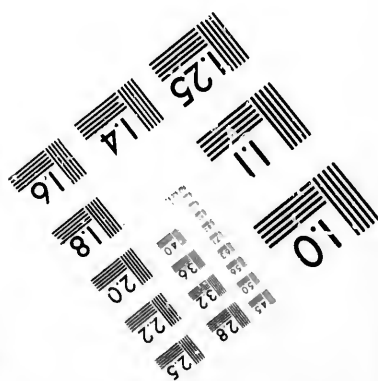
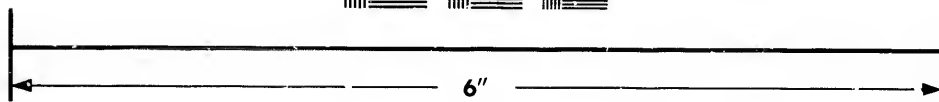
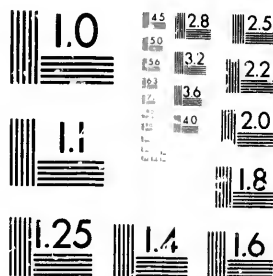


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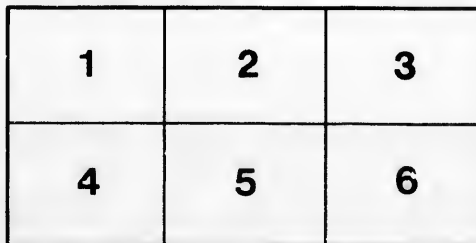
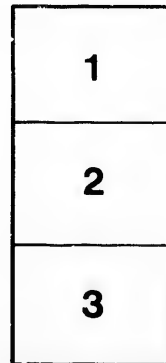
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MR. BLAKE'S SPEECH

ON

THE SCHOOL BILL,

WITH

ANALYSIS OF AMENDMENTS,

&c., &c.

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TORONTO:  
GLOBE PRINTING COMPANY, 26 & 28 KING STREET EAST.  
1871.

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TO THE ELECTORS  
OF THE  
SOUTH RIDING OF BRUCE.

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GENTLEMEN :

The line of attack which some organs and one servant of the Government have taken in assailing my course on the School Bill justifies me in submitting to you some materials for judging between me and my accusers.

I shall call no names, bandy no words, impute no motives, nor shall I condescend to the denial of calumnies damaging only to their author.

But I lay before you the substance of my remarks on the Bill, and to these I have appended an analysis of the changes made and a statement of some further amendments proposed, with copies of the original Bill, and the Act as it passed.

From these materials you can decide how far I am open to the charges made against me, and how far it would have been right to accept the original Bill on the dictum of the Chief Superintendent. You can apprehend the ascertained defects of that Bill, and the extent to which the views of the Opposition met the approval of the Legislature, and you can determine whether the further changes proposed would not have been improvements.

I have only to add that we found it useless to attempt the correction of the inaccuracies and obscurities of dictum with which the Bill abounds, and which render it as discreditable in form as it was imperfect in substance.

I have the honor to be,  
Gentlemen,

Your faithful servant,

EDWARD BLAKE.

OTTAWA, Feb. 22, 1871.



## REMARKS ON THE SCHOOL BILL.

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If there be one thing of which we are justly proud, it is the high position of this country, as compared with other countries, in the average scale of intelligence, and if there be one thing more than another upon which we have to depend for further advancement in intelligence and general prosperity, it is our educational system. Although we shall be called on to consider, during this session, questions of great magnitude, questions relating to public policy, involving the expenditure of large sums of money, and largely affecting our future, for weal or for woe, yet the subject of our general system of education far surpasses them in importance.

I agree with those who say that practical experience is of great moment in this affair, and I frankly acknowledge my want of that experience, and the extreme diffidence and hesitation with which I venture to lay my views before the House. And it is because I consider it of such importance and because I believe that practical experience should, to a very large extent, govern our actions in dealing with it, that I attach great weight to the remarks that have been made in this House with reference to the attitude of the country. If we have heard, as we have on several occasions from the Treasury benches, when measures were proposed on both sides of the House, the objection raised to them that they were not demanded by petitions from the people—that there were no expressions of popular opinion in their favor, I ask can you conceive any question to which this sort of objection could be raised with greater force than to the question of our public schools? We know that there are an almost infinite number of common schools throughout the country, that there are meetings of the ratepayers in every school section, that the people pay directly large sums of money every year for the maintenance of these schools, that it is our proud boast that the common school tax, though cheerfully borne, is the heaviest burden on the ratepayers, and that the people at large are possessed of great practical experience in the matter—I say, looking at all these facts, our common school system is a subject upon which, if upon any, you may expect an early and lively expression of the popular will. If there is anything seriously wrong in that system, there would be almost immediately a loud and universal expression of public opinion upon it. Therefore, I concur in the view expressed by

several members in this House with reference to legislating on this subject in advance of public opinion. I do not mean at this moment to pronounce upon the state of public opinion, but I do say that we underestimate the intelligence of our people, and the amount of attention they bestow on this subject which so nearly concerns themselves, if we suppose that they are not fully competent to discern its practical working, or that they are in the slightest degree indifferent to it, or would not be ready at once to complain of any serious defects in the present common school system. The Secretary has stated that the Chief Superintendent of Education is a man of great experience, and that we ought to listen to his suggestions and adopt them. On former occasions, when measures were before us for amending the Common and Grammar School Acts, I stated that it was not the mere right, but the bounden duty of the House to form its own judgment and decide upon questions of this description. I denied then, and I deny now, that the House is called on, at the dictum of any man, no matter how learned he may be, or how experienced, to bow down its judgment to him in matters of this kind. And the fate of those measures as a whole, and of some of the discarded absurdities they contained, justifies my remark. I would be ashamed to go back to my constituents and say that in any one particular, in which my reason had convinced me that a measure was wrong, I had failed to exercise my reason. I propose to give this Bill due consideration, but will exercise my own judgment in spite of the suggestions of the Provincial Secretary and the Chief Superintendent. If I could agree with the Provincial Secretary in the view that we ought to do whatever was suggested by the Chief Superintendent, I should advise him to condense this Bill into one short clause providing that the Common Schools and Grammar Schools of this country should be administered according to codes to be from time to time promulgated by the Chief Superintendent. Thus we should be relieved from that painful process of incubation through which this Bill must pass before it comes out of Committee. If we are not to judge of these provisions, do not submit the provisions for our judgment. But if you do submit them, we, and no other, must decide upon them.

