. 102 (d); and their supply in certain cases, secs. 39, 102 (e).
14. The health of the school, sec. 102 (d).
15. Special meetings in City and Rural Districts for filling a vacancy on the Board, secs. 33, 79; special meeting for voting money, sec. 79.
16. Transmission of school returns to the Superintendent of Education, secs. 20, 39, 42 (b), 76, 100 (b).
17. Audit of all accounts, secs. 45, 101.

18. Assessment and collection of rates, secs. 49, 53; exemptions, secs. 51, 59; remedy in case of error, sec. 61.
19. Borrowing money by certificates or debentures, sec. 95 (c); in Cities or Rural Municipalities, sec. 42.
20. Notices of annual school meeting, sec. 90.
21. Determining school sites, sec. 95 (d).
22. Calling school meeting to order and presiding till the election of a Chairman, sec. 73.
23. Presentation of an annual report to district meeting, secs. 78, 100 (a); reports in Cities, sec. 39.
24. Fixing salaries of teachers and other employees of Board in City and Rural Municipality School Districts, sec. 38.
25. Trustees forbidden to contract with Board, secs. 47, 94; exception, sec. 94.

## FORMS.

## NOTICES OF SCHOOL MEETINGS.

*Form of Notices of Annual School Meeting in Rural Districts.*

The qualified voters of \_\_\_\_\_ School District are hereby notified that the Annual School Meeting will be held, as required by the School Act, on the \_\_\_\_\_ day of \_\_\_\_\_, at 10 A.M.  
(Date.) A. B.,  
C. D., } Trustees.  
E. F.,

Or,  
By order of the Board of Trustees.

.....  
Secretary.

*Form of Notice of a Special School Meeting.*

The qualified voters of \_\_\_\_\_ School District are hereby notified that a Special School Meeting, as authorised by the School Act, will be held on the \_\_\_\_\_ day of \_\_\_\_\_, in \_\_\_\_\_, at 10 A.M., for the purpose of [here specify the object or objects of the meeting].  
(Date.) A. B.,  
C. D., } Trustees.  
E. F.,

Or,  
By order of the Board of Trustees.

.....  
Secretary.

*Form of a Certificate (or Certificates) of Indebtedness; sec. 95 (c).*

The Trustees of \_\_\_\_\_ School District, in the Electoral District of \_\_\_\_\_, having been authorised by the School Meeting to borrow the sum of \$ \_\_\_\_\_ for the building of a school-house (or for the purchase or improvement of school grounds, or for the purchase of a school-house, or for the furnishing of the same, *as the case may be*), the said Trustees hereby acknowledge the receipt of a loan for such purpose from A. B., of the sum of \$ \_\_\_\_\_, and hereby, for themselves and their successors, covenant and agree with the said A. B., his executors, administrators, and assigns, to repay, with interest at the rate of \_\_\_\_\_, the said sum of \$ \_\_\_\_\_ to A. B., his executors, administrators, or assigns, by \_\_\_\_\_ equal yearly instalments of \_\_\_\_\_ dollars, with interest on the principal, or so much thereof as shall from time to time remain unpaid; and the money so borrowed shall be a charge upon the said School District.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19 \_\_\_\_\_

C. D.,  
E. F.,  
G. H., } Trustees.

NOTE.—If desirable, the Trustees can issue certificates payable severally in one, two, three or more years not exceeding twelve or such greater number of years as the Council of Public Instruction shall by special order allow.

*Form of Notice of Appointment of Teacher.*

(Post Office Address.)

(Date.)

DEAR SIR (or MADAM):

I am directed by the Board of Trustees of \_\_\_\_\_ School District to notify you of your appointment as teacher of \_\_\_\_\_ Public School. The Board desires that the school be opened on \_\_\_\_\_ day of \_\_\_\_\_, 190 \_\_\_\_\_.

Please acknowledge receipt of this notice and oblige.

Yours truly,

..... Secretary.

*Form of Notice of Dismissal of Teacher.*

(Post Office Address.)

(Date.)

DEAR SIR (or MADAM):

I am instructed by the Board of Trustees of \_\_\_\_\_ School District to notify you that your services as Teacher of the School in this District will not be required after thirty days from this date.

The reason for serving you with this notice is [here state the cause].

Yours truly,

..... Secretary.

NOTE.—Notice of removal and dismissal of a teacher must be given at least thirty days before the close of the school term. In case of resignation, a teacher must give at least thirty days' notice to the Trustees, such notice to terminate with the close of the school term, or to be given within ten days after the close of the annual school meeting.

## GENERAL DIRECTIONS TO TRUSTEES.

On pp. 53-60 will be found references to the sections of the School Act which bear most directly upon the duties and responsibilities of School Trustees. The forms given in the preceding pages will be found convenient for use in the discharge of official duties.

1. The Trustees represent the inhabitants of the district, whether city or rural, and are to transact all school business in their stead and on their behalf. The interests of education cannot thrive in any section or district unless these officers efficiently and faithfully discharge their duties. A faithful discharge of the duties of a Trustee will require no small labour. But every community may fairly claim the services of its best men and women in a matter of such interest and importance. Besides, provision is made for the retiring of one or more of the members of the School Board annually.

2. By the provisions of secs. 39, 96 it is made the duty of the Board of Trustees of City and Rural Districts to provide school privileges free for all children of the district, and to contract with teachers. Every Board of Trustees should exercise all its powers under the law in a wise discharge of these duties, submitting a clear report of the educational condition of the district, the receipt and expenditure of all school moneys, and the amount that the Trustees estimate to be required for the due discharge of their duties for the year. In the case of Rural Districts, it is for the annual meeting to add to or diminish this estimate according to its best judgment of the requirements of the district. In City and Rural Municipality School Districts, the detailed estimate of the sums required by the Board is to be laid before the City Council on or before the first day of February in each year.

3. The Board of Trustees of a City or Rural Municipality School District is required by Statute to meet at least once a month; that of a Rural District at least once in every three months. All business transactions of a School Board, to be legal, must therefore be considered and passed upon at a regular or special meeting of such Board, of which each member has had proper notice. It is competent for a majority of the Board of Trustees, all the members having proper notice of the meeting, to transact business. Minutes of each meeting, and of all orders of the Board, should be carefully made, duly approved and permanently preserved. The careful observance of this rule will prevent many disputes and difficulties.

The Board of Trustees, whether municipal or rural, should at its first meeting after the annual election determine upon the time and place for its regular meetings during the school-year. The by-laws which Municipal School Boards have power to make (sec. 41) usually contain such a provision. When this is done, no further notice will be required to be given of any regular meetings to members of the Board of Trustees. Whenever a special meeting of the Board becomes necessary, each member of the Board must be notified of the date, place and object of the meeting.

4. Trustees cannot give authority to teachers to violate in any particular the Rules and Regulations for the government of the Public Schools.

5. Trustees cannot appoint or retain as teacher a person who does not hold a certificate of qualification from the Education Department of this Province. Sec. 104.

6. Notice of appointment of a teacher to a school should be given him in writing, such notice specifying the day on which his duties as teacher begin.

7. Notice of intention to dismiss a teacher must be given him in writing at least thirty days *before the close of term*, and the reason or reasons therefor must be stated in such notice.

8. Notice of the appointment, resignation or dismissal of a teacher must be *forthwith* transmitted to the Superintendent of Education, with the date on which the appointment, resignation or dismissal takes effect. In the case of dismissal, the reason or reasons must be stated by the Trustees in such notice to the Superintendent.

9. Trustees should see that the school-house is kept in good repair; that at the proper season the stove and pipe, furnace or fire-place are in good condition, and that suitable wood or coal is provided; that the desks and seats are in good repair; that the outhouses are properly provided with doors; that the blackboards are kept painted, the water supply abundant, and that everything is provided necessary for the comfort of the pupils and the success of the school.

10. No public school-house or school-plot, or any building, furniture or other thing pertaining thereto, should be used or occupied for any other purpose than for the use or accommodation of the public school of the district, without the express permission of the Trustees as a corporation, and then only after school hours, and on condition that all damages be made good, and cleaning and sweeping properly done.

The teacher has charge of the school-house on behalf of the Trustees. He has no authority to use the school-house other than as directed by them, or to make use of it at any other time than during school hours without their sanction. At the request of the Trustees he must at once deliver up the school-house key to them.

11. The annual reports required of Trustees must be received at the Education Office within the time provided by law. The penalty for delay is stated in sec. 20. The returns referred to in secs. 39, 100 (b) must be verified by affidavit before any Justice of the Peace.

NOTE.—The following are the reports required:—Report of Annual School Meeting, sec. 76; Trustees' Annual Report (Municipal District), sec. 39; Trustees' Annual Report (Rural District), sec. 100 (b).

## COURSES OF STUDY.

### COURSE OF STUDY PRESCRIBED FOR GRADED AND COMMON SCHOOLS.

#### Junior Grade.

1. **Reading**—First and Second Primers, First Reader and Second Reader. Recitation and Supplementary Reading. Phonic drill to be continued to the end of the Second Reader.
2. **Writing**—Prescribed copy-book series, Nos. 1, 2 and 4. Transcription of prose, poetry and arithmetic work.
3. **Drawing**—As indicated in Prang's Elementary Manual for Teachers. Prescribed Drawing Series, Books I. and II. (For First and Second Reader pupils only). Colour work, including crayon work followed by brush drawing.
4. **Language**—Language study as indicated in the Readers. Phonic drill for correct spelling and pronunciation. Transcription and dictation. Simple oral and written descriptions and narratives. Capitals and punctuation marks.
5. **Arithmetic**—Addition Table and Multiplication Table, with application in operations involving numbers not greater than 1,000. Teachers will use McLellan and Ames' Primary Arithmetic, Teachers' Edition, as a method guide. Canadian money and familiar measures, *e.g.*, gill, pint, quart, gallon, peck, bushel; inch, foot, yard; square inch, square foot, square yard; units of time.
6. **Nature Lessons**—
  - (a) **FORM**—Cube, sphere, cylinder and cone; square, triangle and circle; horizontal, vertical and oblique lines; right, acute and obtuse angles. Illustrate by models and familiar objects, natural and manufactured.
  - (b) **PRIMARY COLOURS**—Illustrate from charts, flowers, fruit, insects, etc.
  - (c) **PLANTS**—The root, stem, flowers and fruit; uses of familiar plants for food, clothing, medicine and building material.
  - (d) **ANIMALS**—The mouse, cat, dog, horse, cow, sheep and pig; resemblances and differences in structure and mode of life.
  - (e) **THE EARTH**—Its shape and motion, land and water surface, illustrated by globe and map of hemispheres; temperate and cold regions and differences in their peoples as to features, colour and mode of life. Points of compass. Heat, cold, air, vapour, clouds, rain, snow, hail and ice. Outline map of school district and vicinity, principal points of interest to be located and directions from school noted.

## Intermediate Grade.

1. **Reading**—Third Reader. Recitation and Supplementary Reading.
2. **Writing**—Prescribed copy-book series, Nos. 5, 6 and 9. Transcription and selections from the pupils' arithmetic and language work.
3. **Drawing**—Prescribed Drawing Series, Book III.; Colour work.
4. **Language**—Gage's *First Steps in English*. Spelling, meaning and pronunciation of ordinary words of reading lessons. Special attention to be given to word formation. Oral and written reproduction of substance of geography, history and nature lessons.
5. **Arithmetic**—Notation and Numeration, Fundamental Rules, Tables of Weights and Measures with easy exercises, Simple Fractions including Decimals and Percentage.

Teachers will follow the methods of McLellan and Ames' Arithmetics. The Mental Arithmetic of this series may be used as a pupils' hand-book for written as well as oral work.

6. **Geography**—Oral lessons to be given by the teacher on the following topics (selected from the first 53 pages of the New Canadian Geography), viz.:—Form and size of the earth; the land and the sea; continents or grand divisions; the oceans; shore forms; mountains; volcanoes; valleys; springs and streams; rivers and river systems; river basins and divides; plains and deltas; land waste on the way to the sea; winds and rainfall; work of the winds; snow and ice; ocean currents (but only in the most general way); the zones and climate; belts of heat; latitude and longitude; soil, water and heat; the plants of the several belts of heat, particularly those of commercial importance; the animals of the several great realms; sea animals; the races of men, with their chief physical characteristics, mode of life, occupations, religions and governments; domestic and foreign commerce; routes of trade. Morang's *Our Home and its Surroundings* may be read in class by the pupils, as supplementary to these oral lessons.

MAP-DRAWING—Outline maps of the several continents, indicating thereon the principal mountain slopes and water ways, and the chief political divisions, especially the British possessions; British Columbia in detail.

7. **History** (Oral and chiefly biographical)—Canadian and British topics. Selections from Dickens' *Child's History of England* (for use of teacher only).
8. **Nature Lessons**—Nature Lessons, at least two half-hour lessons a week.

The purpose of these lessons will not be accomplished unless they lead the children to *first hand* knowledge of Nature; the topics selected must therefore be such that the facts to be learned may be observed by the pupils themselves. The lessons must be intelligently and systematically planned, and the method followed must be that of *discovery through observation*.

As a guide in this work, teachers may use Silcox and Stevenson's *Modern Nature Study*, published by Morang & Co. In part I., pp. 1-242, they will find a great deal of information about animals and plants, by which their own and the children's observations may be verified. Besides they should familiarise themselves thoroughly with the *Method of Nature Study* in part II., pp. 243-312. The course in *Nature Study* for classes I. and II., pp. 313-315 will furnish or suggest suitable topics for Intermediate Grade pupils.

## Senior Grade.

1. **Reading and Literature**—Fourth Reader. Scott's *Lay of the Last Minstrel*. (The paper in English Literature will test the pupil's knowledge, not only of the *Lay*, but also of the prose and poetical selections in the Fourth Reader).
2. **Writing and Book-keeping**—Prescribed copy-book series, Nos. 9 and 10. Legibility and precision required in all manuscript work.
3. **Drawing**—Prescribed Drawing Series, Book IV.
4. **Language**—Pronunciation, spelling and meaning of ordinary words of text-books, including marking of accents and vowel sounds. Composition as in Sykes' *Elementary Composition*, pages 1-130. Grammar as in prescribed text-book.
5. **Arithmetic**—As in Kirkland and Scott's *Elementary Arithmetic*.
6. **Geography**—As in prescribed text; also Lawson and Young's *History and Geography of British Columbia* (W. J. Gage & Co.).
7. **History**—British and Canadian as in prescribed text.
8. **Nature Lessons**—
  - (a.) Physiology, as in *Pathfinder* No. 2.
  - (b.) *Nature Study*—The work of the Intermediate Grade extended. See Silcox and Stevenson, pages 315-318. The suggestions for the Intermediate Grade should be carefully observed by Senior Grade teachers. Especial care must be taken that the lessons in *Nature Study* do not degenerate through the system of "giving notes" into a mere exercise of verbal memory.

The following subjects may also be included in the Course of Study:—Calisthenics, music, manual training, domestic science, and in special cases, subject to the approval of the Department, some of the subjects of the High School Course.

For schools of four or more teachers the work of the Junior and Senior Grades may be sub-divided into two sections each; but in order to prevent loss of time which results to pupils from a too frequent change of teachers, it is recommended that no further sub-divisions of the course be made.

Pupils of greatly unequal ability or attainments must not be required to work in the same class, and as many classes must be formed in any school as are necessary to secure this end. There must be in all graded schools a general classification at least twice a year for the Intermediate and Senior Grades, and three times a year for the Junior Grade. Pupils should be transferred to a higher or lower class whenever it appears that their individual interests require it, without regard to the periodical re-organisation of classes.

Special examinations held for the purpose of classifying the pupils of a Graded School shall be oral for classes below the Senior Grade, but in all classes the judgment of the teachers who have respectively taught the pupils during the preceding term, should chiefly determine the promotion lists.

The Department will hold semi-annual examinations on the work of the Senior Grade, and will issue certificates of High School admission to pupils who successfully pass these examinations.

To obtain admission to a High School, candidates must obtain at least 34 per cent. on each subject, and not less than an average of 50 per cent. on all subjects.

Pupils of Public Schools in a School District having a High School, after passing a satisfactory examination and being declared eligible for promotion from a Public School to a High School, shall not be received as pupils in the Graded Schools of such district.

Semi-annual examinations for admission to a High School will be held in Chilliwack, Cumberland, Grand Forks, Kamloops, Nanaimo, Nelson, New Westminster, Revelstoke, Rossland, Vancouver, Vernon, and Victoria, and in any other School District in which hereafter a High School may be established. These examinations will be held during the last three days of each school term. Pupils from rural districts may be admitted to these examinations.

Central examinations for admission to a High School will be held in the following places:—

In Inspectorate No. 1—At Duncan's Station and Sidney.

In Inspectorate No. 2—At Aldergrove, Ashcroft, Cloverdale, Maple Ridge and Mission.

In Inspectorate No. 3—At Cranbrook, Enderby, Fernie, Golden, Greenwood, Kaslo, Kelowna, New Denver, Nicola and Salmon Arm (East).

These Central Examinations will be held on such dates as the Inspectors of the several Districts may consider most suitable, but will not be held more than once during the school-year.

#### COURSE OF STUDY FOR HIGH SCHOOLS.

An examination of each grade of the High Schools will be held by the Education Department, and those candidates only may be advanced to regular standing in a higher grade who have successfully passed such examination. Every candidate, to be successful, must obtain at least 34 per cent. of the marks attached to each subject of examination, and not less than an average of 50 per cent. on all subjects.

Junior, Intermediate, Senior, and Senior Academic Certificates will be issued to those students who succeed in passing the examinations prescribed for the Junior, Intermediate, Senior, and Senior Academic Grades respectively. The examinations will begin on the Monday of the first week of the summer holidays, unless the first of July falls on Monday when the examinations will begin on Tuesday.

#### Junior Grade.

[It is expected that the work of this Grade will be accomplished in two years.]

##### A.—English—

1. READING AND ORTHOEPY—Oral reading with special attention to expression and pronunciation. Prescribed text, Book V.
2. WRITING AND SPELLING—In these subjects, an award will be made on each paper handed in by the candidates, but no formal paper on either subject will be demanded.
3. ENGLISH GRAMMAR—West's (Advanced) English Grammar (The Copp, Clark Co.). Exercises in Analysis and Parsing.
4. COMPOSITION—Sykes' Elementary Composition; Letter-writing; Essays and themes. The examination on this subject, besides testing the pupil's knowledge of the prescribed text, will consist of an essay on one of three specified subjects, two of which will be from the English Literature prescribed for the year. In preparation for the examination frequent and systematic practice in essay writing throughout the year will be imperative.
5. ENGLISH LITERATURE—
  - (a.) PROSE—A careful study of all the prose selections found in the Fifth Reader; Scott's *Ivanhoe*.
  - (b.) POETRY—The poetical selections of the Fifth Reader; Goldsmith's *The Deserted Village*; Wordsworth's *Upon Westminster Bridge*, *The Green Linnet*, *To the Cuckoo*, *She was a Phantom of Delight*, *Thought of a Briton on the Subjugation of Switzerland*; Scott's *Rosabelle*, *The Outlaw*, *The Rover*, *Jock of Hazeldean*; Shelley's *Ozymandias of Egypt*, *To a Skylark*; Keats' *On First Looking into Chapman's Homer*, *The Terror of Death*, *Ode to a Nightingale*, *Ode to Autumn*, *The Human Seasons* (Select Poems, ed. Alexander, 1897).

##### B.—History and Geography.—

- 1.—BRITISH HISTORY—Wright's *The British Nation*, to the end of the Medieval Period, pages 1-265 (Morang & Co.).
2. CANADIAN HISTORY—Duncan's *Story of the Canadian People* (Morang & Co.).
3. GEOGRAPHY—The general geography of the world, with special attention to that of Canada and the British Empire. (Gage's *New Canadian Geography*, B. C. Edition; also, Dawson and Sutherland's *Geography of the British Colonies*, Macmillan & Co.).

##### C.—Mathematics—

1. ARITHMETIC—Pure and commercial arithmetic, as in Hamblin Smith's *Arithmetic*, revised edition, pages 1-204. The Metric System.
2. ALGEBRA—The first twenty-two chapters of Hall and Knight's *Elementary Algebra* may be taken as indicating the amount required.
3. GEOMETRY—Euclid, Book I., with deductions (Hall and Stevens).

## D.—Science—

1. \*PHYSIOLOGY—Martin's Human Body, B. C. Edition (Gage & Co.).
2. PHYSICS AND CHEMISTRY—As in Gregory and Simmons, Stage III., sufficient attention being given to the summaries of Stages I. and II. to make a 2-hour-a-week course for one year.
3. BOTANY (during March, April, May and June, 3 hours weekly)—Seeds and germination; buds; markings on stems; catkins; leaves—arrangement, accurate description, vernation, venation, modifications, relations to root, sunlight and surroundings; experiments to demonstrate transpiration; test for starch and explain formation; oxygen essential to plant life; roots absorb water (explain); root forms and growth; rhizomes and tubers; flower types (as illustrated by families mentioned below); carpels and placentation; double flowers; study of two or three weeds; a cone; branching of lilac (or similar form) and conifers; pollination (Groom, chap. XI.); dispersal of seeds (Groom, chap. XIII.); plants and habitat (pupils should show some acquaintance with the common flowering plants of their neighbourhood); phenological record; idea of family, genus and species.

Pupils are expected to recognise such common and well-marked families as Ranunculaceæ, Crucifere, Papilionaceæ, Rosaceæ, Ericaceæ, Compositæ, Liliaceæ, Labiata, Scrophulariaceæ, Umbellifere.

Care should be taken not to make this course too formal by too much dependence on the text-book. The ordinary nature-study methods should prevail.

## E.—Classics—

1. LATIN—Henderson and Fletcher's First Latin Book and Reader, including Nepos' *Themistocles, Aristides and Hannibal* (The Copp Clark Co.).

Or Collar and Daniell's First Latin Book (Ginn & Co.), with an equivalent from Nepos.

Or Henderson and Little's New First Latin Book (The Copp Clark Co.).

NOTE.—With the view of securing uniformity of pronunciation, it is recommended that the Roman pronunciation be used.

2. †GREEK—White's First Greek Book, Lessons I.—LIX.

Or

2. †FRENCH—Bertenshaw's French Grammar, pages 1-106.

## F.—Drawing—

Book V. of prescribed series.

## Intermediate Grade.

## A.—English—

1. READING AND ORTHOEPY—As for Junior Grade.
2. WRITING AND SPELLING—As in Junior Grade.
3. COMPOSITION—Examination on this subject will consist of an Essay on one of three specified subjects, two of which will be from the English

\* Candidates may substitute Greek or French for this subject.

† Candidates may substitute Physiology for this subject.

Literature prescribed for the year. In preparation for the examination frequent and systematic practice in essay writing throughout the year will be imperative.

## 4. ENGLISH LITERATURE—

- (a.) PROSE—Macaulay's *Essay on Milton* (The Riverside Literature Series); Holmes' *Autocrat of the Breakfast-table* (The Riverside Literature Series); Addison's *The Sir Roger de Coverley Papers*, Parts I. and II. (The Riverside Literature Series).
- (b.) POETRY—Milton's *Hymn on the Nativity, L'Allegro, Il Penseroso, Lycidas*; Dryden's *Mac Flecknoe, A Song for St. Cecilia's Day, Alexander's Feast*; Gray's *Elegy Written in a Country Churchyard, The Progress of Poesy, The Bard*; Byron's *The Prisoner of Chillon*; Keat's *The Eve of St. Agnes* (Hales' Longer English Poems, Macmillan & Co.).

## B.—History and Geography—

1. BRITISH HISTORY—Wright's *The British Nation* (Morang & Co.).
2. GRECIAN HISTORY—Botsford's *Ancient History for Beginners*, pages 1-253 (Morang & Co.).
3. GEOGRAPHY—Tarr's Physical Geography, Parts I. and II. (Macmillan & Co.).

## C.—Mathematics—

1. ARITHMETIC—Hamblin Smith's Arithmetic, revised edition.
2. ALGEBRA—The first thirty-one chapters of Hall and Knight's Elementary Algebra may be taken as indicating the amount required.
3. GEOMETRY—Euclid, Books I., II. and III., with deductions. (Hall and Stevens.)

## D.—Science—

- (a.) BOTANY—Groom and Penhallow's Elementary Botany, Parts I. II. and III. (The Copp, Clark Co.); or the first 215 pages of Spotton's Elements of Botany (Gage & Co.).
- (b.) CHEMISTRY—Waddell's School Chemistry (Macmillan & Co.), or Remsen's Elements of Chemistry, Chapters I.—XVII. (Macmillan & Co.).

## E.—Classics—

1. LATIN—Henderson and Fletcher's First Latin Book and Reader, including Caesar's *De Bello Gallico*, Book IV., and Book V., Chaps. 1-23; also, Vergil's *Aeneid*, Book I.
2. GREEK—White's First Greek Book. (Ginn & Co.)  
Or
2. FRENCH—Fraser and Squair's French Grammar and Reader, pages 1-336 (The Copp, Clark Co.); or Bertenshaw's French Grammar (Longmans, Green & Co.).  
Or
2. GERMAN—Vandersmissen's High School German Grammar, Part I. (The Copp, Clark Co.)

## Senior Grade.

## A.—English—

1. READING AND ORTHOEPY—As for Junior Grade.
2. WRITING AND SPELLING—As in Junior Grade.
3. COMPOSITION—The writing of an essay on one of three subjects selected by the Examiner, two of which must be from the English Literature prescribed for the year.
4. ENGLISH LITERATURE—
  - (a.) PROSE—George Eliot's *Silas Marner*; Thackeray's *Henry Esmond*; Ruskin's *Sesame and Lilies*.
  - (b.) POETRY—Spencer's *Prothalamion*; Pope's *Rape of the Lock*; Johnson's *The Vanity of Human Wishes*; Burns' *The Cotter's Saturday Night*; Cowper's *Heroism, On the Receipt of My Mother's Picture*; Coleridge's *The Ancient Mariner*; Wordsworth's *Intimations of Immortality*; Shelley's *Adonais*. (Hales' Longer English Poems, Macmillan & Co.).
  - (c.) HISTORY OF ENGLISH LITERATURE—Stopford A. Brooke's *English Literature*, Chapters IV.—VIII.

## B.—History and Geography—

1. ROMAN HISTORY—Botsford's *Ancient History for Beginners*, pages 254-469. (Morang & Co.)
2. GEOGRAPHY—Tarr's *Physical Geography*.

## C.—Mathematics—

1. ALGEBRA—Hall & Knight's *Elementary Algebra*.
2. GEOMETRY—Books I., II., III., IV., V. (definitions), and VI. with deductions.
3. TRIGONOMETRY—The first eighteen chapters of Hall & Knight's *Elementary Trigonometry*, or Murray's *Plane Trigonometry*, complete (Longmans, Green & Co.).

## D.—Science—

1. PHYSICAL SCIENCE—Gage's introduction to *Physical Science*, omitting Chapters VII. and VIII. (Ginn & Co.).

## E.—Classics—

1. LATIN—Vergil's *Aeneid* Book II.; Horace, *Odes*, Book I.; Cicero, *Pro Lege Manilia*; also, Fletcher and Henderson's *Latin Prose Composition*.
2. GREEK—Xenophon's *Anabasis*, Books I. and II.  
Or
2. FRENCH—Fraser and Squair's *French Grammar and Reader*, complete, with special attention to pages 395-438; or Bertenshaw's *French Grammar*, Daudet's *Trois Contes Choisis* (Heath & Co.), Alexandre Dumas' *Napoléon* (The Macmillan Co.), and Edmond About's *Le Roi des Montagnes* (The Macmillan Co.).

Or

2. GERMAN—Vandersmissen's *High School German Grammar*, complete; Leander, *Traumereien*.

## Senior Academic Grade.

To secure a Senior Academic Certificate, students must take B, C and D of the Senior Grade course, if they have not already passed the Senior Grade examination. They will also be examined on the following course in English and Classics:—

## A.—English—

## ENGLISH LITERATURE—

- (a.) PROSE—Goldsmith's *Vicar of Wakefield*; Carlyle's *Heroes and Hero Worship*; Ruskin's *Crown of Wild Olive*.
- (b.) POETRY—Shakespeare's *Julius Caesar* and *Macbeth*; Pope's *Essay on Man*; Dryden's *Absalom and Achitophel*.
- (c.) Brooke's *English Literature*, complete.

## E.—Classics—

1. LATIN—Horace, *Odes*, Books II. and III.; Tacitus, *Agricola*; Latin Prose Composition.
2. GREEK—Lucian's *Vera Historia* (Jerram, Clarendon Press); Homer, *Iliad*, Book I.; Greek Prose Composition.

Or

2. FRENCH—Voltaire's *Histoire de Charles XII.*, ed. Fasnacht (Macmillan & Co.); Victor Hugo's *Les Misérables* (abridged by Sumichrast, published by Ginn & Co.); Moliere's *L'Avare* (Macmillan & Co.).

Or

2. GERMAN—Baumbach's *Schwiegersohn* (Heath & Co.); Wachenhusen's *Von Ersten Bis Zum Letzten Schuss* (Macmillan & Co.); Mosen's *Der Bibliothekar* (Heath & Co.).

## COMMERCIAL COURSE FOR HIGH SCHOOLS.

The following subjects of the Junior Grade course, designated Group 1, are prescribed for the commercial course, without change:—

- GROUP 1.—Reading and Orthoepy.  
 English Grammar.  
 English Literature.  
 British History.  
 Canadian History.  
 Algebra.  
 Geometry.



The following subjects of the Junior Grade course, designated Group 2, are prescribed for the commercial course, with slight changes:—

GROUP 2.—Writing and spelling.  
Composition.  
Geography.  
Arithmetic.

The special trend of the teaching in these subjects is indicated below.

The following subjects of the Junior Grade course, designated Group 3, should be omitted from the commercial course:—

GROUP 3.—Latin.  
Greek.  
French.  
Drawing.  
Physiology.  
Physics and Chemistry.  
Botany.

The following special subjects, designated Group 4, will form a part of the commercial course:—

GROUP 4.—Book-keeping.  
Stenography.  
Typewriting.  
Business Forms.  
Laws of Business.

#### SPECIAL SUBJECTS OF COMMERCIAL COURSE.

##### Penmanship—

Principles of Penmanship, position, movement and letter formation, graceful and legible business hand, ledger headings, marking alphabet, correspondence and office and factory work.

##### Spelling—

Words in common use, technical terms of financial, commercial, manufacturing and transportation business.

##### Composition—

Composition of general course for Junior Grade, special attention to business and social forms and correspondence.

##### Commercial Geography and Science—

General political geography, natural productions, imports and exports, raw and manufactured, national and international highways, natural and artificial, and their effects on commerce and population, special reference to Canada and its trade relations.

##### Arithmetic—

General principles of arithmetic and mensuration, application to common problems of the arts and trades, estimates in carpenter work, lathing,

plastering, roofing, fencing, excavating, masonry, paving, painting, papering, carpeting, time sheets, pay sheets, percentage, commission, duties and customs taxes, insurance, interest, bank discount, trade discount, brokerage, exchange, partnership, settlements, partial payments, equation of payments, stocks and investments, debentures, and sinking funds, annuities certain, tabular and graphical statistics.

##### Book-keeping—

Keeping of accounts, training in principles and practice of debit and credit, double entry book-keeping with use of ledger and the preparation of financial statements therefrom, the journal as a classifier of entries, the introduction of cash book, bill book, invoice book, sales book, bank book, and the use of special columns as devices to secure better classification of records and to secure accuracy and save time and labour, subdivision of the ledger, principles of self balance, monthly and annual statements, working account, profit and loss, assets and liabilities, special devices in special lines of business, merchandising, wholesale and retail commission, manufacturing, single ownership, partnership and corporation, auditing.

##### Stenography—

Principles of Isaac Pitman's phonography, dictation, speed, transcription, writing of legal forms and business correspondence at a rate of one hundred words per minute, and transcription at a rate of fifteen words per minute.

##### Typewriting—

Touch system, use of various typewriters, copy work plain and tabular, transcription of shorthand notes, speeding, a rate of forty words per minute, manifolding, use of letter press, filing and indexing.

##### Business Forms—

Bill, invoice, credit note, receipt, promissory note, order, draft, cheque, bill of exchange, deposit slip, deposit receipt, bank pass book, bond, debenture, coupon, warehouse receipt, manifest, stock certificate, stock transfer, proxy, power of attorney, letter of credit, affidavit, deed, bill of sale, mortgage, lease, account purchase, account sales.

##### Laws of Business—

Law, its divisions, the British North America Act, distribution of legislative powers, contracts, statute of limitations, negotiable paper and endorsements, discharge, dishonour, protest, negotiability, assignability, accommodation, accounts, sale of personal property, chattel mortgages, real estate and mortgages, agency partnership, corporations, guarantee and suretyship, receipts and releases, insurance, master and servant, landlord and tenant, exemptions, shipping and transportation, affidavits and declarations, money and its substitutes, barter, principles of circulation, incorporation and organisation of banks, business of banks, note issue, clearing-house system, relation of banks to each other and to the public, insolvency and consequent liability.

## BOOKS RECOMMENDED.

- \*Practical Spelling—Practical Text Book Co.  
 \*Hamblin Smith's Arithmetic.  
 High School Arithmetic.  
 \*High School Book-keeping.  
 Canadian Accountant—Beatty & Johnson.  
 Joint Stock Co. Book-keeping—Johnson.  
 Manual for Accountants—Eddis.  
 \*20th Century Book-keeping and Business Practice—Thorne.  
 Book-keeping—Dicksee.  
 Auditing—Dicksee.  
 Accounting in Theory and Practice—Lisle.  
 Duties of Auditors—MacPherson.  
 \*Phonographic Instructor—Pitman.  
 \*Touch Typewriting—Sadler-Rowe.  
 \*Digest of Canadian Mercantile Law—Anger.  
 Promissory Notes and Drafts and Cheques—Johnson.  
 Money and Mechanism of Exchange—Jevons.

