

### To keep the Register of the School.

(2) To keep the daily, weekly, monthly or quarterly registers of the school.\*

### To maintain proper Order and Discipline.

(3) To maintain proper order and discipline† in his school according to the authorized forms and regulations.‡

### To keep a Visitors' Book.

(4) To keep a visitors' book (which the trustees shall provide) and enter therein the visits made to his school, and to present such book to each visitor, and request him to make therein any remarks suggested by his visit.

### To give access to the Register and Visitors' Book.

(5) At all times, when desired by them, to give the trustees and visitors access to the registers and visitors' book appertaining to the school, and upon his leaving the school to deliver up the same to the order of the trustees ¶

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\* As the *twentieth* section of the Separate School Act, page 11, contemplates the distribution of the separate school money to the several separate schools according to the average attendance of pupils at school, and not according to school population, the teacher who fails to keep a full and accurate account of the attendance of pupils at his school, lessens the resources of the whole separate school section. Nor is any teacher entitled to his salary who neglects to keep a full and accurate school register. On the other hand, according to the *one hundred and thirty eighth* section of this Act, page 56, any teacher who shall keep a false school register, or make a false school return, will render himself liable to a fine of *twenty* dollars. See also note ¶ to the *fifth* clause of the *eighty second* section of this Act, below.

NOTE.—School Registers are supplied gratuitously, from the Department, to Common School Trustees in Townships by the County Clerks—through the Local Superintendents. Applications should therefore be made direct to the Local Superintendents for them, and not to the Department.

† *Representation as to the character of a teacher by a ratepayer, with a view to obtain redress, is a privileged communication.*

The Court of Queen's Bench has decided that a representation by the assessed inhabitants of a school section as to the character of a teacher, made with a view of obtaining redress, is a privileged communication, which it is of importance to the public to protect; and such a statement would not be the less privileged if made by mistake to the wrong quarter. Where the libel complained of is clearly a privileged communication, the inference of malice cannot be raised upon the face of the libel itself, as in other cases it might be, but the plaintiff must give extrinsic evidence of actual express malice, he must also prove the statement to be false as well as malicious; and the defendant may still make out a good defence by showing that he had good ground to believe the statement true, and acted honestly under that persuasion.

*Quære* by the Court, whether a communication of this nature made by an inhabitant of any other part of the Province, would not be privileged.—*McIntyre v. McBean et al.* 13 Q. B. R. 534.

‡ These forms and regulations are appended.

¶ *The Common School Act of 1860 further enacts:*

1. Any teacher wilfully refusing, on the demand of the majority of the trustees of the school corporation employing him, to deliver up any school register or school