With reference to the question of free schools, I heartily and cordially agree in the aspiration that the schools of this country should become free. But I am bound to point out that the arguments in the published remarks by the Chief Superintendent, on which it is proposed to take that step, are based on a very great fallacy. I will for a moment assume the data given by the Chief Superintendent to be accurate, and not susceptible of objection. These

data, then, show that the schools of this country being maintained under the operation of the system of local self-government we enjoy—by which the people of each locality learn and judge for themselves whether or not to adopt the principle of free schools—very great progress is being made in the direction of free schools. It is highly satisfactory, as the intelligence of the country advances, and the circumstances of the country become improved, that we should see a healthy progress—a progress not in advance of the public opinion or circumstances of the country—towards the goal which we all desire to see soon attained. But I do not know that progress however grand and rapid, is an argument for interfering with the wholesome process under which that progress is being made. I do not think it is a sound argument to say, that because under the natural operation of laws which allow our schools to become free, these schools are gradually becoming free, we should therefore step in and make them free in spite of the wishes of the people. If, however, the data were correct, it would be said that the House is only legislating a little in advance of public opinion. But it is not so in fact. If the House will look at the record of the amounts levied in aid of the common schools, it will find that in 1869 that amount was by no means insignificant—in fact it amounted to \$45,000—and this sum the Government scheme proposes to sweep away. It may be questioned whether this be prudent; but what is of almost vital consequence in considering the argument of the Provincial Secretary is, that the decrease in the amount levied in the rate bill in aid of schools not free, is as to cities, towns and villages, entirely imaginary. The sum levied by the rate bill in cities, towns and villages, in 1866, was \$19,500; in 1867, \$20,900; in 1868, \$22,300; in 1869, \$23,343. Do these figures indicate that the public sentiment in cities, towns and villages—which have to bear, in comparison with counties, a very heavy burden of taxation—has shown such a decided progress towards the adoption of the principle of free schools, as to lead to the supposition that there is a universal concurrence on that point? In the counties, where the taxation, as compared with towns, is nominal, they are going on, I rejoice to say, in the direction of free schools; but, in the cities, towns and villages, where the taxation is heavier, and the incidence of taxation is different from that in counties, they are not going so fast. I dread, if the House should choose to sweep off by one blow the sum derived from the rate bill in these corporations, nearly \$24,000 a year, by declaring that the schools shall be free—that the House may injure the cause of education. If the House calls on the cities, towns and villages, at once, to provide, by direct taxation, the sum of \$24,000 in addition to their present burden,

it will not help the cause of education. If the argument for the compulsory establishment of free schools depends on the progress that system has been making, that argument is destructive of the proposition as applied to cities, towns and villages, in which corporations the rate bill is increasing instead of diminishing. It is to be remarked, that in several of these rated schools, books and stationery are supplied to the pupils, and this system will be broken up under the present proposal. In my humble judgment it would be better—in order to get at that which we are all agreed is a desirable thing—a system of free schools—it would be better in those communities in which we find the rate bill increasing, to leave the matter to the operation of the present well-known laws, and not to say to the people—"you shall establish those schools now though you do not like the system." There is this to add, that you are not establishing, and cannot establish, a complete free school system throughout the country, because the Roman Catholic separate schools are protected under the Union Act, and in these schools, therefore, the rate bill may still be maintained.

With reference to compulsory education, my own opinion is, that, except perhaps in cities, this clause will not be found a living letter of the law. Even in cities to a large extent, and in counties almost entirely, the law will be a dead letter. I agree with the hon. member for Lincoln (Mr. Rykert) on the subject of perpetual imprisonment. This perpetual imprisonment clause is so outrageous, that I will assume it to be an error, and pass it by. It must be struck out, and other changes must be made. The right of home education must be recognized. My opinion is, that we can get as high a degree of education as is procurable under any compulsory system, by judicious management and a liberal expenditure of money in connection with our present Common School system. I do not believe that our population is indifferent to school education. I am proud to believe that, from year to year, the desire for education will increase, and that it will be regarded as a badge of shame that a parent does not send his children to school. The man who neglects to do so, is just the man you cannot force by saying, "you shall pay a fine or go to jail." I have made some investigations on this subject, and it is highly satisfactory to say that, as a general rule, in the lately settled districts, where the parents were at first poor, and unable either to provide for schools, or to deprive themselves of the little aid of their children, the attendance of the children at schools, notwithstanding various drawbacks, has largely increased. In the County, one of whose Ridings I have the honour to represent, the increase since the last census is quite disproportionate to

the increase of the population—the attendance is nearly double the attendance of 1861. There are similar results in other counties—and counties which once stood, as regards school attendance, as one to five and one to six, now stand as nearly one to four? I believe it is a reasonable estimate, that about 25 per cent. of our population—men, women and children—in this Province of Ontario, are going to school. When this state of things exists, I do believe that you will get by judicious legislation, by liberal encouragement out of the public purse, and by preserving the elements of elasticity and local control, all the educational advantages that the people desire, and will avail themselves of. I do not believe the compulsory clause is one that will do much good. It will not be enforced. I dare say that in cities there is a class that ought to be compelled to go to school; but as regards the other parts of the country the working of a compulsory measure is practically impossible. And I need hardly add that a law which is not observed is a positive injury to the community. It encourages lawlessness.

Again, with regard to the Roman Catholics, they should not be forced, in spite of those conscientious scruples which have produced Separate Schools, to attend the public schools. That is not calculated to promote,—it is calculated to retard, what we all hope for—the general use, by the whole school population, of the public schools.

With regard to the proposals made on the subject of Common School education, I cannot help expressing the repetition of the feelings of apprehension I ventured to state on that point in the debate on the Address. The more I have reflected on the matter, the more difficulty I have felt as to the possibility of our dealing thoroughly, in the present state of our schools, with the subjects with which the Bill proposes to deal. I look first of all at the salaries of teachers of our Common Schools; and secondly at the number of children they are called on to instruct. I am obliged to say that, having regard to what I see in the reports presented as to the proficiency of these schools in reading, writing, and arithmetic, and looking to the salaries we pay the teachers, and the numbers of the scholars, and the character of the school accommodation, I do not believe we can at present introduce into our Common Schools, instructions in new branches, without a diminution in the efficiency of the instruction in the practical branches of reading, writing, and arithmetic. I would rather, if it is proposed to add these new branches, proceed with extreme caution—I would rather try and apply them to the grammar schools, which are supposed to be of a higher grade, and in which children of a greater age are instructed; children who have al-

ready gained some knowledge of the elements of education—in fact, the more studious, industrious, and advanced of our school population. I think that the experiment had better be tried on the grammar schools before we attempt to engraft it upon the common schools. I said in my speech on the Address that I should rejoice if this scheme were practicable in regard to common schools. The difficulty is that I do not see its practicability; I do not see what knowledge you can give the teachers as a mass which will be of any consequence; I do not see how the teacher can impart that knowledge, after teaching reading, writing, and arithmetic to his scholars. I am afraid that while grasping at the shadow we may, to a large extent, lose the substance—that while attempting to go higher we may lose our balance, and fall away from that state in which we are. I trust that no attempt will be made to force the new branches prematurely on the country.

With reference to County Inspectors I speak with hesitation. Speaking theoretically, I think that county inspectorship would be a very desirable thing—that is, if you get a man with the necessary qualifications. I think such a man would be calculated to introduce a better average, a higher standard among the whole of the common schools of his county; but I fear that such a man can hardly be obtained at the rates proposed. I am not pressed, I may add, in the slightest degree by the question of money, because when I look at the total expenditure from local and general sources, and at the additional amount required—the hon. member for South Simcoe (Mr. Ferguson) says \$27,000—I am prepared to say that if you can get a substantial improvement I do care nothing about the \$27,000. All I want to see is that we shall not spend \$27,000 for naught. I fear that at the proposed rates you cannot get a man who will make that improvement in the inspectorship which is desirable. As far as I have been able to learn, the local Superintendents are obtained at a very moderate emolument, because, being men of some degree of leisure, and the inspection in a township not taking up a great deal of their time, it is accomplished consistently with the discharge of their other duties, while it forms some addition to their income. One can thoroughly understand that; but if you are going to have official inspection of large numbers of schools, I am afraid that the sum proposed to be given for the County Inspectors will not produce the article required. I am afraid that you will not get the man for the money. There is, indeed, a danger of positive injury; because if you get a County Inspector of an inferior grade you will inflict a very serious blow on the whole district. Again, in reference to the terms on which it is proposed the Inspector should be paid—I cannot