Books marked \* for pupils' use.

" not marked \* for teachers' use only.

## AUTHORISED TEXT-BOOKS.

## LIST OF AUTHORISED TEXT-BOOKS FOR PUBLIC SCHOOLS.

## Readers, &amp;c.—

New Canadian Readers (20th Century Edition) published by W. J. Gage & Co., Toronto, and comprising the following:—

First Primer,  
 Second Primer,  
 First Reader,  
 Second Reader,  
 Third Reader,  
 Fourth Reader,  
 Scott's *Lay of the Last Minstrel*,  
 Gage's Practical Speller.

King Edward Music Reader—Book I (Morang & Co.).

Nelson's Junior Supplementary Readers, entitled Stories from Grimm, Books I. and II., the Royal Prince Readers, Books I, II., III., IV. and V., and Nelson's Literature Readers, Books I. and II., will be found useful for supplementary reading. The Country Readers, Books I, II. and III., edited by H. B. M. Buchanan, published by Macmillan & Co., are recommended for supplementary reading in districts where farming is the chief occupation.

## Writing—

Gage's Series of Copy Books.

## Grammar and Composition—

Goggin's Elementary Grammar (Gage & Co.).  
 Sykes' Elementary English Composition (The Copp, Clark Co.).  
 Gage's First Steps in English.  
 The Royal English Dictionary (Thomas Nelson & Sons).

## History and Geography—

Robertson's Public School History of England and Canada, with B. C. Supplement (The Copp, Clark Co.).  
 Student's History Note Book (The Copp, Clark Co.).  
 New Canadian Geography, with B. C. Supplement (Gage & Co.).  
 Gage's Map Geography, B. C. Edition.  
 Lawson and Young's History and Geography of British Columbia (Gage & Co.).

## Arithmetic and Book-keeping—

Cuthbert's Arithmetic Exercise Book, Nos. 1-6 (The Copp, Clark Co.).  
 Little People's Seat Work (The Copp, Clark Co.).  
 Kirkland & Scott's Elementary Arithmetic (Gage & Co.)

McLellan & Ames' Mental Arithmetic (The Copp, Clark Co.).  
Business and Social Forms, being Nos. 9 and 10 of Gage's Vertical Copy Books.

## Nature Studies—

Physiology, New Pathfinder, No. 2 (Gage & Co.).  
James' Agriculture (Morang & Co.).  
Silex and Stevenson's Modern Nature Study (Morang & Co.).

## Drawing—

Blair's Canadian Drawing Series, Books I, II, III, and IV. (The Copp, Clark Co.).

LIST OF AUTHORISED TEXT-BOOKS FOR THE HIGH SCHOOLS.

## English—

Select Poems, ed. Alexander (The Copp, Clark Co.).  
Hales' Longer English Poems (Macmillan & Co.).  
Stopford Brooke's English Literature (Macmillan & Co.).  
West's English Grammar, advanced (The Copp, Clark Co.).  
Isaac Pitman's System of Shorthand.  
Gage's Fifth Reader (20th Century Edition).

## History and Geography—

Duncan's Story of the Canadian People (Morang & Co.).  
Wrong's The British Nation (Morang & Co.).  
Botsford's Ancient History for Beginners (Morang & Co.).  
Tarr's Physical Geography (Macmillan & Co.).  
New Canadian Geography (Gage & Co.).  
Dawson & Sutherland's Geography of the British Colonies (Macmillan & Co.).

## Mathematics—

Hamblin Smith's (Revised) Arithmetic (Gage & Co.).  
Hall & Knight's Elementary Algebra (Copp, Clark edition).  
Hall and Stevens' Geometry (Copp, Clark edition).  
Murray's Plane Trigonometry (Longmans, Green & Co.).  
Murray's Logarithmic and Trigonometric Tables (Longmans, Green & Co.).  
McLean's Book-keeping (The Copp, Clark Co.).  
Gage's New Book-keeping Course.

## Science—

Martin's Human Body and the Effect of Narcotics (Holt & Co.).  
Spotton's Botany (Gage & Co.).  
*Or*, Groom & Penhallow's Elementary Botany (The Copp, Clark Co.).  
Waddell's School Chemistry (Macmillan & Co.).  
*Or*, Remsen's Elements of Chemistry (Macmillan & Co.).  
Gage's Physical Science (Ginn & Co.).

Elementary Physics and Chemistry, by Gregory and Simmons, Third Stage (Macmillan & Co.).

## Classics—

Henderson and Fletcher's First Latin Book and Reader (The Copp, Clark Co.).  
Collar and Daniell's First Latin Book (Ginn & Co.).  
Fletcher & Henderson's Latin Prose Composition (The Copp, Clark Co.).  
Macmillan's Elementary Classics.  
*Or*, Bell's Illustrated Classics.  
White's First Greek Book (Ginn & Co.).  
Fletcher & Nicholson's Greek Prose Composition (The Copp, Clark Co.).  
Lucian's *Vera Historia* (Jerram, Clarendon Press).  
Goodwin's Greek Grammar (Ginn & Co.).  
Fraser and Squair's French Grammar and Reader (The Copp, Clark Co.).  
*Or*, Bertenshaw's French Grammar.  
Voltaire's *Histoire de Charles XII.*, ed. Fasnacht (Macmillan & Co.).  
Daudet's *Trois Contes Choisis* (Heath & Co.).  
Moliere's *L'Avare*.  
Victor Hugo's *Les Miserables*, ed. Sumichrast (Ginn & Co.).  
Vandersmissen's High School German Grammar (The Copp, Clark Co.).

## TEACHERS' EXAMINATION.

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## Regulations for the Examination of Public School Teachers in the Province of British Columbia.

1. The designation and validity of all Teachers' Certificates issued after July, 1901, shall be as follows:—

- (a.) Third Class Certificate, valid for three years; but no person shall be allowed to renew a third class certificate:
- (b.) Second Class Certificate, valid for life:
- (c.) First Class Certificate, valid for life:
- (d.) Academic Certificate, valid for life.

Graduation from a Normal School is not compulsory in the case of candidates writing for third class certificates, but all applicants for second class, first class and academic certificates must be graduates of the Provincial Normal School, or of other Normal Schools approved by the Council of Public Instruction. A period of ten years of active service in the public schools of this Province will be deemed equivalent to graduation from a Normal School.

2. All candidates must be at least eighteen years of age on or before the date of the commencement of the examination. Certificates obtained in other Provinces are of no value except as testimonials.

3. The examination will take place simultaneously in Chilliwack, Cumberland, Grand Forks, Kamloops, Nanaimo, Nelson, New Westminster, Revelstoke, Rossland, Vancouver, Vernon and Victoria, and in any other city or town in which, hereafter, a High School may be established. The examination will begin on the Monday of the first week of the summer holidays.

4. Every candidate for examination shall send in to the Superintendent of Education, thirty days before the examination, a notice stating the place at which he will write, the class of certificate for which he is a candidate, the description of any certificate he may already possess, and the usual fee of \$5.

5. Every candidate's notice of intention to be examined must be accompanied with such testimonials certifying to the temperate habits and good moral character of the candidate as shall be satisfactory to the Examiners.

## 6.—RULES TO BE OBSERVED BY CANDIDATES DURING EXAMINATION.

- (a.) Candidates must be in their allotted places before the hour appointed for the commencement of the examination.
- (b.) No candidate shall be allowed to leave the examination room within one hour of the issue of the examination paper in any subject; and, if he then leave, he shall not be permitted to return during the examination of the subject then in hand.

- (c.) No candidate shall be permitted, on any pretence whatever, to enter the examination room after the expiration of an hour from the commencement of the examination.
- (d.) The order to stop writing must be obeyed immediately.
- (e.) No candidate shall give or receive assistance of any kind in answering the examination questions. He shall neither copy from another himself nor allow another to copy from him. He shall not take into the examination room any book, or paper, or slate, or anything else from which he might derive assistance in the examination. He shall neither talk nor whisper. Detection in the breach of these Rules shall render the candidate liable not only to the loss of the whole examination then in progress, but also to the withdrawal or forfeiture of his certificate at any time afterwards, should the discovery be made that these Rules have been broken by him.
- (f.) Every candidate shall use the distinguishing number assigned him by the Examiners in place of his name, and shall write this number distinctly at the top of each page of his answer papers. He shall not write his name nor initials, nor any particular sign or mark of identification other than this distinguishing number.
- (g.) Candidates, in preparing their answers, shall write only on one side of each sheet.
- (h.) Every candidate, before surrendering his answer papers to the Examiners, shall arrange them in the order of the questions; shall fold them twice, neatly and evenly, in the direction of the ruled lines; and shall write the subject of the examination paper on the outside sheet, and his distinguishing number.
- (i.) After the answer papers are once handed in, no candidate shall be allowed to make any alteration of any kind in them.

## 7.—VALUE AND DURATION OF CERTIFICATES.

- (a.) A Temporary Certificate, valid until the next examination of teachers, shall entitle the holder to teach temporarily in any school.
- (b.) A Third Class Certificate, valid for three years, shall entitle the holder to teach in any common school, or to fill the position of assistant in any graded school.
- (c.) A Second Class Certificate, valid for life, shall entitle the holder to teach in any position in a common school, or in a graded school.
- (d.) A First Class Certificate, valid for life, shall entitle the holder to teach in any position in a common school, or in a graded school.
- (e.) An Academic Certificate, valid for life, shall entitle the holder to teach in any position in any public school.

## 8.—SUBJECTS OF EXAMINATION.

- (a.) For a Third Class Certificate, the subjects of examination shall be the same as those for the Junior Grade course of High Schools. All candidates for this certificate will also be required to pass an examina-

tion on Education. This paper will test the candidate's knowledge chiefly of the School Act and of the Rules and Regulations. No Third Class Certificate will be granted even in the case of those who have passed non-professional examinations higher than that of the Junior Grade, unless this test has been successfully passed. Latin and Greek or French are optional with candidates for Third Class teachers' certificates.

- (b.) For a Second Class Certificate, the subjects of examination shall be the same as those for the Intermediate Grade Course of High Schools.
- (c.) For a First Class Certificate, the subjects of examination shall be the same as those for the Senior Grade Course of High Schools.
- (d.) For an Academic Certificate, the subjects of examination shall be the same as those for the Senior Academic Course of High Schools, but all candidates who have not already passed the Senior Grade examination prescribed for High Schools, must also take Sections B, C, and D, of the Senior Grade Course.

9. Every candidate to be successful must obtain at least 34 per cent. of the marks attached to each subject of examination, and not less than an average of 50 per cent. on all subjects. The fixed standard of marks attached to each subject of examination shall be 100.

10. A candidate who fails to obtain the certificate written for shall not be awarded a lower, or any certificate at that examination.

11. Bonâ fide students of a High School, or of any College in the Province, who, having passed the Departmental Junior Grade Examinations, have also passed the examination for Matriculation in Arts of any University specified in section 110 of the Act, shall be exempt from examination in other than professional subjects of second class certificates; bonâ fide students of a High School in the Province, who have passed the examination for Senior Matriculation in Arts of any University specified in section 110 of the Act, shall be exempt from examination in other than professional subjects of first class certificates; bonâ fide students of a High School or College in the Province that is in affiliation with any University specified in section 110, who have further passed the examination upon the First Year Course in Arts of such University, shall be exempt from examination in other than professional subjects of first class certificates; and bonâ fide students of a High School or College in the Province that is in affiliation with any University specified in section 110, who have further passed the Intermediate Examination in Arts of such University, shall be exempt from examination in other than professional subjects of academic certificates.

NOTE.—To render the above more easily understood, it may be remarked that Matriculation in Arts may be substituted for the Intermediate Examination; the First Year in Arts for the Senior Examination; and the Intermediate in Arts for the Senior Academic Examination: Provided always, that the persons passing in these University Examinations are bonâ fide students of a High School of British Columbia.

*Form of Notification of Intention to be a Candidate at Teachers' Examination.*

*(Post Office Address.)*

*(Date.)*

SIR:

Being of the full age required by the Rules and Regulations, I hereby give notice of intention to write in \_\_\_\_\_ at the forthcoming Teachers' Examination for a \_\_\_\_\_ Class Certificate.

Inclosed please find fee of \$5; also certificate of moral character, which I trust will be satisfactory to the Board of Examiners.

I am,

Yours truly,

*(Name in full.)*

*To the Superintendent of Education,  
Victoria, B. C.*

## EXAMINATION SCHEDULES.

## HIGH SCHOOL ENTRANCE EXAMINATION.

The examinations for entrance to the High Schools will be held during the last three days of each school term. They will be held semi-annually in Chilliwack, Cumberland, Grand Forks, Kamloops, Nanaimo, Nelson, New Westminster, Revelstoke, Rossland, Vancouver, Vernon and Victoria, and in any other School District in which, hereafter, a High School may be established. The examinations will be conducted according to the following Schedule:—

## SCHEDULE A.—HIGH SCHOOL ENTRANCE EXAMINATION.

DATE	SUBJECT.	A. M.	SUBJECT.	P. M.
Monday	British History Nature Lessons	9 to 10:30 10:45 to 12	English Literature Reading	1 to 3 3 to
Tuesday	Arithmetic Dictation and Spelling	9 to 11 11 to 12	Grammar and Composition Reading	1 to 3 3 to
Wednesday	Drawing	9 to 11:30	Geography Canadian History	1 to 2:30 2:30 to 4

## HIGH SCHOOL EXAMINATION.

The following Schedules show the order in which the several subjects of the High School course will be taken by candidates for High School Certificates. The examinations will begin on the first Monday in July, except when the first of July (Dominion Day) falls on Sunday or Monday, when the examinations will begin on Tuesday.

## SCHEDULE B.—JUNIOR GRADE CERTIFICATE.

DATE	SUBJECT.	A. M.	SUBJECT.	P. M.
Monday	British History Geography	9 to 10:30 10:30 to 12	English Grammar Reading	1 to 3 3 to
Tuesday	Arithmetic Canadian History	9 to 11 11 to 12:15	Composition Reading	1:15 to 3 3 to
Wednesday	Algebra	9 to 12	Botany Physiology	1 to 2:30 2:30 to 4
Thursday	Geometry	9 to 12	Physics and Chemistry Education	1 to 2:30 2:30 to 4:30
Friday	English Literature	9 to 12	Drawing	1 to 3:30
Saturday	Latin	9 to 12	Greek or French	1 to 3:30

## SCHEDULE C.—INTERMEDIATE GRADE CERTIFICATE.

DATE	SUBJECT.	A. M.	SUBJECT.	P. M.
Monday	British History Geography	9 to 10:30 10:30 to 12	Grecian History Reading	1 to 3 3 to
Tuesday	Arithmetic	9 to 11	Composition Reading	1:15 to 3 3 to
Wednesday	Algebra	9 to 12	Botany	1 to 2:30
Thursday	Geometry	9 to 12	Chemistry	1 to 2:30
Friday	English Literature	9 to 12		
Saturday	Latin	9 to 12	Greek, or French, or German	1 to 3:30

## SCHEDULE D.—SENIOR GRADE CERTIFICATE.

DATE	SUBJECT.	A. M.	SUBJECT.	P. M.
Monday	Geography	10:30 to 12	Roman History Reading	1 to 3 3 to
Tuesday	Trigonometry	9 to 11	Composition	1:15 to 3
Wednesday	Algebra	9 to 12		
Thursday	Geometry	9 to 12	Physical Science	1 to 2:30
Friday	English Literature	9 to 12		
Saturday	Latin	9 to 12	Greek, or French, or German	1 to 3:30

## SCHEDULE E.—SENIOR ACADEMIC CERTIFICATE.

DATE	SUBJECT.	A. M.	SUBJECT.	P. M.
Monday				
Tuesday				
Wednesday				
Thursday			Education	2:30 to 4:30
Friday	English Literature	9 to 12		
Saturday	Latin	9 to 12	Greek, or French, or German	1 to 3:30

## PROVINCIAL NORMAL SCHOOL.

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### REGULATIONS RESPECTING THE PROVINCIAL NORMAL SCHOOL.

1. There shall be two sessions of the Normal School in each year, namely:
  - (1st.) A preliminary session, extending from the first school day in August to the middle of December.
  - (2nd.) An advanced session, extending from the first school day in January to the end of June.
2. Applicants for admission must give notice to the Principal ten days before the commencement of the session. Forms for application can be obtained from the Principal.
3. The Principal of the Normal School shall be responsible for the discipline and management of the students. He shall prescribe the duties of the staff subject to the approval of the Council of Public Instruction. The staff shall carry out the instructions of the Principal with regard to discipline, management, methods of study, and all matters affecting the efficiency of the Normal School and the progress of the students.
4. Students shall attend regularly and punctually throughout the session and shall submit to such discipline and direction as may be prescribed by the Principal.
5. Students shall take all examinations prescribed by the Principal. Such examinations will be conducted by the staff of the Normal School. The examiners shall have power to reject any candidate who shows deficiency of scholarship.
6. The regulations of the Education Department shall apply to the teaching staff of the Normal School, subject to any changes that may be made by the Council of Public Instruction from time to time.
7. The students of the Normal School shall be required to supply themselves with a complete set of the books authorised for use in the Public Schools of the Province, in addition to the special text-books prescribed for use in the Normal School.
8. The Principal of the Normal School shall have supervision over the methods employed in the Model School in teaching the course of study prescribed by the Education Department.
9. The Diplomas issued shall be of two grades as hereafter described.

## Preliminary Session.

(AUGUST TO DECEMBER.)

The work taken up in this session will be of an elementary character.

#### Course of Study—

1. Methods. Instruction in the best methods of teaching all the subjects on the Public School course of study.
  - (a.) Critical study in class, of the prescribed text-books on methods.
  - (b.) Lectures.
  - (c.) Type lessons by Normal School Instructors and Model School Teachers to classes from the Model School.
  - (d.) Practice teaching in the Model School.
  - (e.) Essays and exercises.
  - (f.) Instruction in the intelligent use of the text-books prescribed for Public Schools.
2. Instruction and practice in Writing, with special attention to Black-board Writing.
3. Instruction and practice in Vocal Reading.
4. Modelling.
5. Map Drawing.
6. Nature Study.
7. Drawing and Brush Work.
8. School Management. The School Law of British Columbia.

#### Diploma—

Students whose attendance, conduct and proficiency, during the Preliminary Session, are satisfactory to the Faculty of the Normal School, will be recommended for diplomas, and, upon the approval of the Council of Public Instruction, will receive a Normal School Diploma, valid for three years from the date of issue.

## Advanced Session.

(JANUARY TO JUNE.)

The work of this session will include the course of study outlined for the Preliminary Session, but the course will be more complete and advanced. The following subjects will be taken in addition:—

1. Psychology.
2. History of Education.
3. Physical Geography.

A higher standard of proficiency will be required in each subject of instruction, as well as in practical teaching.

**Diploma—**

Students whose attendance, conduct and proficiency, during this Advanced Session, are satisfactory to the Faculty of the Normal School, will be recommended for diplomas; and, upon approval of the Council of Public Instruction, will receive a Normal School Diploma valid for life.

**Honours—**

A diploma "With Honours" will be granted to those students who show exceptional application and ability.

**Authorised Text-Books.**

Full set of books authorised for use in the Public Schools of British Columbia.

Landon's Principles and Practice of Teaching.

Fitch's Lectures in Teaching.

McLellan & Ames' Primary Arithmetic, Teachers' Edition.

Tarr's Physical Geography.

Genung's Outlines of Rhetoric.

Rawle's Geometrical Drawing.

Newey's Elementary Drawing.

Other useful works for reading and reference are to be found in the Normal School Library. These will be introduced to the notice of the students in the course of the appropriate sessional lectures.

**SCHOOL DISTRICTS.**

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**Date of Creation and Boundaries.****CITY SCHOOL DISTRICTS.**

**CRANBROOK**—1st May, 1899. Boundaries altered and re-defined 27th November, 1905; and 23rd April, 1906:

Commencing at a point half a mile east of the north-east corner of Lot 34, Group 1, Kootenay District; thence southerly to the north-east corner of Lot 5,448; thence south to the north-east corner of Lot 5,450; thence west to the south-east corner of Lot 7,095; thence west to the south-west corner of Lot 7,226; thence north-easterly to the north-east corner of Lot 7,226; thence north to the south-east corner of Lot 5,249; thence west to the south-west corner of Lot 5,249; thence north to the north-west corner of Lot 3,572; thence west to the south-west corner of Pre-emption Record No. 879; thence north to a point directly west of the north-west corner of Lot 2,593; thence east to the point of commencement.

**CUMBERLAND**—17th April, 1890. Boundaries altered and re-defined 7th December, 1901:

All that area embraced within the corporate limits of the City of Cumberland.

**ENDERBY**—8th May, 1888. Boundaries altered and re-defined 14th May, 1891; 27th June, 1894; 2nd August, 1905; and 23rd April, 1906:

Commencing at the north-west corner of Section 16, Township 38, Kamloops Division of Yale District; thence due east along the northern boundary of said Section 16 and southern boundary of Lot 159 to the Spallumcheen River; thence southerly up the stream of said river to the south-east corner of Lot 149; thence due west along the northern boundary of the Spallumcheen Indian Reserve to the south-west corner of Section 9, Township 38; thence due north to the point of commencement. The City of Enderby School District shall also include Lots 151, 148 and 386, Kamloops Division of Yale District.

**NOTE.**—The description given above follows the old Provincial Government surveys.

**FERNIE**—18th April, 1899. Boundaries altered and re-defined 14th September, 1904:

All that tract of land embraced within the corporate limits of the City of Fernie.



GRAND FORKS—18th May, 1897. Boundaries altered and re-defined 23rd May, 1899; 7th December, 1901; 27th November, 1905; and 23rd April, 1906:

Commencing at the south-west corner of Section 4, Township 71, Osoyoos Division of Yale District; thence due north to the northern boundary of said Township; thence due east along the northern boundaries of Townships 71, 72 and 73 to the north-east corner of Section 33 of Township 73; thence due south to the International Boundary Line; thence due west along the Boundary Line to the point of commencement.

GREENWOOD—18th May, 1897. Boundaries altered and re-defined 14th November, 1900:

All that area embraced within the corporate limits of the City of Greenwood.

KAMLOOPS—11th May, 1886. Boundaries altered and re-defined 7th December, 1901:

All that area embraced within the corporate limits of the City of Kamloops.

KASLO—18th April, 1893. Boundaries altered and re-defined 7th December, 1901; and 6th January, 1906:

All that tract of land in and around the City of Kaslo, West Kootenay, embraced within the circumference of a circle whose centre shall be the centre of the plot of land on which the City Hall in Kaslo now stands, and whose radius shall be a distance of five miles from such central point.

KELOWNA—18th April, 1893. Boundaries altered and re-defined 13th April, 1894; 1st September, 1905; and 6th January, 1906:

Commencing at the north-west corner of Lot 9, Township 25, Osoyoos Division of Yale District, being a point on the shore of the Okanagan Lake; thence due east to the north-east corner of Section 30, Township 26; thence due south to the south-east corner of Lot 136, Township 26; thence due west to the eastern boundary line of Lot 14, Township 25; thence due south to the south-east corner of said lot; thence due west to the shore of the Okanagan Lake; thence in a northerly direction, following the shore-line of said lake, to the point of commencement.

LADYSMITH—19th December, 1900. Boundaries altered and re-defined 14th September, 1904:

All that tract of land embraced within the corporate limits of the City of Ladysmith.

NANAIMO—30th July, 1870. Boundaries re-defined 20th March, 1885; and 8th April, 1891:

All that area embraced within the corporate limits of the City of Nanaimo.

NELSON—26th April, 1892. Boundaries altered and re-defined 12th July, 1899:

All that tract of land embraced within the corporate limits of the City of Nelson.

NEW WESTMINSTER—4th June, 1870. Boundaries re-defined 8th April, 1891:

All that area embraced within the corporate limits of the City of New Westminster.

PHOENIX—14th of July, 1900. Boundaries altered and re-defined 7th December, 1901; and 23rd April, 1906:

All that area embraced within the corporate limits of the City of Phoenix; and in addition the following Crown-granted mineral claims: Yukon Fraction, Garfield, Wilhelmina, New York, Brooklyn, Joker, Standard, Stenwinder, Phoenix, Golden Eagle, Montezuma, Gilt Edge, No. 13, Fourth of July, Nugget, Snowshoe, Curlew Fraction, Rawhide, Monarch, Gold Drop, Gold Drop Fraction, Missing Link, War Eagle, Gray Eagle, Ætna, Victoria, Knob Hill, Ironsides, Triangle Fraction, Tip Top, Banner, Tooth-pick Fraction, Idaho and Boston.

REVELSTOKE—22nd March, 1890. Boundaries altered and re-defined 7th December, 1901:

All that area embraced within the corporate limits of the City of Revelstoke.

ROSSLAND—13th May, 1896:

All that tract of land comprised in the Town of Rossland, West Kootenay.

SANDON—18th May, 1897. Boundaries altered and re-defined 7th December, 1901; and 6th January, 1906:

All that tract of land in and around the City of Sandon, West Kootenay, embraced within the circumference of a circle whose centre shall be the centre of the plot of land on which the school-house in Sandon now stands, and whose radius shall be a distance of three miles from such centre.

SLOCAN—21st July, 1897. Name changed from Brandon-Slocan to Slocan. Boundaries altered and re-defined 7th December, 1901:

All that area embraced within the corporate limits of the City of Slocan.

TRAIL—13th May, 1896. Boundaries altered and re-defined 7th December, 1901; and 23rd April, 1906:

All that tract of land on the right bank of the Columbia River in and around the City of Trail, West Kootenay, embraced within the circumference of a circle whose centre shall be the Court House in Trail and whose radius shall be a distance of three miles from such centre.

VANCOUVER—12th February, 1873. Boundaries altered and re-defined and name changed from "Granville" to "Vancouver," 4th November, 1886. Re-defined 8th April, 1891:

All that area embraced within the corporate limits of the City of Vancouver.

VANCOUVER, NORTH—23rd April, 1906:

All that area embraced within the corporate limits of the City of North Vancouver.

VERNON—23rd May, 1883. Name changed 16th May, 1888, from Priest's Valley to Vernon. Boundaries altered and re-defined 12th June, 1886; 7th December, 1901; and 6th January, 1906:

Commencing at the north-west corner of Section 15, Township 8, Osoyoos Division of Yale District; thence due east to the north-east corner of Section 13 of said township; thence due south to the south-west corner of Section 6, Township 5; thence due east to the north-east corner of Section 32, Township 6; thence due south to the middle point of the eastern boundary line of Section 8 of said township; thence due west to the middle point of the western boundary line of said section; thence due north to the north-west corner of said section; thence due west to the middle point of the northern boundary line of Section 7, Township 6; thence due south ( $\frac{1}{4}$  mile) to the middle point of the western boundary line of the north-east quarter of said section; thence due west ( $\frac{1}{2}$  mile) to the middle point of the western boundary line of the north-west quarter of said section; thence due south to the middle point of the eastern boundary line of Section 12, Township 9; thence due west to the central point of said section; thence due south ( $\frac{1}{2}$  mile) to the middle point of the southern boundary line of said section; thence due west ( $\frac{3}{4}$  mile) to the middle point of the southern boundary line of the south-east quarter of Section 11 of said township; thence due south ( $\frac{1}{4}$  mile) to the centre of the north-east quarter of Section 2 of said township; thence due west (1 mile) to the central point of the north-east quarter of Section 3 of said township; thence due north to the shore of Long Lake; thence following the shore-line of said lake in a northerly and westerly direction to its point of intersection with the western boundary line of Section 10, Township 9; thence due north to the north-east corner of Section 16 of said township; thence due west to the north-west corner of Section 17 of said township; thence due north to the middle point of the western boundary line of Section 8, Township 8; thence due east to the middle point of the eastern boundary line of said section; thence due north to the middle point of the western boundary line of Section 16, Township 8; thence due east to the middle point of the eastern boundary line of said section; thence due north to the point of commencement.

VICTORIA—25th June, 1869. Boundaries altered 1st June, 1878. Re-defined 27th May, 1880; 14th April, 1887; 8th May, 1888; and 8th April, 1891:

All that area embraced within the corporate limits of the City of Victoria.

## RURAL MUNICIPALITY SCHOOL DISTRICTS.

BURNABY—March 14th, 1906:

Commencing at the north-east corner of Hastings Townsite; thence south along the eastern boundaries of Hastings Townsite and the Municipality of South Vancouver to the north bank of the North Arm of the Fraser River; thence easterly along the said north bank of the said North Arm of the Fraser River to its intersection with the south-easterly boundary of Lot 172, Group 1, Westminster District; thence northerly following the easterly boundary of said Lot 172, and the northerly boundary of New Westminster City to its intersection with the North Road; thence northerly along said North Road to low water mark on the south shore of Burrard Inlet; thence westerly along the south shore of Burrard Inlet at low water mark to the point of commencement.

CHILLIWHACK—March 14th, 1906:

Commencing at the mouth of the Sumas River where it empties into the Fraser River; thence running in a north-easterly and thereafter in an easterly direction along the south bank of the Fraser River, for a distance of about 21 miles, to the eastern boundary of Township 30, in Yale District; thence due south to the south-east corner of Section 25, in Township 29, in Yale District; thence due west 4 miles to the eastern boundary of Chilliwack Municipality; thence due south along the section lines, a distance of 4 miles, to the southern boundary of Township 29; thence due west along the southern boundaries of Townships 29, 26 and 23, for a distance of 11 miles, to the south-west corner of Section 3, Township 23; thence due south, for a distance of 3 miles, to the south-east corner of Section 21, Township 22; thence due west for a distance of 3 miles, more or less, to the shore line of Sumas Lake; thence in a northerly direction along the shore lines of Sumas Lake and Sumas River to the point of commencement.

COQUITLAM—March 14th, 1906. Boundaries altered and re-defined April 7th, 1906:

Commencing at a point where the boundary line between Lots 54 and 55, Group 1, New Westminster District, intersects with the North Road; thence due south along said North Road to the Brunette River; thence following the course of the Brunette River to a point where it intersects the easterly boundary of New Westminster City; thence following the easterly boundary of said city to the Fraser River; thence following the right bank of the Fraser River to the mouth of the Pitt River; thence following the centre line of the said Pitt River in a northerly direction to the north boundary line of Township 40; thence due west to the north-west corner of Section 34, Township 39; thence due south to the south-west corner of Section 15, Township 39; thence due east to the eastern boundary line of Lot 470; thence due south along the eastern boundary line of Lot 470 to a point where it intersects with the north boundary line of Lot 238; thence due west along the north boundary line of said Lot to the north-west corner of said

Lot; thence due south along the western boundary of Lot 238 to the north-east corner of Lot 371; thence west along the northern boundary lines of Lots 371, 370, 369, 368, 367, 106 and 55 to the point of commencement. The Coquitlam School District shall also include Douglas Island, in the Fraser River.

COWICHAN, NORTH—March 14th, 1906:

Commencing at a point where the line between Sections 11 and 12, Range III., Cowichan District, intersects the shore line of Cowichan Bay; thence west to the west boundary line of Section 12, Range III., in said District; thence due north to the north-west corner of Section 16, Range III., in said District; thence due west along the line between Sections 16 and 17, Ranges II. and I., in said District, and Range VIII., Quamichan District, to the north-west corner of Section 16, Range VIII., in said Quamichan District; thence due south to the south-west corner of Section 15, Range VIII., in the said Quamichan District; thence due west to the south-west corner of Section 15, Range VII., in the said Quamichan District; thence due north to the north-west corner of Section 16, Range VII., in the said Quamichan District; thence due west along the line between Sections 16 and 17, in Ranges VI. and V., in said Quamichan District, to the centre of the Cowichan River, in Range IV., in the said District; thence westerly following the course of the river to its intersection with the west boundary line of said Quamichan District; thence due north along the west boundary of Quamichan, Somenos and Chemainus Districts to the north-west corner of Section 20, Range I., Chemainus District; thence east along the north boundary line of Chemainus District to the Coast line; thence following the Coast line to the point of commencement. Any Indian Reserve within the said area shall not be deemed to be within the said School District.

DELTA—March 14th, 1906:

All that area embraced within the Corporate limits of the Municipality of Delta, viz.:—Commencing at a point on the 49th parallel of north latitude in the Gulf of Georgia; thence following the shore line of the Gulf of Georgia to the mouth of the Fraser River; thence following the south shore of the Fraser River to the north-west corner of Lot 23, Group 2; thence true east to the north-east corner of Section 36, Township 4; thence in a southerly direction following the Mud Bay road, being the western boundary of the Municipality of Surrey, to its intersection with the road to Ladner's Landing; thence true south to Mud Bay; thence in a south-westerly direction, following the shore of Mud and Boundary Bays, to the 49th parallel of north latitude; thence true west along the 49th parallel for a distance of two and a half miles, more or less, to the place of commencement; including also Deas, Tilbury, Annacis and adjacent islands, and the island designated as Lot No. 257, Group 1.

KENT—March 14th, 1906:

Commencing at the mouth of Ruby Creek, where it flows into the Fraser River; thence up said Ruby Creek to the point where it is inter-

sected by the centre line of Section 6, Township 5, Range 27 west, of sixth initial meridian (S. 6, T. 5, R. 27 W., VII.); thence due west along the centre lines of Sections 1, 2, 3, 4, 5 and 6, all in Township 5, Range 28 west, of the sixth initial meridian (T. 5, R. 28 W., VI.) to the shore of Harrison Lake; thence in a southerly direction and following the shore line of Harrison Lake to its outlet into Harrison River; thence following down midchannel of Harrison River to its junction with the Fraser River; thence following up midchannel of the Fraser River to the point of commencement.

