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THE LAW OF 1855
RELATING TO
ROMAN CATHOLIC
SEPARATE SCHOOLS
IN
UPPER CANADA:

TOGETHER WITH
EXTRACTS FROM THE COMMON SCHOOL ACTS, DEPARTMENTAL
REGULATIONS, &c., AFFECTING THE ROMAN CATHOLIC
SEPARATE SCHOOLS.

Arranged with Notes and References.

By Lovell Gibson



TORONTO:

Printed for the Department of Public Instruction for Upper Canada,
BY LOVELL AND GIBSON, YONGE STREET,

1858.

AN ACT

TO AMEND THE LAWS RELATING TO ROMAN CATHOLIC SEPARATE SCHOOLS IN UPPER CANADA.

18 VICTORIA, CHAPTER 131.

[Received Royal Assent, 30th May, 1855.]

WHEREAS it is expedient to amend the ^{Preamble.} laws relating to separate schools in Upper Canada, so far as they affect the Roman Catholic inhabitants thereof: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to reunite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same as follows:

Acts repealed.

I. The nineteenth section of "*the Upper Canada School Act of 1850*," and the fourth Section of "*the Upper Canada Supplementary School Act of 1853*," and all other provisions of the said acts or of any other act, inconsistent with the provisions of this act, are hereby repealed so far only as they severally relate to the Roman Catholics of Upper Canada. (a) [13 & 14 Vic., ch. 48, § xix. 14 & 15 Vic., ch. 111. 16 Vic., ch. 185, § iv, repealed.] ^{Sections of the School Acts of 1850 and 1853, relating to Roman Catholics, repealed.} ^{Acts recited.}

(a) The above repeals all the provisions of the Common School Acts relating to the establishment of Roman Catholic Separate Schools in Common School Sections. This Act, by the terms in the 2nd, 3rd, 4th, 6th, and 10th clauses, provides that the limits of Roman Catholic Separate School divisions shall be, and must remain, identical with the Common School Sections, and can only be changed as those of Common Schools are changed. When established, each Separate School is subject to the same regulations in regard to the Legislative school grant, local superintendence, and reports, as are the Common Schools. ^{Limits of Roman Catholic Sep. Schools in Common School Sections.}

Five heads of Families may call Meeting.

Five heads of Roman Catholic families may convene a public meeting in a school section or ward.

II. Any number of persons not less than five heads of families, being freeholders or householders resident within any school section of any township or within any ward of any city or town, and being Roman Catholics, may convene a public meeting of persons desiring to establish a separate school for Roman Catholics in such school section or ward for the election of trustees for the management thereof. (b)

Majority present to elect three Trustees.

Majority of ten Roman Catholics present may elect three resident British subjects as trustees of Separate School.

III. A majority of the persons present, not less than ten in number, being freeholders or householders, and being Roman Catholics, at any such meeting may elect three persons resident within such section to act as trustees for the management of such separate school, and any person, being a British subject, may be elected as such trustee whether he be a freeholder or householder, or not. (c)

Notice of establishment of Separate School.

Written notice to be given to proper officers by Roman Catholic supporters of a Separate School of their desire to establish such school.

IV. A notice addressed to the reeve, or to the chairman of the board of common school trustees, in the township, city or town in which such section is situate, may be given by all persons resident within such section being freeholders, or householders, and being Roman Catholics, favorable to the establishment of such separate school, whether they were present at such meeting or not, declaring that they desire to establish a separate school in such school section, and

Notice in three public places.

(b) Public Notice of this and every other Separate School Meeting must be given, similar to that required under the School Act of 1850, viz., notice in three public places, within the school section or ward, six days previous to the day of meeting.

Proceedings at the meeting.

(c) The preliminary proceedings necessary to the establishment of a Separate School must take place within the existing Common School section or ward where the Separate School is desired, and by the Roman Catholic freeholders and householders resident therein, viz., *Five Roman Catholic heads of families* in such section or ward may call a public meeting of such Roman Catholic residents as are desirous of establishing a Separate School. At this meeting there must be at least *Ten resident Roman Catholic tax-payers* present,—a majority of whom can elect three resident Roman Catholics, being British subjects (tax-payers or not)—to act as Trustees of the separate School, subject to the provisions of the 15th clause of this Act.

designating by their names, professions and places of abode the persons elected in the manner aforesaid as trustees for the management thereof. (d)

Name, profession, and abode of trustees to be given.