understand why it is that the Government refuses to give the county power to dismiss at pleasure, and insists upon the clause as to the power of dismissal by Government for cause. It would really appear to me as if the Government thinks that the public money which this House agrees shall be spent among the people of this country is Government money; and maintains that, when we—the representatives of the people—determine that we will spend the people's money in a particular way, the Government—the Executive—is to have the power of interfering with the manner in which that money is to be spent; arguing thus: "We contribute half the price, and we ought to have something to say to the officer." But, Sir, they do not pay; they may, perhaps, hand over the money when we tell them to do so; but it is the people of the country, through their representatives, who pay their own money. And I think that the people of the country have sufficient confidence in the county officials—men chosen by themselves—to trust to them to determine whether the Inspector is doing his duty, or is deserving of dismissal. I say, Sir, that it is a miserable attempt to take away our heritage by offering us this mess of pottage—by offering, in fact, to bribe us with our own money. They may use the same argument with respect to the public money paid over to municipalities, and claim the power of dismissing Reeves and County Treasurers because of malfeasance in the administration of this money. These Inspectors ought to be free from the apprehension of being dismissed by the Government, either because they have displeased Government or because they have displeased the Chief Superintendent. I do not see why the Government should press this clause, which was proved on a division to be distasteful to a large majority of this House on a former occasion, and which I believe will be found distasteful to a large majority again. With regard to the existing certificates of teachers, I say that every man who reads this Bill, and who listened to the speech of the hon. Secretary, without the answer that was extracted from him, must come to the conclusion that the Bill is not consistent with his speech. But the answer extracted from him shows that it is not intended to give up any of the power taken by the Bill; and I say that the practical result is, that the day that this Bill is passed the Council of Public Instruction may meet and settle its programme and regulations, and supersede the qualification of every teacher in the country. It is all very well for the hon. gentleman to say that the Council does not intend to deal unfairly with the teachers. I do not know. The hon. gentleman is not the Council of Public Instruction. We all know who the Council of Public Instruction is—we all know that it is the Chief



Superintendent, and that for all practical purposes, where you find the words, "provided by law," or "according to law," or "Council of Public Instruction," you may insert the words, "Chief Superintendent." This programme and regulations of the Council would supersede the certificates of the County Boards. These certificates are revokable by the boards which granted them; and has not the hon. gentleman sufficient confidence in the county boards to trust to them to revoke a teacher's certificate if he becomes unworthy of his office? No—he insists that another power shall supersede these certificates; and I say that is practically placing in the hands of the Chief Superintendent of Education every Common School teacher of the four or five thousand who hold their certificates from the county boards, to be dealt with at his pleasure. A programme and regulations are to be issued, and then the whole body of teachers, to whom this country is so largely indebted, will be placed in the power of one man—the Chief Superintendent. I quite demur to that. I agree that we ought to see that the teachers chosen are efficient; and if the hon. gentleman is prepared to say that the teachers throughout the country at the present time do not possess proper qualifications for their position, let him say so plainly, and show that it is necessary in the public interest that they should better their attainments, and pass another examination before they shall be permitted to continue in their positions. And let us be told also that that fact having come to the knowledge of the head of the Education Office, and he having communicated the fact to the county boards, the county boards have refused to do their duty, so that the existing law under which we have carried out, as far as may be, our great principle of self-government, has been fairly tried, and has been found ineffective, before he asks us to consent to the destruction of the acquired status of teachers, and to resort to centralization, so alien to our institutions and habits—things not to be borne unless some great public good shall require the sacrifice. I think that the compulsory provision for a superannuation fund is unfair, not founded on correct notions of political economy, and not calculated to benefit the teachers as a body, or to advance the general good. I pass for the moment from the question of Common Schools with this observation, that there are several other clauses to which my attention has been directed, and which I think more or less grave, and deserving of attention, but which are perhaps more fitted for discussion when the House is in committee of the whole on the measure. I shall therefore refer but slightly to some of them, and reserve for a future occasion my remarks as to others.

I turn now to the subject of Grammar Schools. I wish to say a word



or two on the general question which presents itself to the House and country in connection with Superior Education. I believe there is to a certain extent in the minds of the people of this country a feeling that they have not much to do with the Grammar Schools, that these schools are merely for the learned professions, and that the masses of the people have no interest in them. I wish to point out this fact to the House, that it is an entire mistake to treat what are called the learned professions as one class, and the country at large as another. How long would our learned professions exist if they were not absolutely essential to the prosperity and well-being of the country at large? How long would the institutions for which the learned professions exist continue if they were not really essential to our existence as a civilized people? We are obliged to look within our own borders for the men who are to take care of our souls, our bodies, and our estates. We cannot import the material; we have to raise it and to educate it; and if we are not prepared to regard our whole system of public instruction as one harmonious whole, designed to give to the great mass of the people as large an education as their time, means and opportunity will enable them to get; designed also to afford to those who, by their industry and talents, or through superior advantages on the part of their parents may hope to rise, the means of rising, not through one institution merely, but as far as may be through institutions scattered broadcast over the country, we may inflict a fatal blow upon our hopes of future greatness. We damage, and, as far as we can, destroy, the means of maintaining and advancing, most important, nay essential material existence. We must, as far as possible, provide throughout the country means by which those who have superior abilities or greater industry, may acquire the superior education necessary to enable them to rise. Who amongst us, even the most industrious, does not regret that he has spent so many hours in idleness that might have been spent in perfecting his education? Who amongst us does not feel that he owes a large measure of his success to the education he has acquired? Who is there that does not feel that a serious blow will be inflicted upon the best hopes of this country by centralizing the means of obtaining superior education, and thus making it difficult, if not in many cases impossible, to procure it in remote parts of the country. Whatever lack of interest there may be among the masses of the people in our higher schools, we should be independent enough of any wave of popular opinion to say that we will refuse to do anything which may tend to crush the hopes of any aspiring young man in this country by making it in any way more difficult for him to obtain a superior education. Looking at

the financial aspect of this Bill, I am bound to say that its effects upon grammar schools will be positively ruinous. In the first place I call your attention to the fact that in many localities the grammar schools are placed, to a certain extent, in competition with common schools. Now, to make the common schools free, while the grammar schools are obliged, in order to sustain themselves, to impose a rate, is to place the latter at a disadvantage; and though they be already over-burdened, it adds an additional burden. If the grammar schools are scarcely able to maintain themselves while in competition with common schools, having the same rate, how will they be able to exist under the provisions of this Bill when the common school is made free and the grammar school is obliged to continue rated? Then a minimum legislative grant of only \$300 is proposed. I agree with the hon. member for Simcoe, that this minimum is too low. It will not sufficiently encourage the new and weaker schools. Again, the maximum legislative grant is reduced to \$1000. The honorable member for Simcoe approves of that feature of the Bill. I am obliged to differ from the honorable gentleman on that point. From all I can learn of the larger grammar schools, I am convinced that you cannot preserve them in a state of efficiency if you fix the maximum of legislative aid at \$1000. Moreover, looking at the spirit with which grammar schools are regarded by this Bill, and with no definite statement of the amount of public aid it provides, I do not believe you can get a maximum of \$1000 by the Bill, that is to say, after a certain time; because the effect of the Bill will be, in the first instance, to crush many grammar schools, but afterwards, in many localities, to turn common schools into the proposed hybrid institution, the production of which is apparently desired, called in the Bill "a high school." Again, as to county grants, they are placed upon a most injurious footing as regards grammar schools. They are made dependent upon the number of pupils in each year from the county. The system now practically in vogue is for counties to give about half of the amount of the Government grant to grammar schools. They are not compelled to do so, but as a general rule that is the amount of their grant. The Government grant now is a tolerably fixed amount, subject to no very great fluctuation, and capable of pretty close estimation. The grammar schools accordingly have an income, which varies but little from year to year. Now, the present proposal is to make the county grant compulsory, which is no great advantage, seeing that the counties, as a general rule, do now make a grant in proportion to the amount of the Government grant, while the proposed compulsory grant is made dependent upon the number of pupils in each year from