LANGLEY—March 14th, 1906:

Commencing at the point where the centre line of Section 32, Township 14, Westminster District, meets the southern bank of the Fraser River (being also the north-west corner of Matsqui Municipality); thence due south along the centre lines of sections a distance of eleven and one-half miles, or thereabouts, to the International Boundary Line; thence due west along the said International Boundary Line a distance of ten miles to the point where the centre line of Section 3, Township 7, Westminster District, meets the said International Boundary Line; thence due north along centre lines of sections to the Fraser River; thence easterly along the southern bank of the said river to the point of commencement.

MAPLE RIDGE—March 14th, 1906:

Commencing at a point where the line between Sections 3 and 4, Township 15, Westminster District, intersects the right bank of Stave River; thence following the meanderings of the right banks of Stave and Fraser Rivers to the north-east corner of Lot 467, Group 1, near the mouth of Pitt River; thence to centre line of Pitt River; thence northerly along the said centre line of Pitt River to its intersection with the centre line of Section 4, Township 40, produced northerly; thence due east to the eastern boundary of said Section 4, Township 40; thence due south ten chains, more or less, to a point half a mile due north of the south-west corner of Section 3, Township 40; thence due east twelve miles, more or less, to a point half a mile due north of the north-east corner of Section 33, Township 15; thence due south six miles and 22 88-100 chains, more or less, to the point of commencement. The Maple Ridge School District shall also include Crescent Island, in the Fraser River.

MATSQUI—March 14th, 1906:

All that area embraced within the corporate limits of the Municipality of Matsqui, viz.:—Commencing at the point where the centre line of Section 32, Township 14, Westminster District, meets the southern bank of the Fraser River (being also the north-east corner of Langley Municipality); thence east along the south bank of the said river to a point one-half mile due east of the township line dividing Townships 17 and 20; thence due south to the southern boundary of Township 20; thence due west one-half mile; thence due south, along the township line between Townships 16 and 19, two and a half miles; thence due west three miles; thence due south three and a half miles to the south-east

corner of Section 4, Township 16, and the 49th parallel; thence due west seven and one-half miles to a point in the southern boundary of Section 5, Township 13, one-half a mile west of the south-west corner of Section 4, Township 13; thence due north to the point of commencement. In addition to the above the Matsqui School District shall also include the "Townsite of Abbotsford."

MISSION—March 14th, 1906:

All that area embraced within the corporate limits of the Municipality of Mission, viz.:—Commencing where the centre line of Hatzic Slough intersects the centre line of Fraser River; thence northerly following the said centre line of Hatzic Slough and the western bank of Hatzic Lake to its intersection with the southern boundary of Township 18, Westminster District; thence west along the southern boundary of said Township 18 to the south-east corner of Section 3, in said Township 18; thence north along the eastern boundaries of sections 3, 10, 15, 22, 27 and 34, in said Township 18, to the north-east corner of said Section 34; thence west along the northern boundary of said Township 18 to the centre line of Stave River; thence northerly along the said centre line of Stave River and the eastern bank of Stave Lake to its intersection with the northern boundary of Township 4, Range 3, (Dominion Surveys); thence west along the said northern boundary of Township 4, Range 3, to the north-west corner of said Township 4, Range 3; thence south along the western boundary of said Township 4, Range 3, and the western boundary of Township 3, Range 3, to its intersection with the northern boundary of Township 15; thence west along said boundary of Township 15 to the north-west corner of Section 34, Township 15; thence south along the western boundaries of said Section 34 and of Sections 27, 22, 15, 10 and 3, in said Township 15, to the place where said line intersects the right bank of Stave River; thence following the right bank of Stave River and the centre line of the Fraser River to the place of beginning, including the "Mission City Townsite."

RICHMOND—March 14th, 1906:

All that area embraced within the corporate limits of the Municipality of Richmond, viz.:—Commencing at the south-east corner of the Musqueam Indian Reserve at the mouth of the North Arm of the Fraser River, said point being also the south-west corner of Lot 314, Group 1, New Westminster District; thence easterly following the meanderings of the north bank of the North Arm of the Fraser River to the south-west corner of the Municipality of New Westminster; thence across the North Arm of the Fraser River to the north-east corner of Section 25 and Lot 5 north, Range 4 west; thence true south to the south shore line of Lulu Island; thence south-westerly, westerly and northerly along the shore line of Lulu and Sea Islands to the north-west corner of Section 8, Block 5 north, Range 7 west; thence north-easterly to point of commencement, including all the islands in the North Arm of the Fraser River, also the islands in the Fraser River known as Lots 458, 516, 517, 531, 533, 534 and 535, Group 1. In addition to the above the Richmond School District shall include Lot 758, Group 1, Westminster District.

SAANICH—March 14th, 1906:

The whole of the Districts of Lake and South Saanich (except such portions thereof as consist of Indian Reservations), and that part of Victoria District lying to the north of the City of Victoria, and more particularly described as follows, that is to say:—Commencing at the intersection of the City of Victoria boundary line with the western boundary line of the said Victoria District, on the Victoria Arm at or near Harriet Road; thence along the said Harriet Road, following the said City boundary line eastward till it meets the western boundary line of Section 28; thence northward along the western boundary lines of Sections 28 and 31 to the north-west corner of Section 31; thence south-easterly along the north-easterly boundary line of Section 31 to high-water mark on Cadboro Bay; thence along the said high-water mark to the left to the northern boundary line of the said Victoria District on Cordova Bay; thence westerly along the said northerly boundary line of the said District to the head of Portage Inlet; thence south and south-easterly along the westerly boundary line of said District on the said Portage Inlet and Victoria Arm to the place of commencement.

SAANICH, NORTH—March 14th, 1906:

Commencing at the south-east corner of the boundary line between the Districts of North and South Saanich; thence westerly along said boundary line to the sea shore of Saanich Inlet; thence northerly, easterly and southerly along the sea shore to the point of commencement.

SALMON ARM—March 14th, 1906:

All that area embraced within the corporate limits of the Municipality of Salmon Arm, viz.:—Commencing at the north-west corner of Township 20, Range 10, west of the sixth meridian; running thence east along the northern boundary line of said Township 20 to the shore line of the Salmon Arm of Shuswap Lake; thence southerly along the shore line of the said Salmon Arm to the north boundary of the Indian Reserve; thence south and east, following the west and south boundary lines of the said Indian Reserve, to the shore line of the said Salmon Arm; thence north and east, following the said shore line of the said Salmon Arm, to the easterly boundary line of Section 4, in Township 21, Range 9, west of the sixth meridian; thence south along the easterly boundary line of said Section 4, and the easterly boundary lines of Sections 33, 28, 21, 16, 9 and 4, in Township 20, Range 9; thence westerly along the south boundary of Sections 4, 5 and 6, Township 20, Range 9; thence south along the easterly boundary lines of Sections 36 and 25, in Township 19, Range 10; thence westerly along the south boundary lines of Sections 25, 26, 27, 28, 29 and 30, in said Township 19, Range 10; thence northerly along the west boundary lines of Sections 30 and 31, Township 19, Range 10, and the west boundary line of Township 20, Range 10, to the point of commencement.

SPALLUMCHEEN—March 14th, 1906:

Commencing at the north-east corner of Township 35, Osoyoos Division of the District of Yale; thence west along the northern boundary

of said Township 35 to its intersection with the eastern boundary of Lot 94, Group 1, in said Osoyoos District; thence north along the said eastern boundary of said Lot 94 to the north-east corner thereof; thence west along the northern boundary of said Lot 94 to the Spallumcheen Indian Reserve, in Townships 35 and 38; thence southerly and westerly following the course of the eastern boundary of said reserve to the south-east corner thereof; thence west along the southern boundary of the said Spallumcheen Indian Reserve to the south-west corner thereof; thence north along the western boundary of said Indian Reserve to its intersection with the northern boundary of Township 35; thence west along the northern boundaries of Township 35 and Township 34 to the north-west corner of Section 33 in said Township 34; thence south along the western boundary of said Section 33 to the north-east corner of the Spallumcheen Indian Reserve in said Township 34; thence in a general course southerly and following the eastern boundaries of the said Indian Reserve and of the Okanagan Indian Reserve to the intersection of the said eastern boundary of the Okanagan Indian Reserve with the southerly boundary of Section 34, Township 8, in the said Osoyoos Division of Yale District; thence east along the southern boundary of Section 34 and of Section 35, in said Township 8 to its intersection with the western boundary of a portion of the Swan Lake Indian Reserve; thence north to the north-west corner of said Indian Reserve; thence east to the north-east corner of said Indian Reserve; thence south along the eastern boundary of said Indian Reserve to its intersection with the southern boundary of said Section 35; thence east along the southern boundary of Section 35 and of Section 36, in said Township 8, and of Sections 31 and 32, in Township 5, in said District, to the south-east corner of said Section 32; thence north along the eastern boundaries of said Section 32 and of Sections 5, 8, 17 and 20, in Township 4 of said District, to the north-east corner of said Section 20; thence east along the southern boundaries of Section 28, in said Township 4, to the south-east corner of said Section 28; thence north along the eastern boundaries of Sections 28 and 33, in said Township 4, to the north-east corner of said Section 33; thence east along the southern boundary of Township 35 to the south-east corner thereof; thence north along the eastern boundary of said Township 35 to the place of beginning; omitting and excluding from within said above bounded School District the Otter Lake Indian Reserve and the Indian Reserve comprising the south-west quarter of Section 13, Township 7.

SUMAS—March 14th, 1906:

Commencing at the north-west corner of the south-east quarter of Section 22, Township 16, New Westminster District; thence south along the western boundary of said south-east quarter of Section 22 to the south-west corner thereof; thence west along the northern boundary of Section 15, Township 16, to the north-west corner thereof; thence south along the western boundaries of Sections 15, 10 and 3, Township 16, to the south-west corner of said Section 3; thence due east along the International Boundary Line, a distance of twelve miles, more or less, to the south-east corner of Section 4, Township 22, Westminster

District; thence due north three miles to the north-east corner of Section 16, Township 22; thence due west to the shore of Sumas Lake; thence southerly and northerly, following the shore of Sumas Lake to its intersection with the northern boundary of Township 19; thence west along the northern boundary of said Township 19 to the north-west corner thereof; thence south along the western boundary of said Township 19 to the north-east corner of the south-east quarter of Section 24, Township 16; thence west along the northern boundaries of the south-east and south-west quarters of said Section 24 and the south-east and south-west quarters of Section 23 and the south-east quarter of Section 22, all in Township 16, to the point of commencement.

SURREY—March 14th, 1906:

All that area embraced within the corporate limits of the Municipality of Surrey, viz.:—Commencing at a point on the 49th parallel of north latitude, being the south-east corner of the south-west quarter of Section 3, Township 7, New Westminster District; thence running true north, along a line passing through the centre of Section 3, Township 7, and a continuation of the same for a distance of twelve and a half miles (more or less) to the south bank of Fraser River; thence running westerly and southerly, along the bank of Fraser River, to the south-west corner of Section 34, Block 5 North, Range 3 West; thence running true east, along the range line, to the south-west corner of Section 31, Block 5 North, Range 2 West; thence running true south, along the east side of the Mud Bay Road, to its intersection with the Semiahmoo Road running west, to Ladner's Landing; thence running true south, to the shore line of Mud Bay; thence running in a southerly and easterly direction, along the shore line of Mud and Semiahmoo Bays to the intersection of the 49th parallel with the shore line of Semiahmoo Bay; thence running true east along the 49th parallel for a distance of three and a half miles (more or less) to the point of commencement.

VANCOUVER, NORTH—April 23rd, 1906:

All that area embraced within the following boundaries (except such portion as is embraced within the corporate limits of the City of North Vancouver), that is to say:—Commencing at a post marked "G. F. B." situate on the westerly shore of the North Arm of Burrard Inlet, being the north-east corner of Lot numbered 872, in the District of New Westminster; thence west along the north boundary of said Lot numbered 872 to the north-west corner thereof; thence in a westerly direction to the north-east corner of Lot numbered 956; thence west along the north boundary of said Lot numbered 956 to the north-east corner of Lot numbered 985, situated on Seymour Creek; thence west along the north boundary of said Lot numbered 985 to the north-west corner of said lot; thence in a westerly direction to the north-east corner of Lot numbered 875; thence west along the north boundaries of Lots numbered 875 and 874 and a line produced to the intersection of the Coast line on Howe Sound; thence southerly along the Coast line to Point Atkinson; thence east along the Coast line and north shore of Burrard Inlet to Roche Point, at the entrance of the North Arm of Burrard Inlet; thence northerly up the west coast of said North Arm to the point of commencement.

## VANCOUVER, SOUTH—March 14th, 1906:

Commencing at the south-east corner of Lot 331, Group 1, Westminster District, on the north bank of the North Arm of the Fraser River; thence north along the eastern boundaries of Lots 331, 335, 339, 49 and 36, Group 1, Westminster District, and the eastern boundary of the Hastings Townsite to low-water mark on the south shore of Burrard Inlet; thence westerly, along the south shore of Burrard Inlet at low-water mark to the north-west corner of said Hastings Townsite; thence due south, along the eastern boundary of Vancouver Townsite, to the south-east corner of said Vancouver Townsite; thence westerly, following the southern boundaries of Vancouver Townsite, to the south-west corner thereof; thence north, along the western boundary of the said Vancouver Townsite, to low-water mark on the south shore of English Bay; thence westerly and southerly along the said south shore of English Bay at low-water mark to Point Gray; thence southerly and easterly along the easterly shore of the Gulf of Georgia at low-water mark and the north bank of the aforesaid North Arm of the Fraser River to the point of commencement.

## RURAL SCHOOL DISTRICTS.

## AINSWORTH—31st August, 1897. Boundaries altered and re-defined April 23rd, 1906:

All that tract of land included within the boundaries of the Ainsworth Townsite, West Kootenay.

## ALBERNI—26th April, 1886. Boundaries altered and re-defined 27th May, 1901; 21st August, 1902; 4th August, 1903; and 23rd April, 1906:

Commencing at Fish-house Point, on Somas River, Alberni District; thence in a straight line to the south-west corner of Lot 12; thence north, east, south and west to a point where the southern boundary of Lot 45, if produced, touches the sea-shore of Stamps Harbour, and including Lots 12, 13, 14, 15, 16, 17, 18, 19, 45, 48, 57, 65, 92, 93, 95, 96, 97, 100, 103, 112, 117, 135, 136, 137, 138, 142, 143, 146, 152, 234, 245 and 246.

## ALBERNI, NEW—4th August, 1903. Boundaries altered and re-defined 23rd April, 1906:

Commencing on the eastern shore of Stamps Harbour, at a point due west from the south-west corner of Lot 45, Alberni District; thence due east along the northern boundaries of Lots 46, 48, 139 and 155; thence south and west to the shore line of Alberni Canal, and including Lots 46, 48, 91, 99, 113, 121, 122, 132, 133, 139, 155, 159 and 181.

## ALERT BAY—1st May, 1899:

All that tract of land known as Cormorant Island, together with Sections 1 and 2, Township 1, Rupert District.

## ALEXANDRIA—27th May, 1898. Boundaries altered and re-defined 13th June, 1898; 1st May, 1899; and 23rd April, 1906:

Commencing at the south-east corner of Section 1, Range IV., Cranberry District; thence due east to the south-east corner of Section 1, Range VIII., of said district; thence due north to the north-east corner

of Section 12, Range VIII., of said district; thence west along said section line to the north-east corner of Section 12, Range VI.; thence north along said range line to the north-east corner of Section 14, Range VI.; thence west along said section line to the north-west corner of Section 14, Range V.; thence due south along the range line to the point of commencement.

## ANACONDA—14th November, 1900. Boundaries altered and re-defined 18th December, 1905; and 23rd April, 1906:

Commencing at the middle point of the eastern boundary line of Section 21, Township 70, Osoyoos Division of Yale District; thence due north to the north-east corner of Section 33 of said Township; thence due west half a mile to the eastern boundary of Greenwood City; thence due south half a mile to the south-east corner of said City; thence due west half a mile to the south-west corner of said City; thence due north half a mile to the north-east corner of Section 32, Township 70; thence due west to the north-west corner of Section 31 of said Township; thence due south to the middle point of the western boundary of Section 19 of said Township; thence due east through the centres of Sections 19, 20 and 21 to the point of commencement.

## ANARCHIST MOUNTAIN—13th May, 1896. Boundaries altered and re-defined 18th December, 1905:

Commencing at the south-east corner of Section 2, Township 66, Osoyoos Division of Yale District; thence north to the north-east corner of Section 14; thence west along the section lines to the eastern boundary line of Lot 346; thence north to its north-east corner; thence west to the north-west corner of said lot; thence south to the northern boundary line of Section 17; thence due west to the north-west corner of Section 15, Township 65; thence south to the International Boundary Line; thence east along said boundary line to the point of commencement.

## ARROWHEAD—12th September, 1900. Boundaries altered and re-defined 23rd April, 1906:

All that tract of land in West Kootenay included in Lots 384 and 4,949.

## ASHCROFT—8th May, 1889. Boundaries altered and re-defined 18th December, 1905:

Commencing at the most southerly point in the boundary of the Cornwall Ranch, Kamloops Division of Yale District; thence following the south-westerly and westerly boundaries of said ranch northward to the north-west corner of said ranch; thence in a straight line to the south-west corner of the Boston Ranch; thence due north to the north-west corner of said ranch; thence due east to the Bonaparte River; thence following said river to the point where it intersects the northern boundary of Township 20, Range 24; thence due east to the north-east corner of Section 36 of said township; thence due south to the south-east corner of Section 25, in Township 19, Range 24; thence due west

to the Thompson River; thence following said river in a northerly direction to the point where the northern boundary of Township 19, Range 24, intersects said river; thence due west to the eastern boundary of Lot 14, Group 1; thence in a southerly direction to the south-east corner of said lot; thence westerly to the south-west corner of said lot; thence westerly to the point of commencement.

ATLIN—3rd November, 1902:

All that tract of land in and around the Town of Atlin, Cassiar District, embraced within a circle whose centre shall be the Government school-house in Atlin, and whose radius shall be a distance of five miles from such centre.

BARKERVILLE—28th June, 1871:

Circle with a radius of three miles from Court House, Richfield.

BEAVER CREEK—30th May, 1902:

Commencing at the south-west corner post of Lot 82, Alberni District; thence east to the north-east corner post of Lot 168; thence north-westerly along the foot of the Beaufort Range to the north-east corner post of Lot 77; thence west to the north-west corner post of Lot 164; thence south to Stamps River; thence following the bank of the said river to the forks; thence easterly to the point of commencement, and including the following Lots:—82, 162, 163, 25, 166, 154, 107, 176, 56, 156, 161, 26, 27, 28, 29, 123, 115, 129, 116, 31, 32, 50, 51, 75, 78, 79, 128, 102, 77, 76, 164, 195, 71, 72, 73, 74, 54, 55, 80, 101, 30, 160, 165, 33, 158, 83, 106.

BEAVER POINT—18th August, 1885. Boundaries altered and re-defined 18th December, 1905; and 23rd April, 1906:

Commencing at the point where the northerly shore-line of Fulford Harbour intersects the south-eastern boundary line of Section 15, Range I., Salt Spring Island; thence in a north-easterly direction along the boundaries of Section 15, Range I., and Section 15, Range II., to the north-east corner of Section 15, Range II.; thence following the north-easterly boundary line of said section to its intersection with the eastern boundary of Section 61; thence due north to the middle point of the eastern boundary line of Section 77; thence due east, passing through the centre of Section 76, to the sea-shore; thence in a southerly and westerly direction, following the shore line, to the point of commencement.

BELLA COOLA—13th May, 1896. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the south-west corner of Section 26, Township 1, Range 3, Coast District; thence due north 5 miles to the north-west corner of Section 14, Township 2; thence due east 8 miles to the north-east corner of Section 13, Township 4; thence due south 5 miles to the south-east corner of Section 25, Township 3; thence due west 8 miles to the point of commencement.

BLUE SPRINGS—11th May, 1892. Name changed from "White Valley" to "Blue Springs." Boundaries altered and re-defined 27th May, 1898; 18th August, 1898; and 18th December, 1905:

Commencing at the south-east corner of Township 41, Osoyoos Division of Yale District; thence due north to the north-east corner of said township; thence due west to the north-east corner of Section 31 of said township; thence due north to the middle point of the eastern boundary line of Section 6, Township 40; thence due west to the middle point of the western boundary line of said section; thence due south to the south-west corner of Township 41; thence due east to the point of commencement.

BOUNDARY FALLS—15th September, 1904:

Commencing at the south-west corner of Section 6, Township 70, Osoyoos Division of Yale District, being a point on the International Boundary Line; thence due north three and one-half miles to the north-west corner of the south-west quarter section of Section 19 of the said township; thence due east three miles; thence due south three and one-half miles; thence due west along the International Boundary Line to the point of commencement.

BRECHIN—18th December, 1905:

Commencing at the eastern extremity of the northern boundary line of the City of Nanaimo, being a point on the sea-shore; thence westerly and southerly following said boundary line to its intersection with Millstone River; thence westerly, following the course of said river to its intersection with the eastern boundary line of Mountain District; thence due north to the north-east corner of Section 19, Range 8, of said district; thence due east to the sea-shore; thence southerly, following the shore-line to the point of commencement.

BURGOYNE BAY—3rd October, 1873. Re-defined 18th August, 1885; 18th December, 1905; and 23rd April, 1906:

Commencing at the middle point of the eastern boundary line of Section 77, Salt Spring Island; thence due south to the north-easterly boundary line of Section 15, Range II.; thence south-easterly to the north-east corner of said Section 15, Range II.; thence south-westerly following the boundaries of Section 15, Range II., and Section 15, Range I. to the shore of Fulford Harbour; thence westerly and southerly along the shore-line to its intersection with the centre line of Section 52; thence due west passing through the centres of Sections 52, 51, 50, 49 and 48 to Sansome Narrows; thence northerly following the shore-line to its intersection with the centre line of Section 81; thence due east, passing through the centres of Sections 81, 80, 79, 78 and 77, to the point of commencement.

CACHE CREEK—25th May, 1892. Boundaries altered and re-defined 18th December, 1905:

Commencing at a point where the northern boundary of the Boston Ranch, Kamloops Division of Yale District, intersects the Cariboo Road; thence due east to the Bonaparte River; thence following the meanderings of said river, in a south-easterly direction, to a point where

said river intersects the southern boundary of Section 8, Township 21, Range 24; thence due east to the south-east corner of Section 12 of said township; thence due north to the north-east corner of Section 36 of said township; thence due west to the eastern boundary of the Bonaparte Indian Reserve, No. 3; thence due north to the north-east corner of said Reserve; thence due west to the south-west corner of Section 11, Township 22, Range 25; thence due north to the centre of the western boundary of Section 26 of said township; thence due west to the centre of Section 29 of said township; thence due south to the centre of the southern boundary of Section 29, Township 21, Range 25; thence due east to the north-east corner of Section 23 of said township; thence due south to the centre of the western boundary of Section 12 of said township; thence due east to the Cariboo Road; thence in a southerly direction along said road to the point of commencement.

CADBORO—7th April, 1885. Boundaries altered and re-defined 14th April, 1887; 12th September, 1894; and 23rd April, 1906:

Commencing at the south-west corner of Section 2, Victoria District, being a point on the sea-shore of Oak Bay; thence in a north-westerly direction to the north-west corner of said section; thence due west following section lines to the north-west corner of Section 28; thence north along the western boundary line of Section 31 to the north-west corner of said section; thence south-easterly along the north-easterly boundary of Section 31 to the sea-shore of Cadboro Bay; thence in a southerly direction following the shore-line to the point of commencement.

CAMPBELL CREEK—23rd May, 1899. Boundaries altered and re-defined 8th October, 1901, and 18th December, 1905:

Commencing at the junction of Campbell Creek with the Thompson River, Kamloops Division of Yale District; thence following said creek in a south-westerly direction to the western boundary line of Lot 265, C. G. 2,907; thence due south to the south-west corner of said lot; thence due east to the eastern boundary line of Section 36, Township 19, Range 16; thence due south to the north-west corner of Section 19, Township 19, Range 15; thence due east to the north-west corner of Section 21 of said township; thence due south to the south-east corner of Section 5 of said township; thence due west to the south-east corner of Section 6, Township 19, Range 16; thence due north to the south-east corner of Section 19 of said township; thence due east to the south-east corner of Section 20 of said township; thence due north to the south-east corner of Section 32 of said township; thence due west to the south-west corner of Section 31 of said township; thence due north to the Thompson River; thence easterly, following the meanderings of said river, to the point of commencement.

CASCADE—18th April, 1899. Boundaries altered and re-defined 18th December, 1905:

Commencing at the south-east corner of Section 5, Township 74, Osoyoos Division of Yale District; thence due north to the north-east corner of Section 32; thence west along the section lines to the north-

west corner of Section 34, Township 73; thence true south to the International Boundary Line; thence east along said boundary line to the point of commencement.

CEDAR, EAST—13th May, 1896:

Commencing at the south-east corner of Cedar District; thence due west to the line dividing Ranges III. and IV. of said district; thence due north to the northern boundary line of Section 12, Range III.; thence east to the sea-shore; thence south-easterly, following the shore line, to the point of commencement.

CEDAR, NORTH—11th February, 1874. Name changed from "Cedar," and re-defined 27th May, 1880, and 30th April, 1891; 13th June, 1898; 15th August, 1899; and 18th December, 1905:

Commencing at the middle point of the southern boundary line of Section 15, Range VI., Cranberry District; thence due north to Nanaimo Bay; thence northerly, easterly and southerly following the shore line, to the eastern extremity of the section line between Sections 12 and 13, Range V., Cedar District; thence west along the section line to the south-east corner of Section 13, Range VI., Cranberry District; thence north to the south-east corner of Section 15 of said Range; thence due west to the point of commencement.

CEDAR, SOUTH—27th May, 1880. Boundaries altered and re-defined 13th May, 1896; 27th May, 1898; and 23rd April, 1906:

Commencing at the south-east corner of Section 1, Range III., Cedar District; thence due north to the north-east corner of Section 12, Range III. of said district; thence due west to the north-west corner of Section 12, Range I. of said district; thence due south to the south-west corner of Section 1, Range I. of said district; thence due east to the point of commencement.

CHASE RIVER—15th August, 1899. Name changed from "Southfield" to "Chase River," on 8th November, 1899. Boundaries altered and re-defined 18th December, 1905; 23rd April, 1906:

Commencing at the point where the western boundary of the North Cedar School District touches the sea-shore of Nanaimo Bay, being a point due north of the middle point of the northern boundary line of Section 14, Range VI., Cranberry District; thence due south to the middle point of the northern boundary line of Section 14, Range VI., Cranberry District; thence due west to the western boundary line of Cranberry District; thence due north following the western boundary of Cranberry District and the eastern boundary of Mountain District to the north-east corner of Section 2, Range VIII., of Mountain District; thence due east to the shore-line of Nanaimo Bay; thence southerly along the shore line of said bay to point of commencement.

CLINTON—2nd November, 1892. Boundaries altered and re-defined 18th December, 1905:

All that tract of land situated in Lillooet District embraced within the circumference of a circle whose centre shall be the centre of the present school site, in the Town of Clinton, and whose radius shall be a distance of six miles therefrom.



## COAL CREEK—14th September, 1904 :

Commencing at the junction of Coal Creek with Elk River, East Kootenay; thence in a northerly direction, following the eastern bank of said river for a distance of three miles; thence due east six miles; thence in a southerly direction, and parallel to the course of Elk River, six miles; thence due west six miles, more or less, to the eastern bank of said river; thence northerly, following said river to the point of commencement at the junction of Coal Creek with Elk River; except such portion of said district as is included in the Fernie City School District.

## COLDSTREAM—12th June, 1886. Boundaries altered and re-defined 18th December, 1905 :

Commencing at the north-west corner of Section 33, Township 6, Osoyoos Division of Yale District; thence due east to the north-east corner of said township; thence due south to the south-east corner of said township; thence due west to the south-west corner of Section 4 of said township; thence due north to the point of commencement.

## COLWOOD—3rd October, 1873. Boundaries altered and re-defined 17th April, 1895 :

Commencing at the northern end of Parson's Bridge, Esquimalt District; thence following Rowe Stream to the boundary line between Sections 97 and 98; thence in a northerly direction along the eastern boundary line of Section 98 to the southern boundary line of Highland District; thence westerly along said boundary line to its termination; thence southerly, following the eastern boundary line of Goldstream District, to the north-west corner of Section 87, Metchosin District; thence easterly, following the southern boundary lines of Section 90, 84, and 78, to the south-east corner of Section 78, Esquimalt District; thence southerly along the western boundary line of Esquimalt District to the south-west corner of Section 59; thence easterly, following the southern boundary lines of Sections 59 and 42, to the south-east corner of Section 42; thence northerly to the south-west corner of Section 52; thence easterly along the southern boundary of said section to the sea-shore; thence northerly, following the shore line, to the point of commencement.

## COMOX—8th May, 1884. Boundaries altered and re-defined 21st July, 1884; 5th September, 1903; and 23rd April, 1906 :

Commencing at the south-west corner of Section 9, Comox District, being a point on the left bank of the Courtenay River, near its mouth; thence north-easterly along the line dividing Sections 9 and 10 to the north-west corner of Section 9; thence south-easterly to the west corner of Lot 158; thence in a north-easterly direction to the north corner of said lot; thence in a straight line to the north-west corner of Lot 83; thence due east to the north-east corner of said lot; thence due south to the north-west corner of Section 77; thence due east following the northern boundaries of Sections 77, 71, Lots 194, 195 and the northern boundary of 195 produced to the south-western boundary of Lot 146;

thence south-easterly to the south-east corner of said lot; thence north-easterly to the north-east corner of said lot; thence following the continuation of the north-east boundary line of said lot to the sea-shore; thence in a south-westerly direction following the shore-line to the place of commencement.

NOTE.—The description given above follows the old Provincial Government surveys.

COURTENAY—30th July, 1870. Boundaries altered and re-defined 8th May, 1884; 7th April, 1885; 2nd October, 1890; 5th September, 1903; and 23rd April, 1906. Name changed from "North Comox" to "Courtenay," 18th October, 1893 :

All that tract of land in Comox District included in Sections 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 43, 46, 47, 78, Lots 157, 159, Sections 61, 69, 41, 68, 66, 67, 42, 79, and Lots 212, 112, 127, 104, 169, 96, 118, 106, 155, 95, 138, 179, 160, 134, 126, 192, 135, 227, 228, 94, 126, and 126.

NOTE.—The description given above follows the old Provincial Government surveys.

COWICHAN—16th June, 1869. Boundaries altered and re-defined 24th April, 1884; name changed 27th October, 1884, from "South Cowichan" to "Cowichan"; re-defined 8th April, 1891, and 20th August, 1895; name changed 20th August, 1895, from "Cowichan" to "McPherson"; name changed 21st May, 1897, from "McPherson" to "Cowichan"; re-defined 18th December, 1905 :

Commencing at the north-east corner of Section 11, Range III., Cowichan District, being a point on the shore of Cowichan Harbour; thence due west to the western boundary line of said district; thence south to the south-west corner of Section 8, Range I.; thence due west to the north-west corner of Section 7, Range IV., Quamichan District; thence south to the southern boundary line of said district; thence east to the south-west corner of Section 1, Range VII.; thence due south to the western projection of the southern boundary line of Section 14, Range I., Shawnigan District; thence true east to the south-east corner of Section 14, Range IV., of said district; thence north, following the range line to the northern boundary line of Shawnigan district; thence east, following said boundary line to the sea-shore; thence northerly and westerly, following the shore-line to the point of commencement.

CRESTON—12th February, 1902. Boundaries altered and re-defined 13th March, 1906 :

Commencing at the south-east corner of Lot 812, West Kootenay District, being a point on the International Boundary Line; thence due north 12 miles; thence due west 10 miles; thence due south 12 miles to the Boundary Line; thence due east, along the Boundary Line, to the point of commencement.

DEADWOOD—12th September, 1901. Boundaries altered and re-defined 23rd April, 1906 :

Commencing at the north-west corner of Section 13, Township 80, Osoyoos Division of Yale District; thence due south to the south-west corner of Section 1 of said Township; thence due east to the south-

east corner of Section 5, Township 79; thence due north to the north-east corner of Section 17, of said Township; thence due west to the point of commencement.

DENMAN ISLAND—17th August, 1877:

All that tract of land known as Denman Island.

DEPARTURE BAY—25th July, 1885. Boundaries altered and re-defined 18th December, 1905:

Commencing at the point where the western boundary line of Lot 13, Wellington District, extended northward reaches the sea-shore; thence due south to the southern boundary line of Section 20, Range VII., Mountain District; thence true east to the sea-shore; thence northerly, easterly and westerly, following the shore-line to the place of commencement.

DUCKS—21st June, 1893. Boundaries altered and re-defined 23rd May 1899; and 18th December, 1905:

Commencing at the junction of Campbell Creek and the Thompson River, Kamloops Division of Yale District; thence following said creek in a south-westerly direction to the western boundary of Lot 265, C. G. 2,907; thence due south to the south-west corner of said lot; thence due east to the eastern boundary of Section 36, Township 19, Range 16; thence due south to the south-east corner of Section 25 of said township; thence due east to the north-east corner of Section 20 of Township 19, Range 15; thence due south to the south-east corner of Section 5 of said township; thence due west to the north-west corner of Section 31, Township 18, Range 15; thence due south to the south-west corner of Section 19 of said township; thence due east to the south-east corner of Section 21, Township 18, Range 14; thence due north to the north-east corner of Section 9, Township 19, Range 14; thence due west to the north-west corner of said section; thence due north to the north-west corner of Section 28 of said township; thence due east to the north-east corner of Section 25 of said township; thence due north to the Thompson River; thence in a straight line to the south-west corner of Lot 514, Group 1; thence due north to the north-east corner of Lot 521, Group 1; thence due west to the western boundary of Section 18, Township 20, Range 15; thence due south to the northern boundary of Lot 282, Group 1, C. G. 2,166; thence following the northern and eastern boundaries of said lot, in a south-easterly direction, to the Thompson River; thence westerly to the point of commencement.

