

By this inquiry, we think Mr. LILLIE has rendered an important service to his adopted country. We are sure every American will admit the candour and diligence with which Mr. LILLIE has prosecuted his inquiries, while every Canadian must rejoice at the conclusions which these inquiries have established—conclusions which should excite in the mind of every inhabitant of Canada increased respect and love for his country, and prompt him to labour with more confidence and energy than ever for its advancement and prosperity.

#### OFFICIAL ANSWERS TO QUESTIONS PROPOSED BY LOCAL SCHOOL AUTHORITIES.

[Continued from page 27.]

##### NUMBER 6.

A large absentee landholder proposes to contest the authority of the Trustees to levy a rate upon his property in their Section. They proceed to sue him as directed by the 11th clause of the 12th Section of the School Act; but direct their Secretary Treasurer to ask further advice. The following is the answer returned:

"I regret that you will have to go to law to sustain the undoubted right and powers of Trustees, as the very point denied in your case was brought up in the Legislature when the Bill was under discussion—it having been argued that the Trustees could assess the property of absentee landholders, such landholders ought to have the right of voting at the school meetings of the Section of such Trustees. In accordance with this view, the word "resident," in the original draft of the Bill was struck out before the word "freeholders" in the 2nd line of the 5th Section of the Act.

"But it is important that you see that every step you have taken or may take be according to the provisions of the Act as to the manner of proceeding; that no mere technical advantages may be taken of you. You will recollect that a seal should be used in your Corporate Acts.

##### NUMBER 7.

A local Superintendent inquires whether a County Council can apply any part of the School Fund to pay the salaries of local Superintendents, or in paying per centage on school moneys to a local Treasurer: and whether keeping two schools open three months under the sanction of the Trustees of a School Section, answers the requirements of the law. The following is the answer returned:

"1. The 40th Section of the School Act defines the School Fund to be the Legislative School Grant and an equal sum raised by local assessment; and the 45th Section requires the payment of that amount for the salaries of Teachers alone. What a County Council raises over and above that amount, it can of course expend in payment of local Superintendents; but the 4th clause of the 27th Section of the Act does not permit the payment of per centage to local Treasurers for the receipt and payment of School moneys.

"2. The keeping of two Schools open three months by qualified Teachers in a School Section, is no compliance with the provision of the law for keeping a school open at least six months of the year, or a male and female school under the conditions specified in the latter part of the 5th clause of the 12th Section of the Act. No child could attend both schools at one and the same time; and therefore they both amount to nothing more for the children in the School Section than one school during three months. As the Section in question did not comply with the provisions of the School Act in 1851, you cannot, according to the 2nd clause of the 31st Section pay any part of the School Fund of the present year to such Section; but if the Trustees will comply with the provisions of the Act this year, I would advise you under the 5th clause of the 35th Section to aid them to the amount of their forfeited apportionment of 1851."

##### NUMBER 8.

In a School Section, certain female freeholders or householders voted at an annual school election. Their right to vote was objected by certain electors, one whom submitted the question to the Chief Superintendent, who returned the following answer:

"The question whether female freeholders or householders have a right to vote at school meetings, has several times been mooted but has not been brought before the Court of Queen's Bench for legal decision. They have voted in this city, Brantford, and I believe in some other places; and although some complaints or remarks have been made about their voting, their votes have been received and have not been legally contested by any party.

"Having examined the laws relating to the elections of both Municipal Councillors and Members of the Legislature, I find that women are expressly precluded from voting at such elections. See 12th Vic. ch. 27, Section 46, and 12th Vic. ch. 81, Section 57. From these Acts, it appears plain that where woman are not expressly excluded from the right of voting at an election, they possess that right under the same condition as males; and especially when they are included in all such words importing singular number and masculine gender, as expressly provided in the "Interpretation Act," 12th Vic. ch. 5, clause 7.

"The Court of Queen's Bench alone has authority to decide the legal question finally; but in the meantime I think the female as well as male "freeholders and householders" of a School Section have a right to vote at all lawful school meetings of such Section."

##### NUMBER 9.

The legality of the proceedings of an annual school meeting was objected to, because the Trustees had not specified the objects of it in their notice calling it. They direct inquiry to be made as to the soundness of this objection. The following is the answer returned:

"In reply to your inquiries I have to refer you to the *Journal of Education* for December, p. 183, in which I stated that it was unnecessary for Trustees to state the objects of the then approaching annual meetings, as the duties of such meetings were expressly defined by law. It is the duty of Trustees to specify the object or objects of any special school meeting, but not of an annual meeting; and nothing but what is specified in the 6th Section of the School Act can be considered at an Annual School Meeting, neither can anything not specified in the notice of the Trustees, be considered at a special school meeting."

##### NUMBER 10.

A majority of persons at an annual school meeting, being opposed to the payment of anything whatever in support of a school adopted a resolution to that effect, supposing thereby that they would compel the Trustees to shut up the school. The Trustees felt themselves much embarrassed by such a proceeding; they inquire what they can do under the circumstances. The following is the answer to their inquiries:

"You need not be in the least embarrassed on account of the proceedings at your late annual school meeting to which you refer, as it is with the majority of the Trustees of a School Section, and not with any public meeting whatever, to decide how long a school shall be kept open, what Teacher shall be employed, how much shall be given him, and what money shall be expended for repairs, school books, apparatus, &c. See the 12th Section, clauses 4 & 5 of the School Act. All that any public meeting has a right to say in regard to school expenditure is as to the manner in which it shall be provided; and if the means adopted at any school meeting are not sufficient to pay all the expenses which the Trustees may deem expedient, the latter part of the 7th clause of the 12th Section of the School Act empowers Trustees to raise the balance by assessing all the rateable property in their School Section.

"As the School Meeting to which you refer, has not provided for your raising any thing beyond the amount of the School Fund apportionment to your Section, you have a right by the clause of the Act referred to, to raise any balance you may require (over and above the amount of the apportionment) to pay such salary as you may think proper to give your Teacher, and to defray the other expenses of keeping open your school; that is, you can have a free school, and you have ample power to provide the means necessary to support it.

"The 15th clause of the 12th Section of the School Act makes it the duty of each set of Trustees to procure (at the expense of their Section) annually some periodical devoted to Education; and had you the *Journal of Education* for October, p. 152, and for