the county, and this, on such a basis, will be an ever varying amount. You cannot carry on a grammar school efficiently upon an extremely fluctuating income. A certain amount of expenditure has to be made each year, and if you make the income extremely fluctuating, as it would be if the aid is to be on the basis of attendance each year from the county only, you inflict another blow, from a financial point of view, upon the prospects of these schools. It appears to me that another serious blow is inflicted upon the grammar schools by the proposition to withdraw from the counties that measure of interest and responsibility that they have at present in their schools, by refusing to continue the appointment by the counties of certain members of the Board. I think we ought to seek to enlist the good feeling of the counties in aid of the grammar schools, but the Bill will have a contrary effect.

I now turn to that portion of the Bill which refers to the subjects of instruction in the grammar schools. I am a thorough advocate of the modern doctrine of superior education. I am strongly impressed with the conviction that we ought to devote a great deal of attention to the modern languages, and to those various departments of learning which in this busy, bustling age have assumed such immense importance in the world. Mechanics, chemistry, mineralogy, geology, and kindred subjects, have assumed a practical importance which fifty years ago was not dreamed of. But I am by no means an advocate for blotting out the classics. I do not believe that the learning of the classics is any more essential to a certain degree of success in what are called the learned professions than it is to the production of what may be called a really educated class of men in the country. While I strongly advocate the encouragement of the study of these other branches, I believe that the study of the classics ought not to be discouraged. Well, what is proposed to be done? It is proposed, in effect, to dissociate the grammar schools from the University. I have looked upon our system of public instruction as in theory what it ought to be, namely, one harmonious whole, providing for the needs of the masses, and also providing means for higher educational attainments to those who wish to acquire them. Now, it is proposed that the entrance examination to the grammar schools shall be according to the regulations provided by the Council of Public Instruction, and practically that body is to have, subject to this Bill, entire control over the curriculum of studies at these schools. At present the Grammar Schools, according to the Act of Parliament, must use such a curriculum as will fit students for matriculation at the University, and are, in fact, nurseries to that crown and glory of our educational institutions. If the University is not doing its

duty, if it is not fully up to the requirements of the times, if its course is not sufficiently large, it is under the control of this House, and we can make it do its duty, without disturbing the order and harmony of our educational system. The tendency of the present proposal is to sever the Grammar Schools from the University, and make them no longer the means by which the flower of our youth reach the University. I have seen with feelings of rejoicing the annually increasing number of young men from all parts of the country come up to win honors at that capital institution, and I look with feelings of sorrow upon this proposal which, in my judgment, is calculated to destroy that fortunate condition. Let us see that the University does her duty; I shall be found ready to cooperate in that work. Let us take care that our whole course of instruction leads up to the University as its highest level; but let us not isolate it from the popular mind, and thus sap the foundations on which alone it can and ought to rest.

And now, with reference to the powers to be conferred by this Bill upon the Council of Public Instruction. We are told that the average attendance of twenty, proposed in the Bill, will not be demanded; but in view of the fact that the Council of Public Instruction will have the power to prescribe the programme of studies, and that provision is made that these shall include all the branches mentioned in the Bill, this concession is a delusive one. It will be found less difficult to secure an attendance of twenty pupils than to find teachers capable of teaching all the branches enumerated, at the remuneration that is available. If there is one thing we ought to guard against more than another, it is the introduction of a system of superficial instruction. The teacher who has a mere smattering of the sciences, who knows a little of this, that and the other thing, but nothing thoroughly, is not the best man to train up our youth. Give me the man who knows thoroughly what he does know. Even though the number of subjects with which he is acquainted be limited, and their character not the most advantageous, he will do better for his pupils, will give them a greater capacity for learning, and will do more to develop their natural talents and their power of assimilating information, than your man who is Jack of all trades and master of none, who has a smattering of all subjects, but who cannot direct the thought and inform the mind of his pupil thoroughly in any one branch. With the large number of subjects which, by this Bill, the Schools must be ready to teach under the regulations, it will be difficult to have thorough education in them, and the tendency will be towards a superficial learning, which ought to be discouraged. From the beginning to the end of this

Bill we find provisions for centralizing power to the prejudice of the wholesome system that now prevails of local control over the schools. In the second clause we find that each public school corporation shall provide adequate accommodation for the pupils, "in conformity with regulations provided according to law." Who make these regulations? The Council of Public Instruction. Then we have the provision that the qualification of Inspectors shall be prescribed by the Council of Public Instruction "which shall determine the time and manner of examination of candidates for certificates of qualification, and grant certificates of qualification; and no one, not holding such certificate of qualification, shall be eligible to be appointed an Inspector." These powers are of the widest character, and would authorize the rejection of a candidate on account of the colour of his hair, or the religious denomination to which he belongs! Do you suppose that graduates of the University will be disposed, for the paltry pittance of an Inspector, to submit themselves to this additional examination? I do think that at any rate those who have experience and certificates of qualification as first-class teachers, and those who have University degrees, ought to be eligible to be appointed Inspectors without any additional examination; and provision should be made for the examinations being conducted in each county. Then the Inspectors are to act under instructions given to them from time to time by the Chief Superintendent of Education. I have already observed that it is proposed by this Bill to give the Council of Public Instruction power to prepare a programme for the examination of teachers who already hold certificates. If the Bill pass in that shape, I venture to say that it will not be long before the whole of the teachers in the country will be expressing their indignation at being so humiliated. And as to the future, I think an independent Board of Examiners not connected with the Normal School, should be provided for the discharge of that part of the duties devolving on the Council under this clause.

I pass on, and find a very curious provision indeed. It is provided that the decision of any County Judge may be appealed from, according to the Canadian School Act and the next section of this Act. Now, for what purpose? Evidently, to give by a side wind a right of appeal to the Chief Superintendent of Education. This provision of the Bill I consider a slur on the Judges of the country. If there is to be an appeal, let it be to the Judges of the land, in the simplest way, and with the least expense possible. I observe a very curious provision as to contracts with teachers: "No agreement between the Trustees and Teachers of any school section shall be valid and binding on either party, unless such agreement has been made

and signed as agreed to, at a meeting of which all Trustees have been duly notified." You are to tell the unfortunate Teacher that, although he may have been present at the meeting of the Trustees with whom he contracted, and may have duly signed his agreement with them, yet, if the Secretary of the Board had neglected to notify every Trustee, he shall not recover a dollar of his pay, although he had worked a year. It is not the duty of the Teacher to notify the Trustees; he has no power to notify them, and he should not be responsible for any irregularity in the notification. It is also proposed to vest in the County Council the power of forming any township into one school division. This I think most objectionable. The 37th section of the Bill says that "each High School conducted according to law, shall be entitled to an apportionment of not less than three hundred, and not more than one thousand dollars per annum, according to the average attendance of pupils, their proficiency in the various branches of study, and the length of time each such High School is kept open as compared with other High Schools." I agree that these are the true tests, though I believe that for some years great indulgence must be shown to the weaker schools. But I want to know who is to determine the proficiency of pupils in the various branches of study. There is no provision at all for that; some machinery should be provided, and I should like to see it.