ENOLT—13th November, 1902. Boundaries altered and re-defined 18th December, 1905:

Commencing at the north-east corner of Township 78, Osoyoos Division of Yale District; thence due south to the south-east corner of Section 24 of said township; thence west to the south-west corner of Section 19; thence north to the north-west corner of Section 31; thence east along the township line to the point of commencement.

ELKO—23rd May, 1905. Boundaries altered and re-defined 23rd April, 1906:

All that tract of land in East Kootenay embraced in Lots 320, 321, 2,899, 227, 966, 967, 5,251, 3,054, 7,316, 7,008, 7,011 and 1,965.

ENDERBY, NORTH—4th April, 1906:

Commencing at the middle point of the western boundary line of Section 21, Township 19, Range 9, west of the sixth meridian; thence in a straight line due east to the Spallumcheen River; thence following the right bank of said stream in a northerly direction to the south-west corner of Lot 527, Group 1, Kamloops Division of Yale District; thence due east to the south-east corner of said lot; thence due north along the eastern boundary of said lot 527 to its point of intersection with the northern boundary of Section 20, Township 19, Range 8; thence due east to the north-east corner of Section 21 of said township; thence due south to the south-east corner of Section 4 of said township; thence due west to the eastern boundary of Lot 237, Group 1, Kamloops Division of Yale District; thence due south to the south-east corner of said lot; thence due west to the Spallumcheen River; thence in a northerly direction, following the left bank of said river to its intersection with the southern boundary of Lot 159, Group 1; thence due west to the south-west corner of said lot; thence due north, following the western boundary line of said lot to its intersection with the southern boundary of Township 19, Range 9; thence due west to the south-west corner of Section 4 of said township; and thence due north to the point of commencement.

ESQUIMALT—22nd October, 1870. Boundaries altered and re-defined 14th April, 1887; 8th May, 1888; 8th April, 1891; and 27th May, 1901:

Commencing at the south-west corner of Section 10, Esquimalt District, being a point on the east shore of Esquimalt Harbour; thence north-east, following the section line to Victoria Arm; thence south-easterly, following the shore line of said Arm to the western boundary of Victoria City; thence south along the western boundary of said City to the sea-shore; thence south, west and east, following the shore lines of Juan de Fuca Strait and Esquimalt Harbour to the point of commencement.

ESSINGTON—8th May, 1889. Boundaries altered and re-defined 1st March, 1906:

Commencing at the north-west corner of Lot 24, Range V., Coast District, being a point on the shore of Skeena River; thence due south four and a half miles; thence westerly to the south-east corner of Lot 304, thence westerly, following the southern boundary line of said lot to the sea-shore; thence northerly and easterly, following the shore line, to the point of commencement.

EXTENSION—1st May, 1899. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the south-east corner of Section 1, Range IV., Cranberry District; thence due north to the north-east corner of Section 14,

Range IV. of said district; thence due west to the western boundary line of Cranberry District; thence due south to the southern boundary line of Cranberry District; and thence due east to the point of commencement.

FAIRVIEW—27th May, 1898:

Commencing at the south-west corner of Section 33, Township 55, Osoyoos Division of Yale District; thence due east to the Indian Reserve; thence northerly, following the boundaries of the reserve, to the southern boundary line of Township 85; thence west along said boundary line to the north-west corner of Section 33, Township 54; thence due south to the point of commencement.

FIELD—15th August, 1899:

All that tract of land in and around Field, East Kootenay, embraced within the circumference of a circle whose centre shall be the Canadian Pacific Railway Station House, and whose radius shall be a distance of three miles from such centre.

FORT STEELE—18th May, 1897:

All that tract of land in and around Fort Steele, East Kootenay, embraced within the circumference of a circle whose centre shall be the Government Buildings in Fort Steele, and whose radius shall be a distance of four miles from such centre.

FRUITLAND—20th March, 1906:

All that tract of land lying to the north of the Thompson River, being known as Block "C," Fruitland, in the Kamloops Division of Yale District.

GABRIOLA, NORTH—23rd May, 1883. Re-defined 24th April, 1884:

All that portion of Gabriola Island lying to the west of the division line between Sections 9, 10, 14, 15, 18 and 31.

GABRIOLA, SOUTH—10th August, 1872. Boundaries altered and re-defined 23rd May, 1883. Re-defined 24th April, 1884:

All that portion of Gabriola Island lying east of "North Gabriola School District," and including Mudge Island.

GALIANO—26th April, 1892. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the north-west corner of Section 30, Galiano Island, being a point on the sea-shore; thence south to the south-east corner of Section 36; thence west to the south-west corner of said section; thence south to the sea-shore; thence southerly, easterly and northerly, following the shore-line of Galiano Island, to the point of commencement.

GANGES—18th December, 1905:

Commencing at the eastern extremity of the line separating Sections 1 and 2, Range IV. east, Salt Spring Island, being a point on the sea-shore; thence due west to Stuart Channel; thence southerly, following the shore-line, to the middle point of the western boundary line of

Section 81; thence true east passing through the centres of Sections 81, 80, 79, 78, 77 and 76 to the sea-shore; thence northerly along the shore-line to the point of commencement.

GILL—27th May, 1901. Boundaries altered and re-defined 30th May, 1902:

Commencing at the north-west corner of Lot 40, on Somas River, Alberni District; thence easterly, southerly and westerly to the Fish House Point; thence following up the Somas River northerly to point of commencement, and including Lots 3, 7, 8, 9, 10, 11, 20, 21, 22, 23, 24, 40, 42, 88, 94, 108, 144, 145, 151, 167, 168, 194.

GOLDEN—5th November, 1890:

All that tract of land included within a circle having a radius of three miles, the said radius to commence at the central point of the eastern end of the Government bridge crossing the Kicking Horse River.

GOLDSTREAM—17th April, 1895. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the north-west corner of Section 87, Metchosin District; thence easterly to the north-east corner of Section 73 of said district; thence southerly to the south-east corner of Section 67A; thence westerly to the south-west corner of said section; thence northerly to its north-west corner; thence westerly, following the southern boundary lines of Sections 82, 94 and 95, to the south-west corner of Section 95; thence northerly to the north-west corner of said section; thence westerly to the south-west corner of Section 38, Goldstream District; thence northerly to the north-west corner of said section; thence due west to the western boundary of Goldstream District; thence due north to the southern boundary of the Esquimalt and Nanaimo Railway Grant; thence following the southern boundary of said grant to the Saanich Inlet; thence south, east and south-westerly, following the boundaries of the Goldstream District, to the point of commencement.

GRAND PRAIRIE—21st April, 1886:

Commencing at a point forty chains south of the south-west corner of Lot 458, Group 1, Kamloops Division of Yale District; thence true north four miles; thence true east nine miles, more or less, to the eastern boundary of Hugh Currie's pre-emption; thence true south four miles; thence true west nine miles, more or less, to the point of commencement.

GRANTHAM—7th April, 1885. Name changed from "Courtenay" to "Grant-ham," 18th October, 1893. Boundaries altered and re-defined 5th September, 1903; and 23rd April, 1906:

All that tract of land in Comox District included in Sections 62, 82, 44, 30, 54, 31, 32, 33, 63, 72, and Lots 176, 122, 120, 108, 116, 215, 203, 197, 198, 199, 200, 201, 202, 180, 107, 163, 105, 164, 137, 174, 147, 204, 98, 97, 130, 143 and 162.

NOTE.—The description given above follows the old Provincial Government Surveys.

HAREWOOD—26th April, 1892 :

All that land of the New Vancouver Coal Company divided into 5-acre blocks, and comprised between the road dividing Lots 32 and 33 on the north, and the road dividing Lots 20 and 21 on the south, outside and on the west side of the City limits of Nanaimo.

HEDLEY—15th September, 1904. Boundaries altered and re-defined 18th December, 1905 :

Commencing at a point on the left bank of the Similkameen River five miles above Hedley, in the Osoyoos Division of Yale District; thence north one mile; thence in a south-easterly direction, parallel to said river, a distance of twelve miles; thence west two miles; thence in a north-westerly direction, parallel to said river, twelve miles; and thence in a straight line to the point of commencement.

HIGHLAND—18th April, 1893 :

All that tract of land known as Highland District, Vancouver Island.

HOPE—25th February, 1871 :

All that piece of land comprised within a circle having a radius of three miles from the Court House.

HORNBY—8th April, 1891 :

All that tract of land known as Hornby Island, situated in Comox District.

HOWE SOUND—12th June, 1890 :

Commencing at Gower Point, Gulf of Georgia, Westminster District; thence northerly up Howe Sound for a distance of four miles; thence directly west two miles; thence south, in a line parallel with the coast, to the sea-shore; thence easterly to the point of commencement, and including Keats and Pasley Islands.

HUME—12th July, 1899 :

Commencing at the north-east corner of Lot 97, Group 1, West Kootenay District; thence due south to the south-east corner of Lot 183; thence true west to the eastern boundary line of the City of Nelson; thence north along said boundary line to the West Arm of Kootenay Lake; thence easterly and northerly, following the shore line, to the point of commencement.

KEREMEOS—13th April, 1904. Boundaries altered and re-defined 18th December, 1905 :

Commencing at the south-west corner of Lot 114, Township 52, Osoyoos Division of Yale District; thence due north to the south-west corner of Lot 175 of Township 89; thence due east to the north-east corner of Section 8, Township 53; thence due south to the north-east corner of Section 17, Township 54; thence due west to the Similkameen River; thence south, following the meanderings of said river, to the north-east corner of Section 8, Township 52; thence due south to the south-east corner of Section 5 of said township; thence due west to the south-west corner of Section 6 of said township; thence westerly to the

south-west corner of Lot 460; thence due north to the north-west corner of said lot; thence crossing the Similkameen River and following the base of the mountains to the point of commencement.

KIMBERLEY—12th February, 1902 :

All that tract of land in and around the Town of Kimberley, East Kootenay, embraced within the circumference of a circle whose centre shall be the C. P. R. Station, in the Town of Kimberley, and whose radius shall be a distance of two miles from such centre.

LAC LA HACHE—30th July, 1875. Boundaries altered and re-defined 23rd April, 1906 :

Commencing at the 128-mile post on the Cariboo Waggon Road; thence due north 7 miles; thence due east 14 miles; thence due south 14 miles, crossing the Cariboo Waggon Road at the 100-mile post; thence due west 14 miles; thence north 7 miles to the point of commencement.

LILLOOET—22nd October, 1870 :

A radius of three miles from the Court House.

LUMBY—27th May, 1898. Boundaries altered and re-defined 18th August, 1898, and 18th December, 1905 :

Commencing at the south-east corner of Township 3, Osoyoos Division of Yale District; thence due north to the middle point of the western boundary line of Section 6, Township 40; thence due east to the middle point of the eastern boundary line of said section; thence due north to the north-east corner of Section 7, Township 40; thence due west to the middle point of the northern boundary line of Section 11, Township 2; thence due south to the township line; thence due west to the north-west corner of Township 3; thence due south to the south-west corner of said township; thence due east to the point of commencement.

LUND—19th April, 1904. Boundaries altered and re-defined 23rd April, 1906 :

All that area embraced in Lots 1,640, 1,641, 1,611, 1,612, 1,613, 1,614, 1,615, 1,616 and 1,477, in the Comox Electoral District.

LYTTON—20th November, 1869. Boundaries altered and re-defined 18th December, 1905 :

All that tract of land embraced within the circumference of a circle whose centre shall be the School House at Lytton, and whose radius shall be a distance of two miles from said school house, together with the portion of Township 15, Range 27, Kamloops Division of Yale District, south of Stein Creek and west of the Fraser River not included in said circle.

MALAHAT—18th April, 1893. Boundaries altered and re-defined 20th August, 1895, and 18th December, 1905 :

Commencing at the south-west corner of Shawnigan District; thence true south one mile; thence due east in a straight line to the southern projection of the range line between Ranges V. and VI., Shawnigan

District; thence north to the north-east corner of Section 10, Range V., of said district; thence west to the north-west corner of said section; thence north to the north-east corner of Section 13, Range IV.; thence due west to the western boundary line of Shawnigan District; thence south along said boundary line to the point of commencement.

MALCOLM ISLAND—22nd December, 1902:

All that tract of land known as Malcolm Island.

MARA—27th May, 1898. Boundaries altered and re-defined 18th December, 1905:

Commencing at a point on the eastern bank of the Spallumcheen River, Kamloops Division of Yale District, being the south-west corner of Lot 527, Group 1; thence easterly to the south-east corner of said lot; thence northerly along eastern boundary of said lot to its point of intersection with the northern boundary of Section 20, Township 19, Range 8; thence due east to the north-east corner of Section 22 of said township; thence due north to the middle point of the eastern boundary line of Section 27, Township 20, Range 8; thence due west to the middle point of the eastern boundary line of Section 26, Township 20, Range 9; thence due south to the middle point of the eastern boundary of Section 23, Township 19, Range 9; thence due east to the Spallumcheen River; thence following said river in a northerly direction to the point of commencement.

MARYSVILLE—18th December, 1905:

Commencing at the south-west corner of Lot 7,009 on St. Mary's River, East Kootenay; thence due north to the north-west corner of Lot 341; thence due west six miles; thence south to the south-west corner of Lot 6,400 on St. Mary's River; thence easterly following the north bank of said river to the point of commencement.

MAYNE ISLAND—23rd May, 1883. Boundaries re-defined 26th April 1892: All that tract of land known as Mayne Island.

METCHOSIN—8th April, 1871. Boundaries altered and re-defined 16th May, 1888; 17th April, 1895; and 1st March, 1906:

Commencing at the south-east corner of Section 52, Esquimalt District, being a point on the sea-shore; thence westerly to the south-west corner of said section; thence southerly to the south-east corner of Section 42; thence westerly, following the southern boundary lines of Sections 42 and 59, to the western boundary line of Esquimalt District; thence southerly to the south-east corner of Section 67A, Metchosin District; thence westerly to the south-west corner of said section; thence northerly to the north-west corner of said section; thence westerly, following the southern boundary lines of Sections 82, 94 and 95, to the south-west corner of Section 95; thence southerly, following the eastern boundary lines of Goldstream and Sooke Districts, to the northern boundary line of Section 76, Sooke District; thence easterly to the north-east corner of Section 43, Metchosin District; thence northerly to the north-west corner of Section 27; thence easterly,

following the southern boundary line of Sections 25, 24 and 33, to the sea-shore; thence north-easterly, following the shore line, to the point of commencement.

MICHEL—8th December, 1903:

All that tract of land situated in South-East Kootenay embraced within a circle whose centre shall be the centre of the plot of land on which the Canadian Pacific Railway Company's Station-House at Michel now stands, and whose radius shall be a distance of two miles from such centre.

MIDWAY—2nd April, 1895. Name changed from "Boundary Creek" to "Midway." Boundaries altered and re-defined 18th December, 1905:

Commencing at the south-east corner of Township 69, Osoyoos Division of Yale District; thence due north to the north-east corner of Section 12 of said township; thence west along the section lines to the eastern boundary line of Lot 646; thence south to the south-east corner of said lot; thence west to the north-west corner of Lot 670; thence south to the north-east corner of Lot 420; thence due west to the eastern boundary line of Lot 502; thence south to the south-east corner of said lot; thence west to the western boundary line of Township 69; thence south to the south-west corner of said township; thence east along the International Boundary Line to the point of commencement.

MIXTO—21st August, 1902. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the north-east corner of Lot 82, Comox District, being a point on the sea-shore; thence westerly, following the boundary lines of Lots 82, 153, and 152, to the north-west corner of Lot 152 of said District; thence due south following the western boundary lines of Lots 152, 16, and 15 to the southern boundary of Section 30, Township 11, Nelson District; thence due east along the southern boundary lines of Sections 30, 29, 28 and 27 of said township to the sea-shore; thence north-easterly along the shore-line to the point of commencement.

MORRIS VALLEY—5th September, 1901. Boundaries altered and re-defined 23rd April, 1906:

Commencing at a point where the western shore of Harrison Lake intersects the northern boundary of Township 4, Range 29 west; thence due west four miles, more or less, to the middle point of the northern boundary line of Section 36, Township 4, Range 30 west; thence due south three miles to the northern boundary of Chehalis Indian Reserve, No. 5; thence due east following the boundary line of said reserve to Morris Creek; thence down the stream of said creek to Harrison River; and thence up the stream of said river and along the western bank of the Harrison Lake to the point of commencement.

MORRISSEY—12th February, 1902:

Commencing at the junction of Morrissey Creek with Elk River, East Kootenay District; thence due east 4 miles; thence in a direct line north 4 miles; thence due west to Elk River; thence southerly following the east bank of said river to point of commencement.

## MOUNTAIN—6th June, 1887:

Commencing at a corner post between Sections 15 and 16, on the eastern boundary of Mountain District; thence westerly to the south-west corner of Section 16, Range 5; thence southerly to the north-west corner of Section 8, Range 5; thence easterly, on the section line, to the limit of Mountain District; thence northerly, along the eastern boundary of said district to the point of commencement.

## MOUNT SICKER—5th September, 1901. Boundaries altered and re-defined 18th December, 1905, and 23rd April, 1906:

Commencing at a point 40 chains due south of the south-west corner post of Chemainus District; thence due west 100 chains; thence due north 140 chains; thence due east 100 chains to the line dividing Sections 6 and 5, Range I., Chemainus District; thence due south to the point of commencement.

## MOYIE—4th July, 1900:

All that tract of land in and around Moyie, South-East Kootenay, included in a circle whose centre shall be the centre of the plot of land reserved for school purposes in Moyie, and whose radius shall be a distance of two miles from such centre.

## NAKUSP—27th June, 1894. Boundaries altered and re-defined 18th December, 1905:

All that tract of land contained in Lots 387 and 398, Group I., West Kootenay.

## NANAIMO BAY—27th May, 1898. Boundaries altered and re-defined 15th August, 1899; 18th December, 1905; and 23rd April, 1906:

Commencing at the extremity of the straight line which marks the continuation of Robins street, Nanaimo City, to the sea-shore; thence westerly along said line and the southern boundary line of Nanaimo City to the road-bed of the Esquimalt and Nanaimo Railway; thence southerly following the road-bed of said railway to its intersection with the northern boundary line of the Chase River School District; thence east along said northern boundary line to the shore of Nanaimo Bay; thence northerly, following the shore-line, to the point of commencement.

## NANAIMO, NORTH—26th April, 1892:

Commencing at the north-west corner of the City limits of Nanaimo on the Comox Road; thence in a southerly direction along said City limits about 43 chains to the northern boundary of Harewood School District; thence west along the road between Lots 32 and 33, Ranges VIII., VII., VI. and V. (of the New Vancouver Coal Company's 5-acre blocks), about 40 chains to cross-road; thence northerly along said road to the Comox Road; thence easterly along the said Comox Road to the point of commencement.

## NANAIMO, SOUTH—19th April, 1894. Boundaries altered and re-defined 27th May, 1898; and 15th August, 1899:

Commencing at the north-east corner of Section 2, Range VIII., Mountain District; thence east along the northern boundary line of

Chase River School District to its intersection with the Esquimalt and Nanaimo Railway line; thence northerly along said railway line to its intersection with the continuation of the line of division between Lots 20 and 21 of the 5-acre Blocks, Ranges I. to XI.; thence west along said dividing line to the eastern boundary line of Mountain District; thence south along said boundary line to the point of commencement.

## NANOOSE—8th April, 1891. Boundaries altered and re-defined 8th June, 1896; and 2nd October, 1903:

Beginning at the north-east corner of Lot 40, Nanoose District, being a point on the sea-shore; thence south in a direct line to the southern boundary line of said district; thence east along said boundary line to its eastern extremity; thence due north to the sea-shore; thence westerly, following the shore-line to the point of commencement.

## NEW DENVER—18th May, 1897—Boundaries altered and re-defined 23rd May, 1899; and 23rd April, 1906:

All that tract of land near the mouth of Carpenter Creek, West Kootenay, embraced in Lots 432, 549, 550, 625 and 485.

## NICOLA—11th August, 1886. Boundaries altered and re-defined 18th December, 1905:

Commencing at the south-west corner of Section 2, Township 91, Kamloops Division of Yale District; thence due north 12 miles; thence due east 8 miles; thence due south 12 miles; thence due west to the point of commencement.

## NICOLA, LOWER—31st July, 1874—Name changed 21st May, 1897, from "Nicola Valley" to "Lower Nicola." Boundaries altered and re-defined 18th December, 1905; and 23rd April, 1906:

Commencing at the south-west corner of Section 2, Township 91, Kamloops Division of Yale District; thence due north 12 miles; thence due west to the eastern boundary of the railway belt; thence in a southerly direction following the eastern boundary lines of said railway belt to the point where it intersects the northern boundary line of Township 90, Kamloops Division of Yale District; thence due west to the north-west corner of said township; thence due south to the south-west corner of said township; and thence due east to the point of commencement.

## NORTH BEND—27th May, 1898:

All that tract of land, situated in Yale District, embraced within the circumference of a circle whose centre shall be the centre of the plot of land used as a school site, at North Bend Station, and whose radius shall be a distance of four miles from such centre.

## NORTHFIELD—30th April, 1891:

Commencing at the north-west corner of Section 15, Range VI., Mountain District; thence east along the section line to the eastern boundary line of the said district; thence along the said eastern boundary line to the north-east corner of Section 19, Range VIII.; thence west to the north-west corner of Section 19, Range VI.; thence south along the range line to the point of commencement

**NORTH THOMPSON**—25th August, 1884. Boundaries altered and re-defined 28th May, 1901; and 18th December, 1905:

Commencing at the north-west corner of the Kamloops Indian Reserve, Kamloops Division of Yale District; thence due east five miles; thence in a northerly direction, parallel to the North Thompson River, to the northern boundary of Township 22, Range 16; thence due west to said river; thence in a southerly direction, following the meanderings of said river to a point where its western bank meets the eastern survey line of Lot 313, Group 1; thence due south to the south-east corner of said lot; thence due west to the eastern boundary of Section 30, Township 21, Range 17; thence due south to the centre of the eastern boundary of said section; thence due west to the centre of the eastern boundary of Section 30, Township 21, Range 18; thence due south to the centre of the eastern boundary of Section 7 of said township; thence due east to the North Thompson River; thence northerly, following said river, to the point of commencement.

**NORTH THOMPSON, WEST**—28th May, 1901. Boundaries altered and re-defined 18th December, 1905:

Commencing at a point where the eastern survey line of Lot 313, Group 1, Kamloops Division of Yale District, meets the western bank of the North Thompson River; thence due south to the south-east corner of said lot; thence due west to the eastern boundary of Section 30, Township 21, Range 17; thence due south to the centre of the eastern boundary of said section; thence due west to the centre of the eastern boundary of Section 30, Township 21, Range 18; thence in a northerly direction, parallel to the North Thompson River, a distance of fifteen (15) miles; thence due east to said river; thence in a southerly direction, following the meanderings of said river, to the point of commencement.

**NOTCH HILL**—30th May, 1902. Boundaries altered and re-defined 18th December, 1905:

Commencing at the south-west corner of Section 24, Township 21, Range 12; thence due east to the south-east corner of Section 24, Township 21, Range 11; thence due north to the south-west corner of Section 31, Township 21, Range 10; thence due east to the south-east corner of Section 36 of said township; thence due north to the north-east corner of Section 36, Township 22, Range 10; thence due west to Shuswap Lake; thence following the southern shore of said lake westward, to the western boundary of Section 25, Township 22, Range 12; thence due south to the point of commencement.

**OAK BAY**—12th September, 1894. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the point at which the eastern limit of Victoria City touches Foul Bay; thence following the City boundary lines to the south-east corner of Section 25, Victoria District; thence due north following the western boundary of Section 28 to the north-west corner of said section; thence easterly following section lines to the north-west corner of Section 2; thence southerly to the south-west corner of said section, being a point on the shore of Oak Bay; thence southerly and westerly following the shore-line to the point of commencement.

**OKANAGAN**—31st July, 1874. Boundaries altered and re-defined 13th April, 1904, and 18th December, 1905:

Commencing at a point where Mission Creek enters Okanagan Lake, Osoyoos Division of Yale District; thence following the meanderings of said creek to the point where it intersects the western boundary line of the Indian Reserve; thence due south to the south-west corner of said reserve; thence due east to the south-east corner of said reserve; thence due north to the point where the eastern boundary line of said reserve intersects the northern boundary line of Section 5, Township 26; thence due east to the north-east corner of Section 1 of said township; thence due north to the north-east corner of Section 13 of said township; thence due west to the middle point of the southern boundary line of Section 22 of said township; thence due north to the middle point of the northern boundary line of said section; thence due east to the north-east corner of said section; thence due north to the middle point of the eastern boundary line of Section 34, Township 26; thence due west to the central point of said section; thence due north to the township line; thence due west to the shore of the Okanagan Lake; thence in a southerly direction following the shore line of said lake to the north-west corner of Lot 9, Township 25; thence due east to the north-east corner of said lot; thence due east to the north-east corner of Section 30, Township 26; thence due south to the south-east corner of Lot 136 of said township; thence due west to the eastern boundary line of Lot 14, Township 25; thence due south to the south-east corner of said lot; thence due west to the shore of the Okanagan Lake; thence following the shore line of said lake, in a southerly direction, to the point of commencement.

**OKANAGAN FALLS**—27th May, 1898. Boundaries altered and re-defined 18th December, 1905:

Commencing at the south-west corner of Section 32, Township 53, Osoyoos Division of Yale District; thence due north to the centre of the western boundary of Section 17, Township 88; thence due east a half mile; thence due north one mile; thence due east along the southern boundary of the Indian Reserve to the south-east corner of said reserve; thence due north a half mile; thence due east to the north-east corner of Section 21, Township 86; thence due south to the south-east corner of Section 33, Township 85; thence due west to the point of commencement.

**OKANAGAN MISSION**—2nd April, 1895. Boundaries altered and re-defined 13th April, 1904; and 18th December, 1905:

Commencing at the north-west corner of Section 29, Township 23, Osoyoos Division of Yale District, being a point on the shore of the Okanagan Lake; thence due east to the north-east corner of Section 28, Township 24; thence due south to the south-east corner of Section 4 of said township; thence in a direct line west to the shore of the Okanagan Lake; thence following the shore line of said lake in a northerly direction to the point of commencement.

OKANAGAN, SOUTH—13th May, 1896. Boundaries altered and re-defined 13th April, 1904; and 18th December, 1905:

Commencing at a point where Mission Creek enters the Okanagan Lake, Osoyoos Division of Yale District; thence eastward, following the meanderings of said creek, to the Indian Reserve; thence following the western, southern and eastern boundaries of said reserve to the point where the eastern boundary of said reserve intersects the northern boundary of Section 5, Township 26; thence due east to the north-east corner of Section 1 of said township; thence due south to the south-east corner of Section 13, Township 29; thence due west to the shore of the Okanagan Lake; thence following the shore line of said lake easterly and northerly to the point of commencement.

OYSTER—7th April, 1885. Boundaries altered and re-defined 8th April, 1891; 19th December, 1900; 30th May, 1905; and 23rd April, 1906:

Commencing at the south-east corner of Oyster District, being a point on the sea-shore about one mile north of Horseshoe Bay; thence due west to the south-west corner of said district; thence due north to the south-west corner of Lot 20 of said district; thence due east to the upper extremity of Oyster Harbour; thence along the shore-line to the point of commencement; except that portion of land included within the above boundaries known as the City of Ladysmith.

OYSTER, NORTH—30th April, 1891. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the north-east corner of Oyster District, being a point on the sea-shore; thence due west to the north-west corner of said district; thence due south to the south-west corner of Lot 20 in said district; thence due east to the upper extremity of Oyster Harbour; thence southerly and northerly following the shore-line to the point of commencement.

PARKSVILLE—8th April, 1891. Boundaries altered and re-defined 8th June, 1896; and 2nd October, 1903:

Commencing at the north-east corner of Lot 40, Nanoose District, being a point on the sea-shore; thence south in a direct line to the southern boundary line of said district; thence in a direct line west to the eastern boundary line of the Qualicum School District; thence due north following said boundary line to the sea-shore; thence easterly, following the shore-line to the point of commencement.

PEACHLAND—18th April, 1899. Boundaries altered and re-defined 18th December, 1905:

Commencing at a point on the west shore of Okanagan Lake, being the south-east corner of T. Elliott's pre-emption, Lot 2,533, Group 1, Osoyoos Division of Yale District; thence due west one and three-quarter miles; thence due north five and a half miles; thence due east six miles; thence due south to Okanagan Lake; thence following the shore of said lake westerly and southerly to the point of commencement.

PENDER ISLAND—13th May, 1896. Boundaries altered and re-defined 23rd April, 1906:

All that tract of land known as North Pender Island, in the Islands Electoral District.

PENTICTON—18th December, 1905:

Commencing at a point where the Okanagan River flows from Okanagan Lake, Osoyoos Division of Yale District; thence southerly, following the meanderings of said river to Dog Lake; thence easterly along the shore of said lake to the south-east corner of Lot 189; thence due north to Lot 116; thence easterly along the south of said lot to the southern point of Lot 251; thence following the eastern boundary of Lot 251 and of Lot 250 to the south-west corner of Lot 267; thence due east two and a half miles to the south-west corner of Section 33, Township 87; thence due north three miles; thence due west to Okanagan Lake; thence in a southerly and westerly direction along the shore of said lake to the point of commencement.

PILOT BAY—30th May, 1902:

All that tract of land included within a circle having a radius of two miles, the said radius to commence at the central point of Block 7, in the town (so called) of Pilot Bay, West Kootenay.

PORT MOODY—26th April, 1884. Boundaries altered and re-defined 8th April, 1891; 18th December, 1905; incorporated with Coquitlam Municipality School District, 14th March, 1905; disincorporated and boundaries re-defined April 23rd, 1906:

Commencing at the north-east corner of Lot 371, Group 1, New Westminster District; thence west along the northern boundary lines of Lots 371, 370, 369, 368, 367, 106 and 55 to the North Road; thence in a northerly direction along said road to Burrard Inlet and crossing said inlet to the south-west corner of Lot 256; thence due north to the middle point of the western boundary line of Section 19, Township 39; thence due east to the middle point of the eastern boundary line of Section 21 of said township; thence due south to the south-west corner of Section 15 of said township; thence due east to the eastern boundary line of Lot 470; thence due south along the eastern boundary line of Lot 470, to a point where it intersects with the north boundary line of Lot 238; thence due west along the said northern boundary of Lot 238 to the north-west corner of said lot; thence due south to the point of commencement.

PRINCETON—15th September, 1904:

All that tract of land in the Osoyoos Division of Yale District embraced within the circumference of a circle whose centre shall be the Court House at Princeton, and whose radius shall be a distance of five miles from such centre.

QUALICUM—8th June, 1896. Boundaries altered and re-defined 14th January, 1903:

Commencing at the north-west corner of Lot 49, Nanoose District; thence due south to the southern boundary line of said district; thence



west along the southern boundary line to the south-west corner of said district; thence north to the sea-shore; thence easterly, following the shore-line, to point of commencement.

QUATSINO—27th May, 1898:

All that tract of land in Comox District embraced within the circumference of a circle whose centre shall be the central point of the school site in Quatsino, and whose radius shall be a distance of three miles from such point.

QUESNEL—14th April, 1881. Name changed in March, 1886, from "Quesnel-mouth" to Quesnel. Boundaries altered and re-defined 23rd April, 1906:

Commencing at a point 10 miles due west of the mouth of the Quesnel River, Cariboo District; thence due north 10 miles; thence due east 20 miles; thence due south 20 miles; thence due west 20 miles; and thence due north 10 miles to the point of commencement.

ROCKY POINT—16th May, 1888:

Commencing at the south-east corner of Section 33, Metchosin District; thence north-westerly, along the southerly boundary lines of Sections 33, 24 and 25, to the south-west corner of Section 25; thence southerly along the western boundary lines of Sections 27 and 29 to the north-west corner of Section 30; thence westerly along the northern boundary of Section 43 to the eastern boundary of Sooke District; thence southerly, following the eastern boundary of said district to the sea-shore; thence easterly, along the shore line, to point of commencement.

SALMO—16th February, 1903:

All that tract of land in and around Salmo, West Kootenay, embraced within the circumference of a circle whose centre is the centre of Block 6, Salmo Townsite, and whose radius is a distance of four miles from such centre.

SANDWICK—2nd October, 1890. Name changed from "Puntledge" to "Sandwick," 8th June, 1904. Boundaries altered and re-defined 5th September, 1903; and 23rd April, 1906:

All that tract of land in Comox District included in Lots 109, 111, Sections 75, 74, 73, Lot 119, Sections 58, 57, 59, 37, 38, 39, 40, 60, 45, 21, 22, 36, 35, 34, 50, 29, 64, 28, 27, 25, 48, 24, 23, 49, 20, and Lots 165, 145, 150 and 175.

NOTE.—The description given above follows the old Provincial Government surveys.

SAVONA—12th September, 1900. Boundaries altered and re-defined 18th December, 1905:

Commencing on the south shore of Kamloops Lake, Kamloops Division of Yale District, at the point where the eastern boundary of Township 21, Range 21, intersects the said shore; thence due south to the south-east corner of Section 13, Township 20, Range 21; thence due west to the south-west corner of Section 14, Township 20, Range

22; thence due north to the southern boundary of Lot 421, Group 1; thence in a westerly direction, along the southern boundary of said lot to the south-west corner of said lot; thence due north to the Thompson River; thence along said river, in a north-easterly direction, to the mouth of Dry Creek; thence following said creek, in a north-westerly direction to its point of intersection with the northern boundary of Section 15, Township 21, Range 22; thence due east to the eastern boundary of Township 21, Range 21; thence due south to the point of commencement.

