

trate having jurisdiction in such cases, provided by the one hundred and fifty-ninth section of this Act, and to deliver to said magistrate a statement of the names and residences of the parents or guardians of such children.

#### DUTY OF POLICE AND OTHER MAGISTRATES IN THE MATTER.

159. It shall be competent for the police magistrate of any city or town, and for any magistrate in any village, township or town where there is no police magistrate, to investigate and decide upon any complaint made by the trustees, or any person authorized by them, against any parent or guardian for the violation of the next preceding sections of this Act, and to impose a fine not exceeding five dollars for the first wilful offence, and double that penalty for every subsequent offence; which fine and penalty shall be enforced as provided in the one hundred and seventy-seventh section of this Act;

(a) The police magistrate or justice shall not be bound to, but may, in his discretion, forego to issue the warrant for the imprisonment of the offender, as in said section is provided.

160. It shall be the duty of the police magistrate, or any magistrate, where there is no police magistrate, to ascertain, as far as may be, the circumstances of any party complained of for not sending his child or children to some school, or otherwise educating him or them, and whether the alleged violation has been wilful, or has been caused by extreme poverty, or ill-health, or too great a distance from any school; and in any of the latter cases, the magistrate shall not award punishment, but shall report the circumstances to the trustees of the rural school section or division in which the offence has occurred.

It will thus be seen that the duty of the Trustees of every Public School in regard to the "Compulsory" provisions of the School Act, is imperative in itself, and that it is of a three-fold character:—

*First.*—They are required to employ a suitable person to take a school census of the section, division, or municipality, once a year.

*Second.*—The person who takes the census must distinguish in the census roll the names of the children who have not been sent to school or otherwise instructed for at least four months of the year then next preceding.

*Third.*—The Trustees must either:

(1.) Summon before a magistrate the parent or guardian of the children who have not been sent to school or who have not been otherwise educated during those four months, to answer for such neglect, or they must:

(2.)—Impose and collect a rate-bill of not more than a dollar per child, for every month of neglect.

We have thus pointed out the duty which the law imposes upon every public school corporation in giving effect to the compulsory provisions of the newly consolidated School Act. We trust that they will not fail to perform this duty faithfully and effectively. Should they refuse or neglect to do so, they will render themselves personally liable, at the suit of any rate-payer, for the amount of money lost to the school section or division, either from the non-attendance at the school of the absent children, or from the failure of the Trustees to impose and collect the prescribed rate-bill for such non-attendance.

We may mention that Messrs. Copp, Clark & Co., of this city, have provided, at a small cost, blank forms of the required census returns.

#### REPORT OF THE PROCEEDINGS AT MEETINGS OF THE COUNCIL OF PUBLIC INSTRUCTION HELD ON THE SIXTH, SEVENTH, AND EIGHTH DAYS OF OCTOBER, 1874.

No. 376.] COUNCIL ROOM,  
EDUCATION OFFICE, October 6th, 1874.

The Council met pursuant to notice, at three o'clock, p.m., the Very Reverend H. J. Grasett, B.D., in the Chair.

*Present.*—The Chairman.

The Deputy Superintendent of Education.

The Honorable William McMaster.

William McCabe, Esquire, LL.B.

James MacLennan, Esquire, Q.C., M.P.,

The Reverend John Ambery, M.A.

The Reverend Bishop Carman, D.D.

Samuel Casey Wood, Esquire, M.P.P.

Goldwin Smith, Esquire, M.A.

The Reverend J. Tabaret.

1. The minutes of the preceding meeting were read.

2. The following communications were laid before the Council:—  
No. 11989, from the Faculty of the College at Ottawa, reporting the election of the Reverend J. Tabaret, as the representative of that institution in the Council of Public Instruction.

12230. From the Venerable T. B. Fuller on his absence.

12259. From the Very Reverend William Snodgrass, D.D., on his absence.

11456. Being a communication in reference to certain correspondence.

11855. From Messrs Bethune & Hoyles, on behalf of Messrs. Campbell & Son, respecting the case submitted to the Chief Justice.

12272. From the Principal and Masters of the Normal School, on salaries.

11907. From the Inspector of the County of Halton, respecting a regulation.

11953. From the Inspector of South Hastings, on Text Books.

12007. From the Inspector of Russell, do

12072. From the Inspector of North York, do

12073. From the Inspector of South Huron, do

12074. From the Inspector of Stormont, do

12103. From the Inspector of Perth, do

12106. From the Inspector of West Middlesex, do

12107. From the Inspector of East Victoria, do

12109. From the Inspector of Peel, do

12319. From the Inspector of Prince Edward, do

11863. From the Teachers of the Stratford Public School do

11895. From the Teacher of Section No. 7 Sidney, do

11944. From the Principal of the Central School Ottawa, do

11946. From the Teacher of Section No. 5 Osborne, do

11990. From the Principal of the Public School, Orillia, do

12029. From a Teacher of the Ottawa Central School, do

12032. From the Teacher of Section No. 2, Mornington, do

12033. From the Master of the Public School, Port Elgin, do

12035. From the Teacher of Section No. 2, S. East Hope, do

12038. From the Master of the Public School, Ingersoll, do

12039. From the Master of the Public School, Exeter, do

12040. From the Master of the Public School, Port Elgin, do

12041. From the Master of the Public School, Amherstburgh, do

12045. From the Secretary of the Exeter District Teachers' Institute, do

12047. From the Secretary of the Toronto Teachers' Association, do

12066. From the Teacher of Section No. 15, Oxford, do

12067. From the Teacher of the Public School, Almonte, do

12096. From the Master of the Public School, Elora, do

12100. From the Teacher of the Public School, Martintown, do

12122. From a Teacher of a Public School, Lancaster, do

12128. From a Teacher of a Public School, King, do

12193. From the Master of the Central School, Goderich, do

12031. From the Chairman of the Central Committee of Examiners, do

12070. From J. M. Buchan, Esq., M. A., Inspector of High School, do

12101. From S. A. Marling, Esq., M.A., Inspector of High Schools, do

11716. From the Assistant Master of the High School, Napanee, do

11981. From the Head Master of the Collegiate Institute, Cobourg, do

11988. From the Head Master of the High School, Orangeville, do

12008. From the Assistant Teacher of the same, do

12044. From the Head Master of the High School, Goderich, do

12062. From the Head Master of the High School, Picton, do

12063. From the Head Master of the High School, Almonte, do

12061. From the Assistant Teacher of the same, do

12089. From the Head Master of the Collegiate Institute, St. Catharines, do

12090. From the Head Master of the High School, Carleton Place, do

12194. From the Head Master of the High School, Ingersoll, do

12254. From the Head Master of the Collegiate Institute, Kingston, do

3. *Ordered*, That the letters in reply to the Circular respecting Text Books be referred to the Committee on Regulations and Text Books.

4. A draft of certain Rules of Order for the Proceedings, was laid before the Council.

5. *Ordered*, That the Chairman, the Chief Superintendent, the Honorable William McMaster, Mr. MacLennan and Mr. Wood, be a Committee to report on the Rules of Order. The Chief Superintendent to be Convener.