Hon. Mr. WOOD—The Council of Public Instruction.

Mr. BLAKE—Well then, I would recommend the calling of a meeting of this body immediately, in order that they may consider this point and inform us of their conclusion, before the Bill proceeds. Then I observe that the "county, city or town inspector of schools, the chairman of the board of public school trustees, and the head master of the high school, shall constitute a board of examination for the admission of pupils to the high school, according to the regulations and programme of examination provided according to law." I have not heard that there is any complaint of the present system. I think it is quite sufficient to see that the inspector, when he goes round, strikes off the count sheet every name that should not be on it, without introducing this element of boards of examination into our system. It appears to me cumbrous, expensive and unnecessary. I observe in the next clause the words "the inspector or inspectors of grammar schools shall be known as the inspector or inspectors of high schools." I allude to this because I earnestly hope it is the intention of the Government to give us more than one inspector, which is all we now have. I think it highly desirable that we should have more than one, and in fact it is necessary to the carrying out of an effi-



cient inspection. These are the observations that it occurs to me to make on the Bill at its present stage. I am perfectly willing to submit to any amount of centralization which is necessary to securing the efficiency of the school system ; but I think that if all this power is to be placed in the hands of the Council of Public Instruction, more vitality must by some means be infused, and a representative element must be introduced into that body, in order that it may be more calculated than at present to win the confidence of the public.

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#### ANALYSIS OF THE AMENDMENTS MADE IN THE PROGRESS OF THE BILL.

CLAUSE 1. Provision is made allowing fees for pupils to be collected for certain purposes, including contingencies, to the extent of 20 cents a month in cities, towns and villages, thus leaving the free school system practically permissive in these municipalities in which there were in 1869 about sixty-five thousand (65,000) children attending the common schools. The rights of the Roman Catholics in respect of separate schools are secured by the British North America Act, and therefore the free school system remains permissive as to these schools, in which there were in 1869 about twenty thousand six hundred (20,600) children attending school. The total number of children attending school in 1869 was about four hundred and thirty-two thousand five hundred (432,500), so that as to about one-fifth of the children the free school system remains practically permissive.

CLAUSE 2. The provision that the school accommodations shall be in accordance with regulations prescribed by law is struck out; thus relieving the sections from the interference of the Council of Public Instruction in this matter.

CLAUSE 3. The enactment that every parent or guardian shall be subject to penalties unless he provides that the child shall attend some school, is modified by the addition of the words, "or be otherwise educated," thus preserving the right of the parent to educate his child at home.

For the provision as to dismissal of a refractory pupil by the County Inspector and the teacher, is substituted a provision as to such dismissal by the trustees or a majority of them and the teacher.

A proviso is added that nothing in the clause shall be held to require any Roman Catholic to attend a public school, or any Protestant to

attend a Roman Catholic school ; thus recognizing the conscientious scruples of each body, and the true spirit of the provisions of the British North America Act in favor of the minority. By these amendments the compulsory clauses are materially modified.

CLAUSE 4. The power of imprisonment until the fine is paid (which might be for life) is struck out, and for it is substituted, by reference to the School Act, a maximum period of 40 days.

It is further provided that the magistrate shall not be bound to imprison at all ; and ill health is added as one of the grounds of defence against a conviction.

The compulsory clauses are by these amendments further modified.

CLAUSE 5. The maximum number of schools under one Inspector is increased from 100 to 120 ; a minimum number of 50 is introduced ; and another change is made.

CLAUSE 8. The power of dismissal of an Inspector by the Council or Board appointing him, is enlarged, so that he may be dismissed at the pleasure of the Council or Board, and not merely for misconduct or inefficiency.

CLAUSE 12. For the provision under which all existing certificates of Teachers might be superseded by regulations or programmes made under the Act, is substituted an enactment that all existing certificates of Teachers shall remain in force in their respective counties, in the terms and conditions of the Act under which they were granted ; thus, to a large extent, defeating the attempt to set aside the acquired position of the Teachers of this Province and to place them under the control of the Council.

The provision that no certificate of qualification should be valid any longer than the holder thereof should pay \$4 a year in advance to the superannuation fund, is struck out.

CLAUSE 14. The provision by which authority was given to the County Council at its pleasure to form any township into one municipality is struck out, and instead it is enacted that the Council may so act in case a majority in at least two-thirds of the school sections desire it ; thus securing, to some extent at least, that local control over local affairs which is so desirable.

CLAUSE 15. This clause provided that after 1871 no school section should be recognized which contained less than fifty resident children, unless its area is greater than four square miles. This enactment, which would have affected existing school sections, is struck out, and the clause as amended applies only to new sections.



CLAUSE 16. Instead of three ratepayers having the right to appeal to the County Council as to by-laws for the formation or alteration of school sections, it is necessary that five should join in the appeal.

The composition of the Committee to decide the appeals is improved by the addition of the County Judge as one of the members.

The provision rendering it competent for the Committee to revise and alter the boundaries of the school sections of any township as far as the Committee deems expedient, is modified by limiting the power of the Committee to such changes as are necessary "in order to settle the matters complained of."

CLAUSE 17. The enactment as to the compulsory taking of land for school purposes is limited, by providing that the power shall not extend to the selection in townships of a site within one hundred yards of a garden, orchard, pleasure ground, or dwelling-house; or in cities, towns and villages, of any but vacant land. This, to some extent, remedies the obnoxious features of the clause, but it is still open to great objection.

CLAUSE 18. For the enactment that the trustees of a union school section may equalize the assessment on the basis adopted by the County Council, is substituted a provision that the Reeves of the townships out of which the section is formed, with the County Inspector, shall equalize the assessment.

CLAUSE 20. It was proposed by this clause to give trustees the same power to provide a residence for a teacher as they have to provide school accommodations. This is amended by giving them only such power as to a residence as they have with regard to a school site, so that the vote of the people is made necessary before the trustees can provide a residence.

CLAUSE 22. An amendment is made in the provision for a trustee calling trustee meetings.

CLAUSE 25. This clause is amended by providing for the case of an owner, under a compulsory site, refusing to appoint an arbitration.

The Government proposed further to amend the clause so that the compulsory powers should apply to the case of sites for teachers' residences, but this proposal was rejected.

CLAUSE 30. The enactment that no agreement between the trustees and teachers should be valid unless all the trustees had been duly notified of the meeting, is struck out.

CLAUSE 31. In this clause there is a verbal amendment, which was necessary to make it intelligible.

CLAUSE 32. The proposal that it is expedient that the whole system of public schools should be consolidated and united under one management, is struck out.

The provision that the Boards of Grammar School Trustees shall cease to exist, and that the Grammar and public schools shall be under the management of the Board of Public School Trustees, who shall have the property, rights and powers of the present Boards of Grammar and Common School Trustees, is struck out.

The result of these changes is entirely to reverse the policy of amalgamation proposed by the Bill.

CLAUSE 33. The provision changing the time of election of Trustees to the second Wednesday in July, is struck out.

CLAUSE 34. It is declared by amendment that provision shall be made in the High Schools for the instruction of both male and female pupils, thus recognizing the rights of girls in the Grammar Schools.

The provision rendering it compulsory in every High School to be prepared to teach the French and German languages, is modified by giving power to the Council to exempt from this obligation High Schools which have not sufficient funds for the purpose, thus rendering possible the maintenance and establishment of High Schools in sections of the country which would otherwise have been deprived of that advantage.