SHAWNIGAN—8th May, 1884. Boundaries altered 21st August, 1885, and 18th December, 1905:

Commencing at the eastern extremity of the boundary line between Cowichan and Shawnigan Districts, being a point on the sea-shore; thence west to the north-west corner of Section 20, Range V., Shawnigan District; thence due south to the south-west corner of Section 11 of said range; thence east to the south-east corner of said section; thence south following the range line to the southern boundary line of Shawnigan District; thence due east to the sea-shore; thence northerly, following the shore line to the point of commencement.

SHUSWAP—23rd May, 1883. Name changed from "Shuswap Prairie" to "Shuswap," 18th October, 1893. Boundaries altered and re-defined 18th December, 1905:

Commencing at the south-east corner of Lot 836, Group 1, being a point on the west bank of the Thompson River, Kamloops Division of Yale District; thence north-westerly, along the south-west boundary of said lot, to the most northern point of Lot 524, Group 1; thence following the western and northern boundaries of said lot to the point where the western boundary of said lot intersects the northern boundary of Section 29, Township 20, Range 13; thence due west to the south-west corner of Section 36, Township 20, Range 14; thence due north to the south-west corner of Section 36, Township 22, Range 14; thence due east to the south-west corner of Section 36, Township 22, Range 12; thence due south to the south-west corner of Section 36, Township 20, Range 12; thence due west to the easterly boundary of the Neskainlith Indian Reserve, No. 2; thence following the easterly and southerly boundaries of said reserve to the Thompson River; thence crossing said river in a westerly direction to the point of commencement.

SILVERTON—18th April, 1899. Boundaries altered and re-defined 23rd May, 1899:

All that tract of land in and around Silverton, West Kootenay, included in a circle having a radius of two miles, the said radius to commence at the central point of Lot 4, Block 34, on which the Victoria Hotel now stands.

SIMILKAMEEN—30th April, 1891. Boundaries altered and re-defined 13th April, 1904:

Commencing at the north-east corner of Section 17, Township 54, Osoyoos Division of Yale District; thence in a line due west to the

Similkameen River; thence in a southerly direction, following the meanderings of said river, to the International Boundary Line; thence due east to the south-east corner of Section 10, Township 47; thence due north to the south-west corner of Section 35, Township 55; thence due west to the south-west corner of Section 33 of said Township; thence due north to the point of commencement.

SIMPSON—8th April, 1891. Boundaries altered and re-defined 14th March, 1906:

Commencing at the north-west corner of Lot 7, Range V., Coast District, being a point on the sea-shore of Tsimpsean Peninsula; thence southerly to the south-west corner of said lot; thence easterly to the north-west corner of Lot 9; thence southerly to the south-west corner of said lot; thence easterly, following the northern boundary of the No. 2 Tsimpsean Indian Reserve, to the shore of Work Channel; thence northerly, westerly and southerly, following the shore line, to the point of commencement.

SOOKE—23rd May, 1872. Boundaries altered and re-defined 8th April, 1891:

All those portions of the District of Sooke lying north and west of Sooke Harbour, and not included in the "East Sooke School District."

SOOKE, EAST—8th April, 1891:

Commencing at the southern extremity of the eastern boundary line of Sooke District, terminating in Beecher Bay; thence northerly, following the said boundary line, to the south-eastern extremity of Section 76 of said district; thence north-westerly, following the southern boundary line of the said section, to Sooke Harbour; thence westerly, southerly, easterly and northerly, following the sea-shore, to the point of commencement.

SPUZZUM—24th October, 1899:

All that tract of land, situated in Yale District, embraced within a circle whose centre shall be the centre of the plot of land on which the Canadian Pacific Railway Company's station-house at Spuzzum now stands, and whose radius shall be a distance of four miles from such centre.

SQUAMISH—2nd March, 1904. Boundaries altered and re-defined 23rd April, 1906:

Commencing at the south-east corner of Section 1, Township 50, New Westminster District; thence due west to the south-west corner of Section 4 of said township; thence due north to the north-west corner of Section 21; thence due east along the northern boundaries of Sections 21, 22, 23, 24 and Lot 508 to the north-east corner of said Lot 508; thence in a southerly direction following the eastern boundaries of Lots 508, 509, 512 and 513 to the south-east corner of Lot 513; thence along the southern boundary of said lot to the point of commencement.

SUMMERLAND—27th August, 1903. Boundaries altered and re-defined 18th December, 1905:

Commencing at a point where Trout Creek enters Okanagan Lake, Osoyoos Division of Yale District; thence westerly, following the meanderings of said creek, to the south-east corner of George Gartrell's pre-emption; thence northerly, through Peach Valley, to the south-west corner of the Indian Reserve; thence due west one and a half miles; thence north to the north-west corner of James Dunsdon's pre-emption; thence along the northern boundary of said pre-emption eastward to Okanagan Lake; thence following the shore of said lake southerly to the point of commencement.

TROUT LAKE—27th May, 1898:

All that tract of land in West Kootenay District embraced within the circumference of a circle whose centre shall be the central point of the school site in Trout Lake City, and whose radius shall be a distance of three miles from such point.

UNION BAY—27th June, 1898. Boundaries altered and re-defined 21st August, 1902; and 23rd April, 1906.

All that tract of land in Nelson District included in Sections 11, 32, 7, 13, 6, 8 and 9.

VALDEZ—23rd April, 1906.

Commencing at the south-east corner of Lot 12, Valdez Island, being a point on the shore of Discovery Passage; thence due north to the middle point of the western boundary line of Section 222; thence due east through the centre of Sections 222, 223 and 224 to the sea-shore; thence in a southerly, westerly and northerly direction following the shore-line to the point of commencement.

VAN ANDA—12th July, 1899:

All that tract of land embraced in Lots 1, 2, 3, 4, 7, 8, 14 and 15, Texada Island.

VESUVIUS—18th August, 1885. Boundaries altered and re-defined 26th April, 1892, and 18th December, 1905:

Commencing at the eastern extremity of the line separating Sections 1 and 2, Range IV. E., Salt Spring Island, being a point on the sea-shore; thence due west, following the section lines to Stuart Channel; thence northerly along the sea-shore to the western extremity of the line separating Sections 11 and 12, Range III. W.; thence east along the section lines to the sea-shore; thence southerly, following the shore-line, to the point of commencement.

VESUVIUS, NORTH—26th April, 1892:

All that portion of Salt Spring Island lying north of the boundary line between Sections 11 and 12, extended westward and eastward to the sea-shore.

WANETA—19th April, 1894 :

Commencing at a point on the west side of the Columbia River at its junction with the International Boundary Line; thence west three miles; thence northerly to a point three miles west of Columbia River and in line with the mouth of Beaver River; thence east to the mouth of Beaver River; thence up said river to a point opposite 15-Mile Creek; thence south following the said 15-Mile Creek to Pend d'Oreille River and crossing said river to the International Boundary Line; thence due west to the point of commencement.

WARDNER—27th May, 1898. Boundaries altered and re-defined 18th December, 1905 :

All that tract of land contained in Lots 314, 1,901, 1,967, 1,968, 1,969, 2,372, 2,373, 2,374 and 2,794, Group 1, East Kootenay.

WELLINGTON—2nd May, 1874. Boundaries altered and re-defined 6th June, 1887; 30th April, 1891, and 18th December, 1905 :

Commencing at the north-west corner of Wellington District; thence south along the western boundary lines of Wellington and Mountain Districts to the south-west corner of Section 16, Range I., Mountain District; thence east along the section lines to the south-east corner of Section 16, Range V.; thence north along the range line to the north-east corner of Section 19 of said range; thence due east to the western boundary line of "Departure Bay School District"; thence north, following said boundary line, to the sea-shore; thence westerly along the shore line to the point of commencement.

WESTBANK—18th December, 1905 :

Commencing at the north-east corner of Alexander McLellan's property on Okanagan Lake; thence due west to Powers Creek; thence following the course of said creek to the bridge on the Peachland-Westbank road; thence south along the Government survey line to Okanagan Lake; thence following the shore of said lake to the point of commencement.

WILLIAMS LAKE—27th May, 1880. Boundaries altered and re-defined 23rd April, 1906 :

All that tract of land on the Cariboo Road within the circumference of a circle whose centre shall be the site on which the building now used as a school-house stands, and whose radius shall be a distance of seven miles from such site.

WINDERMERE—28th August, 1900. Boundaries altered and re-defined 18th December, 1905; and 23rd April, 1906 :

All that tract of land contained in Lots 8, 19, 20, 41, 108, 218, 704, 705, 775, 1,093, 2,561, 2,562, 2,846, 4,619 and 5,108, Group 1, East Kootenay.

YALE—25th June, 1869. Boundaries re-defined 2nd November, 1892, and 18th December, 1905 :

All that tract of land situated in Yale District, embraced within the circumference of a circle whose centre shall be the centre of the present

school-site, in the town of Yale, and whose radius shall be a distance of six miles therefrom.

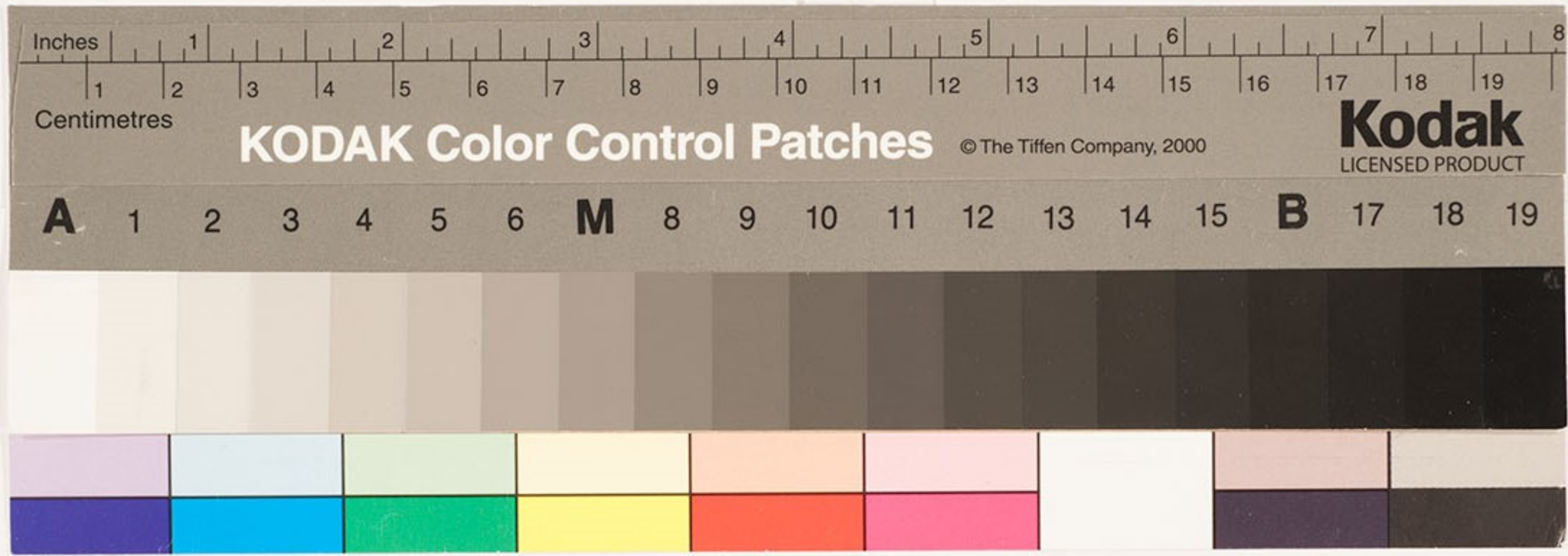
YMIR—27th May, 1898 :

All that tract of land situated in West Kootenay District, embraced within the circumference of a circle whose centre shall be the centre of the plot of land used as a school-site, and whose radius shall be a distance of four miles from such centre.

VICTORIA, B. C. :

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BRITISH COLUMBIA. ATTORNEY GENERAL.  
Attorney General documents.



**CHAPTER 44.**

An Act to amend and consolidate the "Public Schools Act." 1905, c. 44 ; 1906, c. 39.

[9th April, 1905.]

(Consolidated for convenience only.)

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

*Short Title.*

1. This Act may be cited as the "Public Schools Act, 1905."

Short title.

*Interpretation.*

2. In the construction of this Act, the following expressions shall have the following meanings, respectively, unless there is something in the context inconsistent therewith:—

Interpretation.

"School District" shall mean and include each portion of territory into which the Province is divided for local school government: "School District."

"Teacher" shall mean and include any person holding a legal certificate of qualification for teaching a public school: "Teacher."

"Ratepayer" shall mean and include any person rated in the School District assessment list in respect of real or personal property or income: "Ratepayer."

"Householder" in the case of Rural School Districts or Assisted Schools shall mean and include any person who has his place of residence or place of business in the district: "Householder."

"Householder" in the case of Municipal School Districts shall mean and include any person of the full age of twenty-one years who occupies a dwelling, tenement, hotel or boarding-house, or any part or portion of a dwelling, tenement, hotel or boarding-house, and who shall, unless exempt by Statute or Municipal By-law, have paid directly to the Municipality rates, taxes or fees of not less than two dollars for the current year: "Householder" in Municipal School Districts.

"Freeholder" in the case of Rural School Districts or Assisted Schools shall mean and include any person who holds a freehold estate, that is, lands or tenements in fee simple, fee tail or for a term of life: "Freeholder."

"School Year."	"School Year" shall mean and include an ordinary calendar year, beginning on the 1st day of July and ending on the 30th day of June, and shall be divided into two terms of six months each, a summer term ending on the 31st day of December, and a winter term ending on the 30th day of June:
"Indian."	"Indian" shall mean and include any person who is either a full-blooded Indian, or any person with Indian blood in him who is living the Indian life on an Indian Reserve:
"Property," etc.	The terms "persons," "land," "property," "real property," "real estate," "personal property," "personal estate," shall have the same meanings, respectively, as defined in section 2 of the "Assessment Act, 1903," and amending Acts; except that the terms "land," "real property" and "personal property" shall include "railways":
"Rural Municipality."	"Rural Municipality" shall mean and include any portion of territory, outside of cities and towns, which is or may hereafter be incorporated into a municipality.

*Schools to be Free and Non-sectarian.*

Schools to be free and non-sectarian.	<b>3.</b> All Public Schools established under the provisions of this Act shall be free, and shall be conducted on strictly secular and non-sectarian principles. The highest morality shall be inculcated, but no religious dogma nor creed shall be taught. The Lord's Prayer may be used in opening or closing school.
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*Council of Public Instruction.*

Council of Public Instruction.	<b>4.</b> <u>The members of the Executive Council shall constitute a Council of Public Instruction.</u>
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*Superintendent of Education.*

Superintendent of Education.	<b>5.</b> It shall be lawful for the Lieutenant-Governor in Council to appoint a Superintendent of Education for the Province, who shall ex officio be Secretary of the Council of Public Instruction.
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*Powers of Council of Public Instruction.*

Powers of Council of Public Instruction.	<b>6.</b> It shall be lawful for the Council of Public Instruction, from time to time—
	(a.) To create and to define the boundaries of School Districts, in addition to those already existing, and from time to time to abolish or to alter the boundaries of existing, or hereafter created, Districts: Provided that no School District shall be created unless within the portion of the Province to be included within the boundaries thereof there be resident not less than twenty children of school age, between six and sixteen years of age; and that there be assessable property and income sufficient to provide for the necessary school expenditure:
	(b.) To extend the boundaries of Municipal School Districts as may be deemed expedient, so as to include any portion of the adjoining territory within the Municipal School District:
	(c.) To set apart in every School District such a quantity of the waste lands of the Crown as in the opinion of the Council may be necessary for school purposes in such District:

- (d.) With the sanction of the Lieutenant-Governor in Council, to grant, on the application of the school trustees of any School District, such sums as by the provisions of this Act are hereinafter authorised to be paid on account of the salary of the teacher or teachers in such School District; in regularly organised Rural School Districts not yet provided with a school-house, or in any new Rural School Districts that may hereafter be formed under the provisions of this Act, or in any section of a Rural Municipality not already provided with a school-house, to defray the cost of erecting a school-house or providing a house or room in which the Public School of such Rural School District or Rural Municipality may be held:
- (e.) With the sanction of the Lieutenant-Governor in Council, to grant such sum as shall be thought proper in aid of the establishment and carrying on of a school in any part of the Province, not being a School District, and having not less than ten and not more than nineteen children between the ages of six and sixteen years resident therein, upon the application of a majority of the parents resident in such part of the Province:
- (f.) To appoint two or more Examiners, at such remuneration as shall be thought proper, who, together with the Superintendent of Education, shall constitute a Board of Examiners, and shall examine teachers and grant certificates of qualification. Such certificates shall be of four classes, viz.: third class certificates, second class certificates, first class certificates, and academic certificates:
- (g.) To divide the Province into Inspectoral Districts and to appoint, at a remuneration to be fixed by the Council, one or more Inspectors to visit the Public Schools:
- (h.) To make and establish rules and regulations for the conduct of the Public Schools, to prescribe the duties of teachers, and their classification:
- (i.) To determine the subjects and percentages required for all classes and grades of certificates of teachers, as well as to make and prescribe rules for the governance of candidates for certificates of qualification as teachers:
- (j.) To select, adopt, and prescribe a uniform series of text-books to be used in the Public Schools of the Province, as well as the courses or standards of instruction and study for schools:
- (k.) To suspend or cancel for cause the certificate of qualification of any teacher, subject to the approval of the Lieutenant-Governor, as expressed by an Order in Council:
- (l.) To determine all cases of appeal arising from decisions of Trustees, and to make such orders thereon as may be required:
- (m.) To make any provisions, not inconsistent with this Act, that may be necessary to meet exigencies occurring under its operation; and generally from time to time to make and enforce all such general rules, orders, and regulations as may be necessary for the purpose of giving full effect to all or any of the provisions of this Act:
- (n.) To establish a Normal School, with Model Departments, and to make regulations for its conduct and management:



- (o.) To establish a High School in any Municipal School District where it may be expedient to do so, wherein the higher branches may be taught, and every such High School shall be under the control of the Local Board of School Trustees for the Municipal School District: Provided, however, that no High School shall be established in any Municipal School District where there are less than twenty persons duly qualified and available as High School pupils.

*Duties of Superintendent of Education.*

7. It shall be the duty of the Superintendent of Education:—

- (a.) To have, subject to the Council of Public Instruction, the supervision and direction of the Inspectors and schools;
- (b.) To enforce the provisions of this Act, and the regulations and decisions of the Council of Public Instruction;
- (c.) To examine and inquire into, from time to time, the progress of the pupils in learning, the order and discipline observed, the system of instruction pursued, the mode of keeping the school registers, the average attendance of pupils, the character and condition of the buildings and premises, and to give such directions as he may deem proper;
- (d.) To establish a school exclusively for females in any School District where he may deem it expedient so to do; and such school, when so established, may be presided over by a female teacher or teachers, but otherwise shall be subject to the same obligations and regulations as Public Schools generally, under this Act;
- (e.) To organise, under regulations framed by the Council of Public Instruction, a Teachers' Institute or Teachers' Institutes;
- (f.) To grant temporary certificates of qualification, countersigned by the Provincial Secretary; which temporary certificates shall be valid till the next examination of teachers;
- (g.) To make annually, for the information of the Legislature, a report of the actual state of the Public Schools throughout the Province, showing the number of pupils taught in each School District, the branches taught, and average attendance; the amount of moneys expended in connection with each school, the number of official visits made to each school, the salaries of teachers, the number of qualified teachers, their standing and sex, together with any other information that he may possess respecting the educational state and wants and advantages of each school and district in the Province, and such statements and suggestions for improving the Public Schools and school laws, and promoting education generally, as he may deem useful and expedient; which report shall be laid before the Legislature within fifteen days after the opening of the next succeeding session thereof;
- (h.) To be responsible for all moneys paid through him on behalf of the Public Schools, and to give such security as the Lieutenant-Governor in Council may require;
- (i.) To prepare suitable forms, and to give such instructions as he may judge necessary and proper for making all reports and conducting all proceedings under this Act:

- (j.) With due diligence, after any complaint shall have been made to him respecting the mode of conducting any election of Trustees (as hereinafter provided for), to investigate such complaint, and report the facts to the Council of Public Instruction, who shall confirm or set aside such election; and in the latter case they shall appoint the time and place for a new election in such district;
- (k.) To close schools where the average attendance falls below ten in regularly organised School Districts, or below eight in "Assisted Schools";
- (l.) To cause copies of this Act, with regulations of the Council of Public Instruction, to be published and furnished gratuitously to Trustees and Teachers.

*Duties of Inspectors.*

8. It shall be the duty of each of the Inspectors, and he is hereby empowered:— Duties of Inspectors.

- (a.) To visit and inspect annually, or oftener when required, each school within his Inspectoral District; to inspect the school register and generally to ascertain if the provisions of this Act are there carried out and obeyed, and to transmit to the Superintendent a report of such inspection;
- (b.) To furnish trustees and teachers with such information as they may require respecting the operation of this Act and the performance of their duties, and to advise with the teachers in all that may tend to promote their efficiency and the character and usefulness of their schools;
- (c.) To aid the Superintendent in carrying out a uniform system of education, and generally in giving effect to this Act and the regulations of the Council of Public Instruction;
- (d.) To appoint a trustee or trustees of schools in cases hereinafter provided, and an auditor whenever the annual meeting, or meeting at which trustees have been elected, has failed to do so, or where the auditor appointed dies, or refuses, or becomes incapable of acting, or has permanently left the district;
- (e.) To report to the Superintendent the districts in his opinion entitled during the ensuing year to pass from the status of "Assisted" schools to that of regularly organised school districts;
- (f.) As soon as possible after having received through the Education Office a petition from the parents of any isolated locality praying for the establishment of an Assisted School, to visit such locality and transmit to the Superintendent his opinion regarding the establishment of such school;
- (g.) To promote the advancement of education by holding public meetings as frequently as possible, and especially to encourage the establishment of schools in localities where none exist;
- (h.) When not otherwise employed to render assistance in the Education Office, or when required by the Superintendent to visit and inspect any school outside of his Inspectoral District.





*Duties of Superintendent of City Schools.*

Duties of Superintendent of City Schools.

9. The Board of Trustees of any City hereinafter designated a City of the First Class may appoint a City Superintendent as the administrative head of the schools of such City, whose duties, functions and prerogatives shall be held to include:—

- (a.) The assignment of teachers to their respective places on the staff, subject to the approval of the Board of School Trustees:
- (b.) The determination of the school which pupils shall respectively attend:
- (c.) Supervisory and appellate authority in all matters relating to school organisation, instruction and discipline:
- (d.) Advisory functions in respect to all matters within the official jurisdiction of the trustees:
- (e.) Responsibility to the Council of Public Instruction for the proper administration of the school system of the City:

Provided, that the appointment of such City Superintendent and the revocation of his appointment, shall be subject to the approval of the Council of Public Instruction.

*Duties of Teachers.*

Duties of teachers.

10. It shall be the duty of every teacher in the Public Schools:—

- (a.) To teach diligently and faithfully all the branches required to be taught in the school, and to maintain proper order and discipline therein, according to the engagement entered into with the trustees, and the provisions of this Act:
- (b.) To call the roll morning and afternoon, and otherwise to keep an accurate register in the manner prescribed by the Council of Public Instruction; such register to be open at all times to the inspection of the Trustees, Inspectors and Superintendent, and to be handed over to the Secretary of the Trustees at the expiration of the term of service:
- (c.) To keep a visitors' book (which the trustees shall provide), and enter therein the visits made to his school, and, if deemed advisable, to present such book to the visitor and to request him to make therein any remarks suggested by his visit:
- (d.) To send to the parent or guardian of each pupil a monthly report of the progress, attendance and punctuality of such pupil:
- (e.) To furnish to the Superintendent of Education, monthly, or when desired, any information which it may be in his power to give respecting anything connected with the operation of his school, or in anywise affecting its interest or character:
- (f.) To report promptly to the trustees the appearance of any infectious and contagious disease in the school, or unsanitary condition of the outhouses or surroundings:
- (g.) To have special care as to the use of school books and apparatus, registers and maps, the neatness and order of the desks, and to reimburse the trustees for any destruction of school property by pupils which is clearly chargeable to gross neglect or failure to exercise proper discipline on the part of the teacher:

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- (h.) To have, at the end of each half-year, public examinations of his school, of which he shall give due notice to the trustees of the school, and through his pupils to their parents and guardians:
- (i.) To verify by affidavit, before any Justice of the Peace, the correctness of such returns as the Superintendent may, from time to time, require to be so verified:
- (j.) In case of his desire to resign, to give at least thirty days' notice of his intention to resign, such notice to terminate with the close of the school term, or to be given within ten days after the close of the annual school meeting.

*School Districts.*

11. All existing School Districts shall continue until altered under this Act; except that School Districts contained in Rural Municipalities at the time this Act comes into force shall cease to exist, and the duties and terms of office of all School Trustees of such Districts shall cease and determine when this Act comes into force.

Existing districts to continue. Exception.

12. School Districts shall be divided into the following classes:—

Classification of School Districts.

- (a.) Municipal School Districts, comprising such areas as are embraced within the corporate limits of the respective incorporated Cities, Towns and Rural Municipalities, and such additional territory as may be added under sub-section (b) of section 6 of this Act:
- (b.) Rural School Districts, comprising all School Districts not contained within the corporate limits of the incorporated Cities, Towns and Rural Municipalities.

13. Municipal School Districts shall be further divided into the following sub-classes:—

Sub-classification of Municipal School Districts.

- (1.) City School Districts of the first class, including all incorporated cities or towns wherein the average actual daily attendance of pupils attending public schools equals or exceeds one thousand for the school year, and comprising at the present time the Cities of Victoria and Vancouver:
- (2.) City School Districts of the second class, including all incorporated cities or towns wherein the average actual daily attendance of pupils attending public schools equals two hundred and fifty, but does not exceed nine hundred and ninety-nine, for the school year, and comprising at the present time the Cities of Ladysmith, Nanaimo, Nelson, New Westminster, Revelstoke and Rossland:
- (3.) City School Districts of the third class, including all incorporated cities or towns wherein the average actual daily attendance of pupils attending public schools falls below two hundred and fifty for the school year, and comprising at the present time the Cities of Cranbrook, Cumberland, Enderby, Fernie, Grand Forks, Greenwood, Kamloops, Kaslo, Kelowna, Phoenix, Sandon, Slokan, Trail and Vernon:
- (4.) Rural Municipality School Districts, including all Rural Municipalities.

All Cities, Towns and Rural Municipalities that may hereafter be incorporated from time to time shall also be included in one or other of these four classes: Provided, however, that the transfer of any city

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or town shall not take effect until the quarter succeeding that in which the average actual daily attendance shall exceed that of the class in which such city or town had been theretofore classified.

Assessment of territory included in Municipal School District by sub-sec. (b) of s. 6.

**14.** Where any territory has been included within a Municipal School District in accordance with sub-section (b) of section 6, the provisions of this Act respecting Public Schools in Cities and Rural Municipalities shall apply thereto, and such territory for all school purposes shall be deemed to be united to such Municipal School District, and all property situate in such territory shall be liable to assessment for school purposes, in the same manner and to the same extent as if the same were included in the limits of the incorporated City, Town or Rural Municipality.

Contribution in respect of non-resident pupils.

**14A.** In cases where the attendance at any public school in a Municipal School District is made up partly of pupils residing in another Rural Municipality, the Municipal Corporation of the Municipality whence such non-resident pupils attend shall contribute to the support of the school a per capita grant for each of such non-resident pupils based upon the proportion which the cost of each pupil in attendance bears to the total cost of maintaining the school; such per capita grant to be paid annually to the Municipal Corporation of the Municipality in which the school is situated.

Statement of costs occasioned by attendance of non-resident pupils.

**14B.** A statement of the cost to the Municipality where the school-house is situated of the attendance of non-resident pupils shall be submitted by the Municipal Corporation of such Municipality at the end of the school year to the Corporation of the Municipality whence such pupils attend, and in the event of a dispute arising over the amount due from one Municipality to another, in accordance with the preceding section hereof, the dispute shall be referred to the Council of Public Instruction, whose decision in the matter shall be final.

"Assisted Schools."

**15.** All Rural Schools established under sub-section (e) of section 6 of this Act, shall be known as "Assisted Schools": Provided that no Assisted School shall be established in a locality comprised within a Rural Municipality or regularly organised Rural School District.

Mode of support.

**16.** The salaries of teachers shall be provided from the two following sources, namely:—

- (a.) The Provincial Treasury;
- (b.) District Assessment.

Except in the case of Assisted Schools, all other items of fixed and current expenditure shall be provided for by district or local assessment, and the purchase of school-houses and lands and erection of school buildings may be provided for by loan extending over a period not exceeding twelve years, unless authorised by a special order of the Council of Public Instruction.

Provincial aid.

**17.** A per capita grant of three hundred and sixty dollars for cities of the first class, four hundred and twenty dollars for cities of the second class, four hundred and sixty-five dollars for cities and towns of the third class, and four hundred and eighty dollars for Rural Municipalities per annum, based on the actual number of teachers, manual training and domestic science instructors, employed in the

Public Schools, including High Schools, of such Cities, Towns or Rural Municipalities, shall be paid by the Minister of Finance, out of the Public School Fund quarterly to each of the Municipal Corporations of the City School Districts of the first, second and third class, and monthly to the Municipal Corporations of Rural Municipalities, respectively; provided that the schools have been conducted in accordance with the Rules and Regulations prescribed by the Council of Public Instruction, and that each Public School and High School building and its equipment be satisfactory to the said Council.

**18.** A per capita grant of four hundred and eighty dollars for Rural School Districts per annum, based on the actual number of teachers, manual training and domestic science instructors, employed in the Public Schools of such Rural School Districts, shall be paid monthly by the Minister of Finance out of the Public School Fund to each of the teachers, manual training and domestic science instructors, employed in such Public Schools; provided that the schools have been conducted in accordance with the Rules and Regulations prescribed by the Council of Public Instruction, and that each Public School building and its equipment be satisfactory to the said Council.

**19.** In the event of the salary of any teacher, manual training or domestic science instructor, employed in the Public or High Schools of the Municipal School Districts, being increased by the Board of Trustees, a supplementary per capita grant of half the amount of such increase shall also be paid by the Minister of Finance out of the Public School Fund, quarterly, on the last days of March, June, September and December, in City School Districts, and monthly in Rural Municipality School Districts, to each of the Municipal Corporations, but in no case shall such supplementary grant so to be paid aforesaid by the Minister of Finance exceed the sum of one hundred dollars per annum.

**19A.** A further per capita grant of one dollar for every dollar by which the salary of any teacher, manual training or domestic science instructor, employed in the Public Schools in Rural School Districts shall be increased by district assessment, shall also be paid by the Minister of Finance out of the Public School Fund, monthly, to each of such teachers, manual training or domestic science instructors, but in no case shall such supplementary grant so to be paid as aforesaid by the Minister of Finance exceed the sum of one hundred dollars per annum.

**20.** No School District shall be entitled to receive any portion of the legislative grant whose Trustees have neglected to transmit within the time provided by this Act the returns of the preceding year, or whose school has not been kept in operation at least six months during the school year, unless with the sanction of the Council of Public Instruction.

**21.** A reduction of the grant to be made may, in the discretion of the Council of Public Instruction, be made in the case of any School District in which the average attendance of the resident pupils enrolled for the year has been less than forty per cent. of such enrolled number, or in case of any teacher not having taught the full number of prescribed school days in the school in which he is employed. In the latter case a proportionate part only of the grant shall be paid to or in respect of such teacher.



Salaries of teachers. **22.** The salaries of teachers employed in Assisted Schools shall be fixed by the Legislature and paid monthly from the Provincial Treasury. The building in which the school is held, as well as the desks and furnishings, shall be supplied and the incidental expenses in connection with its maintenance met, as decided at the annual meeting, either by the voluntary contributions of parents and others interested or by local assessment.

Rural Schools in Esquimalt and Nanaimo Railway Belt, outside of municipalities to be classed as assisted schools. **23.** All Rural Schools within the Esquimalt and Nanaimo Railway Belt, outside of municipalities, shall, for the purpose of the foregoing section, be considered and classed as "Assisted Schools," but in all other particulars shall be subject to the provisions of this Act.

Application to be made to Supt. of Education to define boundaries. **23A.** In the event of the annual meeting of any Assisted School for which boundaries are not defined deciding to raise funds by local assessment, in accordance with section 22 hereof, application must be made forthwith to the Superintendent of Education to have the district defined and boundaries gazetted.

Where boundaries are defined. **23B.** Where boundaries have been defined for any Assisted School and the annual meeting has decided under the provisions of section 22 of this Act to raise money by local assessment, the same provisions with regard to the assessment of property and levy and collection of taxes and qualification of voters shall apply thereto as in the case of regularly organised Rural School Districts.

Inspector to report on Districts entitled to special aid. **24.** It shall be the duty of each Inspector to determine and report to the Superintendent what School District or Districts (if any) under his supervision may be entitled, during the ensuing year, to special aid, and the Council of Public Instruction may, upon receipt of the report of the Inspector, and taking into consideration the position and circumstances of such District or Districts, allow to any such District such additional amount as by the said Council may be deemed necessary.

