

Duties of Council.

119. It shall be the duty of such Council and they are hereby empowered—

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To make regulations for common school teachers and libraries.

(4.) To make such regulations from time to time, as it deems expedient, for the organization, government and discipline of common schools, for the classification of schools and teachers, and for school libraries throughout Upper Canada.

To recommend text and library books.

(5.) To examine, and at its discretion, recommend or disapprove of text-books for the use of schools, or books for school libraries.

To make regulations for granting pensions to Superannuated Teachers.

(6.) To prescribe such regulations, with the approbation of the Governor in Council as it, from time to time, deems expedient, for granting pensions to superannuated or worn out teachers of common schools; but no annual allowance to any superannuated or worn out teacher shall exceed the rate of six dollars for each year that such teacher has taught a common school in Upper Canada; and no teacher shall be entitled to share in the said fund unless he has contributed to such fund the sum of four dollars or more per annum, for the period of his teaching school, or of his receiving aid from such fund, nor unless he furnishes satisfactory proof to the Council of Public Instruction, of inability, from age or loss of health in teaching, to pursue that profession any longer.

(NOTE.—The remainder of this section to section 122 inclusive, not inserted.)

Special provisions.—Grant payable on 1st July in each year.—Common school fund defined.

123. The sum of money apportioned annually by the Chief Superintendent of Education to each county, township, city, town or village, in aid of common schools therein respectively, shall be payable on or before the first day of July, in each year, to the treasurer of each county, city, town and village, in such way as the Governor in Council from time to time directs, and such sum, together with at least an equal sum raised annually by local assessment, shall constitute and be called the common school fund of such county, township, city, town or village; and no part of the salaries of the chief or local superintendents, nor of any other persons except teachers employed, or of any expenses incurred in the execution of this act, shall be paid out of the said common school fund, but such fund shall wholly and without diminution, be expended in the payment of teachers' salaries as herein provided.

Conditions of receiving share of grant.

124. No county, city, town or village shall be entitled to a share of the Legislative School Grant without raising by assessment a sum at least equal (clear of all charges for collection) to the share of the said school grant apportioned to it; and should the municipal corporation of any county, city, town or village, raise in any one year a less sum than that apportioned to it out of the Legislative School Grant, the Chief Superintendent of Education shall deduct a sum equal to the deficiency, from the apportionment to such county, city, town or village in the following year.

How schools may be supported.

125. All the school expenses of each section shall be provided for by any or all of the three following methods:

1. Voluntary subscription;
2. Rate-bill for each pupil attending the school; or
3. Rate upon property;

But no rate-bill shall be imposed exceeding twenty-five cents per month for each pupil attending the school.

In case a resident in one section sends his children to another section.

126. Any person residing in one school section, and sending a child or children to the school of a neighbouring school section, shall nevertheless be liable for the payment of all rates assessed for the school purposes of the section in which

he resides, as if he sent his child or children to the school of such section; and such child or children shall not be returned as attending any other than the school of the section in which the parents or guardians of such child or children reside;

Exception as to separate schools.

But this clause shall not apply to persons sending children to or supporting separate schools, or prevent any person, who may be taxed for common school purposes on property situate in a different school section from that in which he resides, from sending his children to the school of the section in which such property may be situate, on as favourable terms as if he resided in such section.

Rates on lands of absentees to be returned to Clerk of Municipality.

127. If the collector appointed by the trustees of any school section, be unable to collect that portion of any school rate which has been charged on any parcel of land liable to assessment, by reason of there being no person resident thereon, or no goods and chattels to distrain,* the trustees shall make a return to the clerk of the municipality, before the end of the then current year, of all such parcels of land and the uncollected rates thereon, and the clerk shall make a return to the county treasurer of all such lands and the arrears of school rates thereon, and such arrears shall be collected and accounted for by such treasurer in the same manner as the arrears of other taxes; and the township, village, town or city in which such school section is situate, shall make up the deficiency arising from uncollected rates on lands liable to assessment, out of the general funds of the municipality.

Foreign books not to be used without leave of the Council of Public Instruction.

128. No person shall use any foreign books in the English branches of education, in any Model or Common School, without the express permission of the Council of Public Instruction; and no portion of the Legislative School Grant shall be applied in aid of any Common School in which any book is used that has been disapproved of by the Council of Public Instruction, and public notice given of such disapproval.

Pupils not to be required to observe religious exercises objected to by parents.

129. No person shall require any pupil in any such school to read or study in or from any religious book, or to join in any exercise of devotion or religion objected to by his or her parents or guardians; but within this limitation, pupils shall be allowed to receive such religious instruction as their parents and guardians desire, according to any general regulations provided for the government of Common Schools.

VARIOUS PENAL CLAUSES.

Penalty on Secretary-Treasurer for refusing to account.

130. If any secretary-treasurer appointed by the school trustees of any school section or any person having been such secretary-treasurer, has in his possession any books, papers, chattels, or moneys, which came into his possession, as such secretary-treasurer, and wrongfully withholds or refuses to deliver up, or to account for and pay over the same or any part thereof to the person, and in the manner directed by a majority of the school trustees for the school section then in office, such withholding or refusal shall be a misdemeanor.

Mode of proceeding in the case.

131. Upon application to the Judge of the County Court, by a majority of such trustees, supported by their affidavit made before some justice of the peace, of such wrongful withholding or refusal, such judge shall make an order that such secretary-treasurer or person having been such, do appear before him at a time and place to be appointed in the order.

132. Any bailiff of a division court, upon being required by such judge, shall serve such order personally on the party complained against, or leave the same with a grown-up person at his residence.

See section 21 of the new School Act.