

furnish the auditors, or either of them, with the papers or information in their power, and which may be required of them, relative to their school accounts, the party refusing shall be guilty of a misdemeanor, and upon prosecution by either of the auditors, or any rate-payer, be punished by fine or imprisonment, as provided by the *one hundred and fortieth* section of the said Ontario Consolidated Public School Act. [See also the one hundred and thirtieth and seven following sections of this Act.]

New School Site to be authorized by Special Meeting.

30. No steps shall be taken by the trustees of any school section for procuring a school site on which to erect a new school house, or for changing the site of an established school house, without calling a special meeting of the assessed freeholders and householders of their section to consider the matter.

Differences between Trustees and people to be referred to Arbitration.

And in case of a difference as to the site of a school house between the majority of the trustees and a majority of the assessed freeholders and householders at such special meeting, each party shall choose an arbitrator, and the County Inspector, or in case of his inability to attend, any person appointed by him to act on his behalf, shall be a *third arbitrator*, and such *three arbitrators*, or a majority of them shall finally decide the matter.

Owner of Land must Sell School Site Selected—Exception.

[30]. The School Law Improvement Act of 1871 also enacts: 17. On the selection of land as provided by law, for a school site, for the erection of a school-house and necessary buildings, or for enlarging school premises, if the owner of such land shall refuse to sell the same, or shall demand therefor a price deemed unreasonable by the trustees of any section or board of trustees in cities, towns or incorporated villages, the proprietor of such land, and the trustees, or boards of trustees, shall each forthwith select an arbitrator; and the arbitrators thus chosen and the County Inspector, or any two of them, shall appraise the damages to the owner of such land, and upon the tender of payment of the amount of such damages to the owner by the school trustees, the land shall be taken and used for the purpose aforesaid; provided nothing herein contained, shall authorize the selection in a township of a site within a hundred yards of a garden, orchard, pleasure ground or dwelling house, without the consent of the owner of such site; and provided further, that in cities, towns and incorporated villages, vacant land only shall be taken without the consent of the owner or owners.]

[30]. The School Amendment Act of 1860 further enacts: 15. Arbitrators appointed under the authority of the Ontario Consolidated Public School Act, and County Inspectors engaged in investigating and deciding upon school complaints and disputes, shall be entitled to the same remuneration *per diem* for the time thus employed as are members of the municipal council of their county for their attendance at council meetings; provided always, that the parties concerned in such disputes shall pay all the expenses incurred in them, according to the award or decision of the arbitrators and County Inspectors respectively.]

Appointment of School Site Arbitrators—Their Powers.

[30]. The School Law Improvement Act of 1871 also provides that: 25. Should the majority of the school trustees, or the majority of a public school meeting, neglect or refuse, in case of a difference in regard to a School site, to appoint an arbitrator, as provided in the thirtieth section of the Consolidated School Act, or should the owner of land selected as a school site, as provided by section seventeen of this Act, refuse to appoint an arbitrator, it shall be competent for the County Inspector, with the arbitrator appointed, to meet and determine the matter, and the County Inspector, in case of such refusal or neglect, shall have a second or casting vote, provided they should not agree.

[26. Should only a majority of the arbitrators appointed to decide any case under the authority of the School Laws of this Province, be present at any lawful meeting, in consequence of the neglect or refusal of their colleagues to meet them, it shall be competent for those present to make and publish an award upon the matter or matters submitted to them, or to adjourn the meeting for any period not exceeding ten days, and give the absent arbitrator notice of such adjournment.]

Trustees personally responsible for Moneys lost.

31. The trustees of each school section shall be personally re-

sponsible for the amount of any school moneys forfeited by or lost to such school section in consequence of their neglect of duty during their continuance in office; and the amount thus forfeited or lost shall be collected and applied in the manner provided by the *twenty-first* and *twenty-third* sections of this Act. [See also the *twentieth* clause of the *twenty-seventh* section, and the one hundred and thirtieth and seven following sections of this Act.]

PART II.—DUTIES OF TOWNSHIP COUNCILS.

All the Sections of a Township may be united, and a Township Board Elected.

32. In case a majority of the resident assessed freeholders and householders in two-thirds at least of the several school sections, at public meetings in such school sections of the township separately called for that purpose by the trustees of each such section, or the County Inspector, express a desire that local school sections should be abolished, and that all their schools should be conducted under one system and one management, like the schools in cities and towns, the municipal council of such township may comply with the request so expressed by passing a by-law to give effect thereto; in which event all the common schools of such township shall be managed by one board of *five trustees*, one of which trustees shall be chosen in and for each ward, if the township be divided into wards, and if not so divided, then the whole number of such trustees shall be chosen in and for the whole township, and the election of such trustees shall be held at the time and in the manner prescribed in the *third*, *seventh*, *eighth* and *twenty-second* sections of this Act; and such trustees shall be a corporation, under the name of "*The Board of Public School Trustees of the Township of ———, in the County of ———*," and shall be invested with the same powers, and be subject to the same obligations, as trustees in cities and towns, by the *seventy-ninth* section of this Act.

Assessors to value Lands situated in each Section.

33. Whenever the lands or property of any individual or company are situated within the limits of *two* or more school sections, each assessor appointed by any municipality, shall assess and return on his roll, separately, the parts of such lands or property, according to the divisions of the school sections within the limits of which such lands or property may be situate; but every undivided occupied lot, or part of a lot, shall only be liable to be assessed for school purposes in the school section where the occupant resides. [The fifth clause of the thirtieth section of the School Law Improvement Act of 1871, authorizes township councils to correct mistakes and supply omissions in the assessors' school roll.]

Council to impose certain School Assessments as required by Trustees.

34. For the purchase of a school site, the erection, repair, rent and furniture of a school house, the purchase of apparatus and text-books for the school, books for the library, and salary of the teacher—each township council shall ["*shall*" is imperative] levy, by assessment upon the taxable property in any school section, such sum as may be required by the trustees of such school section, in accordance with the desire of the majority of the assessed freeholders and householders to trustees, expressed at a public meeting called for that purpose, as authorized by the *tenth* clause of the *twenty-seventh* section of this Act.

Council may authorize Trustees to borrow Money for special purposes, and provide for repayment.

35. Each township council may grant to the trustees of any school section, on their application, authority to borrow any sums of money necessary for the purposes above mentioned, in respect to school sites, school houses and their appendages, or for the purchase or erection of a teacher's residence, and in that event shall cause to be levied in each year, upon the taxable property in the section, a sufficient sum for the payment of the interest on the sum so borrowed, and a sum sufficient to pay off the principal within *ten years*.

Council not to levy more than one rate except in certain cases.

36. No township council shall levy and collect in any school section during any one year, more than one school section rate, except for the purchase of a school site, or the erection of a school house; and no such council shall give effect to any application of trustees for the levying or collecting of rates for school purposes, unless the trustees of the school section make the application to