#### MUNICIPAL SCHOOL DISTRICTS.

##### *Election of Trustees and School Meetings.*

Election of Trustees for Municipal School Districts. **25.** The Board of Trustees for each Municipal School District shall be elected, in the manner hereinafter provided, by the votes of the electors possessing the qualifications prescribed in the "Municipal Elections Act" for electors entitled to vote for Mayor or Reeve, and when preparing the annual voters' list in the cities where the said Act does not govern the election of Mayor, or in Municipalities wherein outside territory has been included for school purposes under subsection (b) of section 6, a list of the names of those entitled to vote for School Trustees, but not included in the Municipal annual voters' list as entitled to vote for Mayor or Reeve, shall be added thereto.

Voting at election. **26.** Each voter shall be entitled at each election to as many votes as there are members of the Board of Trustees to be elected, but may only give one vote for any one candidate.

Nomination of School Trustees. **27.** The nomination and election of the Board of Trustees shall be held at the same time and by the same Returning Officer or Officers, when possible, and conducted in the same manner as the municipal nomination and election for Mayor would be conducted, and the provisions of the "Municipal Elections Act," or of the special Act or Acts

of Incorporation of the respective Cities or Rural Municipalities, and amendments, respecting the time for opening and closing the poll, the mode of voting, corrupt or improper practices, vacancies, and declarations of challenged voters, shall, as nearly as may be, apply to the election of Boards of School Trustees.

**28.** The Municipal Council shall have power, by resolution, to name the polling place for the election of School Trustees. Council may name polling place.

**29.** Every person who shall have been duly elected Trustee shall, before taking his seat, make the following declaration before any Judge of the Supreme Court, or a Judge of any County Court, or before a Justice of the Peace, and shall procure from such Judge or Justice of the Peace a certificate of the same having been duly made and subscribed:— Declaration to be made by Trustee after election.

"I, A. B., Trustee elect for the Victoria (or, as the case may be) School District, do declare that I am a British subject, possessing the qualifications by law required, and that I am not in any way disqualified from holding the office of School Trustee, and I have not, nor will have while holding office, any interest, directly or indirectly, in any contract or services connected with this School Board. I have not, by myself or any other person, knowingly employed any bribery, corruption or intimidation to gain my election, and I will faithfully perform the duties of my office, and I will not allow any private interest to influence my conduct in school matters."

**30.** For each of the City School Districts of the first class there shall be seven Trustees; for each of the City School Districts of the second class there shall be five Trustees; for each of the City School Districts of the third class there shall be three Trustees; and for each of the Rural Municipality School Districts there shall be five Trustees. These shall constitute a Board of Trustees for each City or Rural Municipality School District, respectively, and each of such Boards shall be a body corporate in relation to all the powers and duties conferred upon it by virtue of this Act, and shall be styled "The Board of School Trustees of Victoria" (or, as the case may be); the organisation, rights, powers, duties and liabilities of each of which Boards shall be as herein defined. Number of Trustees.

**31.** There shall be elected annually in each Municipal School District, as provided in section 27 hereof, as many trustees as shall be necessary under the provisions of section 30 hereof to complete the Board of Trustees for that Municipal School District. Trustees so elected shall serve for a term of two years, and it shall be competent for them to remain in office and exercise all the powers of trustees until their successors have been duly elected. Trustees elected prior to the date on which this Act comes into force, and whose term of office is at that time unexpired, shall continue in office until the end of the two years' term for which they have been respectively elected. In the event of a Rural School District becoming a City School District, or of a City School District being transferred from one class to another, the first election under the new conditions shall be held as directed by a special Order in Council; and in the event of unorganised territory being incorporated into a Rural Municipality, the terms of office of the Boards of Trustees of the respective Rural School



Districts within such territory shall immediately cease and determine, and the first election of trustees under the new conditions shall be held as directed by a special Order in Council.

First election of Trustees in Rural Municipalities.

**31A.** Immediately after the coming into force of this Act, the electors of each Rural Municipality shall elect five School Trustees in the manner provided for by this Act for the annual election of School Trustees in Municipal School Districts, the date of nomination and polling to be fixed by the Municipal Corporation, and the terms for which such Trustees shall serve shall be as follows:—

- (a.) The three trustees receiving the highest number of votes shall serve until the annual election of School Trustees in 1908:  
 (b.) The two trustees receiving the next highest number of votes shall serve until the next annual election of School Trustees.

Thereafter the School Trustees elected at the annual meeting to succeed retiring members of the Board shall be elected for two years.

Qualification of Trustee.

**32.** In every Municipal School District, any person being a householder in the School District, and being a British subject of the full age of twenty-one years, and otherwise qualified by this Act to vote at an election of School Trustees in the said School District, shall be eligible to be elected or to serve as a School Trustee in such Municipal District.

Vacancy—how filled.

**33.** In case of a vacancy arising from the resignation of a Trustee, or from any cause other than the expiry of the regular term of office, the remaining Trustees shall forthwith take steps to hold an election to fill the vacancy so created, and the person thereupon elected shall hold his seat for the residue of the term for which his predecessor was elected, or for which the office is filled.

Election to fill vacancy, how conducted, etc.

**34.** Such election shall be conducted in the same manner, and be subject to the same provisions, as an annual election, and the Public School Board shall name a Returning Officer to act at such election, who shall give at least six days' notice of the nomination of candidates, and in case a poll be demanded, the election shall be held on the third day following the day of said nomination, unless such day is a Sunday or statutory holiday, in which case the election shall be held on the next lawful day after such Sunday or holiday: Provided, however, that such election may, if convenient, be held concurrently with the annual election.

Meetings of Board.

**35.** The Board of Trustees shall meet at least once in each month, and a majority of members shall constitute a quorum.

Chairman.

**36.** The Board of Trustees shall, at the first meeting after the annual election, appoint one of its number to be Chairman of the Board, and the member so appointed shall preside at all meetings of the Board, and generally fulfil all the duties usually performed by such an officer; such Chairman shall have a casting vote in case of an equality of votes between the other members of the Board upon any question before the Board, but shall not otherwise vote as a member of the Board. In case of the absence from any meeting of the Chairman, the members present at such meeting shall appoint one of their number to act as Chairman of such meeting.

Secretary of Board.

**37.** The Board of Trustees of each Municipal School District shall appoint its own Secretary (who may be one of the Trustees) and fix his salary. The Secretary shall keep a record of the proceedings of the

Board, and perform such other duties as the Board may prescribe in relation to its corporate affairs, and such record, and all books, accounts, vouchers, and papers of the Board, shall at all times be subject to the inspection of the Council of Public Instruction and any Committee of the Municipal Council appointed by resolution of such Council for that purpose.

*Duties and Powers of Boards of Trustees of Municipal Districts.*

**38.** The salaries of teachers employed in the Public Schools in all incorporated Cities, Towns and Rural Municipalities, shall be fixed and paid at the discretion of the respective School Trustees of such incorporated Cities, Towns and Rural Municipalities; and such salaries, and all other expenses for the purchase and lease of school sites, erection, enlargement or rent of school buildings, for furniture and repairs, and all other incidental expenses whatsoever incurred by the Boards of School Trustees in the respective Cities, Towns and Rural Municipalities, shall be borne and paid by the Municipal Corporations of the said Cities, Towns and Rural Municipalities respectively.

Payment of salaries of teachers and other expenses in Municipal School Districts.

**39.** The Board of Trustees shall have power, and it shall be the duty of the Board, to provide sufficient school accommodation and tuition free of charge, except as provided in section 46, to all children in the district between six and sixteen years of age, inclusive, and for such purpose shall organise and establish such and so many schools as it shall deem requisite, with power to alter and discontinue the same; to purchase, lease, or expropriate lands or buildings for school purposes; to erect, enlarge, alter, repair, and improve school buildings and grounds and their appurtenances, according to the requirements of the case; to furnish school-houses and procure furniture, maps, and apparatus, and to provide text-books for indigent pupils; to provide fuel and light, and defray the contingent expenses of the several schools, and of the Board of Trustees; to have the custody and safe keeping of the school property of the district, and to insure the school buildings and furniture; to determine the sites of school-houses; to appoint the number of teachers for whose salaries provision has been made in the estimates; to appoint, dismiss, and fix the salaries, wages, or remuneration from time to time of other officers or employees, as may be deemed necessary by the Board to secure the efficient management of the schools; to report annually to the Municipal Council upon the expenditure of the moneys received by the Board; to furnish annually, on or before the fifteenth day of January in each year, to the Superintendent of Education, a full report of its proceedings, also returns of all schools, in accordance with the forms supplied by him. These returns must be signed by the Secretary of the Board and sworn to by him before a Justice of the Peace.

Powers and duties of Board of Trustees of Municipal Schools.

**39A.** The Board of Trustees shall also have power to determine the schools which pupils shall respectively attend, and it shall be competent for the School Trustees to divide the district into school wards for the purpose only of determining the attendance of resident pupils at the respective schools.

Determination of schools which pupils shall attend.

**40.** Any Statute to the contrary notwithstanding, the Council of any City, Town or Rural Municipality in the Province, including the Cities of Vancouver and New Westminster, may in each and every year

Special rate for school purposes.



pass a by-law or by-laws for levying a special rate of not more than five mills on the dollar for school purposes, and the Council may, in addition to such rate, apply any portion of the ordinary revenue to school purposes.

Trustees to make by-laws.

**41.** The Board of Trustees shall also have power to make by-laws (not inconsistent with the provisions of this Act or the regulations of the Council of Public Instruction) relative to the organisation and meetings of the Board, and to any of the matters enumerated in sections 38, 39, 39A, 46, 122, 123 and 124 hereof. Such by-laws shall be submitted to the Council of Public Instruction for approval, and having received such approval shall thereafter have the force and validity of regulations of the Council of Public Instruction within the school district for which such by-laws were framed.

Estimates.

**42.** The Board of Trustees, shall, on or before the first day of February, in each year, cause to be prepared and laid before the Municipal Council a detailed estimate of the sums required by the Board for the current year's ordinary expenses of maintaining the schools, which sums shall be paid over from time to time as required, upon the order of the Trustees, by the Municipal Treasurer, to the several persons to whom such moneys are payable; and the Board shall further prepare the like detailed estimate of the sums required to meet any special or extraordinary expenses which may be legally incurred by the Board, which last-mentioned estimate shall be subject to consideration, alteration and final approval by the Council; and if the Council shall finally reject or disapprove of any such last-mentioned sum or sums, it shall be the duty of the Council, not more than thirty days after the receipt by the Mayor or Reeve of the written request of the Secretary of the Board in that behalf, to submit for the assent of the electors, in the manner prescribed by section 68 of the "Municipal Clauses Act," a by-law authorising the proposed expenditure, and, if necessary, the raising of the moneys required to defray the same, upon the credit of the municipality (but the petition referred to in section 69 of the "Municipal Clauses Act," shall not be required); and in the event of such by-law receiving the assent of the electors in the manner set forth in section 75 of the "Municipal Clauses Act," the Municipal Treasurer shall pay out of the proceeds of the debentures so issued all expenses connected with the issuance of the said loan, and the balance shall be paid out in manner hereinbefore in this section provided.

Time for submission of estimates to Municipal Council.

**42A.** In the case of Boards of School Trustees elected in Rural Municipalities for the first time after the coming into force of this Act, the detailed estimate referred to in section 42 shall be submitted to the Municipal Corporation within ten days after the election of the Board of School Trustees, and the same provisions shall govern the raising of the sum or sums mentioned in such estimate as in the case of the regular annual estimate referred to in said section 42.

Annual statement as to teachers, etc.

**42B.** The Board of School Trustees shall on or before the first day of February in each year cause to be prepared and laid before the Superintendent of Education a detailed statement of the number of teachers, manual training and domestic science instructors to be employed in the schools for the ensuing year and the salaries to be paid to each of such teachers, manual training and domestic science instructors, and shall thereafter, on or before the last days of March,

June, September and December in each year, submit to the Superintendent of Education a statement of all appointments of teachers, manual training and domestic science instructors made during the preceding quarter, setting forth clearly therein the date of each appointment and the amount of salary to be paid to each of such teachers, manual training and domestic science instructors.

**43.** The Municipal Treasurer shall upon the receipt of any moneys from time to time paid into his hands on account of the rates and taxes, set apart and keep in a separate account, to be called "The Board of School Trustees' Account," so much and such proportion of such moneys as the amount ordered to be assessed and levied for school purposes in such Municipality, and pay over such moneys so set apart to the Board of School Trustees, as are mentioned in section 42 hereof, and shall, whenever requested, exhibit to the said Board the state of such account; and such moneys so set apart, or that ought to be set apart, shall not be applied to any other purpose whatsoever by the Municipal Treasurer. It shall not be lawful for the said Board to incur any liability beyond the amount shown by such account to be at their disposal.

Municipal Treasurer to keep separate account of school moneys.

**43A.** In cases where the Boards of Trustees of Rural School Districts contained within Rural Municipalities before the coming into force of this Act, have legally incurred liabilities in respect of teachers' salaries, incidental expenses, or other legitimate expenditures for school purposes of the current year, or in like circumstances in the case of Rural School Districts in any unorganised territory which may hereafter be incorporated into a Rural Municipality, such liabilities shall be assumed by the Municipal Board of School Trustees to be elected under section 31 of this Act.

Liabilities of Rural School Districts to be assumed by Trustees.

**44.** Property acquired by the Boards of School Trustees or the Municipal Corporations for school purposes shall not be subject to taxation, nor be liable to be taken in execution; but in case of any judgment being recorded against the Boards of School Trustees, they shall forthwith notify the Municipal Council of the amount thereof, and the Municipal Council shall levy and collect the same as in other cases provided for by this Act.

School property not subject to taxation or execution.

**45.** The Municipal Council shall annually appoint an auditor to audit the accounts of the Board of Trustees, and the expenses of such audit shall be paid out of the contingent expenses of the Board.

Auditor.

**46.** The Board of Trustees of any Municipal School District may, by resolution, declare that it is desirable that tuition fees should be paid in respect of all or any of the pupils attending at any High School situate within its limits, so as to make such High School more or less self-sustaining, whereupon it shall be the duty of such Board to settle the amount to be paid by parents and guardians for such High School pupils attending the High School, and to fix the times of payment, and, when necessary, to sue for and recover such amounts, in the name of the Municipal Treasurer, who shall receive and apply the same to the purposes specified in section 39 of this Act; but in settling such amount the Board shall make provision by which pupils whose parents or guardians find it beyond their means to pay the tuition fees imposed by the Board, may have the advantages of the High School, either altogether without fee, or at some smaller fee within the means of the parent or guardian.

Board may demand tuition fees in connection with High Schools.





Trustees to serve without reward.

47. Trustees shall serve without emolument or reward, except as provided by section 37 hereof, and shall not be interested, directly or indirectly, in any contract authorised by the Board of Trustees.

Publication of audited statement of receipts and expenditure.

48. The Board of Trustees in every Municipal School District shall cause to be published annually in January, in at least three issues of some newspaper circulating in the district, a detailed, audited statement of all receipts and expenditures for the year ending the 31st December, which statement shall be signed by the Chairman and Secretary of the Board and countersigned by the Auditor appointed in that behalf by the Municipal Council: Provided, however, that if the Corporation of any Municipality shall in their annual published statement include a detailed, audited statement of all receipts and expenditures for the year ending the 31st December, as hereinbefore provided and signed by the Chairman and Secretary of the Board and countersigned by the said Auditor, it shall not be necessary for the Board of Trustees to also publish such statement.

RURAL SCHOOL DISTRICTS.

*District Assessment.*

Rural School District assessment.

49. Any sum required by any Rural School District in further payment of teachers' salaries, over and above the sum provided by the Province, and any sum required for other school purposes during the year, including, without limitation by reason of such particularity, the purchase or improvement of school grounds, the purchase, erection, repair, furnishing, rent, care and insurance of school houses and out-buildings; the purchase of fuel, light, prescribed maps, apparatus and books (for the use of indigent pupils), the payment of interest accruing during the year on money that has been borrowed, or that may be borrowed, any indebtedness on account of such objects previously incurred, the expense of conveying children to school in cases where by law it is provided that any such expenses may be incurred, contingencies or unforeseen expenses, and personal expenses incurred by the Trustees in the execution of their trust, when sanctioned in writing by the Council of Public Instruction, together with any other expenses required for providing and maintaining an efficient school or schools, may be determined upon by the School District at a meeting having power to vote money, and any amount so determined upon shall, whether or not the several purposes be specified, be assessed and levied in respect of real and personal property, and every person shall be rated and assessed in the District in respect of his real and personal property upon such part thereof as lies or is situate within such district.

50. [*Repealed*].

Exemptions.

51. All property exempt from taxation under the "Assessment Act, 1903," or any amendment thereof, shall also be exempt from taxation under this Act, with the following exceptions:—

- (a.) Homesteads and pre-emptions, as exempt under section 9 of the "Assessment Act, 1903, Amendment Act, 1905," shall not be exempt from assessment under this Act:
- (b.) Live stock, agricultural implements, agricultural machinery and vehicles, as exempt under section 11 of the "Assessment Act, 1903, Amendment Act, 1905," shall not be exempt from assessment under this Act.



**52.** It shall be the duty of each Provincial Assessor to prepare a draft School Assessment Roll for each School District within his Assessment District, according to Form No. 1 in the Schedule hereto, and to fill into such draft from his District Assessment Roll and such other information as may be available to him, the names and addresses of all persons liable to be rated and assessed in such Rural School District for real or personal property, and on or before the date of the annual school meeting to forward to the Secretary of the School Board for each Rural School District within his Assessment District the draft Assessment Roll for such School District.

Preparation of draft School Assessment Roll.

**52A.** It shall be the duty of the Board of School Trustees of each Rural School District forthwith after the holding of any meeting of such district having power to vote money and at which money is voted, and after the receipt of the draft School Assessment Roll, as mentioned in the preceding section hereof, to prepare a supplementary list setting forth therein to the best of their ability corrections and revisions to the draft School Assessment Roll and the reasons therefor, together with the names and addresses of all persons liable to be rated for school purposes in such District whose names have been omitted in the aforesaid draft Assessment Roll, and to set opposite the name of each person the nature of the property for which he is liable to be rated and assessed, viz., either real or personal property, and also to include in such supplementary list the names of persons in such School District who are exempt from assessment under section 59 of this Act. It shall also be the duty of the Board of Trustees, as soon as possible after the holding of such meeting to return to the Provincial Assessor the draft Assessment Roll together with the supplementary list (if any) and to furnish to such Assessor a statement of the amount determined upon at such meeting to be the amount to be raised in the School District, which statement shall be in Form No. 2 in the Schedule hereto, and certified to by the Secretary of the Board of Trustees.

Revision of draft School Assessment Roll.

**53.** Where any Rural School District lies partly within one Provincial Assessment District and partly in another, such Rural School District shall, for the purposes of this Act, be rated and assessed by the Provincial Assessor of the Assessment District within which the greater part of such Rural School District lies.

Case of Rural School District lying within two Provincial Assessment Districts.

**54.**  
**55.**  
**56.** } [Repealed.]  
**57.**  
**58.**

**59.** Persons unable to pay or persons resident on islands too sparsely populated to maintain a school and too distant from the mainland to permit children to attend school thereon, may be by the annual meeting exempted either in whole or in part from the district rate, and the Trustees shall return to the Assessor a list of such exemptions.

Exemption of certain persons.

**60.** Neither lapse of time nor any statute of limitations shall be any bar to the collection of any school rate, but payment of the same may be enforced at any time after the time allowed by law for voluntary payment shall have expired.

Statutes of Limitations no bar to collection of rate.

Irregularity or defect does not affect validity of assessment.

**61.** Any irregularity or defect in substance or form in the assessment district assessment list shall not affect the validity of any Rural School District assessment founded thereon.

When assessment legal.

**62.** Every Rural School District assessment made, or to be made, shall be legal if the aggregate amount thereof shall not exceed the amount ordered to be assessed by more than ten per cent.

Completion of Assessment Roll.

**63.** It shall be the duty of each Provincial Assessor upon being furnished by the Board of Trustees of any Rural School District within or partly within his Assessment District with the draft Assessment Roll and supplementary list (if any) and certified statement provided for by section 52A of this Act, and he is hereby empowered:

- (a.) To complete the draft Assessment Roll by including therein the necessary additions, corrections and revisions set forth in the supplementary list (if any) and by setting opposite the name of each person in such Assessment Roll the amount on which he is liable to be taxed under this Act, whether for real or personal property. Persons assessed as the owners of real estate in the Assessment District shall until the filing of the next assessment list be deemed to be the owners thereof for the purposes of Rural School District assessment:
- (b.) To apportion the amount to be raised in the following manner: The sum to be raised shall be levied on real and personal property by a fair apportionment according to the valuation contained in the above-mentioned assessment roll, no one class of property assessed being charged a higher rate than another.

Duties of Collectors of Taxes.

**64.** It shall be the duty of each Provincial Collector of Taxes, upon being furnished by the Assessor with the revised and completed Assessment Roll of the Rural School Districts within his Assessment District—

- (a.) To collect the school rates to be raised in such Rural School Districts in the same manner, as near as may be, as other rates and taxes are collected under and by virtue of the "Assessment Act, 1903," or any amendment thereof:
- (b.) To remit all moneys collected by him in respect of each Rural School District, monthly, to the officer in charge of the Treasury, with a statement of the amounts so collected and of the School Districts from which the same are collected.

Application of "Assessment Act, 1903."

**65.** The provisions of the "Assessment Act, 1903, or any amendment thereof, with respect to the date of completion of assessment roll, due date, assessment, levy, collection, delinquency and enforcement of payment of taxes and interest thereon shall, as far as practicable, apply to the date of completion of assessment roll, due date, assessment, levy, collection, delinquency and enforcement of payment of taxes and interest thereon imposed under this Act, in the same manner as if the said provisions were incorporated in and made part of this Act.

Assessment of corporations.

**65A.** Section 6 of the "Assessment Act, 1903," as amended, shall not apply to this Act, but the Corporations as therein specified shall be assessed and taxed as other persons under this Act. 1906, c. 39, s. 70.

**65B.** In estimating the value of railways and railway property, the real estate of such railways, including the right of way and improvements thereon, shall be estimated and valued on the same basis as other real estate in the neighbourhood, and such plant and personal property of the railway as is usually found within the School District shall also be valued and assessed therein. 1906, c. 39, s. 68.

Assessment of railways.

**65C.** During the first six months of the calendar year 1906, the Minister of Finance may, upon application of the Board of Trustees of any Rural School District, and with the approval of the Council of Public Instruction, advance out of the Consolidated Revenue Fund of the Province such portion of the amount voted by the District as may be deemed advisable for the purpose of assisting the District in the payment of current requirements for teachers' salaries and incidental expenses, and any moneys so advanced as aforesaid shall be repaid by the officer in charge of the Treasury out of the amounts remitted from time to time by the Provincial Assessor on account of the school rates collected in such Rural School District. 1906, c. 39, s. 69.

During first six months of 1906 advances may be made by Minister of Finance for current expenses.

**65D.** The Council of Public Instruction may from time to time, by Order in Council, provide such regulations and forms, not inconsistent with the provisions of this Act, as may be deemed necessary and advisable for the instruction of Assessors and for their assistance in obtaining information and carrying into effect the provisions of this Act respecting the assessment of property. 1906, c. 39, s. 71.

Regulations.

**65E.** The Order in Council passed by the Council of Public Instruction on the fourth day of January, 1906, setting forth the qualifications of voters and trustees for the first annual school meeting in Rural School Districts under this Act is hereby ratified and confirmed, and the proceedings of all school meetings held and votes taken, both for the election of Trustees and for voting money, whether to supplement teachers' salaries or for other items of fixed and current expenditure, in accordance with the provisions thereof and otherwise lawfully conducted, are hereby legalised and shall have the same force and standing as if the provisions of such Order in Council had originally formed part of this Act. 1906, c. 39, s. 72.

Ratification of Order in Council of 4th January, 1906.

**66.** All school rates which become delinquent in accordance with section 65 of this Act shall thereupon bear interest at the rate of six per cent. per annum from the date of delinquency until paid or recovered; such added interest shall be deemed a charge upon the property of the person whose school rates are delinquent in all respects as if such interest had originally formed part of the rates assessed thereon, and may be recovered as part of the delinquent school rates.

Interest on delinquent taxes.

**66A.** The assessment roll for all Rural School Districts in which money for school purposes is to be raised for the year commencing January 1st, 1906, in accordance with section 49 of this Act, shall be completed by the Assessor for each of such Rural School Districts immediately on receipt from the Board of Trustees of such district of particulars as provided in section 52A of this Act, and on completion of the assessment roll as aforesaid the rates shall forthwith become due and payable and may be collected immediately thereafter, and the provisions of section 65 of this Act shall, as far as practicable, apply to the levy, collection, delinquency and enforcement of payment of such taxes and interest thereon.

Completion of Assessment Roll for 1906.





Appeal against assessment.

**67.** Every person assessed in any Rural School District under the provisions of this Act shall have the same right of appeal as is provided for by the "Assessment Act, 1903," or any amendment thereof: Provided, however that no such appeal shall be allowed in cases where property is assessed at the same value or amount as in the assessment roll of the Assessment District in which such property is assessed.

Quarterly payments by Minister of Finance.

**68.** The Minister of Finance shall pay over quarterly, on the last days of March, June, September and December, to the Board of Trustees of each Rural School District the amounts collected by the Provincial Assessor from such district under the provisions of this Act.

Protection of School Trustees.

**69.** No action shall be brought against any School Trustee individually or against the Trustees in their corporate capacity, or against the Secretary of Trustees, for anything done by virtue of the office of Trustee or Secretary, unless within three months after the act committed, and upon one month's previous notice thereof in writing, and the action shall be tried in the district where the cause of action arose. The defendant in any such action may plead the general issue and give the special matter in evidence. If it appears that the defendant acted under the authority of this Act, or any Act in amendment hereof, or of any regulations made pursuant to the powers herein given, or that the cause of action arose in some other district, the judge or jury shall give him a verdict. The provisions of this section shall not extend to actions upon contract.

Satisfaction of judgments against Trustees.

**70.** In the case of a judgment being recovered against the Trustees in their corporate capacity, they shall notify the Assessor and he shall satisfy the same by forthwith assessing the amount of such judgment upon the ratepayers of such Rural District in the same manner as a school rate ordered by the school meeting would be assessable, and such rate or assessment may be collected in the same manner as any school rate ordered by the school meeting may be collected.

*Election of Trustees and School Meetings.*

Election of Trustees and Auditor.

**71.** The School District shall have power to elect three Trustees and an Auditor, and to determine upon all questions of local or district support of schools in conformity with this Act, but no person shall act as Auditor of any accounts of the year in which he may have been a Trustee.

Annual meeting for election of Trustees.

**72.** An annual meeting for the election of School Trustees shall be held in all Rural School Districts and Assisted Schools on the second Saturday in July in every year, commencing at ten o'clock in the forenoon, the nomination closing at twelve noon, and the voting (if any) at four o'clock in the afternoon of the same day.

Temporary Chairman of meetings.

**73.** In all meetings, one of the Trustees, or the Secretary of the Trustees, or a person so authorised in writing by the Trustees, shall call the meeting to order and act as temporary chairman until the election of a chairman, as provided by section 75; and in the election of a chairman qualified voters only shall vote, and the temporary chairman himself shall be a qualified voter, and shall have but one vote, and that only in case of a tie.

**74.** The persons entitled to vote at the first annual school meeting held in any Rural School District after the passing of this Act, and at any subsequent school meeting in such district, before and until an Assessment list shall have been made out for such district, shall be such persons as are householders or freeholders, or the wives of householders or freeholders in such district, of the full age of twenty-one years and who shall have resided in the district for a period of six months prior to the date of the meeting. Chinese, Japanese and Indians shall not vote.

Persons entitled to vote at first annual school meeting.

**74A.** Except as provided in section 74 hereof, a person shall not be entitled to vote at any school meeting in any Rural School District on any question whatever unless such person shall be a ratepayer in the district, or the wife of a ratepayer in the district, and unless such person shall have paid all district school rates imposed upon him for the then preceding year, in case any shall have been imposed. Chinese, Japanese and Indians shall not vote.

Qualifications of voters at meetings in Rural School Districts.

**74B.** A person shall not be entitled to vote at any Assisted School meeting unless such person shall be a householder or freeholder, or the wife of such householder or freeholder, in the locality in which the Assisted School is situated, of the full age of twenty-one years, and unless such person shall have resided in the locality for a period of six months prior to the date of the meeting. Chinese, Japanese and Indians shall not vote.

Qualifications of voters at Assisted Schools' meetings.

**75.** At all meetings a majority of the ratepayers of the District present shall elect from their number a chairman to preside over the meeting, who shall decide all questions of order, and shall take the votes of the qualified voters only, deciding according to the majority of votes, and shall give a casting vote in case of an equality of votes. The Secretary of the Board of Trustees shall act as Secretary of the meeting, and when there is no Secretary of the Board, or he is not present, the meeting shall elect a Secretary of the meeting. The minutes of the meeting shall be read to the meeting before its close, and shall be signed by the Chairman and the Secretary and transmitted to the Trustees immediately after the meeting; such minutes shall be preserved by the Trustees and be open at all reasonable times to the inspection of the ratepayers.

Election of a Chairman, and proceedings generally at meetings.

**76.** A correct copy of the proceedings of the first and of every annual, and of every special, school meeting of any Rural School District or Assisted School, signed by the Chairman and Secretary of the meeting and countersigned by the Secretary of the Board of Trustees, shall be forthwith transmitted by the Secretary of the School Trustees to the Superintendent of Education: Provided always, that such copy of proceedings of annual meeting in Rural School Districts shall specify clearly the amount of salary to be paid during the coming year to each teacher, manual training or domestic science instructor employed in such Rural School District.

Minutes.

**77.** If any person offering to vote at an annual or other school meeting shall be challenged as unqualified by any legal voter, the Chairman presiding at such meeting shall require the person so offering to make the following declaration:—

Voter, if challenged, to make declaration of qualification to vote.

"I do declare and affirm that I am a ratepayer of this district and that I have paid all district school rates imposed upon me within the last twelve months and that I am legally qualified to vote at this meeting":



Or,

"I do declare and affirm that I am the wife of a ratepayer of this district and that my husband has paid all district school rates imposed upon him within the last twelve months, and that I am legally qualified to vote at this meeting":

Whereupon the person making such declaration shall be permitted to vote upon all questions proposed at such meeting; but if any person refuse to make such declaration, his or her vote shall be rejected; and if any person wilfully makes a false declaration of his or her right to vote, he or she shall, on a summary conviction thereof, be liable to a fine not greater than one hundred dollars.

Proceedings at annual meetings.

**78.** At the annual school meeting the District shall elect Trustees or a Trustee, as hereinafter provided, and an Auditor for the school accounts of the coming year, and shall also decide what school accommodation shall be provided, and what amount shall be raised by the District for the support of teachers to supplement the sum hereinbefore provided by the Provincial Treasury, and for all other items of fixed and current expenditure, and shall also decide whether any and what sum shall be raised for the purchase or building of school-house, for the purchase or improvement of school grounds, or for general school purposes; and shall receive and pass upon the annual report of the School Trustees: Provided, that if any of the business of the annual meeting, except the election of Trustees, remains uncompleted on the day of meeting, it shall be lawful for the meeting to adjourn to a stated date and time, when the business of such meeting may be completed, and the proceedings had at such adjourned meeting shall be legal under this Act and shall have the same force and effect as if completed on the day on which such annual meeting was first called. This section shall be retroactive and apply to meetings held before the passing of this Act.

Special meetings may be called for certain purposes.

**79.** Special meetings may be held (a) upon the call of the Trustees, to fill an occasional vacancy occurring in the Board of Trustees, or for any necessary purpose other than that of voting money; and (b) upon the requisition of a majority of the ratepayers of the district, for the purpose of voting money, or adding to any amount previously voted for any purpose authorised by this Act; notice of which meetings, specifying the objects thereof, shall be given by the Trustees, by posting notices of the time and place thereof in three of the most conspicuous places in the district (one of which shall be the school-house) at least ten days before the time of the meeting.

Provisions for school accommodation.

**80.** The school accommodation to be provided by the district shall, as far as possible, be in accordance with the following arrangements:

- (a.) For a district having sixty pupils or under in regular attendance, a house with comfortable sittings, with one teacher:
- (b.) For a district having from sixty to one hundred and twenty pupils in regular attendance a house having two apartments, one for a primary and one for an advanced department, with two teachers, or if one commodious building cannot be secured, two houses may be provided in different parts of the district, with a teacher in each, one being devoted to the younger children, and the other to the more advanced:

- (c.) And, generally, for any district having upwards of one hundred and twenty pupils in regular attendance a house or houses with sufficient accommodation for junior, intermediate and senior classes; provision being made for a teacher for every sixty children or fraction thereof.

**81.** Whenever a majority of the ratepayers of two or more contiguous rural districts agree to unite into one district for the purpose of establishing a central graded school, with at least two teachers, and of providing for the conveyance to and from such school of the children living at a considerable distance therefrom, there shall be granted from the Provincial Treasury to the Board of School Trustees of such united district a sum not exceeding one-half of the total expense incurred on account of such conveyance.

Contiguous districts may unite to establish central graded school.

#### RURAL SCHOOL TRUSTEES.

##### *Their Terms of Office, Qualifications and Corporate Rights.*

**82.** There shall be three Trustees for each Rural School District who shall be British subjects and qualified voters and residents of the School District, or the wives of qualified voters and residents of the School District (except that the husband or wife of an acting Trustee shall not be eligible for election); and the Trustees of each District shall be a body corporate, under the name of "The Trustees of Esquimalt (or as the case may be) School District"; and no such corporation shall cease by reason of the want of Trustees.

Number, qualifications, etc., of Trustees for Rural School Districts.