CLAUSE 35. An amendment is added empowering the Lieutenant Governor in Council to authorize, as far as the fund will permit, the establishment of additional High Schools.

CLAUSE 36. Instead of the unsatisfactory and inadequate provisions made for the support of High Schools by this and other clauses of the original Bill, it is enacted that certain proportions of a sum equal to one-half the Government grant, and such additional sums as may be necessary, shall be raised in the localities on the application of the Board, and various other amendments are made.

CLAUSE 37. The provision for a minimum of twenty pupils, in the case of High Schools, is struck out, thus removing another of the difficulties in the way of their reasonable diffusion over the country,

The proposed minimum apportionment to a High School is raised from \$300 to \$400 per annum, thus giving greater support to the weak schools, and the proposed maximum of \$1,000 per annum is struck out; thus accomplishing the distribution of the legislative aid according to the deserts of each school.

CLAUSE 38. This clause is amended by striking out the very unsatisfactory provision as to the conditions on which county pupils might attend High Schools.

CLAUSE 40. The proposed enactments as to the formation of High School Districts and Boards, which were very vague, inadequate and unsatisfactory, are changed.

Provision is made for the appointment by County Councils of an increased number of members of the High School Boards, thus retaining that connection between the counties and the existing High Schools which it was proposed to abolish.

ADDITIONAL PROVISIONS.

(1) After the superannuation clause had been struck out, the Government proposed a new clause, providing that each teacher should pay \$4 a year towards the Superannuation Fund, under certain conditions.

This proposed clause was amended by making the payment optional as regards female teachers, and now stands as Clause 43 of the Act.

(2) The Government proposed a new clause, providing that the vacation in both the Public and the High Schools should extend from 1st July to 15th August.

This was amended by striking out the words, as to the Public Schools, in those schools, so that the vacation is now one month long; and the clause now stands as No. 44 of the Act.

(3) Provision was made, by Clause 45 of the Act, for the auditing by the County Auditors of the accounts of the Treasurer of the High School Board.

(4) Further provision was made, by Clause 46 of the Act, for the recovery from School Trustees of school moneys or property.

It was intended to move amendments to certain clauses, but for the reasons indicated below this intention was not carried out.

CLAUSE 7. As to the examination of candidates' certificates of qualification for Inspectorships, it was stated by the Government that the intention was that these examinations should be held in every county.

CLAUSE 13. As to the new studies in public schools, it was stated by the Government that the intention was not to force these on the schools, but to introduce them cautiously, and by degrees, as the supply of trained teachers and the situation of the schools may warrant.

CLAUSE 34. As to the programme of studies in High Schools, it was stated by the Government that the intention was to consider the former Act so far in force as to render it necessary that the programme should embrace mathematics and such studies as would prepare pupils for the Matriculation examination of the University.

There were several other amendments to be proposed, but the fate of the more important ones, which were rejected, and the late period of the session at which the proper stage was reached, precluded any chance of success.

## AMENDMENTS PROPOSED AND NEGATIVED

1. On the third reading of the Bill, Mr. Blake, seconded by Mr. McKellar, moved to refer the Bill, with an instruction to provide for the appointment by the Council of Public Instruction of an independent Board of Examiners, not connected with the Normal School, for the discharge of the duties to be performed by or under the direction of the Council in connection with the examination and classification of Public School Teachers, including those instructed at the Normal School. *Lost.*

YEAS—Barber, Blake, Boyd, Christie, Clemens, Cook, Crosbie, Evans, Fraser, Galbraith, Gow, Luten, McDougall, McKellar, McLeod, McMurrich, Oliver, Pardoe, Perry, Sexton, Sinclair, Smith (Middlesex), Springer, Trow, Williams (Hamilton),—25.

NAYS—Anderson, Beatty, Boulter, Cameron, Carling (London), Carling (Huron), Carnegie, Colquhoun, Corby, Coyne, Craig (Glengarry), Craig (Russell), Cumberland, Currie, Eyre, Ferguson, Ferrier, Fitzsimmons, Graham (Hastings), Grahame (York), Hays, Lauder, Lount, Lyon, McDonald, McColl (Norfolk), McColl (Elgin), McGill, Matchett, Monteith, Read, Richards, Rykert, Scott (Grey), Scott (Ottawa), Secord, Smith (Leeds), Strange, Swinarton, Tett, Wigle, Williams (Durham), Wilson, Wood,—44.

2. Mr. Blake, seconded by Mr. Boyd, moved to refer the Bill, with an instruction to provide for the introduction into the Council of Public Instruction of a representative element, by the addition thereto of one or more members to be elected by the Head Masters of Grammar Schools, of one or more members to be elected by the Masters of Public Schools, and of one or more members to be elected by the Boards of City and County Examiners. *Lost.*

YEAS—Barber, Beatty, Blake, Boyd, Christie, Clemens, Cook, Crosbie, Evans, Ferrier, Fitzsimmons, Fraser, Galbraith, Gow, McColl (Norfolk), McColl (Elgin), McDougall, McKellar, McLeod, McMurrich, Matchett, Monteith, Oliver, Pardoe, Perry, Sexton, Sinclair, Smith (Middlesex), Springer, Trow, Williams (Hamilton),—31.

NAYS—Anderson, Boulter, Cameron, Carling (London), Carling (Huron), Carnegie, Cockburn, Colquhoun, Corby, Coyne, Craig (Glengarry), Craig (Russell), Cumberland, Currie, Eyre, Ferguson, Graham (Hastings), Grahame (York), Hays, Hooper, Lauder, Lount, Luten, Lyon, McDonald, McGill, Read, Richards, Rykert, Scott (Grey), Scott (Ottawa), Secord, Smith (Leeds), Strange, Swinarton, Tett, Wigle, Williams (Durham), Wilson, Wood,—40.

3. Mr. Perry moved, seconded by Mr. McKellar, to refer the Bill, with an instruction to expunge the 43rd clause (being that providing for the superannuation tax). *Lost.*

YEAS—Barber, Beatty, Blake, Boyd, Calvin, Christie, Clemens, Colqu-

houn, Cook, Crosby, Evans, Eyre, Fitzsimmons, Galbraith, Gow, Lauder, McColl (Norfolk), McDougall, McKellar, McKim, McMurrich, Oliver, Pardee, Perry, Sexton, Sinclair, Smith (Kent), Smith (Middlesex), Springer, Williams (Hamilton),—30.

**NAYS**—Anderson, Boulter, Cameron, Carling (London), Carling (Huron), Carnegie, Cockburn, Corby, Coyne, Craig (Glengarry), Craig (Russell), Cumberland, Currie, Ferrier, Fraser, Graham (Hastings), Grahame (York), Hooper, Lount, Luton, McColl (Elgin), McGill, McLeod, Matchett, Monteith, Read, Richards, Rykert, Secord, Strange, Swinarton, Tett, Trow, Wallis, Wigle, Williams (Durham), Wilson, Wood,—38.

4. Mr. Boyd, seconded by Mr. Oliver, moved to refer the Bill, with an instruction to strike out certain words in the 8th clause, being those giving the Lt.-Governor the power of dismissing the County Inspector. *Lost.*

**YEAS**—Blake, Boyd, Calvin, Christie, Clemens, Cockburn, Cook, Crosbie, Evans, Eyre, Fitzsimmons, Fraser, Gow, Graham (Hastings), Luton, McColl (Norfolk), McColl (Elgin), McDougall, McKellar, McKim, McLeod, Oliver, Perry, Secord, Sexton, Sinclair, Smith (Middlesex), Springer, Trow, Williams (Hamilton),—30.