V. Every such notice shall be delivered to the proper officer by one of the trustees so elected, and it shall be the duty of the officer receiving the same to endorse thereon the date of the reception thereof, and to deliver a copy of the same, so endorsed and duly certified by him, to such trustee. (e)

The notice to be given by a trustee.

Officer to endorse date of receipt thereon; and deliver and certify the same.

Effect of such notice.

VI. From the day of the date of the reception of every such notice, the trustees therein named shall be a body corporate under the name of "The Trustees of the Roman Catholic Separate School for the section, number _____, in the township (city or town as the case may be), in the county of _____." (f)

Roman Catholic trustees to be a corporation.

Designation.

(d) The form of Notice to be signed by all Roman Catholics favorable to the establishment of the Roman Catholic Separate School may be as follows:

Form of notice to Reeve, or Chairman of Common School Board of Trustees.

School Section, No. _____, Township of _____
or
_____ Ward, City (or Town) of _____

SIR,—We, the undersigned, being Roman Catholics and freeholders and householders resident in Common School Section, No. _____, in this Township, (or _____ Ward, in this City [or Town]) desire to establish a Roman Catholic Separate School within such Common School Section (or Ward,) in accordance with the Roman Catholic Separate School Act of 1855. (18 Vict., chap. 131;) and we hereby notify you that at a meeting called by (here state the names of the five persons calling the meeting) being five Roman Catholic heads of families, resident within such School Section (or Ward,) and held on the _____ day of _____ 185____, at which the number of Roman Catholic resident freeholders and householders of the said Section (or Ward) were present (here designate by their names, professions, and places of abode, the persons elected as Trustees), were duly elected Trustees for the management of said Roman Catholic Separate School according to law.

Dated this _____ day of _____, 185____.

To the Reeve of the Township of _____
or
To the Chairman of the Board of School Trustees for the [City, Town or Village] of _____

Effect of notice.

(e) The Trustees cannot act until after the delivery of this notice; nor can the existence of the Separate School be officially recognised by the Educational Department until the same or a duplicate notice having the signature of the Reeve or Chairman, be transmitted to the Chief Superintendent of Education. See Departmental Regulations, page 13.

(f) By this and the 2nd clause, the law provides that whenever a Roman Catholic Separate School is established, its jurisdiction shall extend to the boundaries of the Common School Section, in Townships; of the Ward in Cities and Towns; or of the Municipality in villages. But by the 10th clause, children from other sections or wards, within the same municipality, may be admitted into the Separate School.

Roman Catholic Separate School limits.

Union of Separate Schools in Cities and Towns.

Separate Schools in cities and towns may unite.

VII. If a separate school or separate schools shall have been established in more than one ward of any city or town, (g) the trustees of such separate schools may, if they think fit, form an union of such separate schools, and, from the day of the date of the notice in any public newspaper, published in such city or town announcing such union, (h) the trustees of the several wards shall together form a body corporate under the title of "The Board of Trustees of the Roman Catholic United Separate Schools for the city (or town) of _____, in the county of _____." (i)

Notice to be given in a newspaper.

Trustees of such united schools to be a corporation.

Designation.

Powers and obligations of Trustees.

Powers of Roman Catholic Separate School trustees.

VIII. All trustees elected and forming a body corporate under this act shall have the same power to impose, levy and collect school rates or subscriptions upon and from persons sending children to, or subscribing towards the support of separate schools, (j) and all other powers in respect of separate schools, as the trustees of common schools have and possess under the provisions of the acts hereinbefore cited in respect of common schools; (k) and they shall also be bound to perform all duties required of, and shall be subject to all penalties provided against the trustees of common schools; and teachers of

Obligations and liabilities of trustees and teachers of Separate Schools.

Union limited to cities, towns, and villages.

(g) The words here used limit the union of Separate Schools to the wards of cities and towns, and consequently do not authorise such unions to take place in townships. The only case in which union Roman Catholic Separate Schools can exist in townships, is where the Common School section is an union section.

