

## IV. THE DEPOSITORY BRANCH

Shall be conducted, as heretofore, under the direction of the Deputy, subject to the control of the MINISTER OF EDUCATION.

## GENERAL REGULATIONS, RELATING TO INTERNAL ECONOMY.

1. The Deputy Minister shall be responsible to the MINISTER OF EDUCATION for the internal management and economy of the Education Office, Depository, Museum and Grounds around the Buildings, and for the due and faithful discharge of duty on the part of Officers, Clerks, Messengers, Gardeners, Engineers and all others employed, who shall be subject to his orders. He shall also have the supervision of the Ottawa Normal School, and of the Toronto Normal School, so far as this relates to the current expenditure and matters of routine and detail, not necessary to bring before the MINISTER.
2. THE OFFICE HOURS shall be :—
  - (a). FOR THE SENIORS—from 9 a. m. until 4 p. m., including lunch hour. Where the lunch hour is not taken, the hours shall be from 9.30 a. m. to 4 p. m.
  - (b). FOR THE JUNIORS—the hours shall be from 8.50 a. m. to 5.30 p. m., including the lunch hour, or where the lunch hour is not taken, from 8.50 a. m. to 4.30 p. m.
  - (c). FOR THE DEPOSITORY (as a business establishment) the hours shall be from 9 a. m. to 5.30 p. m. (except during the busy seasons). The "Juniors" shall be in their places at 8.50 a. m. The regulations as to lunch hour, and as to "Seniors" shall apply to the Depository, except that some responsible officer and clerk shall always be left in charge during Depository hours. It is understood that during a pressure of work these hours may be lengthened, and that each officer and clerk shall do his own work, as may be assigned to him. On Saturdays the hours for the Seniors shall be until one o'clock, and for Juniors and those in the Depository until 2.30 p. m.
3. Any questions arising under these General Regulations shall be decided by the Deputy Minister, who (for disobedience or other cause) shall have power to suspend from position and salary any Clerk, Messenger or Servant until the pleasure of the MINISTER is known.
4. In the absence of the Deputy Minister, his functions shall, for the time being, devolve on the Secretary.

## NORMAL AND MODEL SCHOOLS.

1. The Principals of the Normal Schools shall be responsible to the MINISTER OF EDUCATION for the success and efficiency of the Normal and Model Schools under their charge.
2. The Masters, Teachers and all others employed in the Normal and Model Schools, shall be directly responsible to their respective Principals for the due and faithful discharge of their duties.

Approved,

(Signed)

ADAM CROOKS,

Minister of Education.

EDUCATION OFFICE,  
Toronto, 28th Feb., 1876.

## 3. SUPPLEMENTARY HALF-YEARLY RETURNS.

MEMORANDUM respecting Supplementary Half-Yearly Returns required from Trustees of Public Schools.

I. This return is required in order that the duties imposed upon the Department, Trustees and others, by the 156th, 157th, 158th, 159th and 160th sections of the Public School Act of 1874, may be satisfactorily fulfilled.

II. Statement number one is necessary in order that it may be seen what children between the ages of seven and twelve have attended at the Public School of the particular section.

III. Statement number two is a necessary adjunct of this, so as to remove from the list of children, whose attendance is to be accounted for, such children in the section as attend elsewhere than at the Public School of the section.

IV. Section 157 expressly makes it the duty of the Trustees to ascertain the names, ages and residences of all children of school age in their section (distinguishing those between seven and twelve) who have not attended their school for four months of the year. This section necessarily requires that the return and statement three should be made to the Department.

V. The declaration required from the Trustees is incumbent upon them, if they have any intention of fulfilling the duties imposed upon them by the provisions of the Act referred to. Sub-section 2 of section 157 makes it their duty to notify personally, by letter or otherwise, the parents or guardians of the non-attending children, and in case of neglect on the part of such parents and guar-

dians, the Trustees have a substantial duty to perform under section 158.

VI. It is my duty not to relax the requirements of this return, but to insist upon their fulfilment, and to take the requisite means, if necessary, to enforce them.

(Signed,)

ADAM CROOKS,

Minister of Education.

Education Department,  
1st May, 1876.

## 4. SELECTION OF A SCHOOL SITE.

MEMORANDUM of the Honourable the Minister of Education on the matter in dispute respecting the new site of the School-house of Union Section, No. 1, Charlotteville, and No. 7, Walsingham.

1. The substantial facts are not disputed, and the question depends upon proper legal conclusions from them.

2. The resolution of the special school meeting, held on the 24th December, 1875, was passed by the majority of the assessed freeholders and householders present, in conformity with the 24th section of the Act of 1874, cap. 28. There does not appear to be any valid grounds for contending that this was not a legal meeting. Although the Trustees were present, and moved an amendment to select the site in Walsingham, they acquiesced in the resolution of the meeting, which was to adopt the one in Charlotteville. There would appear to have been a difference of opinion between the Trustees and the majority of the meeting, but to give legal effect to this difference, under the 34th section of the Act, the Trustees should have called upon the meeting to appoint their arbitrator, while they nominated their own. The 34th section contemplates that, at any such meeting, the Trustees, or a majority, should be present, and that the arbitrators on both sides should be nominated, although, should the majority of the meeting appoint their's, the Trustees should immediately afterwards do likewise.

3. The resolution of the 24th December, 1875, would, therefore, have been the result of the special meeting convened by the Trustees, and binding upon them—as having been arrived at without any legal difference between them and the meeting, and their selection of the site must have been governed by this resolution.

4. The Trustees, alleging their ignorance of the law, convened another meeting on the 29th January, 1876, and it was competent for a majority at this meeting to agree, or not, to reconsider the question. As I understand its action, the majority, recognizing the difficulty which then clearly existed between them and the Trustees, appointed Mr. D. A. McColl as their arbitrator, and immediately thereafter the Trustees appointed Mr. Backhouse on their part. I think in this there has been a compliance with the provisions of the 34th section, and that a legal board of arbitration now exists—the County Inspector, or his substitute, being the third arbitrator. The arbitrators should meet and proceed to determine the matter in dispute, according to the 34th section. The effect of any award is also declared in and by that section.

5. But it is objected that the action of the Trustees, in proceeding to give effect to the selection of the Charlotteville site, precluded their convening the meeting of the 29th January, 1876. But, on several grounds, it is plain they were not concluded by anything of this nature. As Trustees bound to discharge a public trust, they would be relieved on the ground of error and mistake, if Mr. Hutchinson had not agreed to have cancelled their purchase from him, and the contract with him, though under seal, was invalid, as not being the result of the joint consultation, at the same time, of the Trustees or a majority, at a legal meeting. At the most, the contract, if valid, was entered into conditionally, with Mr. Hutchinson's concurrence, and the circumstance of its being under seal would not prevent effect being given to the condition so as to enable the parties mutually to withdraw and to cancel the sealed contract, even by word of mouth.

(Signed,)

ADAM CROOKS,

Minister of Education.

Education Department,  
Toronto, April 29th, 1876.

5. COMPULSORY SALE OF A SCHOOL SITE.—  
CASE OF INDIAN RESERVES.

The question having been asked by a Rural School Board, whether a portion of an Indian Reserve could be taken for a school site under Section 35 of the Public School Act, the Minister directed a reply to be sent to the following effect :  
"The Ontario Legislature has no jurisdiction over Indian Reserves, and no Provincial Act can therefore grant power to take such lands *in invitum*. The Reserves are administered by the De-