

BILL

No. 74 of 1913.

An Act to amend The School Ordinance, The School Assessment Ordinance, and The School Grants Ordinance.

(Assented to 1913.)

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

The School Ordinance, being chapter 29 of the Ordinances of 1901 with amendments, is amended as follows:

1. Section 2: By striking out the words "and who has paid all taxes due by him to the said district" where the same appear in subsection 9 thereof.

By repealing clause (c) of subsection 10 thereof and substituting therefor the following:

"(c) In any rural municipality any person of the full age of twenty-one years actually residing therein whose name appears on the last revised municipal voters' list.

"(d) In any other district any person of the full age of twenty-one years actually residing therein whose name appears on the last revised assessment roll of the district."

2. Section 6 as amended by chapter 6, 1910 (2): By adding after subsection (4) the following:

"(5) Any other Ordinance, Act or regulation to the contrary notwithstanding, to fix, by regulation, the standing required within the Province of Alberta for admission to the study of law, medicine, dentistry, pharmacy and surveying."

3. Section 12: By striking out the word "five" where the same appears in clause (a) thereof and substituting therefor the word "four."

By striking out the word "five" where the same appears in the proviso to clause (b) thereof and substituting therefor the word "four."

4. Section 39 as amended by chapter 6, 1910 (2):

By striking out the words "not exceeding five miles in length or breadth exclusive of road allowances" where the same appear in the first and second lines thereof.

By striking out the word "twenty" where the same appears in clause (a) thereof and substituting therefor the word "fifteen."

By striking out clauses (b) and (c) thereof.

5. By inserting after section 40 thereof the following sections:

"40a. If the board of trustees of each of two or more contiguous districts pass a resolution requesting to be formed into a consolidated school district the Minister may authorize a vote of the resident ratepayers of each of such districts to be taken in the manner as nearly as may be as provided by sections 22 to 24 for the holding of a first

school meeting for the purpose of ascertaining whether or not the majority of such resident ratepayers are in favour of the union of such school districts into a consolidated school district.

“40b. Upon the Minister being satisfied that the majority of the resident ratepayers voting in the manner hereinbefore provided are in favour of the union of such school districts as aforesaid he may by order, notice of which shall be published in the official Gazette, unite such school districts into a consolidated school district.

“40c. Every such consolidated school district formed under the provisions of the preceding section shall be entitled ‘The Consolidated School District, Number. of the Province of Alberta,’ and shall be given such name as the Minister shall designate in the order forming the same. Such consolidated school districts shall be numbered consecutively, the first of such districts to be established to be assigned the Number 1, and the Minister shall have power to change the name of any consolidated district in accordance with the provisions of Section 35 hereof.

“40d. Upon the union of two or more districts as aforesaid into a consolidated district none of the districts so united shall lose its existence as a corporate body; and the debts and liabilities of every such district shall continue to be a charge upon such district as fully and completely as if no union had taken place, but the business of each such districts shall be managed and conducted as provided in this Ordinance excepting in so far as variation is made herein applying to the administration of such districts when united into a consolidated school district.

“40e. The trustees of each consolidated school district shall be a corporation under the name of ‘The Board of Trustees of Consolidated School District Number of the Province of Alberta,’ and shall possess all the powers and perform all the duties and be subject to all the liabilities conferred and imposed by this Ordinance upon the trustees of village school districts, and in addition thereto shall have power to provide for the conveyance of pupils to and from school and to pay the cost thereof.

“40f. Upon the formation of any such consolidated school district as aforesaid the first board of trustees of such consolidated school district shall consist of the chairman of the board of trustees of each of the school districts united into such consolidated school district and thereafter the board of trustees of such consolidated district shall consist of one trustee elected by the ratepayers of each of the districts so united to be elected annually as nearly as may be in accordance with the provisions of this Ordinance respecting the election of school trustees.

“40g. In the event of any such consolidated school district being formed by uniting not more than two districts, then the two school trustees elected as hereinbefore provided shall forthwith after taking oath of office appoint under their hand as additional trustee some resident ratepayer qualified under this Ordinance to hold such office and in the event of the two trustees so elected being unable to agree as to the selection of an additional trustee as aforesaid such trustee shall be appointed by the Minister.

“40h. In every school district so united into a consolidated district the school trustee elected as hereinbefore

provided shall with respect to all the property, assets and liabilities of such district so united possess all the powers and be subject to all the responsibilities of the board of trustees for such district but the secretary-treasurer of the consolidated district shall be the secretary-treasurer of each of the districts so united into such consolidated district."