Newspaper to Chief Superintendent.

(h) A copy of the newspaper referred to is to be sent to the Chief Superintendent of Education, that the Department may be legally apprised of the union.

When election is void.

(i) By the 15th section of this Act, the trustees of any ward lose their seats unless a Separate School be established in their ward, within two months after the first or annual election.

Powers of Roman Catholic Separate School Trustees in regard to rates.

(j) No rate-bill can exceed 25 cts. per month for each child. As the term "same power" here referred to does not authorise Roman Catholic Separate School Trustees to impose rates on non-resident supporters of the school (Common School Trustees not having that power), unless such supporters hold property in the section in which the Separate School is situated, these non-resident supporters cannot claim exemption from the Common School rates imposed in their own section. See note (q.)

Secretary-Treasurer.

(k) Secretary-Treasurers of Separate Schools are subject to the same obligations to their Trustee Corporation as are the Secretary-Treasurers of Common Schools. See 43rd section of the School Act of 1850.

separate schools shall be liable to all penalties provided against teachers of common schools. (l)

Trustees' period of office and re-election.

IX. All trustees elected under this act shall remain in office until the second Wednesday of the month of January next following their election, on which day in each year an annual meeting shall be held commencing at the hour of ten of the clock in the forenoon, for the election of trustees for separate schools theretofore established; but no trustee shall be re-elected at any such meeting without his consent, unless after the expiration of four years from the time when he went out of office. (m)

All Roman Catholic trustees must be elected annually in January.

Re-election of a trustee.

Children from adjoining sections may attend.

X. All trustees elected under this act shall allow children from other school sections to be received into any separate school under their management, at the request of the parents or lawful guardians of such children, provided such children or their parents or guardians are Roman Catholics; and no children attending such school shall be included in the return hereafter provided to be made to the Chief Superintendent of Schools unless they shall be Roman Catholics. (n)

Roman Catholic children from other sections may attend a Separate School at the request of parents, &c.

No other than Roman Catholic children to be included in the return to Chief Superintendent

Teacher's Certificate. Disposal of moneys.

XI. A majority of the trustees in any township or village or of the board of trustees of any town or village elected under this act, shall

Majority of trustees may grant certificate to teachers and

(l) These obligations and liabilities include: keeping open their School at least six months in each year; observing the general regulations; keeping a proper register of attendance; furnishing information when desired; reporting yearly to the local Superintendent, and their supporters, and half-yearly to the Chief Superintendent, subject to the penalties provided against incorrect returns.

Obligations and liabilities.

(m) All the Trustees of the Roman Catholic Separate Schools in each School Section or Ward retire from office at the annual meeting, subject to re-election with their own consent, and subject to the provisions of the fifteenth clause of this Act. According to the 3rd section of this Act, at each annual school meeting, the supporters of the separate school present elect three resident Roman Catholics, being British subjects—rate-payers or not—to be Trustees of the separate School for the ensuing year.

Duration of office of Trustee.

(n) This clause provides for the attendance of non-resident Roman Catholic children at the Separate School of another Section; and the 12th clause exempts such of their parents or guardians as are tax-payers in the School Section or Ward within which such separate School exists, from all Common School rates levied in such School Section or Ward. See note (j)

Non-resident children.

dispose of moneys.

have power to grant certificates of qualification to teachers of separate schools under their management, and to dispose of all school funds of every description coming into their hands for school purposes. (o)

Condition of Municipal Exemption from school rates.

Roman Catholic supporter of Separate Schools, being a rate-payer, having notified Clerk of Municipality, shall be exempt from Common School rates.

XII. Every person paying rates, whether as proprietor or tenant, who, on or before the first day of February of any year, (p) shall have given notice to the clerk of the municipality in which any separate school is situated, that he is a Roman Catholic and a supporter of such separate school, shall be exempted from the payment of all rates imposed within such ward or school section for the support of common schools and of common school libraries for the year then next following, (q) and every clerk of a municipality, upon receiving any such notice, shall do—

Clerk shall give exemption certificate to each such person.

Account for expenditure.