**NAYS**—Anderson, Barber, Beatty, Boulter, Cameron, Carling (London), Carling (Huron), Carnegie, Colquhoun, Corby, Coyne, Craig (Glengarry), Craig (Russell), Currie, Ferguson, Ferrier, Galbraith, Grahame (York), Hays, Hooper, Lauder, Lount, Lyon, McDonald, McGill, McMurrich, Matchett, Monteith, Read, Richards, Rykert, Strange, Swinarton, Tett, Wallis, Wigle, Williams (Durham), Wilson, Wood,—38.

Several other amendments had been moved and lost in committee, on previous occasions, and were not renewed at this stage, as the Session was just closing, and it was obvious that the Government majority was determined not to agree to any further amendment of the Bill.

No. 2.] BILL. [1870.

An Act to Improve the Common and Grammar Schools of the Province of Ontario.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. All Common Schools, which shall hereafter be designated and known as Public Schools, shall be free schools; and the Trustees of School Sections, and the municipal councils of cities, towns, villages, and townships, shall, in the manner now provided by law, levy and collect the rate upon all the taxable property of the school division or municipality (as the case may be), to defray the expenses of such schools, as determined by the Trustees thereof.

2. Each School Corporation shall provide adequate accommodation for all children of school age in their school division or municipality, in accordance with regulations provided according to law.

3. Every child, from the age of seven to twelve years inclusive, shall have the right to attend some school for four months in each year; and any parent or guardian who does not provide that each child between the ages aforesaid under his care shall attend some school, as thus of right declared, shall be subject to the penalties hereinafter provided by this Act; Provided always, that the absolute right of selecting either a public or private school, for the attendance of any child, shall be with the parent or guardian of such child. Provided, nevertheless, that any pupil who shall be adjudged so refractory by the Teacher and County Inspector, that his presence in the School is deemed injurious to the other pupils, may be dismissed from such School, and, where practicable, removed to an Industrial School.

4. It shall be competent for the Police Magistrate of any city or town, and for any

No. 2.] BILL. [1871.

An Act to improve the Common and Grammar Schools of the Province of Ontario.

Assented to 15th February, 1871.

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows :

1. All Common Schools, which shall hereafter be designated and known as Public Schools, shall be free schools; and the Trustees of School Sections, and the municipal councils of cities, towns, villages and townships, shall, in the manner now provided by law, levy and collect the rate upon all the taxable property of the school division, or municipality (as the case may be), to defray the expenses of such schools, as determined by the Trustees thereof; Provided, that Public School Boards in cities, towns and villages, may, if they deem it expedient, collect from parents and guardians of children attending their school a sum not exceeding twenty cents per month, per pupil, to defray the cost of text books, stationery, and other contingencies.

2. Each School corporation shall provide adequate accommodation for all children of school age in their School division or municipality.

3. Every child, from the age of seven to twelve years inclusive, shall have the right to attend some school, or be otherwise educated for four months in each year; and any parent or guardian who does not provide that each child between the ages aforesaid under his care shall attend some school, or be otherwise educated, as thus of right declared, shall be subject to the penalties hereinafter provided by this Act; Provided nevertheless, that any pupil who shall be adjudged so refractory by the Trustees (or a majority of them) and the teacher, that his presence in the School is deemed injurious to the other pupils, may be dismissed from such School, and, where practicable, removed to an Industrial School; Provided that nothing herein shall be held to require any Roman Catholic to attend a public school, or to require a Protestant to attend a Roman Catholic school.

4. It shall be competent for the Police Magistrate of any city or town, and for any

Common Schools to be designated Public Schools, and shall be free schools.

School Corporations to provide School accommodation.

Certain children to have the right to attend Schools.

Parents not sending children to School.

Proviso—Refractory children.

Proviso.



Magistrate in any village or 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 this Act, and to impose a fine not exceeding five dollars, and imprisonment until paid, for the first wilful offence, and double that penalty for each subsequent offence, which fine and penalty shall be enforced as provided in the one hundred and fortieth section of the Consolidated School Act; Provided always, that it shall be the duty of such Magistrate to ascertain, as far as may be, the circumstances of any party complained of, and whether such alleged violation has been wilful, or has been caused by extreme poverty, or too great a distance from any School, or the child is being otherwise educated; and in either of the latter cases, the Magistrate shall not award punishment, but shall report the circumstances to the Trustees of the division in which the offence has occurred.

5. In each county or union of counties, there shall be one or more School Officers, to be called County Inspectors, who shall have charge of not more than one hundred Schools each; Provided always, that there shall not be more than one such officer in each riding of a county.

6. Each city or town shall be a county for the purposes of this Act, and the Inspector shall be called the City or Town Inspector, and shall possess all the powers of a County Inspector in such city or town, except such as relate to investigating and deciding on School Trustee election complaints, which now by law devolve on the County Judge.

7. The qualifications of County, City or Town Inspectors shall, from time to time, be prescribed by the Council of Public Instruction, which shall determine the time and manner of examination of candidates for certificates of qualification, and grant certificates of qualification; and no one not holding such certificate of qualification shall be eligible to be appointed an Inspector.

Magistrate in any village or 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 this Act, and to impose a fine not exceeding five dollars for the first wilful offence, and double that penalty for each subsequent offence, which fine and penalty shall be enforced as provided in the one hundred and fortieth section of the Consolidated School Act; Provided nevertheless, that 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; Provided always, that it shall be the duty of such Magistrate to ascertain, as far as may be, the circumstances of any party complained of, and whether such 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 either of the latter cases, the Magistrate shall not award punishment, but shall report the circumstances to the Trustees of the division in which the offence has occurred.

5. In each county or union of counties there shall be one or more school officers, to be called County Inspectors, who shall have charge of not more than one hundred and twenty, nor less than fifty schools each; Provided always, that it shall not be necessary to appoint more than one such officer in each riding of a county; And provided further, that in Counties containing any Municipalities wherein the French or German language is the prevailing language, an Inspector may have charge of any number of schools not less than forty.

6. [This section not altered.]

7. [This section not altered.]

Investigation of complaints against parents or guardians.

Penalty.

Proviso.

County Inspectors.

Proviso.

City and Town Inspectors.

Powers of

Qualification of Inspectors.

Investigation of complaints against parents or guardians.

Penalty.

Proviso.

County Inspectors.

Proviso.

City and Town Inspectors.

Powers of

Qualification of Inspectors.

8. Each County Council, and each Board of Public School Trustees in a city or town, shall appoint from among those holding the necessary certificate of qualification, one person to be Inspector of Public Schools in such county, city or town ; and in counties where there are or shall be more than fifty Public Schools, the County Council may appoint two or more persons, according to the number of Schools, holding such certificates, to be Inspectors, and prescribe and number the territorial limits of each ; Provided, nevertheless, that any County, City or Town Inspector shall be subject to dismissal for misconduct or inefficiency, by the Council or Board appointing him, or by the Lieutenant-Governor in Council, as regards any County Inspector ; and the vacancy thus caused shall be filled from the list of those legally qualified by the Council or Board to appoint such Inspector ; Provided, likewise, that no Inspector dismissed shall be reappointed, without the concurrence of the party who has dismissed him ; And Provided furthermore, that in a county where there are two or more County Inspectors, the Council of such county may, from time to time, change or remove such Inspectors from one circuit or riding of the county to another.