6. Section 46 as amended by chapter 27, 1903 (2) and by chapter 6, 1910 (2):

By striking out all that part of subsection (1) thereof occurring after the word "permit" in the fourth line thereof and substituting therefor the following:

"But in the event of it being found impracticable to so locate the school site by reason of the configuration or physical features of the land the board may petition the Minister to approve of the location of another site, which petition shall be accompanied by a plan of the district showing:

"(a) The sections and quarter sections within the district having marked thereon the place of residence of the resident ratepayers and of the children between the ages of five and sixteen inclusive;

"(b) The position of the travelled roads, bridges, and physical features including lakes, sloughs, rivers, creeks and other natural barriers;

"(c) One or more locations suitable, in the opinion of the board, for a school site;

and the Minister may, if satisfied that a site in the exact centre of the district would be impracticable by reason of the configuration or physical features of the land, approve of another site."

By striking out the words "approved by him" where the same appear in the second line of subsection (2) thereof.

7. Section 50 as amended by chapter 6, 1910 (2):

By adding thereto the following subsection:

"(3) Whenever any real property, the title of which is registered in the name of a district, is vested in any other district in consequence of union with or with alterations of the boundaries of such other district, and the Minister by order so vests such real property, a copy of such order duly certified by the Minister shall be sufficient evidence to the registrar of the land registration district in which such real property is situate, of such change of ownership, and the said registrar shall upon request in writing of such other district and upon production of a certified copy of the order as aforesaid and the duplicate certificate of title covering the same, register it as owner of such real property."

8. Section 57 as amended by chapter 6, 1910 (2):

By striking out the words "who has paid all taxes due by him to the district up to December 31st of the preceding year" where the same appear therein.

9. Section 62 as amended by chapter 6, 1910 (2):

By repealing the same and substituting therefor the following:

"Each person nominated for the office of trustee shall be a resident ratepayer of the district and be able to read and write."

10. Section 63: By striking out all the words occurring after the word "district" in the third line thereof.

11. Section 74: By striking out the words "and have paid all taxes due by me to the said school district" where the same appear in form of oath or affirmation therein.

12. Section 82: By striking out the figures "\$3" where the same appear in the sixth line of subsection (2) thereof and substituting therefor the figures "\$5."

By striking out the figures "\$5" where the same appear in the second line of said subsection (2) and substituting therefor the figures "\$8."

13. By adding after section 95a as enacted by chapter 6, 1910 (2), the following:

"95b. The board of every village district shall at its discretion have power to employ a health officer and prescribe his duties."

14. Section 99 as amended by chapter 6, 1910 (2):

By adding after subsection (2) thereof the following proviso:

"Provided, however, that in case it can be shown to the satisfaction of the Minister that any delay in making such half-yearly or yearly returns has been caused by the failure of the auditor of the municipality to audit the books and accounts of the district as provided by section 83 of *The School Ordinance*, the Minister may order that the amount so forfeited or any part thereof shall be paid by the municipality to the district and the same shall be payable forthwith."

15. Section 107 as amended by chapter 27, 1903 (2):

By adding immediately after the word "repairing" in the fifth line thereof the word "moving."

16. Section 108 as amended by chapter 27, 1903 (2) and by chapter 6, 1910 (2):

By striking out the word "from" where the same appears in the first line and substituting therefor the word "after."

17. Section 109: By repealing subsection (1) thereof and substituting therefor the following:

"109. A poll of the ratepayers for and against the by-law may be demanded within fifteen days after the date of the posting of the notices in the next preceding paragraph mentioned, by a demand in writing signed by twenty ratepayers of the district in a town district, ten in a village district or four in a rural district, and such poll shall be held as hereinafter provided in sections 113 to 121:

"Provided, however, that no poll can be demanded if the amount to be borrowed is for the purpose of providing a first school house for the district and does not exceed \$1,200."

18. Section 116 as amended by chapter 27, 1903 (2) and by chapter 6, 1910 (2):

By striking out the words "who has paid all taxes due by him to the district up to December 31st of the preceding year" where the same appear therein.