(o) But the Trustees must account to their supporters for the expenditure of all such moneys at each annual election meeting; and if a majority present disapprove of their accounts, the matter must be referred to arbitration—each party then choosing an arbitrator.

Form of exemption notice.

(p) Each Roman Catholic, desirous of exemption, must see that he gives the required notice, either personally or by his agent properly authorised, in writing, "on or before the first day of February of each year"—the period at which the Assessment rolls are being made out,—otherwise there is no authority in law to exempt him from the Common School rates for the then current year. But should any one, not giving proper notice, at that time, present a false certificate when called upon, he will be subject to the penalty hereafter provided. [See page 9.] The form of notice may be as follows:

School Section No. — Township of —

or

Ward, City [or Town] of —

SIR,—I hereby give you notice, in accordance with the provisions of the 12th clause of the Separate School Act of 1855, that I am a Roman Catholic, and a supporter of the Roman Catholic Separate School for Section No. — in this Township (or — Ward, in this City or Town,) and therefore claim exemption from all Common School Rates levied in this School Section (or Ward) during the current year, as provided by law.

Dated this — day of —, 185—.

I am, Sir, your obedient servant,

A. B.

TO THE CLERK OF THE MUNICIPALITY OF —.

Extent of exemption.

(q) Roman Catholic supporters of the Separate School, giving proper notice, are, by the above, exempted from all Common School rates levied by either County or Township Councils, or by Common School Trustees within the School Section or Ward in which such Separate School exists. The restrictive term "such Ward or School Section" limits the exemption to the particular Ward or Section in which a Separate School is established, and does not extend beyond the boundaries of that Common School Section or Ward. As the law authorizes the establishment of a Roman Catholic Separate School in each School Section or Ward, exemption is thus conditional on compliance with the Roman Catholic Separate School law, on the part of such of the Roman Catholic residents in such section or ward as desire a separate school therein.

liver a certificate to the person giving the same, to the effect that such notice has been given, and shewing the date of such notice; but any person who shall fraudulently give any such notice, or shall wilfully make any false statement therein, shall not secure any exemption thereby, but shall, on the contrary, be liable to a penalty of ten pounds currency, recoverable, with costs, before any Justice of the Peace at the suit of the municipality interested; Provided always, that nothing herein contained shall exempt any such person from paying any rate for the support of common schools or common school libraries, or for the erection of a school-house or school-houses, which shall have been imposed before such separate school was established.

Penalty for fraudulent notice.

Proviso: Exemption limited.

Conditions of receiving aid from the Legislative Grant.

XIII. Every separate school established under this act shall be entitled to a share in the fund annually granted by the Legislature of this Province for the support of common schools, according to the average number of pupils attending such school during the twelve next preceding months or during the number of months which may have elapsed from the establishment of a new separate school as compared with the whole average number of pupils attending school in the same city, town, village or township: Provided always, that no separate school shall be entitled to a share in any such fund unless the average number of pupils so attending the same be fifteen or more, (periods of epidemic or contagious diseases excepted): Provided also, that nothing herein contained shall entitle any such separate school within any city, town, village or township, to any part or portion of school moneys arising or accruing from local assessment for common school purposes within any such city, town, village or township, or the county or union of counties within which such town, village or township is situate: Provided also, that if any

Separate School to share in Legislative School Grant.

Basis of distribution.

Proviso: Average attendance must be fifteen or more.

Proviso: Separate School shall not share in a municipal or other assessment.

Proviso:

Proportional share in certain cases.

separate school shall not have been in operation for a whole year at the time of the apportionment, it shall not receive the sum to which it would have been entitled for a whole year, but only an amount proportional to the time during which it has been kept open. (r)

Apportionment based on half-yearly returns.

Trustees to transmit half-yearly return to Chief Superintendent.

XIV. The trustees of each separate school shall on or before the thirtieth day of June and the thirty-first day of December of each year, transmit to the Chief Superintendent of Schools for Upper Canada a correct statement of the names of the children attending such school, together with the average attendance during the six next preceding months, or during the number of months which may have elapsed since the establishment thereof, and the number of months it shall have been so kept open, and the Chief Superintendent shall thereupon determine the proportion which the trustees of such separate schools will be entitled to receive out of such legislative grant, and shall pay over the amount thereof to such trustees, and every such statement shall be verified under oath before any Justice of the Peace for the county or union of counties within which such separate school is situate by at least one of the trustees making the same. (s)

Its nature.

