

1850 gives to the common school trustees. These "rights and powers" thus claimed, are not restricted to any class or classes of persons, but are absolute and universal. The only restriction on them is that which is contained in the 13th section of the same act—a section imposing a fine of five pounds upon a trustee convicted of "knowingly signing a false report"—a section of no effect in connexion with the other provisions which relieve separate schools of all inspection, create for them a special superintendent of their own, and with no obligation, to make any returns except such as he may require from them. The 9th, 10th, 11th, 14th, 18th, 29th and 31st sections of the school act of 1850, (13 & 14 Vic., chap. 48.) and the 4th, 5th, 6th, 9th, 10th, 11th, 12th, 13th and 17th sections of the supplementary school act, (16 Vic., chap. 185,) impose various restrictions and obligations upon trustees in regard to the exercise of the large powers which the nineteen clauses of the 12th section of the school act of 1850 confer upon them—thus preventing them from levying any rate upon the supporters of separate schools, requiring semi-annual returns, limiting their applications to councils, &c., &c., &c., but the 3rd section of this draft of bill discards all these restrictions and obligations, and demands for the trustee corporations to be created; absolutely and without restriction all the "rights and powers," as well as all the property which the 12th section of the school act of 1850 confers upon common school trustees, the 8th clause or paragraph of which authorises them "to apply to the municipality of the township, or employ their own lawful authority, as they may judge expedient, for the raising and collecting of all sums authorised in the manner hereinbefore provided, to be collected from the freeholders and householders of such section, by rate, according to the valuation of taxable property, as expressed on the assessor or collector's roll." Here is no restriction as to persons or property; all are subject to the taxing power of the separate school trustees—but whom this draft of bill makes the sole school trustees! And in this connection it is also to be observed, that the proviso in the 2nd section of this draft of bill allows none but dissentients to vote at the election of these trustees. This is also the provision of the present law; but the present law restrains the acts of the trustees thus elected, to the property and persons of the dissentients. This draft of bill, however, while it restricts the elective franchise to a particular class, gives the trustees elected by that class, power over all the taxable property of all classes of freeholders and householders in the section. Nor is this all, for—

5. A fifth feature of Bishop Charbonnel's draft of bill is, that it gives the trustee corporations it creates, equal power over the municipal councils as over individuals. The 8th clause of the 12th section of the school act of 1850, above quoted, gives the trustees power to apply, at their pleasure, to the municipality, to impose school rates; and the 18th section of the same act makes it the duty of such council to levy and collect the amount of rates thus applied for, from all the taxable property of the section concerned; and the sixth section of this draft of bill requires the Chief Superintendent to pay the amount of such taxes, if the municipality fails to do so. Thus is every municipality in Upper Canada, as well as the school fund, subjected to the discretionary demands of separate school sections. Nor is even this all, for—

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