

MISCELLANEOUS.

Last Proviso of 17th section of C. School Act of 1850 repealed.

Arbitrators between Teachers and Trustees invested with full powers to decide disputes.

XV. And be it enacted, That the last proviso of the seventeenth Section of the Upper Canada School Act of 1850, shall be and is hereby repealed; * And be it also enacted, That the Arbitrators mentioned in the said seventeenth Section of the said Act, shall have authority to administer oaths to and to require the attendance of all or any of the parties interested in the said reference, and of their witnesses, with all such books, papers and writings as such Arbitrators may require them or either of them to produce; and the said Arbitrators, or any two of them, may issue their warrant to any person to be named therein, to enforce the collection of any sum or sums of money by them awarded to be paid, and the person named in such warrant shall have the same power and authority to enforce the collection of the money or moneys mentioned in the said warrant, with all reasonable costs, by seizure and sale of the property of the party or corporation against whom the same is rendered, as any Bailiff of a Division Court has in enforcing a judgment and execution issued out of such Court; and no action shall be brought in any Court of Law or Equity, to enforce any claim or demand which by the said seventeenth Section of the said in part recited Act, may be referred to arbitration as therein mentioned.

XVI. And be it enacted, That whenever the lands or property of any individual or company shall be situate within the limits of two or more School Sections, it shall be the duty of each Assessor appointed by any Municipality, to assess and return on his Roll, separately, the parts of such lands or property according to the divisions of the School Sections within the limits of which such lands or property may be situate: Provided always, that every undivided occupied lot or part of a lot shall only be liable to be assessed for School purposes in the School Section where the occupant resides.

XVII. And be it enacted, That no Township Council shall have authority to levy and collect in any School Section during any one year, more than one School Section rate, except for the purchase of a School site or the erection of a School House; nor shall any such Council have authority to give effect to the ninth clause of the twelfth section of the Upper Canada School Act of 1850,† for the levying and collection of rates for School purposes of any School Section in any one year, unless the Trustees of such School Section make application to the Council at or before its meeting in August of such year: Provided also, that each such Township Council shall have authority, under the restrictions imposed by law in regard to the alteration of School Sections, to form such part of any Union School Section as is situated within the limits of its jurisdiction, into a distinct School Section, or attach it to one or more existing School Sections or parts of Sections, as such Council shall judge expedient.‡

Application from trustees for rates shall be made before August.

Proviso in regard to Union Sections

XVIII. And be it enacted, That for and notwithstanding anything contained in the Upper Canada School Act of 1850,|| the Chief Superintendent of Schools shall have authority to direct the distribution of the Common School Fund of any Township, among the several School Sections and parts of Sections entitled to share in the said Fund, according to the length of time in each year, during which a School shall have been kept open by a legally qualified Teacher in each of such Sections or parts of Sections.

Chief Supt. may direct the distribution of the C. S. Fund according to length of time a School is kept open.

Penalty for disturbing any Public School.

XIX. And be it enacted, That if any person shall wilfully disturb, interrupt or disquiet any Common or other Public School, by rude or indecent behaviour, or by making a noise either within the place where such School is kept or held, or so near thereto as to disturb the order or exercises of such School, such person shall, on conviction thereof

before any Justice of the Peace, on the oath of one or more credible witnesses, forfeit and pay such a sum of money not exceeding Five Pounds, together with the costs of and attending the conviction, as the said Justice shall think fit; such conviction and all other convictions before a Justice or Justices of the Peace under this Act or the Upper Canada School Act of 1850, and the costs thereof, to be levied and collected from the offender, who, in default of payment, may be imprisoned for any time not exceeding thirty days, unless such fine and costs, and the reasonable expenses of endeavoring to collect the same, shall be sooner paid.

XX. And be it further enacted, That the Certificates of Qualification which have heretofore been granted to Teachers of Common Schools by any County or Circuit Board of Public Instruction in Upper Canada, or at any meeting of any Members not less than three of the Members of such Boards, and which have not been cancelled, shall at all times be considered as duly and legally granted, notwithstanding any want of notice to the several Members of the said Board, of the times and places of meeting for the purpose of granting such certificates, and notwithstanding any other want of form in the organizing or conducting of the business of any such County or Circuit Board; and any certificate purporting to be granted by any such Board, or any three Members thereof, and having the signature of at least one Local Superintendent of Schools, shall be considered a good and valid certificate of qualification, according to the effect thereof, until the same shall be annulled.

XXI. And whereas doubts have arisen whether the Trustees of any School Section, or the Board of School Trustees of any City, Town or Village, can appoint any one or more of their own number, Collector or Collectors of School rates; * For the removal thereof, Be it enacted, That it shall and may be lawful for the Trustees of any School Section, or the Board of School Trustees in any City, Town or incorporated Village, to appoint one or more of their number a Collector or Collectors to collect the School rates of any such Section, City, Town or Village.

XXII. And be it enacted, That if the Collector appointed by the Trustees of any School Section, shall have been unable to collect that portion of any School rate which was charged on any parcel of land liable to assessment, by reason of there being no person resident thereon, or no goods and chattels to distrain, the Trustees shall make a return to the Clerk of the Municipality before the end of the then current year, of all such parcels of land and the uncollected rates thereon; and the Clerk shall make a return to the County Treasurer of all such lands and the arrears of School rates thereon, and such arrears shall be collected and accounted for by such Treasurer in the same manner as the arrears of other taxes; and the Township, Village, Town or City in which such School Section is situate, shall make up the deficiency arising from the uncollected rate on lands liable to assessment, out of the General Funds of the Municipality.

XXIII. And be it enacted, That whatever additional sum or sums of money may be payable to Upper Canada out of the Legislative School Grant, or may be granted during the present session of this Parliament for Common School purposes in Upper Canada, shall be expended in the following manner: Firstly, a sum of not less than Four Thousand Pounds shall be apportioned and expended for the support of Common Schools, as provided in the thirty-fifth Section of the Upper Canada School Act of 1850; Provided always, that not more than Five Hundred Pounds of the said sum may be expended in special aid of Common Schools in new and poor Townships; Secondly, a sum not exceeding One Thousand Pounds per annum shall be expended in further support of the Normal and Model Schools for Upper Canada, and in supplying a copy of the *Journal of Education* to each School Corporation and each Local Superintendent of Schools in Upper

Authority of J. P. under the Com. School Acts.

Validity of Certificates granted to Teachers under certain circumstances recognized and proceedings of Board of Public Instruction confirmed.

Recital.

Power of C. S. Trustees to appoint one of themselves Collector confirmed.

Provision for obtaining the School rates due on the lands of non-residents.

£4000 per annum additional to be apportioned to C. Schools in U. C.

£1000 per annum additional in aid of Normal School & supplying the *Journal of Education* to each School Corp., &c.

* See pamphlet edition of the Act of 1850, page 18.

† Ibid, page 18.

‡ Ibid, page 21.

§ Ibid, page 32, 1st clause & 31st section.

* See 2nd clause of the School Act of 1850, pamphlet edition, page 11: and 8th clause of the 24th Section, page 25.