Chief Superintendent may determine and pay apportionment.

Return to be verified on oath.

Trustees' election void in certain cases.

Election of trustee void in certain cases.

XV. But the election of any trustee or trustees made under this act shall become void unless a

Teaching days in each month.

(r) The number of teaching days in each month, omitting the allowed holidays and vacations, is as follows:—

<i>(First half of the year.)</i>		<i>(Second half of the year.)</i>	
January.....	25	July.....	24
February.....	22	August.....	14
March } As Easter is change-	16	September.....	23
April } able these will vary. }	24	October.....	24
May.....	25	November.....	23
June.....	23	December.....	17

Total 135

Total 125

The numbers 135 and 125 are the fixed divisors for obtaining the proportional average attendance of children at the Common and Separate Schools each half-year. The number of teaching days in each month is prescribed by the general regulations.

Precaution where only one Trustee acts.

(s) If but one Trustee makes oath he can only do so after the Report has been signed by the three Trustees, and sealed with their Corporate Seal, and he must present the J. P. with proof, in writing, that he acts for and on behalf of the Corporation.

separate school be established under his or their management within two months from the election of such trustee or trustees.

Restriction as to voting at Common School meetings.

XVI. And, no person subscribing towards the support of a separate school or sending 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 situate. (t)

Supporters of Roman Catholic Separate Schools shall not vote at Common School elections.

SELECTIONS FROM THE COMMON SCHOOL ACTS, APPLICABLE TO ROMAN CATHOLIC SEPARATE SCHOOLS —(See 8th Clause.)

FROM THE UPPER CANADA SCHOOL ACT OF 1850.

Penalty for false Returns.

XIII. And be it enacted, That every Trustee of a Common School who shall knowingly sign a false report, and every Teacher of a Common School who shall keep a false school register, or make a false return, with a view of obtaining a larger sum than the just proportion of school monies coming to such Common School, shall for each offence, forfeit to the Common School Fund of the Township, the sum of five pounds, (u) and may be prosecuted before any Justice of the Peace, by any person whatever, and convicted on the oath of one credible witness other than the prosecutor, and if convicted, the said penalty shall, if not forthwith paid, be levied with costs, by distress and sale of the goods and chattels of the offender, under warrant of such Justice, and paid over by him to the said Common School Fund, or the said offender shall be liable to be tried and punished for the misdemanor.

Penalty of signing a false report by a trustee; or of keeping a false register and making false returns by a teacher.

(t) Supporters of Separate Schools, not being on the School Assessment roll, and not being allowed to vote at Common School elections. R. C. Separate Schools are consequently ineligible as trustees of Common Schools. And by the School Act of 1850, and the Supplementary Act of 1853, no teacher or trustee of any Common or Separate School can be a local superintendent. Supporters of Roman Catholic Separate Schools are consequently ineligible as trustees of Common Schools. And by the School Act of 1850, and the Supplementary Act of 1853, no teacher or trustee of any Common or Separate School can be a local superintendent.

(u) This applies alike to the trustees and teachers of both Common and Separate Schools.—See Roman Catholic Separate School Act of 1855, section 8. Penalty.

Foreign Books—Religious Instruction.

General principles of the Common School system.

Parental rights protected in the Com. Schools.

Religious instruction may be given.

XIV. And be it enacted, That no foreign books in the English branches of education shall be used in any model or common school, without the express permission of the Council of Public Instruction; nor shall any pupil in any such school be required to read or study in or from any religious book, or join in any exercise of devotion or religion, which shall be objected to by his or her parents or guardians; Provided always, that within this limitation, pupils shall be allowed to receive such religious instruction as their parents and guardians shall desire, according to the general regulations which shall be provided according to law. (v)

Authorized Text-Books.

XXIX. And be it enacted, That it shall be the duty of each County Board of Public Instruction:

Selection of text-books.