**82A.** There shall be three Trustees for each Assisted School in the Province, whose personnel, powers, duties, terms of office and mode of election shall, as far as possible, be similar to those of Trustees in regularly organised Rural School Districts; the words "qualified voter" being substituted for the word "ratepayer" wherever the same occurs in sections providing for or dealing with such personnel, powers, duties, terms of office and mode of election.

Number, qualifications, etc., of Trustees for Assisted Schools.

**83.** Immediately after the formation of any new School District or Districts, pursuant to the provisions of this Act, the Superintendent of Education shall prepare notices, in writing, describing such district or districts, respectively, and appoint a time and place for the first school meeting for the election of Trustees, and shall cause copies of such notices to be posted in at least three public places in each of such School Districts at least ten days before the time of holding the meeting; and the Trustees elected at any such meeting shall respectively hold office until the next annual meeting for the election of Trustees, and no longer.

Proceedings after the formation of new district.

**84.** The Trustees elected at the first annual school meeting in any district shall respectively hold office as follows:—

Terms of office of Trustees elected at first election.

- (a.) The person receiving the largest number of votes shall continue in office until the next ensuing annual school meeting after his election, and for two years thereafter, reckoning therefrom, and from that time onward until his successor shall have been elected:
- (b.) The person receiving the next largest number of votes shall continue in office until the next ensuing annual school meeting



after his election, and for one year thereafter, reckoning therefrom, and from that time onward until his successor shall have been elected:

(c.) The person receiving the next largest number of votes shall continue in office until the next ensuing annual school meeting in such district, and until his successor shall have been elected.

One Trustee elected annually.

**85.** A Trustee shall be elected to office at each ensuing annual school meeting, in place of any Trustee whose term of office is about to expire, and the Trustee so elected shall serve for the next ensuing three years; and upon the expiration of his term a Trustee shall be eligible and may present himself for re-election.

When irregularity does not invalidate election.

**86.** Any irregularity in the mode of electing a Trustee shall not invalidate the election, unless formal objection is taken thereto by a qualified voter before the adjournment of the meeting, if the person so elected possesses the qualifications required by this Act for the office of Trustee.

Not when irregularity would not affect result.

**87.** The election of a Trustee shall not be declared nor held to be invalid by reason of any non-compliance with the provisions of this Act as to the time or place at which any annual or special school meeting is held, nor by reason of any irregularity in the calling of such meeting, if it appears to the tribunal having cognisance of the question of the validity of such election that such non-compliance or irregularity did not affect the result of the election.

Occasional vacancy.

**88.** Any Trustee elected to fill an occasional vacancy shall hold office only for the unexpired term of the person in whose place he has been elected.

Term of office of present Trustees.

**89.** Trustees holding office at the time this Act comes into force shall continue in office and perform all the duties of Trustees under this Act until their successors are elected in accordance with the provisions of this Act.

Trustees to appoint the place and give notice of annual meetings.

**90.** It shall be the duty of the Trustees of each School District to appoint the place of each annual school meeting of the ratepayers of the district, and of elections and of a special meeting for the filling up of any vacancy in the Trustee Corporation occasioned by death, removal, or other cause, and to cause notices of the time and place to be posted in three or more public places in such district, one of which shall be upon the school-house, at least ten days before the holding of such meeting, and to specify in such notices the object of such meeting. They shall also call and give like notices of any special meeting for any school purpose which they may think proper.

Annual meeting not held through want of notice.

**91.** In case, from the want of proper notices, or from any other cause, any annual school meeting required to be held for the election of Trustees, or any special meeting or election, shall not be held at the proper time, any five ratepayers in such district may, within twenty days after the time at which such meeting should have been held, call a meeting by giving ten days' notice, to be posted in at least three public places in such School District, and the meeting then called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

**92.** Any person chosen as Trustee may resign by giving written notice of such intention to his colleagues in office. Trustee may resign.

**93.** Should a district at the annual meeting fail to elect a Trustee or Trustees, or should a Trustee after having been duly elected decline to act, a Trustee shall be appointed, upon the written requisition of five ratepayers of the district, by the Inspector, who in case of further neglect to act shall have power to make further appointments. Procedure when elected Trustee declines to act.

**94.** A Trustee shall not, directly or indirectly, be interested, otherwise than in his corporate capacity in any contract provided for herein, except that a Trustee may, with the consent of the Superintendent of Education, contract with the Board of Trustees for the sale or purchase of a school-site or building. Trustee not to be interested in any contract. Exceptions thereto.

**95.** It shall be the duty of the Rural Board of School Trustees, and they are hereby empowered:— Powers and duties of Rural Boards of Trustees.

(a.) To acquire, take and hold for the corporation any real or personal property, moneys or income for school purposes, and to apply the same according to the terms on which the same were acquired or received, with power, when so authorised by the School District in annual meeting, or a meeting called for such purpose, to sell or dispose of the same and apply the proceeds towards payment of charges against the district for the purchase or erection of school property, if such charges exist:

(b.) To purchase or rent lands or buildings for school purposes, contract for the erection and furnishing of school buildings, repair and keep in order and insure the building and furniture, secure maps, apparatus and books, and generally to provide for all school purposes, as authorised by the school meeting:

(c.) To borrow, when authorised by the school meeting, money for the purchase and improvement of grounds for school purposes, or for the purchase or building of school-houses, or for the furnishing of the same; and such amount shall be repaid by equal yearly instalments, not exceeding twelve, or such greater number of years as the Council of Public Instruction shall by special order allow, with any interest accruing, to be assessed upon the district, and the money so borrowed shall be a charge upon the district, and for money so borrowed the Board of Trustees shall have power to give certificates of indebtedness:

(d.) To determine the site of the school-house, but immediately thereafter the Board of Trustees shall call a special meeting of the voters of the district to approve of the selection made; if a majority of the voters of such district present at this meeting do not ratify the site chosen by the Trustees, the voters of the district shall at this meeting determine upon a suitable site, and their decision, subject to the approval of the Council of Public Instruction, shall finally decide the matter:

(e.) In case the voters of a School District neglect or refuse to select a site which meets with the approval of the Council of Public Instruction, the Superintendent of Education, or any person appointed by him, shall visit the School District, and, after careful inspection, shall select the sites, and such selection, subject to the approval of the Council of Public Instruction, shall finally decide the matter.



To provide school privileges free to children from 6 to 16 years of age.

**96.** It shall be the duty of the Rural Board of School Trustees, and they are hereby empowered to provide school privileges free of charge to all children between the ages of six and sixteen, inclusive, who may be resident in the district, and, when authorised by the school meeting, improved accommodation, as far as possible in accordance with the provisions of section 80 hereof, with power to admit to school privileges senior grade pupils from other districts, and if the Trustees shall deem it necessary, they may exact from such pupils such reasonable tuition fee as may be sanctioned by the Superintendent. Persons above sixteen years of age who desire to attend school in the district in which they reside, shall have the right of doing so free of charge, if there is sufficient school accommodation. Any person assessed for district school rates in two or more districts shall have the right to send his children to the school of any district in which he may be assessed, or part of them to the school of one district and part to the school of another district. Any parent, master or guardian, who pays district school rates in any school district shall be entitled to send any child under his care, custody or control to the school of such district.

Appointment, duties and powers of Secretary.

**97.** It shall be the duty of the Rural Board of School Trustees to appoint one of themselves to be Secretary and Treasurer to the Corporation, who shall give such security as may be required by a majority of the Trustees for the correct and safe keeping and forthcoming, when called for, of the papers and money belonging to the Corporation, and for the correct keeping of a record of their proceedings in a book procured for that purpose, and for the receiving and accounting for all school moneys which shall come into his hands, and for the disbursing of such moneys, in the manner directed by a majority of the Trustees.

Secretary's bond a continuing one.

**98.** The bond given by the Secretary of the Rural Board of School Trustees shall, so long as it remains uncanceled, or until a new bond be taken, be deemed a continuing security during his continuance in office, although in terms for one year.

Meetings.

**99.** Every Rural Board of School Trustees shall meet at least once in every three months.

Annual report.

**100.** The Board of School Trustees of Rural Districts shall (a) cause to be prepared and read at the annual meeting, a report for the year then ending, which report shall, amongst other things, contain a statement of the educational condition of the district and its needs, and exhibit a full account of the receipt and expenditure of all school moneys during the year, which account shall have been duly audited as hereinafter provided; and (b) prepare and transmit annually on or before the fifteenth day of July, a report to the Superintendent, signed by a majority of the Trustees, and sworn to before a Justice of the Peace, and specify therein:—

- (a.) The whole time the school in their district was kept by a qualified teacher, during the year ending the 30th day of June:
- (b.) The amount of money received from the Council of Public Instruction and the manner in which such money has been expended:
- (c.) The total amount of money received and paid during the year to supplement the provincial grant to the teacher, and, in graded schools with two or more teachers, the exact amount paid to each teacher:

- (d.) The whole number of children residing in the School District under the age of six years and between six and sixteen, the number of children taught in the school or schools respectively in such district, distinguishing the sexes, and the average attendance of pupils during the year:
- (e.) The branches of education taught in the school, the number of pupils in each branch, the number of visits made by each Trustee, the number of public school examinations, visits, and lectures, and by whom made or delivered, and such other information as may be required:
- (f.) The uses to which the school buildings and lands have been applied during the year, and the damage arising or the revenue derived therefrom.

**101.** The Auditor shall, at least two weeks before the next annual meeting, call upon the Board of Trustees to submit to him their accounts for the year, with all vouchers, agreements, etc., and shall examine into and decide upon the accuracy thereof, and whether the Board of Trustees have truly accounted for, and expended for school purposes, the moneys received by them, and report upon such accounts at the annual meeting; and if the Auditor objects to the lawfulness of any expenditure made by the Trustees, they shall submit the matters in difference to such meeting, which may either determine the same or submit the same to the Superintendent, whose decision shall be final. Auditor's duties.

GENERAL PROVISIONS.

**102.** It shall be the duty of the Trustees of every School District, whether Municipal or Rural, and they are hereby empowered:— General provisions relating to Trustees of all School Districts.

- (a.) To suspend or expel from school any pupil whom the teacher may report to the Trustees as persistently disobedient or addicted to any vice likely to affect injuriously the character of other pupils, until the Trustees and teacher shall receive from such pupil assurance of reform:
- (b.) To select and appoint (from amongst those persons properly qualified) the teacher or teachers in the School District of such Trustees, and to remove and dismiss such teacher or teachers upon giving at least thirty days' notice before the close of the term to the teacher or teachers of such intention of removal and dismissal, and the reason or reasons therefor. The Trustees shall, upon notification from the Council of Public Instruction of the inefficiency or misconduct of the teacher, give such teacher thirty days' notice of dismissal. Nothing in this section shall be taken to confer on any teacher a right to such thirty days' notice, or salary in lieu of notice, where any teacher has been suspended by the Trustees for gross misconduct: Provided always, that in any case where the Trustees have suspended or dismissed any teacher on a charge of gross misconduct such teacher may appeal to the Council of Public Instruction, who shall have power to take evidence and confirm or reverse the decision of the Trustees; but in case of a reversal of the decision, the teacher shall not, without the consent of the Trustees, be reinstated in the same school.



- (c.) To report forthwith to the Superintendent of Education the appointment, resignation, or dismissal of any teacher or teachers in their district, and in case of dismissal to state the reasons for such dismissal :
- (d.) To visit at least monthly each school under their charge, and see that it is conducted according to the provisions of this Act, and the Rules and Regulations of the Council of Public Instruction ; to provide for the health of the school and to see that the schools are properly supplied with the books prescribed by the said Council, and that no books unauthorised by the Council are used :
- (e.) If any parent or guardian, after due notice from the Trustees that a child under the care of such person is unprovided with the necessary prescribed school books, shall neglect or refuse to furnish such child with the books required, the Trustees shall, subject to the power to exempt indigent persons, furnish them at the expense of the district, and the cost thereof may be collected from the parent or guardian by warrant of the Trustees as in the case of assessed rates.

Teacher's salary to cease one month from date of closing of school. **103.** In case a school is summarily closed for any cause the teacher shall not be paid salary for a longer period than one month from the date of such closing.

Qualification of teachers. **104.** A person shall not be appointed nor retained as a teacher in any public school unless he shall hold a third, second, first class, or academic certificate, or temporary certificate of qualification.

When temporary certificates granted **105.** Temporary Certificates shall be granted according to the following regulations :—

- (a.) The expression "persons properly qualified," in sub-section (b) section 102 of this Act, shall mean persons holding a third, second, first class, or academic certificate of qualification: Provided, however, that the Trustees may, upon their satisfying the Superintendent of Education of their inability to secure a person properly qualified, suitable as a teacher for their school, appoint as a teacher, temporarily, the holder of a temporary certificate :
- (b.) A temporary certificate shall be valid until the next public examination of teachers has been held, and no longer ; and no person to whom a temporary certificate has been issued, who has neglected or failed to obtain at such next public examination a certificate of qualification, shall be entitled to receive a second temporary certificate, except in the case of the holder of an expired third class certificate, who may obtain a second temporary certificate upon satisfying the Superintendent of Education that he was prevented by illness or other satisfactory cause from attending at such public examination.

No Trustee may be a Teacher in his district. **106.** No Trustee shall hold the office of Teacher within the district of which he is a Trustee ; and a continuous non-residence of three months by a Trustee shall cause a vacation of his office : Provided always, that no clergyman of any denomination shall be eligible for the position of Superintendent, Inspector, Teacher or Trustee.

**107.** Any Trustee who during his Trusteeship is convicted of any criminal offence, or who becomes insane, or ceases to be an actual resident within the School District of which he is a Trustee, shall ipso facto forfeit and vacate his seat, and the remaining Trustee or Trustees shall declare his seat vacant, and forthwith call a special meeting for the election of his successor :

This section shall apply to a Trustee elected, and to a conviction made, or other cause of forfeiture matured, either before or after the passing of this Act.

**108.** It shall not be lawful for any powder magazine, or store-house or place where powder or other dangerous explosive substances are kept or stored, to be or to remain within a distance of five hundred yards from any school-house or place or building used for the purposes of a school, or where scholars do or may assemble for the purposes of this Act.

If any person wilfully violates the provisions of this section he shall, upon summary conviction thereof, be liable to a fine not exceeding five hundred dollars. Explosives not to be stored within 500 yards of school-house. Penalty \$500.

**109.** The Board of Trustees of each School District wherein a High School or Collegiate Institute is situate shall, for the purposes of the control and of the management of the affairs of such High School or Collegiate Institute, be a body corporate and politic, under the name of "The Collegiate Institute Board." Constitutes "The Collegiate Institute Board."

**110.** It shall be lawful for any Collegiate Institute Board to enter into affiliation with any one or more of the recognised universities of the Dominion of Canada, subject to the sanction of the Council of Public Instruction, which may by its charter and regulations be authorised to admit such Board into affiliation, and for the purpose of carrying out any agreement for affiliation there is hereby conferred upon and granted to each Collegiate Institute Board all necessary powers and authorities. Empowers "Collegiate Institute Board" to affiliate with Canadian Universities.

**111.** The Lieutenant-Governor in Council may, by letters patent under the Great Seal of the Province, grant a charter or charters of incorporation to any of the Boards of School Trustees of Districts having a High School or College with a staff of at least three teachers, constituting Board of Trustees mentioned in such Letters Patent, and their successors, duly elected under the provisions of the Public School Law of the Province for the time being, a body corporate and politic under the name and style of "The Board of Governors of the College," and in and by said Letters Patent the Lieutenant-Governor shall specify the powers, rights and immunities to be held and enjoyed by said body ; and from and after the issue of such Letters Patent the persons named therein, and their successors, shall be a body corporate and politic, and shall have such of the powers, rights, and immunities vested by law in such bodies as may be specified in the said Letters Patent, but except as is so specified the provisions of sub-section (37) of section 10 of the "Interpretation Act" shall not apply to any such body. Charters of Incorporation to City Boards as Bodies Collegiate.

**112.** It shall be lawful for the Lieutenant-Governor in Council, from time to time, to grant to the corporations of Cities, Towns or Rural Municipalities all or any portion of the lands set apart as school reserves, or acquired by the Crown for school purposes in said Cities or Towns, and situate therein, in trust for school purposes and as school sites. It Power given to Lieut.-Governor in Council to grant certain school reserves to certain corporations.



shall also be lawful for the Lieutenant-Governor in Council, from time to time, to grant to the Boards of Trustees of Rural School Districts all or any portion of lands set apart as school reserves, or acquired by the Crown for school purposes in such Rural School Districts, and situate therein, in trust for school purposes and as school sites.

Said lands to be held in trust and not alienated.

**113.** The said lands, when granted and conveyed to and vested in the said several corporations, shall be held by them upon trust as aforesaid, and shall not be conveyed, alienated, or otherwise disposed of, except with the consent of the Council of Public Instruction.

Sale of property not required for school purposes.

**113A.** The Municipal corporations of Cities, Towns or Rural Municipalities and Boards of Trustees of Rural School Districts may, with the consent of the Lieutenant-Governor in Council, sell and dispose of, at public auction or private sale or lease, any property held by them under section 112 of this Act, not required or which has ceased to be used for school purposes, or which it may be considered advisable to dispose of; provided that the terms and conditions of such sale shall first be submitted to and approved by the Council of Public Instruction, and the moneys arising from such sale shall not be disposed of for any purpose other than the purchase of new school site or erection of new school building, except with the approval and assent of the Council of Public Instruction.

Reversion to Crown on failure of performance of certain provisions.

**114.** All lands which may be conveyed as provided in section 112 of this Act shall revert to the Crown upon the failure of the corporations of said cities or towns or of the School Trustees thereof, or of the Boards of Trustees of Rural School Districts, to conform to, comply with and carry out the provisions of this Act, or other the Act or Acts for the time being in force on this behalf, or to maintain the schools in accordance with the provisions of the school law for the time being in force.

*Board of Examiners.*

Teachers' certificates.

**115.** The Board of Examiners shall have authority to grant certificates the designation and validity of which shall be as follows:—

- (a.) Third Class, valid for three years; but no person shall be allowed to renew a third class certificate, except as hereinafter provided in section 120 hereof:
- (b.) Second Class, valid for life:
- (c.) First Class, valid for life:
- (d.) Academic, valid for life:

All applicants for second class, first class, and academic certificates must be graduates of the Provincial Normal School, or of other Normal Schools approved by the Council of Public Instruction; except that a period of ten years of active service in the public schools of the Province shall be deemed equivalent to graduation from the Normal School.

By whom signed.

**116.** Every certificate of qualification obtained at any examination shall be signed by the Superintendent of Education, and by at least one Examiner, and shall be countersigned by the Provincial Secretary.

Moral character and fitness to teach.

**117.** A certificate shall not be given to any person as a teacher who does not furnish satisfactory proof of good moral character, and satisfy the Board of Examiners that he is a fit and proper person to be granted a certificate.

**118.** Graduates in Arts, of recognised British or Canadian Universities, who have proceeded regularly to their degrees, shall be exempt from examination in other than professional subjects; but may be required, by oral examination, to further satisfy the Examiners as to their knowledge of the Art of Teaching, School Discipline and Management, and the School Law of the Province.

Exemptions from examination.

**119.** Bonâ fide students of a High School, or of any College in the Province, who, having passed the Departmental Junior Grade Examinations, have also passed the examination for matriculation in Arts of any University specified in section 110 of this Act, shall be exempt from examination in other than professional subjects of second class certificates; bonâ fide students of a High School in the Province, who have passed the examination for Senior Matriculation in Arts of any university specified in section 110 of this Act, shall be exempt from examinations in other than professional subjects of first class certificates; bonâ fide students of a High School or College in the Province that is in affiliation with any University specified in section 110, who have further passed the examination upon the first year course in Arts of such University, shall be exempt from examination in other than professional subjects of first class certificates; and bonâ fide students of a High School or College in the Province that is in affiliation with any University specified in section 110, who have further passed the intermediate examination in Arts of such University, shall be exempt from examination in other than professional subjects of academic certificates.

Certain candidates exempt from examination in certain subjects.

**120.** Regularly employed teachers holding Third Class Certificates, who, previous to August, 1901, held either a Third Class, Grade A, or a Third Class, Grade B, Certificate, shall be entitled to an annual renewal of their Third Class Certificate on application to the Superintendent of Education, provided, either that they are graduates of an approved Normal School, or that by the 30th June, 1905, they shall have completed ten years of active service on the teaching staff of the Province.

What Third Class Certificated teachers entitled to renewal of certificates.

**121.** There shall be set apart by the officer in charge of the Treasury for the time being, out of the general revenue of the Province, in each year, such sum as may be voted by the Legislative Assembly for public school purposes, and the said sum of money shall be called the "Public School Fund."

"Public School Fund."

**122.** Every child, from the age of seven to fourteen, inclusive, shall attend some school, or be otherwise educated, for six months in every year; and any parent or guardian who does not provide that every such child under his care shall attend some school or be otherwise educated shall be subjected to the penalties hereinafter provided by this Act. But in City School Districts every child within the age limits hereinbefore mentioned shall attend school during the regular school hours every school day, subject to the exemptions provided for in section 124 of this Act.

Children from 7 to 14 years of age, inclusive, must attend school.

**123.** It shall be the duty of the Trustees of every Public School, or of the Superintendent of Education, or any person authorised by them or him, after having been notified that the parents or guardians of any child continue to neglect or violate the provisions of the last preceding section of this Act, to make complaint of such neglect or violation to a

Penalty in case of violation of preceding clause.





Magistrate or Justice of the Peace; and it shall be competent for the Police Magistrate of any city or town, and for any Magistrate or Justice of the Peace in any town or school district where there is no Police Magistrate, to investigate and decide in a summary manner upon any such complaint made by the Trustees, or any person authorised by them, against any parent or guardian for violation of the last preceding section of this Act, and to impose a fine not exceeding five dollars for the first wilful offence, and double that penalty for each subsequent offence, which fine and penalty shall be enforced as provided in section 126 of this Act.

Exemptions from compulsory clause.

**124.** It shall be the duty of the Police Magistrate, or any Magistrate or Justice of the Peace where there is no Police Magistrate, to ascertain, as far as may be, the circumstances of any party complained of for not sending his child or children to some school, or otherwise educating him or them; and he shall accept any of the following as a reasonable excuse:—

- (a.) That the child is under instruction in some other satisfactory manner:
- (b.) That the child has been prevented from attending school by sickness, or any other unavoidable cause:
- (c.) That there is no public school open which the child can attend, within a distance not exceeding three miles, measured according to the nearest passable road from the residence of such child:
- (d.) That such child has reached a standard of education of the same or of a greater degree than that to be attained in such public school.

Penalty for disturbing school meetings or schools.

**125.** Any person who wilfully disturbs, interrupts, or disquiets the proceedings of any school meeting authorised to be held by this Act, or any school established and conducted under its authority, or interrupts or disquiets any public school by rude or indecent behaviour, or by making a noise, either within the place where such school is kept or held, or so near thereto as to disturb the order or exercises of such school, shall for each offence, on conviction thereof before a Justice of the Peace, on the oath of one credible witness, forfeit and pay for public school purposes, to the school district within which the offence was committed, such sum, not exceeding twenty dollars, together with the costs of the conviction, as the said Justice may think fit.

Recovery of penalties.

**126.** All fines, penalties and forfeitures mentioned in this Act may be sued for, recovered, and enforced, with costs, by and before any Police Magistrate, Stipendiary Magistrate, or Justice of the Peace having jurisdiction within the school district in which such fine or penalty has been incurred; and if any such fine or penalty and costs be not forthwith paid, the same shall, by and under the warrant of the convicting Justice, be enforced, levied, and collected, with costs of distress and sale of the goods and chattels of the offender, and shall by such Justice be paid over to the Treasurer of the school district; and in default of such distress, such Justice shall, by his warrant, cause the offender to be imprisoned for any time not exceeding thirty days, unless the fine and costs, and the reasonable expenses of endeavouring to collect the same, be sooner paid.



127. Chapter 170 of the Revised Statutes of British Columbia, 1897, being the "Public Schools Act," chapter 48 of the Statutes of 1901, being the "Public Schools Act Amendment Act, 1901," and chapter 47 of the Statutes of 1903-4, being the "Public Schools Act Amendment Act, 1904," are hereby repealed as from the first day of January, 1906.

128. This Act shall come into force on the first day of January, 1906.

<p>Post Office Address</p> <p style="text-align: center;">—</p>	<p>Description of item</p>	<p>Quantity</p>



SCHEDULE.

PUBLIC SCHOOLS ACT.

SCHOOL ASSESSMENT ROLL FOR THE YEAR 190

Form No. 1.

34

Rural School District.....  
 Assessment District.....  
 Total assessed value \$.....  
 Amount to be raised \$.....  
 Rate levied being..... per dollar.

Date of completion of Roll.....190

No. on Roll.	Resident or Non-Resident.	Name of Ratepayer and P. O. address.	Description of Real Property.	Assessed values. Real property of all kinds, improved or unimproved. Personal Property.	Total of assessed values.	School rates at rate levied.	Amount paid.	Date of payment.	Number of official receipt issued.	Date of mailing notice of assessment.	Date of delivery when not mailed.
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FORM No. 2.  
 "PUBLIC SCHOOL ACT."

Rural School District Assessment.

Certificate to be furnished to Provincial Assessors by Secretary of Board of Rural School Trustees, under section 52 of "Public Schools Act."

RURAL SCHOOL DISTRICT.....

ASSESSMENT DISTRICT.....

I, \_\_\_\_\_, Secretary of the Board of Trustees of the above-named Rural School District, hereby certify that at the meeting of the Ratepayers of said Rural School District, held on the \_\_\_\_\_ day of \_\_\_\_\_, 190\_\_\_\_, having the power to vote money, and at which money was voted, it was determined that the amount to be raised by assessment for school purposes for said District for the year 190\_\_\_\_, shall be dollars (\$\_\_\_\_\_).

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of January, 190\_\_\_\_.

Secretary of Board of Trustees for said Rural School District.

To the Assessor of.....

Post Office Address.....

VICTORIA, B. C. :  
 Printed by RICHARD WOLFENDEN, V.D., I.S.O., Printer to the King's Most Excellent Majesty.  
 1506.

35





CHAP. 44

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SCHEDULE

PUBLIC SCHOOLS ACT

1908

1908

1908

1908



IN THE SUPREME COURT OF BRITISH COLUMBIA.

44  
88

BETWEEN:

LEE WING an infant by  
LEE LEONG his next friend

Plaintiff

and

FRANK H. EATON Superintendent of  
Schools for the City of Victoria  
and THE BOARD OF SCHOOL TRUSTEES  
OF VICTORIA.

Defendants

I, LEE LEONG of the Town of Chilliwack in the Province  
of British Columbia, make oath and say:

1. That I am the father of the Plaintiff Lee Wing  
and also his next friend in this action.
2. The said Lee Wing arrived at the City of Victoria  
from China on the 18th. day of August 1907.
3. The said Lee Wing is of the age of thirteen years  
and is unable to speak or write the English language.
4. Being desirous that my son Lee Wing should attend  
the Public Schools and obtain an English education I made  
an application on or about Thursday the 22nd. day of  
August 1907 to the Defendant Frank H. Eaton, as Superinten-  
dent of Schools for the City of Victoria, for a permit  
admitting the said Lee Wing to the Schools of the City of  
Victoria but said Superintendent refused and still refuses  
to grant such a permit.

Sworn at *Chilliwack*  
in the Province of British Col  
this 28<sup>th</sup> day of *October*  
A.D. 1907 before me.

*Lee Leong*

*J. H. Bawes*  
A. Justice of the Peace  
*W. Commissioner*

SUPREME COURT

.....

LEE WING

v

EATON ET AL.

.....

APPIDAVIT OF LEE LEONG

.....

PETERS & WILSON.





1907 L. No. 11.

IN THE SUPREME COURT OF BRITISH COLUMBIA.

44  
108

BETWEEN:

LEE WING an infant by LEE LEONG  
his next friend

Plaintiff

a n d

FRANK. H. EATON, Superintendent of  
Schools for the City of Victoria  
and the Board of School Trustees  
of Victoria

Defendants.

I, CHARLES BELBECK WILSON of the City of Victoria  
in the Province of British Columbia, make oath and say:

1. That I am a member of the firm of Peters & Wilson  
Solicitors for the Plaintiff herein and as such have a  
knowledge of the matters hereinafter deposed to.

2. The Plaintiff Lee Wing arrived at the City of  
Victoria from China on the 18th. day of August 1907.

3. The said Lee Wing is of the age of thirteen years  
and is unable to speak or write the English language.

4. Now produced and shown to me and marked Exhibit  
"A" to this my affidavit is a copy of the By-Laws of the  
defendants the Board of School Trustees for the City of  
Victoria.

5. By clause No. 3 of Section V of the said By-Laws  
it is provided that new pupils demanding admission to the  
Schools shall be required by the principal to produce a *permit*  
from the City Superintendent.

"ajk"

6. On or about Thursday the 22nd. day of August  
1907 application was made by Lee Leong, the father of  
Lee Wing and also his next friend in this action, to the

2.

defendant Frank H. Eaton as Superintendent of Schools for the City of Victoria, for a permit admitting the said Plaintiff Lee Wing to the schools of the City of Victoria but said Superintendent refused and still refuses to grant such a permit.

7. On the 30th. day of August 1907 the defendants the Board of School Trustees of Victoria passed a resolution a true copy of which is now produced and shown to me and marked Exhibit "B" hereto.

8. On the 4th. day of September 1907 my partner Mr. Peters wrote to the said Superintendent Eaton a letter a true copy of which is now produced and shown to me and marked Exhibit "C" hereto and on the 11th. day of September Mr. Peters attended the Meeting of the School Board on behalf of the Plaintiff Lee Wing and various other Chinese boys and laid before the Trustees the reasons why the said Board should re-consider and repeal the said resolution of the 30th. day of August 1907

9. The said Board of School Trustees refused to repeal vary or modify the said resolution and on the 12th. day of September 1907 wrote Mr. Peters the letter now produced and shown to me and marked Exhibit "D" hereto.

10. On Wednesday the 18th. day of September 1907 I attended the said defendant Eaton in company with the said plaintiff Lee Wing and then made a formal application for a permit for the said Lee Wing under Clause No. 3 of



3.

Section V of the said By-Laws of the Board of School Trustees  
but the said Defendant Eaton refused to grant such permit.

Sworn at the City of Victoria)

in the Province of British

Columbia this 4<sup>th</sup> day of <sup>Nov</sup> Oct-

*Apr* *embu*

~~Nov~~ A.D. 1907 before me

*Charles Eaton*

*"A. J. Little"*

A Commissioner for taking affidavits  
within British Columbia.

SUPREME COURT

.....

W I N C

V

EATON ET AL

.....

AFFIDAVIT OF C.E.WILSON

2

.....

PETERS & WILSON.







1907 L. No. 11.

IN THE SUPREME COURT OF BRITISH COLUMBIA.

44  
08

BETWEEN:

LEE WING an infant by  
LEE LEONG his next friend

Plaintiff

and

FRANK H. EATON Superintendent of  
Schools for the City of Victoria  
and THE BOARD OF SCHOOL TRUSTEES  
OF VICTORIA.

Defendants.

TAKE NOTICE, that the Court will be moved on Friday  
the 8th. day of November 1907 at the hour of 10.30 o'clock  
in the forenoon, or so soon thereafter as Counsel can be  
heard, by Counsel on behalf of the Plaintiff for an order of  
Mandamus requiring the defendants to provide the Plaintiff  
with School accomodation and tuition in the Public Schools  
of the City of Victoria, free of charge, and, to issue a  
permit authorising the Plaintiff's attendance at the Public  
Schools of the City of Victoria; or for such further or other  
order as shall be deemed proper.

And take notice that upon and in support of such  
application will be read the affidavits of Lee Leong  
and Charles E. Wilson sworn and filed herein and the exhibits  
therein referred to.

Dated this 4th. day of November A.D. 1907 .

PETERS AND WILSON.

Solicitors for the Plaintiff

To:

The above named Plaintiffs

And to:

H.A. Maclean Esq. their solicitor.

SUPREME COURT

.....

LEE WING

V

EATON & ANOR.

.....

NOTICE OF MOTION

.....

*Recd 5<sup>th</sup> Nov 1907*  
*S. J. Hu*

PETERS & WILSON.





No. 11, L 18907

In the Supreme Court of British Columbia.

44/08



BETWEEN *Lee King an infant by Lee Long his next friend*

PLAINTIFF

AND

*Frank H Eaton, Superintendent of Schools for the City of Victoria and the Board of School Trustees of Victoria* DEFENDANT S

*Edward the seventh*  
VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

*Served Sept 19 1907 Registry*

TO *Frank H Eaton Esq, Superintendent of the Schools for the City of Victoria B.C., of Victoria B.C and the Board of School Trustees of Victoria*

WE COMMAND YOU that within eight days after the service of this Writ on you, inclusive of the day of such service, you cause an appearance to be entered for you in an action at the suit of *Lee King an infant by Lee Long his next friend, of Victoria B.C.*

AND TAKE NOTICE that in default of your so doing the plaintiff may proceed therein and judgment may be given in your absence.

WITNESS, THE HONOURABLE *Gordon Hunter*  
Chief Justice, the *19<sup>th</sup>* day of *September* 18907

*Peters Gibson*  
*Plaintiff's Solicitors*



The Defendant may appear hereto by entering appearance either personally or by Solicitor at the office of the Registrar of the Court at Victoria, B. C.

N. B.—This Writ is to be served within twelve calendar months from the date thereof, or if renewed within six calendar months from the date of such last renewal, including the day of such date, and not afterwards.

No. 11, L 18907

In the Supreme Court  
OF BRITISH COLUMBIA.

*Lee Wing*

vs.

*Eaton & another*

Writ of Summons

(GENERAL.)

This Writ was served by .....

on .....

the Defendant

on ..... day the

day of ..... 189 .....

