

THE
SEPARATE SCHOOL QUESTION
IN
UPPER CANADA.

No. 1. Provisions of the Law relating to Separate Schools in Upper Canada.

COMMON SCHOOL ACT of 1850, 13 & 14 Vic., Cap. 48.

[Received Royal Assent, 24th July, 1850.]

XIX. And be it enacted, That it shall be the duty of the municipal council of any township, and of the board of school trustees of any city, town, or incorporated village, on the application in writing of twelve or more resident heads of families, to authorize the establishment of one or more separate schools for Protestants, Roman Catholics or colored people, and, in such case, it shall prescribe the limits of the divisions or sections for such schools, and shall make the same provision for the holding of the first meeting for the election of trustees of each such separate school or schools, as is provided in the fourth section of this act for holding the first school meeting in a new school section: Separate schools for Protestants, Roman Catholics and Colored People authorized. [Applicants prescribe limits in cities, towns and villages, by 14 & 15 V. c. 111.] Provided always, that each such separate school shall go into operation at the same time with alterations in school sections, and shall be under the same regulations in respect to the persons for whom such school is permitted to be established, as are common schools generally: Under same regulations for elections and commencement of common schools. Provided secondly, that none but colored people shall be allowed to vote for the election of trustees of the separate school for their children, and none but the parties petitioning for the establishment of, or sending children to, a separate Protestant or Roman Catholic school, shall vote at the election of trustees of such school: Manner of electing trustees in such separate school sections. Provided thirdly, that each such separate Protestant, or Roman Catholic, or colored school shall be entitled to share in the [school fund] according to the average attendance of pupils attending each such separate school, (the mean attendance of pupils for both summer and winter being taken,) as compared with the whole average attendance of pupils attending the common schools in such city, town, village or township: Apportioning school moneys in same ratio as to common schools. [School "fund" changed to school "grant." 18 V. c. 185, s. 4.] Provided fourthly, that no Protestant separate school shall be allowed in any school division except when the teacher of the