Thirdly. To select (if deemed expedient), from a list of text-books recommended or authorized by the Council of Public Instruction, such books as they shall think best adapted for the use of the Common Schools of such County or Circuit; and to ascertain and recommend the best facilities for procuring such books. (w)

Minute authorizing religious instruction in the Common School.

(v) The following minute on this subject was adopted by the Council of Public Instruction for Upper Canada, on the 22nd April, 1857:—
“That in order to correct misapprehensions, and define more clearly the rights and duties of Trustees and other parties in regard to religious instruction in connection with the Common Schools, it is decided by the Council of Public Instruction, that the Clergy of any persuasion, or their authorized representatives, shall have the right to give religious instruction to the pupils of their own church, in each Common School house, at least once a week, after the hour of four o'clock in the afternoon; and if the Clergy of more than one persuasion apply to give religious instruction in the same school house, the Trustees shall decide on what day of the week the school house shall be at the disposal of the Clergyman of each persuasion, at the time above stated. But it shall be lawful for the Trustees and Clergymen of any denomination to agree upon any other hour of the day at which such Clergyman, or his authorized representative, may give religious instruction to the pupils of his own church, provided it be not during the regular hours of the school.”

Authorised text-books.

(w) The authorised text-books are those published under the direction of the Commissioners of National Education in Ireland—prepared by practical and experienced masters.

FROM THE SUPPLEMENTARY COMMON SCHOOL ACT OF 1853.

Penalty for delaying Annual School Report.

X. And be it enacted, That the Trustees of each School Section shall each personally forfeit the sum of One Pound Five Shillings for each and every week they shall neglect, after the thirty-first day of January in each year, to prepare and forward to their local Superintendent of Schools, their School Report, as required by law, for the year ending the thirty-first of December immediately preceding; and which sum or sums thus forfeited shall be sued for by such local Superintendent, and collected and applied in the manner provided by the ninth section of the said Upper Canada School Act of 1850.

Penalty on trustees for delaying their annual report.

Local Superintendent may sue.

DEPARTMENTAL REGULATIONS IN REGARD TO ROMAN CATHOLIC SEPARATE SCHOOLS.

1. When a Roman Catholic Separate School is established, as provided in the Roman Catholic Separate School Act of 1855, 18 Vict., chap. 131, it will be necessary for the Trustees to transmit the notice of its establishment, having the Certificate and endorsement of the Reeve of the Township, or of the Chairman of the Board of School Trustees of the city, town or village, to the Chief Superintendent of Education, so that the Department may be apprized of the legal existence of the school, and be enabled to transmit to the Trustees the necessary blanks, and also reserve a portion of the Legislative School Grant for the school.

Establishment of Roman Catholic Separate Schools.

2. When the Separate Schools in the wards of a city or town become united under one Board, as provided for in the 7th section of the said Act, the Board of Trustees should send a copy of the newspaper containing such notice to the Chief Superintendent of Education.

Union of Roman Catholic Separate Schools in cities and towns.

Recognition by
Educational
Department.

3. The Educational Department will not recognize any Roman Catholic Separate School neglecting to comply with the foregoing regulations in regard to the establishment and union of such schools.

Conditions of
sharing in
grant.

4. Nor will any such Separate School be entitled to share in the Legislative School Grant, unless the half-yearly returns, required by the 14th section of the said Act, be transmitted to the Chief Superintendent of Education within a month after the expiration of the half year to which they refer, nor unless the yearly report be transmitted to the Local Superintendent.

Official visits.

5. The Local Superintendent of each Municipality has authority to visit, in his official capacity, such separate schools within his jurisdiction, as are entitled to receive a share of the Public School Grant in the same manner as the Common Schools.

Agent in
Toronto.

6. It will be necessary for Roman Catholic Separate School Trustees to appoint some agent resident in Toronto, to receive, and give receipts in duplicate for, the Legislative Grant apportioned to their School. The necessary form to enable them to do so will be furnished upon application at the Department.

**CIRCULAR FROM THE CHIEF SUPER-
INTENDENT OF EDUCATION TO TRUSTEES OF
ROMAN CATHOLIC SEPARATE SCHOOLS IN UPPER
CANADA.**

Dated the 18th June, 1855.

