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### CIRCULARS

FROM THE CHIEF SUPERINTENDENT OF SCHOOLS TO THE VARIOUS MUNICIPAL AND OTHER OFFICERS CONCERNED IN THE ADMINISTRATION OF THE NEW COMMON SCHOOL ACT FOR UPPER CANADA.

[CIRCULAR.]

[OFFICIAL.]

To the Wardens of Counties and Unions of Counties in Upper Canada, on the Duties of County Municipal Councils under the new Common School Act, 13th and 14th Vict. Chapter 48.

EDUCATION OFFICE,  
Toronto, July 31st, 1850.

Sir,

I have the honour to transmit to you herewith, a copy of the new Common School Act for Upper Canada, which, having passed the Legislative Council and Assembly, received the Royal sanction and came into force on the 24th instant; and I desire to direct the attention of the Council over which you have been chosen to preside, to the duties which will devolve upon it under the provisions of this Act.

Though the Act is new, the provisions of it are mere renewals of the provisions of the general School Act of 1846 and the City and Town School Act of 1847—combined into one Act, with a new and more simple arrangement, and such additional provisions as experience has suggested, and the progress of the schools and the new system of Municipal Councils seem to require. The duties of the County Councils under the new School Act are substantially the same as were those of the District Councils under the School Act of 1846, with this exception, that the County Council is relieved from the task of forming and altering school-sections, and of considering applications and levying assessments for the erection and repairs of school-houses.

Under our present system of Municipal Councils, a two-fold provision has been made to enable the people, through their local representatives, to meet together and manage their local affairs: The one is by the meeting of the representatives of the several Townships collectively in County Councils; the other is by the meeting of the several representatives of a Township in such Township separately. It is the several Townships that act in the one case as well as in the other; but in the one case they act *collectively*, and in the other *separately*. Of course some diversity of opinion may naturally exist as to the precise parts of a school system which can be best managed by the Townships in their *collective* or *separate* representative capacity. After large consultation and much consideration, it has been decided that the Townships *separately* can best arrange the boundaries of school-sections and do what may be deemed expedient in providing school sites, and for erecting and repairing school houses and imposing other school-section assessments; but that the Townships can best consult *collectively* in regard to the selection of proper School Superintendents, and can best arrange for the more uniform, certain and punctual providing and payment of the local assessment moiety of the School Fund.

It will be seen by the first section of the new School Act, that all lawful proceedings and obligations of every description which have taken place under former school acts are confirmed until fulfilled or modified according to the provisions of this Act. The du-

ties of the County Council are specified in the several clauses of the 27th section of the Act.

1. The first and immediate duty of the County Council will be to cause to be levied upon the several Townships represented in the Council a sum or sums at least equal (clear of all charges of collection) to the sum or sums of money apportioned to them for the current year out of the Legislative School grant. That apportionment I have notified to the Clerk of your Council, as required by the 35th section of the Act. If any of the Township Councils in your County have anticipated the apportionment of the Legislative grant, and have levied a sum or sums for the payment of the salaries of teachers equal to the amount of the legislative grant apportioned to such municipalities therein, then it will be unnecessary, in such cases, for the County Council to impose any further assessment. But in every case the County Council must see that the local assessment part of the School Fund is available to Teachers before the end of the second half-year—the Legislative grant part of it being payable at the end of the first half-year. In the neighbouring state of New-York, this order of proceeding is reversed. The County assessment part of the School Fund must be imposed and collected and attested to the State Superintendent, before the State part of the Fund apportioned to any County can be paid. In my circular addressed to Wardens of Districts, and dated January 16th, 1848,\* I called the attention of Municipal Councils to the great injustice to Teachers, and injury to the efficiency of the school system, arising from the non-payment of the local assessment part of the School Fund at the end of the year. Several Councils provided forthwith for the future punctual payment of the amount of the local school assessment prescribed by law, on or before the fourteenth day of December of each year. What several Councils so promptly and advantageously did in the cases referred to, the new School Act requires to be done in every case.

2. The securing, and mode of paying, the local School Fund is another subject which will engage the attention of the County Council. The new School Act contemplates but one financial officer and his subordinates in each county. If the payment of the School moneys in each District by one financial officer (in the person of the District Superintendent of Schools) has, during the last few years, been attended with no inconvenience equal to the advantages of it, of course no greater inconvenience will be experienced by confining the payment of such moneys to the County Treasurer. But if the County Council deem it expedient, it can appoint any number of sub-Treasurers, even to the Treasurer of each Township as a sub-Treasurer, duly providing for uniformity of responsibility and obligation in the method and punctuality of payments of school-moneys. Under this system, local Superintendents will be under no temptation, at any time, from considerations of personal convenience, to withhold or delay the payment of school moneys; they will be relieved from keeping financial accounts, and from giving sureties as heretofore. The mode of accounting for the expenditure of school-moneys will be extremely simple and complete. No receipts need be given or taken. The order of the Trustees in behalf of a legally qualified Teacher will be the Local Superintendent's authority in each instance, for his cheque upon the County-Treasurer or Sub-Treasurer; and the Local Superintendent's cheque will in each instance be such Treasurer or Sub-

\* See Appendix to the Provincial School Report for 1847, page 81.