

JOURNAL OF EDUCATION

FOR

Upper Canada.

Vol. III.

TORONTO, JULY, 1850.

No. 7.

AN ACT

FOR THE BETTER ESTABLISHMENT AND MAINTENANCE OF COMMON SCHOOLS IN UPPER CANADA,

13th and 14th Victoria, chapter 9.

INDEX.

	Sections.
I. Election and Duties of School Trustees	2 to 14
II. Common School Teachers and their Duties	15 to 17
III. Duties of Township Municipalities	18 to 20
IV. Duties of Councils and Trustees in Cities, Towns, and Incorporated Villages	21 to 26
V. Duties of County Municipal Councils	27
VI. Constitution and Duties of County Boards of Public Instruction	28 to 29
VII. Duties of Local Superintendents of Schools	30 to 31
VIII. Duties of School Visitors	32 to 33
IX. Duties of Chief Superintendent of Schools	34 to 35
X. Constitution and Duties of Council of Public Instruction	36 to 38
XI. Miscellaneous Provisions	39 to 48

[24th July, 1850.]

Enacted.

WHEREAS it is expedient to make provision for the better establishment and maintenance of Common Schools in the several Villages, Towns, Cities, Townships and Counties of Upper Canada: Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intitled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada.* And it is hereby enacted by the authority of the same, that the Act of the Parliament of this Province, passed in the seventh year of Her Majesty's reign, intitled "An Act for the better Establishment and Maintenance of Common Schools in Upper Canada," and also the Act passed in the twelfth year of Her Majesty's reign, ch. 83, and intitled "An Act for the better Establishment and Maintenance of Public Schools in Upper Canada, and for repealing the present School Act," shall be, and the same are hereby repealed: Provided always, nevertheless, firstly, that no Act or part of an Act repealed by either of the Acts hereby repealed, shall be revived by the passing of this Act: And provided also, secondly, that the repeal of the said Acts shall not extend or be construed to extend to any act done, any penalty incurred, or any proceeding had under the said Acts, or either of them: And provided also, thirdly, that all School Sections or other School divisions, together with all elections and appointments to office, all agreements, contracts, assessments, and rate-bills, made under the authority of the said Acts, or of any preceding Act, and not annulled by the said Acts or by this Act, or by any of them, shall be valid and in full force and binding upon all parties concerned, as if made under the authority of this Act, and shall so continue until altered, modified, or superseded, according to the provisions of this Act: And provided also, fourthly, that nothing herein contained shall affect the liability of any District, County, City, Town, or Township Superintendent of Common Schools, to the Municipal Corporation to which he would otherwise be responsible for the same, for any moneys received by him under any of the said Acts; but the liabilities of every such

Superintendent for such moneys shall be and remain as if this Act had not been passed: And provided also, fifthly, that nothing in the said Act secondly above recited, contained, shall extend, or be construed to extend, to have repealed any Act of the Parliament of this Province, whereby provision was made for the appropriation of money from the consolidated revenue fund of this Province, for or towards the establishment and maintenance of Common Schools in this Province, or in any part thereof.

I. ELECTION AND DUTIES OF SCHOOL TRUSTEES.

II. And be it enacted, That the annual meetings for the elections of School Trustees, as hereinafter provided by this Act, shall be held in all the Villages, Towns, Cities, and Townships of Upper Canada, on the second Wednesday in January, in each year, commencing at the hour of Ten of the clock in the forenoon.

III. And be it enacted, That in all School divisions (except in Cities, Towns, and Incorporated Villages) which have been established according to law, and which have been called "School Sections," and in which there shall be three Trustees in office at the time this Act shall come into force, one Trustee shall be elected to office at each ensuing annual school meeting, in place of the one who shall have been three years in office: Provided always, that the same individual, if willing, may be re-elected: And provided also, that no School Trustee shall be re-elected, except by his own consent, during the four years next after his going out of office.

IV. And be it enacted, That whenever any school section shall be formed in any Township, as provided in the eighteenth section of this Act, the Clerk of the Township shall communicate to the person appointed to call the first school meeting for the election of Trustees, the description and number of such school section; and such person shall, within twenty days thereafter, prepare a notice in writing, describing such section, and appointing a time and place for the first school section meeting, and shall cause copies of such notice to be posted in at least three public places in such school section, at least six days before the time of holding such meeting.

V. And be it enacted, That at every such first school section meeting, the majority of the freeholders or householders of such school section present, shall elect one of their own number to preside over the proceedings of such meeting, and shall also appoint a Secretary, whose duty it shall be to record all the proceedings of such meeting; and the Chairman of such meeting shall decide all questions of order, subject to an appeal to the meeting, and shall give the casting vote in case of an equality of votes, and shall have no vote except as Chairman, and shall take the votes in such manner as shall be desired by the majority of the electors present, and shall, at the request of any two electors, grant a poll for recording the names of the voters by the Secretary: and it shall be the duty of the electors present at such meeting, or a majority of them, to elect from the freeholders or householders in such section, three Trustees, who shall respectively continue in office as follows:—

Annual School meetings to be held throughout U. C., on the second Wednesday in January at 10 o'clock, A. M.

One Trustee in each School Section to be elected at each annual School meeting.

Proviso: Same individual may be re-elected, but not without his consent for four years.

Mode of calling the first School meeting in a new School section.

Mode of proceeding at the first meeting in a new School section.

Election of Chairman and Secretary.

Duty of the Secretary.

Duty of the Chairman.

A poll to be granted at the request of any two electors.

Three Trustees to be elected.