

Court of Quarter Sessions; or by a penalty of not less than five dollars, or more than ten dollars, to be sued for and recovered with costs before a Justice of the Peace, by the trustees of the school section, for its use.

Separate School Supporters not to vote at Common School Meetings.

19. No person subscribing towards the support of a separate school established under the Act respecting separate schools and belonging to the religious persuasion thereof, and sending a child or children thereto, shall be allowed to vote at the election of any trustee for a common school in the city, town, village, or township in which such separate school is established.

Place of Annual School Meeting to be appointed by the Trustees.

20. The trustees of each school section shall appoint the place of each annual school meeting* of the [resident assessed] freeholders and householders of the section, or of a special meeting for the filling up of any vacancy in the trustee corporation occasioned by death, removal, or other cause, or of a special meeting for the selection of a new school site; and shall cause notices of the time and place to be posted in three or more public places of such section, at least six days before the time of holding such meeting, and shall specify in such notices the object of such meeting. They may also call and give like notices of any special meeting, for any other school purpose, which they think proper; and each such meeting shall be organized, and its proceedings recorded, in the same manner as in the case of a first school meeting.

Penalty on Trustees for not calling certain School Meetings.

21. In case any annual or other school section meeting has not been held for want of the proper notice, each trustee or other person whose duty it was to give such notice, shall forfeit the sum of five dollars, to be sued for and recovered before a Justice of the Peace, by any resident inhabitant in the section for the use thereof.

* *Form of Notice for an ordinary Annual School Section Meeting:*
SCHOOL NOTICE.

The undersigned, Trustees of School Section No. —, in the Township of —, hereby give notice to the [resident assessed] Freeholders and Household-ers of the said School Section, that the Annual Meeting will be held at —, on the second Wednesday in January, 186—, at 10 o'clock in the forenoon, for the purpose: 1st. Of receiving and deciding upon the Annual Report of the Trustees; 2nd. Of appointing an Auditor of the School Section accounts; 3rd. Of electing a fit and proper person as a School Trustee for the said Section; 4th. Of receiving and disposing of the report of the Auditors of School Section accounts; 5th. Of deciding upon the manner in which the salary of the teacher; and, 6th. How the other expenses of the school shall be provided.

[Should there be any other business to bring before the meeting, it must be distinctly mentioned in the notice, otherwise it cannot be entertained.]

Dated this — day of —, 186—.

A. B. } Trustees of
C. D. } School Section No. —
E. F. }

NOTE.—1. The manner of proceeding at the annual meeting is prescribed in the sixteenth section of this Act.

2. Should the Trustees neglect to give the prescribed notice of the Annual School Section Meeting until it is too late to give six days' notice, they forfeit each the sum of five dollars, recoverable for the purposes of the School Section, under the authority of the twenty-first section, and then any two qualified electors of the School Section are authorized, within twenty days, to call such meeting. The form of notice is appended in note * to the twenty-second section.

3. The foregoing notice should be signed by a majority of the existing or surviving trustees, and posted in at least three public places of the School Section, at least six days before the time of holding the meeting.

4. The object or objects of each school meeting should be invariably stated in the notices calling it; and the notices calling any school meeting should, in all cases, be put up six days before holding such meeting. One form is sufficient for calling a special school meeting of any kind.

5. The second clause of the twenty-fifth section of this Act, page 26, authorizes Local Superintendents to call special school meetings under certain circumstances. The twenty-sixth section, also authorizes certain other persons to call special meetings, in case of the death of all the trustees, &c.

Meetings to be called in default of first or Annual Meetings.

22. In case, from the want of proper notice, any first* or annual† school section meeting, required to be held for the election of trustees was not held at the proper period, any two [resident assessed] freeholders or householders in such section may, within twenty days after the time at which such meeting should have been held, call a meeting, by giving six days' notice, to be posted in at least three public places in such school section; and the meeting thus called shall possess all the powers and perform all the duties of the meeting in the place of which it is called.

Penalty for refusing to serve as Trustee.

23. If any person chosen as trustee refuses to serve, he shall forfeit the sum of five dollars;‡ and every person so chosen who has not refused to accept the office, and who at any time refuses or neglects to perform its duties,§ shall forfeit the sum of twenty dollars, to be sued for and recovered before a Justice of the Peace, by the trustees of the school section for its use [as authorized by the one hundred and fortieth section of this Act.

Trustee may resign.—Absence, a forfeiture of office.

24. Any person chosen as trustee may resign with the con-

* *The form of Notice in this case should be as follows:*

SCHOOL NOTICE.

The Municipal Council of this township, having formed a part of the Township into a School Section, and designated it "School Section No. —," its boundaries and limits are as follows:—[Here insert description.] And the person appointed to call the first School Section Meeting having neglected to do so,—We the undersigned qualified electors of the School Section above described, in conformity with the twenty-second section of the Upper Canada Consolidated Common School Act, hereby give notice to the [resident assessed] freeholders and householders of said School Section, that a public meeting will be held at —, on — day, the — of —, at the hour of 10 o'clock in the forenoon, for the purpose of electing three fit and proper persons from among the [resident assessed] freeholders and householders as School Trustees for the said Section.

Dated this — day of — 186—. A. B. } Qualified Electors,
C. D. } School Section No. —.

NOTE.—The same notice can be given, in case the Municipal Council neglects to appoint a person to call the first annual school meeting. Care should, however, be taken to insert the description of the section, as embodied in the resolution or by-law of the Municipal Council,—a certified copy of which should be obtained from the Township Clerk for this purpose. A local Superintendent may also call this meeting in case of any neglect or omission to do so. See page 26.

† *Form of Notice of an Annual School Section Meeting to be given by two qualified electors.*

SCHOOL NOTICE.

The Trustees of School Section, No. —, in the Township of —, having neglected to give notice of the Annual School Section Meeting, as prescribed by the twentieth section of the Upper Canada Consolidated Common School Act, the undersigned hereby give notice to the freeholders and householders of the said School Section, that a public meeting will be held at —, on — day, the — day of —, at ten o'clock in the forenoon, for the purpose of electing a fit and proper person as trustee, as directed by law.

Dated this — day of —, 186—. A. B. } Qualified Electors,
C. D. } School Section, No. —.

NOTE.—The mode of proceeding, at a School Meeting thus called, is prescribed in this Act. This meeting may also be called by the local Superintendent. See second clause of the twenty-fifth section of this Act.

‡ *[The School Act of 1860 further enacts:]*

11. No person shall be eligible to be elected or to serve as school trustee, who is not a resident assessed freeholder or householder in the school section for which he is elected.

§ *The School Act of 1860 further enacts:*

18. Every person elected as trustee, and who is eligible and liable to serve as such, shall make the following declaration of office before the Chairman of the school meeting:

"I will truly and faithfully, to the best of my judgment and ability, discharge the duties of the office of School Trustee, to which I have been elected."

[Fine for default, or in case of neglect to make declaration:]

And if any person elected as trustee shall not make such a declaration within two weeks after notice of his election, his neglect to do so shall be sufficient evidence of his refusing to serve, and of his liability to pay the fine, as provided for in the [preceding] twenty-third section of the said Upper Canada [Consolidated] Common School Act.