Act sent.

GENTLEMEN,—You will herewith receive a copy of “An Act to amend the Laws relating to Roman Catholic Separate Schools in Upper Canada.” For the provisions of this Act, I am not entitled to either praise or blame, as I never saw it until it appeared in print, after its introduction into the Legislature. I have ever be-

Chief Superin-
tendent not re-
sponsible for it.

lieved and maintained that the provisions of the law as previously existing in respect to separate schools, were conceived in a kindly feeling, and were equitable and liberal. I am so persuaded still. But these provisions of the law having been complained of by Bishops of the Roman Catholic Church, the new Separate School Act is the result—an act, which, while it maintains our public school system inviolate and even places it upon a firmer and broader foundation than that upon which it rested before, yet confers upon members of the Roman Catholic persuasion, powers and distinctions which are not possessed by any class of Protestants in Upper Canada, and which their own Representatives would never consent to confer upon them.

Former Acts objected to.

Good effect of present Act on Common School system.

2. While in our public schools, the religious rights and faith of pupils of all persuasions are equally protected, and while I am persuaded of the superior advantages of those schools in respect to both economy and all the appliances of instruction, I shall, on this very account, in addition to the obligations of official duty, do all in my power to lessen the disadvantages of those who prefer separate schools, and secure to them every right and advantage which the Separate School act confers.

In public schools, religious rights protected.

Fair administration of this Act.

3. I have prepared blank forms of semi-annual returns, which you are to make to me, and on the receipt of which I will determine and pay half-yearly the sums from the Legislative school grant to Roman Catholic Separate Schools. To enable me to do so the more readily it will be necessary for you to appoint some person in this city to receive and give duplicate receipts for the sums payable to your school according to law. The blank power of attorney, which you can obtain in duplicate, can therefore be filled up and presented by your agent to this Department. The

Blank forms.

Agent in Toronto.

Power of Attorney.

Semi-annual returns.

semi-annual returns for Roman Catholic Separate Schools are precisely the same as those required of the trustees of our public schools. The annual reports required from trustees of Roman Catholic Separate Schools, are also the same as those required from trustees of the public schools.

School registers.

Maps, apparatus, and libraries.

Apportionment.

4. On application, I will furnish you with school registers. I will also supply your school with maps, apparatus, and libraries upon the same terms as the public schools; that is, I will add one hundred per cent. to whatever sum or sums you may forward for such maps, apparatus, or library books as you may select from the descriptive and general catalogues of the department. (x)

Explanations given when required.

5. The several clauses of the Separate School Act are clearly and simply expressed; but should any doubts arise as to your duties or proceedings, I shall be happy to give you every information in my power.

(Signed,)

E. RYERSON.

Form for maps, apparatus, or libraries.

(x) The form of application should be as follows:—

TO THE CHIEF SUPERINTENDENT OF EDUCATION, TORONTO.

SIR,—We the undersigned Trustees of the Roman Catholic Separate School in the _____ of being anxious to supply our school with suitable school requisites, [or library books,] hereby make application for the _____ enumerated in the accompanying list, in terms of the Departmental notice, relating to maps and apparatus, [or library books.] The [maps or library books] selected by us are *bonâ fide*, for the use of the school: and we hereby pledge ourselves and our successors in office, that we will not dispose of them, nor permit them to be disposed of to any private party or for any private purpose whatsoever; but that we will appropriate them exclusively to the use of the school, in terms of the Regulations granting one hundred per cent. on our present remittance of \$—.

In testimony whereof, we the Trustees of the Roman Catholic Separate School above mentioned hereto affix our names and seal of office, this _____ day of _____, 185—, at _____.

[Trustees Names.} [Seal.]

We hereby authorise _____ to procure for us the _____ above mentioned, in terms of the foregoing application. [Names.]

Corporate Seal.

NOTE.—A Corporate Seal must be affixed to the foregoing application, otherwise it is of no legal value. Text-books cannot be furnished on the terms mentioned above. They must be paid for in full at the net catalogue price. The 100 per cent. will not be allowed on any sum less than \$5, which must be remitted in one sum.