Endorsed on the ..... day of

..... 189 .....

This Writ was issued by *George Alexander Stewart Potts*, of the firm of *Tupper, Peters & Potts*, Board of Trade Building, Bastion Street, Victoria, B.C., Solicitors for the said *Plaintiff*, who reside *Sat No 41 Cornhill Street Victoria B.C.* *plaintiff also resides at No 41 Cornhill Street Victoria B.C.*

*Endorsement on writ*

The Plaintiff's claim is for a declaration that he, *Lee Wing*, of the ages of six and sixteen and resident in the City of Victoria, is entitled to be provided by the defendant with school accommodation and tuition in the said Schools of the City of Victoria, free of charge. And to compel the defendants to provide such school accommodation and tuition free of charge and to permit authorising the Plaintiff's attendance at the said Schools of the City of Victoria And for other relief as may be just.

The Plaintiff also claim interest at the rate of ..... per cent. per annum on \$ ..... of the above sum from the date of the Writ until Judgment, and the sum of \$ ..... (or such sum as may be allowed on taxation) for costs. If the amount be paid to the Plaintiff or ..... Solicitor or Agent, within four days from the service hereof, further proceedings will be stayed.

*Served 21/9/07.*





Served 21. / 9 / 07.

No. 11, L 1

In the Supreme Court  
OF BRITISH COLUMBIA

*Lee Wen*

vs.

*Eaton & Co*

Writ of Summons  
(GENERAL)

This Writ was served by \_\_\_\_\_  
on \_\_\_\_\_  
the Defendant  
on \_\_\_\_\_ day the \_\_\_\_\_  
day of \_\_\_\_\_ 189 \_\_\_\_\_  
Endorsed on the \_\_\_\_\_ day of \_\_\_\_\_  
189 \_\_\_\_\_

This Writ was issued by ~~George Alexander Stewart Potts~~, of the firm of ~~Upper, Peters & Potts~~, Board of Trade Building, Bastion Street, Victoria, B.C., Solicitors for the said Plaintiff, who reside at ~~No 41 Cornsant Street~~ *Wilton Street* *Victoria B.C.* *The Plaintiff also resides at No 41 Cornsant Street Victoria B.C.*

The Plaintiff's claim is

*Endorsement on writ*

The following are the particulars

The Plaintiff's claim is for a declaration that he, being between the ages of six and sixteen and resident in the City of Victoria, is entitled to be provided by the Defendants with school accomodation and tuition in the Public Schools of the City of Victoria, free of charge. And for a Mandamus to compel the defendants to provide such school accomodation and tuition free of charge and to issue a permit authorising the Plaintiff's attendance at the Public Schools of the City of Victoria And for other relief and for costs.

The Plaintiff also claim interest at the rate of \_\_\_\_\_ per cent. per annum on \$ \_\_\_\_\_ of the above sum from the date of the Writ until Judgment, and the sum of \$ \_\_\_\_\_ (or such sum as may be allowed on taxation) for costs. If the amount be paid to the Plaintiff or \_\_\_\_\_ Solicitor or Agent, within four days from the service hereof, further proceedings will be stayed.



Entered Vol. 24 Fol. 367  
Date 6/12/07  
W.P.M.

In the Supreme Court of British Columbia:

The Honourable Mr. Justice Irving:

Saturday, 30th November, 1907.



Between

LEE WING, an infant, by LU LEONG, his next friend,

Plaintiff;

-and-

FRANK H. EATON, Superintendent of Schools for the City of Victoria, and the BOARD OF SCHOOL TRUSTEES of Victoria,

Defendants.



Upon hearing Mr. F. Peters, K.C., of Counsel for the Plaintiff, and Mr. H. A. Maclean, K.C., of Counsel for the Defendants, and upon reading the Writ of Summons herein, Notice of Motion for an Order of Mandamus, and the Affidavits and Exhibits filed in support of said Motion,

It is ordered, that the said Application be, and the same is, hereby dismissed with costs, to be costs in the cause to the Defendants in any event, upon the ground that the Plaintiff should have appealed to the Council of Public Instruction from the refusal of the Defendant~~xy~~ Trustees.

"JP"  
B.H.S.R

P. H. Young  
i

In the  
Supreme Court of Br. Columbia.

See King  
v.  
Eaton et al.

Order  
Dismissing Application  
for Writ.

44  
08



IN THE SUPREME COURT OF BRITISH COLUMBIA:

Between:

LEE WING an infant by LU LEONG his  
next friend,

plaintiff;

-and-

FRANK H. EATON, Superintendent of  
Schools for the City of Victoria,  
and THE BOARD OF SCHOOL TRUSTEES  
of Victoria,

defendants;

-----

TAKE NOTICE that I have this day entered an appearance  
at the office of the District Registrar of the Supreme Court  
of British Columbia at the City of Victoria for the defendants  
to the writ of summons in this matter.

Dated this 28<sup>th</sup> day of September, 1907.

*A. H. Maclean*

Solicitor for Defendants,  
whose address for service is,  
Attorney-General's Depart-  
ment,  
Victoria,  
British Columbia.

To

*Messrs.* Peters and Wilson,

Solicitors for Plaintiff.



In the  
Supreme Court of  
British Columbia.

Lee Wing  
v.  
Eaton et al.

Notice of  
Entry of Appearance.

Received copy.  
this 28<sup>th</sup> Sept  
Peter Johnston



1907 L. No. 11.

IN THE SUPREME COURT OF BRITISH COLUMBIA.

---

BETWEEN:

LEE WING an infant by  
LEE LEONG his next friend

PLAINTIFF

and

FRANK H. EATON Superintendent of  
Schools for the City of Victoria  
and THE BOARD OF SCHOOL TRUSTEES  
OF VICTORIA.

DEFENDANTS

---

NOTICE OF APPEAL.

---

TAKE NOTICE that the Plaintiff appeals to the Full Court of the Supreme Court of British Columbia from the Order made herein on Saturday the 30th. day of November 1907 dismissing the Plaintiff's application for an Order of Mandamus.

AND TAKE NOTICE that the said Full Court will be moved by Counsel on behalf of the Plaintiff at the City of Victoria by way of Appeal from the said Order, on Tuesday the 7th. day of January 1908 at the hour of eleven o'clock in the forenoon or so soon thereafter as Counsel can be heard, on the following among other grounds:

1. That the learned Judge erred in finding as a matter of law that the Plaintiff should have appealed to the Council of Public Instruction from the refusal of the the Defendant Trustees.
2. On such further grounds as Counsel may advise.

Dated this 13th. day of December A.D. 1907.

PETERS & WILSON

To:

Plaintiff's Solicitors.

H.A. MacLenn Esq.

Defendants' Solicitor.

SUPREME COURT

.....

LEE WING

-v-

TATON & ANOR.

.....

NOTICE OF APPEAL

.....

*Recd 14<sup>th</sup> Dec 1907*  
*S. H. W.*

*20*  
*Jb*

PETERS & WILSON.



Declaratory judgments

Barker v London City Ct

63 L.J. (N.S.) 771.

jurisdiction under this rule will be exercised  
with great caution

Austin v Collins

54 L.J. 903

That rule (Order XIV, r. 5) enlarges the  
jurisdiction conferred by S. 50 of the  
Procedure Act 1852, which was held to  
apply only where the plaintiff would be entitled  
to consequential relief if he chose to ask  
for it. The rule leaves it to the discretion  
of the Court to pronounce a declaratory  
judgment when necessary, but it is a power  
which must be exercised with great  
care and jealousy. As a rule I refuse  
to exercise the discretion, but in  
some cases I make an exception.

(The question in this case is, whether or not  
the plaintiff has forfeited his right to  
rescind by compliance with the terms  
and conditions contained in the bill.)

Chitty J at p. 905 of  
54 L.J. Report of Austin v Collins



44  
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08



The true and only remedy which the plaintiff has for the purpose of enforcing the rights which I am of opinion he has got, is by a prerogative writ of mandamus.

When I objected that this was a matter for a mandamus, I was answered that this was an action for a mandamus.

It is an action for a mandamus based upon the Common Law Procedure Act 1854, and the action for a mandamus is simply an attempt to ingraft upon the old common law remedy a right in the nature of specific performance.

When private persons had rights over against the other, the Court had power to grant a mandamus or direct specific performance, or something in the nature of an injunction, to command that the right claimed by the one party should be accorded to by the other. But it was never



Contemplated that the action for a  
 mandamus was to supersede the prerogative  
 writ of mandamus - - - - -

It was never contemplated that a  
 private mandamus should be granted  
 in cases in which a prerogative mandamus  
 had from time whereof memory does not  
 run to the contrary been alone the effective  
 remedy

*Baxter v London City Council*  
 63 L. J. (N.S.) at p. 771  
 Cited in *Smith v Chorley District*  
*Council* [1897] 12 Q.B. p. 539

In the above case the learned Judge (Dyff) then  
 proceeded to deal with the claim as framed  
 upon the declaration of right



Ex A

44/08

By Laws Board of School Trustees

Section 5 paragraph 3

In all cases new pupils demanding admission shall be required by the principal to produce a permit from the City Superintendent.

(See Sections <sup>and 41</sup> 39 of School Act)





Exhibit B. (Resolution)

44/100

That no pupils be admitted to  
the schools until they can so  
understand the English language  
as to be amenable to the ordinary  
regulation and school discipline.



Exhibit C. (Letter)

44/188

J. H. Eaton, Esq.,  
Supt. City Schools,  
Victoria.

Dear Sir:-

Re Admission of Chinese Boys to Schools:

I am instructed in the interest of several Chinese boys who have lately arrived in Victoria to write you pressing for their admission as students in the Public Schools in Victoria.

As I understand it, the position of affairs is as follows: There are, I believe, about 15 children lately arrived from China who have made application for permits to attend the primary schools. These permits have been refused, and an order of the Board passed, I believe last Friday, to the effect that no child shall be permitted to attend the primary school who does not know enough English to be able to understand the proceedings in the school, and be amenable to school discipline.

I understand from you personally that if these children choose to attend ~~the public schools~~ private schools, and thus



(2)

acquire a knowledge of English, there would, perhaps, be no difficulty in their getting permits to attend the public schools - say, at the beginning of next year.

You will remember on the 27th August last, I had an interview with you, at which it was arranged that before the Board passed finally on the matter, I should be allowed an opportunity of presenting the views of my clients to them. You will also remember that owing to the meeting, at which the resolution was passed, being called hurriedly, I was not afforded the opportunity promised.

I also understand from you that permits have been granted to all Chinese applicants who were in Victoria before the 1st of April last, and if this is correct (which I do not doubt) the question immediately at once will be confined entirely to the children who have arrived here since the 1st April.

The question raised is one of principle, and my clients now wish to present their case, with a view, if necessary, of taking legal steps to enforce what they believe to be their rights.

- 1st. be contended that under our school law all children of school age, resident in B. C., have an absolute right to be educated at the public Schools.
- 2nd. That this right is the same whether the children are English, French, German, Chinese, or any other nationality.
- 3rd. That the fact that the Chinese children cannot speak English is no reason for their exclusion. Many such children have heretofore been admitted, and experience has shown that in a very short time they become well able to follow the class work.
- 4th. If there are too many children unable to speak English to be conveniently admitted to the General Primary Class, the School Board is bound to supply such children with a separate room and teacher. This course has in the past been followed by the Board.
- 5th. The Chinese in Victoria pay a large amount of school tax, and it is submitted on every principle of fair play they are entitled to receive the same benefits as other taxpayers.
- 6th. If a similar number of French

Canadian children unable to speak English (and there are many such in Canada) should apply for admission to our schools, is it conceivable that they would be refused admission on the ground that they could not speak English? We venture to say no such question would ever be raised. Why should it be different with the Chinese?

7th. In the newspapers, it has been suggested that these Chinese children, only attend school so that they may be enabled to receive back the \$500. tax paid on landing in Canada, and that in some way this question was before the School Board. I understand from you that the Board have not acted on any such proposition, and have taken the same view that I submitted to you verbally, viz: That the return of the \$500. is a matter absolutely between the individual child and the Government, to be decided when the application is made, if it ever should be made, and that the right to be educated is precisely the same whether the student intends in the future to be a laborer, a professional man, or a merchant. The question simply is not within the jurisdiction of the School Board.

I sincerely hope some solution



151

If this question may be arrived at,  
but I am bound to inform you  
that my instructions are positive  
to take legal steps to enforce our  
clients' rights, and that quickly,  
so the term is slipping away  
quickly.

Our contention is that the Board  
should at once appoint a teacher  
to teach the primary Chinese class,  
or failing that admit them to the  
general class.

Yrs. truly

J. Peters

1  
Exhibit D. (Letter)

12th Sept, 1907.

J. Peters, Esq.,  
Peters & Wilson,  
Victoria, B.C.

Dear Sir: -

I am instructed to notify you that the School Board has given due consideration to the reasons presented by you in your letter of 4th inst. and in your address to the School Board last evening with a view to inducing the Board to rescind its resolution of a recent date, in regard to the admission to the schools of children who cannot speak or understand English; and to say that the Board cannot see its way at present to withdraw the resolution in question or to modify its terms in any particular.

I have, &c.

J. H. Eaton,  
Supt., City Schools.



88/44





FOL.....



VICTORIA PUBLIC SCHOOLS

OFFICE OF BOARD OF TRUSTEES.

*2770*

VICTORIA, B. C. Sept. 20th. 1907

*07*

Hon W.J. Bowser  
Attorney General  
Victoria, B.C.

Dear Sir:-

I have the honor to forward to you herewith by direction of George Jay Esq. Chairman of the Board of School Trustees a copy of a letter received by me from Messrs Peters and Wilson Barristers & Solicitors of this City.

*Wrote letter to Wilson  
2 Oct*

I have the honor to be,

Sir,

Your obedient servant,

*J. H. Eaton*

Superintendent City Schools



FOL.....

# VICTORIA PUBLIC SCHOOLS

OFFICE OF BOARD OF TRUSTEES.

Copy

VICTORIA, B. C. September 19th, 1907

Frank H. Eaton Esq.

Superintendent of City Schools and

Secretary of the Board of School Trustees of Victoria

Victoria, B.C.

Dear Sir:-

The names of the Chinese boys who have been refused admission to the Public Schools of Victoria under the recent order of the Board are as follows:-

Kwok Chung Lum

Won Ar

Lim Sang Chong

Hong Sar

Chu Sing Hor

Wong Wing Hu (admitted free as Merchant's son)

Chon Fo Guey (admitted free as Merchant's son)

Chon Bing

Lee wing

Chan Sack (admitted free as Merchant's son)

Chang Shew

Chon Jang

Ma Bak

Chan Yun

Chow Kam Kit

All of these boys arrived in Victoria since the 27th of May last and most of them in August and they are all within the school age.



Copy

2

We have commenced an action for a mandamus in the case of Lee Wing who arrived on the 18th. of August or thereabouts.

Strictly speaking it will be necessary to commence an action in each case but we would suggest the advisability of making the agreement that a decision on the merits in the case of Lee Wing should be made to bind all the cases, in fact to make it a test case.

We further suggest that it would be well to expedite the hearing of the case. This could easily be done as the facts are all known and there is no good reason why pleadings should not be dispensed with and the case brought on for trial at the October term which begins on the 8th of the month.

We make both these suggestions in order to avoid making the litigation more expensive than necessary and would feel obliged if you would give us your views on the matter. This of course you would not do without consulting your solicitor but we now write in order that you may understand that our sole object is to obtain a decision of the Court on the question raised as speedily and inexpensively as possible and this letter will enable your adviser at once to know our position.

Yours truly,

Peters & Wilson



NOTE.—ALL COMMUNICATIONS IN REFERENCE TO DEPARTMENTAL MATTERS MUST BE ADDRESSED TO THE DEPUTY ATTORNEY-GENERAL.

IN REPLY TO

No. 2770.



ATTORNEY-GENERAL'S OFFICE,  
VICTORIA,

28th: September. 1907.

Messrs,  
Peters & Wilson.  
Barristers.

Victoria. B.C.

Lee Wing Vs F. H. Eaton &  
Victoria Board of School Trustees

Gentlemen:-

Your letter of the 19th instant addressed to Superintendent Eaton in this matter, has been referred to this Department. This Department is quite willing, as suggested by you, that a decision on the merits in this case shall be decisive of all the other cases referred to by you, of the right of the Superintendent and the School Board to exclude Chinese children from the Victoria Public Schools.

As the Attorney-General and myself will both be away from Victoria on circuit until October the 15th and possibly later, it is quite impossible to have this case argued at the Civil Sittings at Victoria on 8th October next.

I have the honour to be  
Gentlemen  
Your obedient servant,

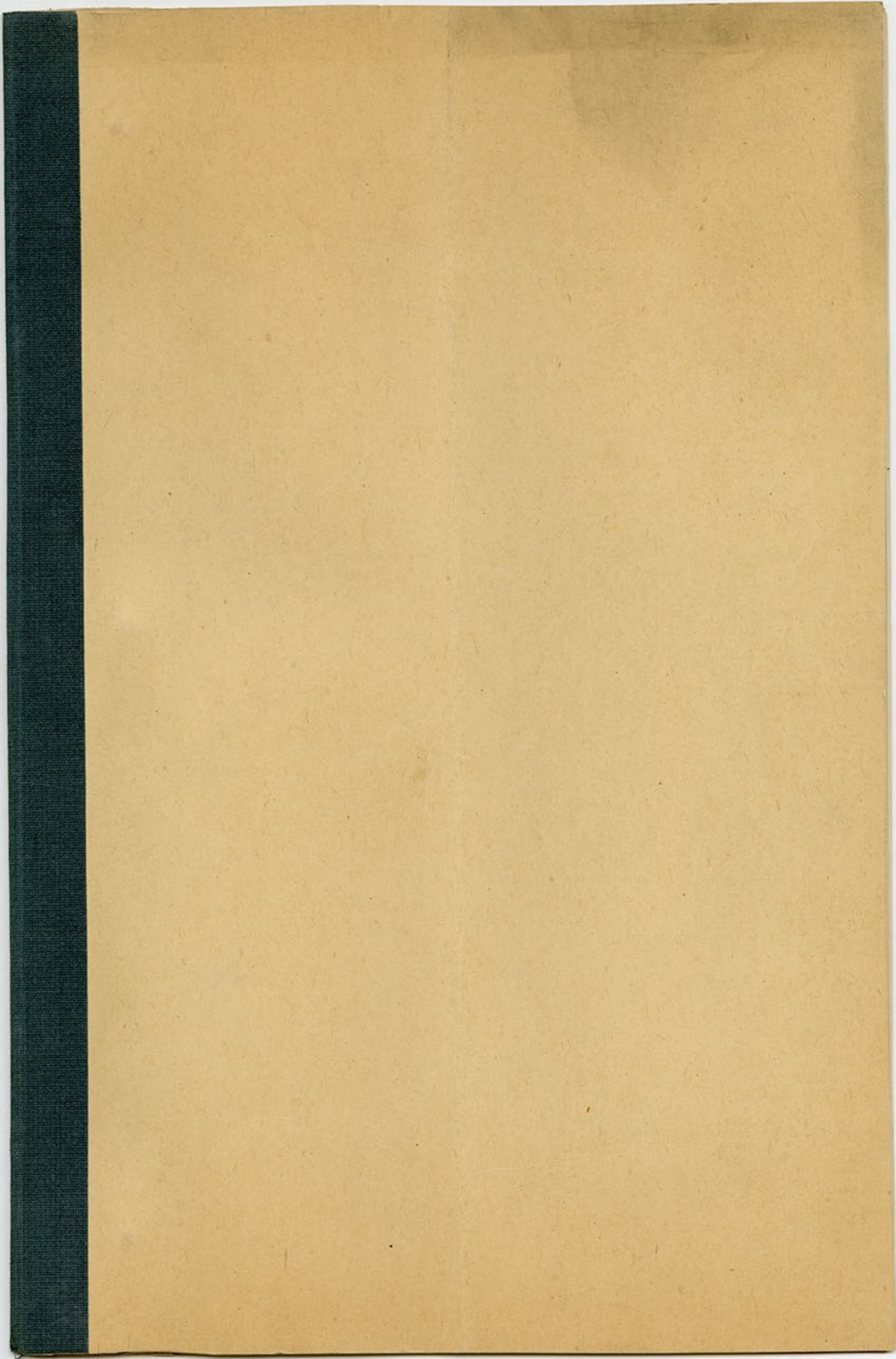
Deputy Attorney-General.



ATTORNEY-GENERAL'S OFFICE  
VICTORIA

88/44

28



BC Archives GR-0419  
Box 126 File 1908/44

BRITISH COLUMBIA. ATTORNEY GENERAL.  
Attorney General documents.



1907. L. No. 11.

IN THE SUPREME COURT OF BRITISH COLUMBIA

On appeal from the Order of the Honourable Mr.  
Justice Irving.

BETWEEN:-

LEE WING, an infant by LEE LEONG  
his next friend

Plaintiff  
(Appellant)

a n d

FRANK H. EATON, Superintendent of  
Schools for the City of Victoria  
and the Board of School Trustees  
of Victoria

Defendants  
(Respondants)

PETERS & WILSON,  
Plaintiff's Solicitors.

H. A. MACLEAN,  
Defendants' Solicitor.



<u>I N D E X.</u>	<u>Page</u>
Endorsement on Writ of Summons issued 19th September, 1907.	1.
Notice of Motion for order of Mandamus dated 4th November, 1907.	2.
Affidavit of Lee Leong dated 28th October, 1907.	3.
Affidavit of Charles E. Wilson dated 4th of November, 1907.	4.
Extract from By-Laws of Board of School Trustees of City of Victoria, being Exhibit "A" to affidavit of C.E. Wilson	6.
Resolution of Board of School Trustees of Victoria passed 30th August, 1907, and being Exhibit "B" to affidavit of C.E. Wilson	7.
Letter F. Peters to F.H. Eaton dated 4th September, 1907, and being Exhibit "C" to affidavit of C.E. Wilson	8.
Letter F.H. Eaton to F. Peters dated 12th September, 1907, being Exhibit "D" to affidavit of C.E. Wilson	12.
Order of the Honourable Mr. Justice Irving dated 30th November, 1907	13.
Notice of Appeal dated 13th day of December, 1907	14.





ENDORSEMENT ON WRIT OF SUMMONS.

The plaintiff's claim is for a declaration that he, being between the ages of six and sixteen and resident in the City of Victoria, is entitled to be provided by the Defendants with school accommodation and tuition in the Public Schools of the City of Victoria, free of charge ; and for a Mandamus to compel the defendants to provide such school accommodation and tuition free of charge and to issue a permit authorising the plaintiff's attendance at the Public Schools of the City of Victoria. And for other relief and for costs. (10)



NOTICE OF MOTION FOR ORDER OF MANDAMUS.

TAKE NOTICE that the Court will be moved on Friday the 6th day of November, 1907, at the hour of 10-30 o'clock in the forenoon, or so soon thereafter as Counsel can be heard, by Counsel on behalf of the plaintiff for an order of Mandamus requiring the defendants to provide the plaintiff with School accommodation and tuition in the Public Schools of the City of Victoria, free of charge, and to issue a permit authorising the plaintiff's attendance at the Public Schools of the City of Victoria (10) or for such further or other order as shall be deemed proper:

AND TAKE NOTICE that upon and in support of such application will be read the affidavits of Lee Leong and Charles E. Wilson sworn and filed herein and the exhibits therein referred to.

Dated this 4th day of November, A.D. 1907.

PETERS & WILSON,

Solicitors for the Plaintiff/

To:

the above named Defendants

And to:

H.A.Maclean, Esq., their solicitor.

3.

AFFIDAVIT OF LEE LEONG, dated 28th  
October, 1907.

---

I, LEE LEONG of the town of Chilliwach in the Province of British Columbia, make oath and say:-

1. That I am the father of the plaintiff Lee Wing and also his next friend in this action.

2. The said Lee Wing arrived at the City of Victoria from China on the 18th day of August, 1907.

3. The said Lee Wing is of the age of thirteen years and is unable to speak or write the English language.

4. Being desirous that my son Lee Wing should attend the Public Schools and obtain an English education I (10) made an application on or about Thursday, the 22nd day of August, 1907, to the defendant Frank H. Eaton, as Superintendent of Schools for the City of Victoria, for a permit admitting the said Lee Wing to the Schools of the City of Victoria but said Superintendent refused and still refuses to grant such a permit.

SWORN at Chilliwach in the Province of British Columbia }  
this 28th day of October, } "Lee Leong"  
A.D. 1907, before me } (20)

"J.H.Bowes"

A Commissioner, etc.



AFFIDAVIT OF CHARLES E. WILSON dated 4th of  
November, 1907.

I, CHARLES EILBECK WILSON of the City of Victoria,  
in the Province of British Columbia, make oath and  
say:-

1. That I am a member of the firm of Peters &  
Wilson, Solicitors for the plaintiff herein and as  
such have a knowledge of the matters hereinafter de-  
posed to.

2. The plaintiff Lee Wing arrived at the City  
of Victoria from China on the 18th day of August,  
1907.

(10)

3. The said Lee Wing is of the age of thirteen  
years and is unable to speak or write the English  
language.

4. Now produced and shown to me and marked  
Exhibit "A" to this my affidavit is a copy of the By-  
laws of the defendants the Board of School Trustees  
for the City of Victoria.

5. By clause No. 3 of Section V of the said By-  
laws it is provided that <sup>NEW</sup> ~~NO~~ pupils demanding ad-  
mission to the Schools shall be required by the princi- (20)  
pal to produce a permit from the City Superintendent.

6. On or about Thursday, the 22nd day of  
August, 1907, application was made by Lee Leong, the  
father of Lee Wing and also his next friend in this  
action, to the defendant Frank H. Eaton, as Superinten-  
dent of Schools for the City of Victoria, for a permit  
admitting the said plaintiff Lee Wing to the schools  
of the City of Victoria but said Superintendent re-  
fused and still refuses to grant such a permit.



7. On the 30th day of August, 1907, the defendants the Board of School Trustees of Victoria passed a resolution a true copy of which is now produced and shown to me and marked Exhibit "B" hereto.

Ex B

8. On the 4th day of September, 1907, my partner Mr. Peters wrote to the said Superintendent Eaton a letter a true copy of which is now produced and shown to me and marked Exhibit "C" hereto and on the 11th day of September Mr. Peters attended the Meeting of the School Board on behalf of the plaintiff Lee Wing and various other Chinese boys and laid before the Trustees the reasons why the said Board should re-consider and repeal the said resolution of the 30th day of August, 1907.

(10)

9. The said Board of School Trustees refused to repeal vary or modify the said resolution and on the 12th day of September, 1907, wrote Mr. Peters the letter now produced and shown to me and marked Exhibit "D" hereto.

10. On Wednesday, the 18th day of September, 1907, I attended the said defendant Eaton in company with the said plaintiff Lee Wing and then made a formal application for a permit for the said Lee Wing under Clause No. 3 of Section V of the said By-laws of the Board of School Trustees but the said defendant Eaton refused to grant such permit.

(20)

SWORN at the City of Victoria in the Province of British Columbia, this 4th day of November, A.D. 1907, before me

"Charles E. Wilson"

(30)

"A.J.Kitto"

A Commissioner for taking affidavits within British Columbia.



EXTRACT FROM BY-LAWS OF BOARD OF SCHOOL TRUSTEES  
OF CITY OF VICTORIA, being Exhibit "A" to affidavit  
of E.E.Wilson.

---

"Pupils will not be admitted to the lowest  
primary classes after the first week of school  
following mid-summer, Christmas and Easter holidays,  
respectively, except by express permission of the City  
Superintendent. And in all cases new pupils demand-  
ing admission shall be required by the principal to  
produce a permit from the City Superintendent."



RESOLUTION OF BOARD OF SCHOOL TRUSTEES OF  
VICTORIA passed 30th August, 1907, and being Exhibit  
"B" to affidavit of C.E.Wilson.

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That no pupils be admitted to the schools until  
they can <sup>so</sup> understand the English language as to be  
amenable to the ordinary regulations and school dis-  
cipline.



LETTER F. PETERS TO F.H. EATON, dated 4th September, 1907, and being Exhibit "C" to affidavit of C.E.Wilson.

Dear Sir,

re admission of Chinese boys to Schools.

I am instructed in the interest of several Chinese boys who have lately arrived in Victoria, to write you pressing for their admission as students in the Public Schools in Victoria.

As I understand it, the position of affairs is as follows:- There are, I believe, about fifteen children lately arrived from China who have made application for permits to attend the primary schools. (10)  
These permits have been refused, and an order of the Board passed, I believe last Friday, to the effect that no child shall be permitted to attend the primary school who does not know enough English to be able to understand the proceedings in the school, and be amenable to school discipline.

I understand from you personally that if these children choose to attend private schools, and thus acquire a knowledge of English, there would perhaps be no difficulty in their getting permits to attend the public schools - say, at the beginning of next year. (20)

You will remember that on the 27th August last, I had an interview with you, at which it was arranged that before the Board passed finally on the matter I should be allowed an opportunity of representing the views of my clients to them. You will





also remember that owing to the meeting at which the resolution was passed being called hurriedly I was not afforded the opportunity promised.

I also understand from you that permits have been granted to all Chinese applicants who were in Victoria before the 1st of April last, and if this is correct (which I do not doubt) the question immediately at once will be confined entirely to the children who have arrived here since the 1st April.

The question raised is one of principle, (10) and my clients now wish to present their case, with a view, if necessary, of taking legal steps to enforce what they believe to be their rights.

1st. We contend that under our school law all children of school age, resident in British Columbia, have an absolute right to be educated at the public schools.

2nd. That this right is the same, whether the children are English, French, German, Chinese, or any other nationality. (20)

3rd. That the fact that the Chinese children cannot speak English is no reason for their exclusion. Many such children have heretofore been admitted, and experience has shown that in a very short time they become well able to follow the class work.

4th. If there are too many children unable to speak English to be conveniently admitted to the General Primary Class, the School Board is bound to supply such children with a separate room and teacher. This course has in the past been followed (30) by the Board.



5th. The Chinese in Victoria pay a large amount of School Tax, and it is submitted on every principle of fair play they are entitled to receive the same benefits as other tax payers.

6th. If a similar number of French Canadian children unable to speak English (and there are many such in Canada) should apply for admission to our schools, is it conceivable that they would be refused admission on the ground that they could not speak English? We venture to say that no such question would ever be raised. Why should it be different with the Chinese?

(10)

7th. In the newspapers it has been suggested that these Chinese children only attend school so that they may be enabled to receive back the \$500 tax paid on landing in Canada, and that in some way this question was before the School Board. I understand from you that the Board have not acted on any such proposition, and have taken the same view that I submitted to you verbally, viz:- That the return of the \$500 is a matter absolutely between the individual child and the Govern- ment, to be decided when the application is made, if it ever should be made, and that the right to be educated is precisely the same whether the student intends in the future to be a labourer or a professional man, or a merchant. The question simply is not within the jurisdiction of this School Board.

(20)

I sincerely hope some solution of this question may be arrived at, but I am bound to inform you that my instructions are positive to take legal steps to enforce our clients' rights, and that quickly, as the term is slipping away quickly.

(30)

Our contention is that the Board should at



one appoint a teacher to teach the primary Chinese  
class, or failing that admit them to the general class.

Yours truly,

*J. Peters*



LETTER F.H. EATON TO F. PETERS dated 12th September,  
1907, being Exhibit "D" to affidavit of C. E. WILSON

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Dear Sir,

I am instructed to notify you that the school Board has given due consideration to the reasons presented by you in your letter of 4th inst. and in your address to the School Board last evening with a view to inducing the Board to rescind its resolution of a recent date in regard to the admission to the schools of children who cannot speak or understand English ; and to say that the Board cannot see its way at present to withdraw the resolution in question or to modify its terms in any particular. (10)

I have the honour to be, Sir,

Yours respectfully,

"F.H.Eaton"

Superintendent City Schools"



ORDER OF THE HONOURABLE MR. JUSTICE IRVING dated  
30th November, 1907.

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UPON hearing Mr. F. Peters, K.C., of Counsel  
for the plaintiff, and Mr. H. A. Maclean, K.C., of  
Counsel for the defendants, and upon reading the Writ  
of Summons herein, Notice of Motion for an Order of  
Mandamus, and the Affidavits and Exhibits filed in sup-  
port of said Motion

IT IS ORDERED that the said application be, and  
the same is hereby dismissed with costs, to be costs  
in the cause to the defendants in any event, upon the  
ground that the plaintiff should have appealed to the (10)  
Council of Public Instruction from the refusal of the  
defendant Trustees.

"P. A. E. Irving,"

J.



NOTICE OF APPEAL dated 13th day of December,  
1907.

TAKE NOTICE that the plaintiff appeals to the Full Court of the Supreme Court of British Columbia from the Order made herein on Saturday the 30th day of November, 1907, dismissing the plaintiff's application for an Order of Mandamus.

AND TAKE NOTICE that the said Full Court will be moved by Counsel on behalf of the plaintiff at the City of Victoria by way of appeal from the said Order, on Tuesday the 7th day of January, 1908, at the hour of eleven o'clock in the forenoon or so soon thereafter as Counsel can be heard, on the following among other grounds: (10)

1. That the learned Judge erred in finding as a matter of law that the plaintiff should have appealed to the Council of Public Instruction from the refusal of the defendant Trustees.

2. On such further grounds as Counsel may advise.

Dated this 13th day of December, A.D. 1907.

PETERS & WILSON,

Plaintiff's Solicitors (20)

To:

H.A. Maclean, Esq.,

Defendants' Solicitor.



1907

1. Question as to right  
of Chinese to be admitted  
2. Appeal not confined  
to ground taken  
by Mr Justice Irving

Lee Wing

v

Eaton et al

44  
08

Appeal Book

