

COMMON SCHOOL ACT.

law: Provided always, that no Teacher in such section shall hold the office of School Trustee.*

Expenses of the School.

Fourthly.—To decide upon the manner in which the salary of the Teacher or Teachers, and all the expenses connected with the operation of the School or Schools, shall be provided for.†

Challenging voters.

VII. And be it enacted, That if any person offering to vote at an annual or other school section meeting, shall be challenged as unqualified by any legal voter in such section, the Chairman presiding at such meeting shall require the person so offering, to make the following declaration :

Declaration required.

"I do declare and affirm that I am a freeholder (*or* householder) in "this school section, and that I am legally qualified to vote at this "meeting."‡

Proviso: false declaration for voting illegally.

And every person making such declaration, shall be permitted to vote on all questions proposed at such meeting; but if any person shall refuse to make such declaration, his vote shall be rejected: Provided always, that every person who shall wilfully make a false declaration of his right to vote, shall be deemed guilty of a misdemeanor, and punishable by fine or imprisonment, at the discretion of any Court of Quarter Sessions; or by a penalty of not less than One Pound Five Shillings, or more than Two Pounds Ten Shillings, to be sued for and recovered, with costs, by the Trustees of the school section, for its use, before any Justice of the Peace, having jurisdiction within such school section.

Mode of recovering penalty.

Refusing to serve as Trustee.

VIII. And be it enacted, That if any person chosen as Trustee shall refuse to serve, he shall forfeit the sum of One Pound Five Shillings; and every person so chosen and not having refused to accept, who shall at any time refuse or neglect to perform the duties of his office, shall forfeit the sum of Five Pounds; which sum or sums may be sued for and recovered by the Trustees of the school section, for its use, before

* By the fourteenth section of the Supplementary Act, no Local Superintendent can be a Trustee in a school section; and by the sixth proviso in the fourth section of the same Act supporters of separate schools are ineligible as Trustees of public common schools. In the case of a contested election in a school section, an appeal can be made to the Local Superintendent.

† Three modes of supporting the school are open to an annual meeting to decide upon: (1) voluntary subscription; (2) rate-bill of one shilling and three pence (or less) per month, on children attending the school; and (3) rate on property. But as the Trustees alone (11th, 5th and 17th clauses, 12th section,) determine the amount required for the support of the school; and as the ninth section of the Supplementary Act, in connection with the latter part of the first proviso in the second clause of the thirty-first section of this Act, requires them to maintain a school for at least six months, the latter part of the seventh clause of the twelfth section following, authorizes such Trustees to provide for deficiencies, by a rate upon the property of the section, should the vote of the annual meeting not cover all expenses; or for all the expenses of the school, (over and above the cheques from the School Fund) should the annual meeting omit or refuse to decide as above—C. S. D. Nos. 2, 24, 34.

‡ By the sixth proviso in the fourth section of the Supplementary Act, supporters of separate schools have no votes at public common school elections.