19. Section 128 as amended by chapter 27, 1903 (2) and by chapter 9, 1904, and by chapter 6, 1910 (2):

By adding the following subsections:

"(8) The board of a school district within the limits of which there is an incorporated city, when the amount to be borrowed is at least \$100,000 may in its discretion by by-law provide that the sum borrowed shall be made payable in such manner that the principal shall be made repayable at the end of the period of years for which the debentures are to run together with interest thereon to be paid annually or semi-annually as the board may by by-law provide:

"Provided, however, that if the indebtedness is to be made payable by debentures payable in the manner set forth in this subsection there shall be raised annually during the said period by way of a sinking fund an equal sum sufficient with accumulated interest thereon to retire the debentures at maturity and interest thereon annually or semi-annually.

"Such debentures shall be in the following form or to the like effect:

"DOMINION OF CANADA

"PROVINCE OF ALBERTA.

"Debenture No. \$

"The School District No. of the Province of Alberta.

"The Board of Trustees of the School District No. of the Province of Alberta, promises to pay the bearer at in the or at in the dollars of lawful money of Canada on the day of 19 and to pay to the bearer the amount of each of the several interest coupons hereto attached as the same shall respectively become due.

"Dated this day of A.D. 19

"Countersigned 19

.....
Minister of Education. *Chairman.*

.....
Treasurer.

"and the coupon may be in the following form:

"Coupon No.

"Debenture No.

"The board of trustees of the School District No. of the Province of Alberta will pay to the bearer at or at on the day of 19 the sum of \$

.....
Chairman.

.....
Treasurer.

“(9) The board may from time to time invest the moneys accruing in said sinking fund for such period or periods, not exceeding in the whole the term of the debentures, and in such manner as it may deem expedient, in securities authorized for the investment of trust moneys by *The Trustee Ordinance* being chapter 11 of the Ordinances of the North-West Territories 1903 (2) and amendments thereto, and such other securities as the Minister may approve, provided that such investments are in other respects reasonable and proper.”

20. Section 130a as enacted by section 7 of chapter 4, 1911-12:

By striking out all the words occurring after the words “Great Britain” in the third line of subsection (1) and substituting therefor the words “at any bank or banks, place or places to be named in Great Britain, the United States of America, or Canada.”

Schedule to *The School Ordinance*:

Form B (b) as amended by chapter 6, 1910 (2):

By striking out the words “and that he has paid all taxes due by him thereto up to December 31st of preceding year” where the same appear therein.

Form B (c) as amended by chapter 27, 1903 (2) and by chapter 6, 1910 (2):

By striking out the words “and that he has paid all taxes due by him thereto up to December 31st of the preceding year” where the same appear therein.

The School Assessment Ordinance, being chapter 30 of the Ordinances of 1901 with amendments, is amended as follows:

21. Section 2 as amended by chapter 6, 1910 (2):

By adding after subsection 4 thereof the following:

“5. A consolidated school district shall be deemed to be a district for the purposes of this Ordinance.”

22. Section 4: By striking out all the words occurring after the word “apply” appearing in the second line thereof and substituting therefor the following: “only to rural districts or portions thereof not situated within the limits of a rural municipality.”

23. Section 12: By striking out the word “ten” where the same appears in the fifth line thereof and substituting therefor the word “twelve.”

24. Section 89 as amended by chapter 21, 1903 (1):

By striking out all the words occurring after the word “year” in the fifth line of subsection (1) thereof.

By striking out the words “The Municipal Ordinance” occurring in the fourth line of subsection (2) thereof and substituting the words “The Town Act.”

By adding thereto the following subsection:

“(5) In the case of a town school district the rate of taxation on unsubdivided farm lands situated outside of the limits of the town municipality shall not exceed eight mills on the dollar.”

The School Grants Ordinance, being chapter 31 of the Ordinances of 1901 with amendments, is amended as follows:

25. By adding after section 3 the following:

“3a. In aid of each consolidated school district there shall be paid out of any legislative appropriation made for that purpose:

“(a) The total amount of the grant which, in the estimation of the Minister, would have been earned by each of the school districts united into the consolidated school district had each of such districts been conducting school for the number of days that the consolidated school had been kept open, and had been engaging at least one teacher holding a first-class certificate under the regulations of the department.

“(b) Eighty cents per day for each conveyance employed by the district to convey pupils to and from the school house in the said district; provided, however, that the style of conveyance and the route travelled shall, in each case, be approved by the Minister.”

No. 74

FOURTH SESSION
SECOND LEGISLATURE
3 GEORGE V
1913

BILL

An Act to amend the School Ordinance, ~~the School Assessment Ordinance~~ and the School Grants Ordinance.

Received and read the

First time.....

Second time.....

Third time.....

EDMONTON :
J. W. JEFFERY, Government Printer
1913