9. Each Inspector of Schools so appointed shall have the oversight of all Public Schools in the townships and villages within the county or union of counties, or part of the county or union of counties for which he shall be appointed, and shall have all the powers in each municipality within his jurisdiction, and be subject to all the obligations conferred or imposed by law upon "Local Superintendents," and which are conferred and imposed by this Act, according to such instructions as may be given to him, from time to time, by the Chief Superintendent of Education.

10. The remuneration of each City or Town Inspector of Schools shall be determined and provided for by the Board appointing him ; the remuneration of the County Inspector shall not be less than five dollars per school per annum, to be paid quarterly, by the County Council, which shall also have authority to determine and provide for the allowance of travelling expenses ; *Provided also, that it shall be lawful for the Lieutenant-Governor in council to direct the payment, out of the consolidated revenue, of an additional sum not exceeding five dollars per school per annum to each County Inspector.*

8. Each County Council, and each Board of Public School Trustees in a city or town, shall appoint from among those holding the necessary certificate of qualification, one person to be Inspector of Public Schools in such county, city or town ; and in counties where there are or shall be more than fifty Public Schools, the County Council may appoint two or more persons (according to the number of Schools), holding such certificates, to be Inspectors, and prescribe and number the territorial limits of each ; Provided nevertheless, that any County, City or Town Inspector shall be subject to dismissal at pleasure by the Council or Board appointing him, or by the Lieutenant-Governor in Council (as regards any County Inspector) for misconduct or inefficiency ; and the vacancy thus caused shall be filled from the list of those legally qualified by the Council or Board authorized to appoint such Inspector ; Provided likewise, that no Inspector dismissed shall be reappointed, without the concurrence of the party who has dismissed him ; And provided furthermore, that in a county where there are two or more County Inspectors, the Council of such county may, from time to time, change or remove such Inspectors from one circuit or riding of the county to another.

9. [This section not altered.]

10. [This section not altered.]

Appointment of Inspectors.

Proviso.

Dismissal of Inspector.

Filling vacancies.

Proviso, --- Reappointment after dismissal.

Proviso, --- Change of circuit.

Powers of Inspectors.

Remuneration of Inspectors.

Proviso— Lieutenant-Governor may direct additional remuneration.



11. Each County Council, and the Board of Public School Trustees in each city, shall appoint a county or city Board of Examiners, for the examination and licensing of Teachers, in accordance with the regulations provided by law, consisting of the county or city Inspector (as the case may be), and two or more other competent persons, whose qualifications shall, from time to time, be prescribed by the Council of Public Instruction; Provided always, that in no such county or city Board of Examiners the number of members shall exceed five; and, in all cases, the majority of the members appointed shall constitute a quorum for the transaction of business; and the payment of their expenses shall be provided for as authorized by the sixteenth section of the School Law Amendment Act of 1860.

12. It shall be the duty of the Council of Public Instruction, from time to time, by a committee of its appointment, or otherwise, to prepare and prescribe a programme and papers for the uniform examination and classification of Public School teachers; Provided, that first class certificates of qualifications of teachers shall be awarded by the Council of Public Instruction only, and second and third class certificates by county and city Boards of Examiners only; And provided also, that first and second class certificates, given under the authority of this Act, shall be permanent during the good behaviour of the holders, and valid in all the municipalities of the Province; Provided likewise, that all existing certificates of qualification of teachers shall remain in force until superseded by the regulations and programmes proposed under the authority of this Act; Provided, nevertheless, that no certificate of qualification shall be valid any longer than the holder thereof shall pay four dollars per annum into the fund for the support of superannuated or worn-out teachers, as provided by law; which sum shall, in all cases, be paid in advance during the month of January in each year; Provided furthermore, that all Local Superintendents of Schools shall continue in office, and discharge their duties as heretofore, until provision shall be made for the appointment of County Inspectors, under the authority of this Act.

13. It shall also be the duty of the Council of Public Instruction, by the training of teachers, the programme of studies, the selection of text books, and

Appointment of board of examiners for teachers.

11. [This section not altered.]

Proviso—Board not to exceed five members.

Quorum.

Remuneration.

12. It shall be the duty of the Council of Public Instruction, from time to time, by a committee of its appointment, or otherwise, to prepare and prescribe a programme and papers for the uniform examination and classification of Public School teachers; Provided, that first-class certificates of qualifications of teachers shall be awarded by the Council of Public Instruction only, and second and third class certificates by county and city Boards of Examiners only; And provided also, that first and second class certificates, given under the authority of this Act, shall be permanent during the good behaviour of the holders, and valid in all the municipalities of the Province; Provided likewise, that all existing certificates of qualification of teachers shall remain in force in their respective Counties on the terms and conditions of the Act under which they were granted, and that upon their ceasing to be valid, as provided by law, they shall be renewed from time to time under the regulations and programmes prepared under the authority of this Act; Provided furthermore, that all Local Superintendents of Schools shall continue in office, and discharge their duties as heretofore, until provision shall be made for the appointment of County Inspectors, under the authority of this Act.

Council of Public Instruction to prescribe a uniform examination and classification of teachers.

Proviso—as to first, second and third class certificates.

Proviso. Proviso.

Proviso—

Existing local superintendents.

13. [This section not altered.]

Instruction in natural history, agriculture, mechanics, etc.

special regulations, to provide for teaching in the public schools, the Elements of Natural History, of Agricultural Chemistry, of Mechanics, and of Agriculture.

14. The municipal council of each county or union of counties, shall have authority, if it shall deem it expedient, to form any of the Townships within its jurisdiction into one School municipality, as in each city and town, and to establish a Township Board of Public School Trustees, as provided by the thirty-second section of the Consolidated School Act.

15. No School section shall be formed or recognized, after the year 1871, which shall contain less than fifty resident children, between the ages of five and sixteen years, unless the area of such section shall contain more than four square miles.

16. The majority of the Trustees, or any three ratepayers of a school section, shall have the right of appeal or complaint to their county council against any by-law or resolution which has been passed, or may be passed by their township council, for the formation or alteration of their School section; and it may and shall be lawful for such county council to appoint a committee of not more than five, or less than three competent persons (one of whom shall be a County Inspector, and a majority of whom shall form a quorum), to investigate the matter of such appeal or complaint, and confirm or disallow the by-law or resolution complained of; and on the representation and petition of the majority of the Trustees, or ratepayers, of two or more School sections in a township, present at special meetings called for that purpose, the county council shall have authority to appoint a committee of not less than five competent persons (of whom a County Inspector shall be one, and a majority of whom shall form a quorum,) to revise and alter the boundaries of the School sections of such township, as far as such committee shall judge expedient; Provided always, that no person shall be competent to act on either of the committees mentioned in this clause of this Act, who was a member of the township council that passed the by-law or resolution complained of; And provided, also, that the alterations made in the boundaries of any School section by such committee, shall not take effect before the end of the year during

14. The municipal council of any township may, in case a majority of the resident householders and freeholders in two-thirds at least of the several school sections, at public meetings called in each section of the township, shall so desire it, form the township into one School municipality, as in each city and town, and establish a Township Board of Public School Trustees, as provided by the thirty-second section of the Consolidated School Act.

15. [This section not altered.]

16. The majority of the Trustees, or any five rate-payers of a school section, shall have the right of appeal or complaint to their county council against any by-law or resolution which has been passed, or may be passed, by their township council for the formation or alteration of their School section; and it may and shall be lawful for such county council to appoint a committee of not more than five, or less than three competent persons (two of whom shall be the County Judge and County Inspector, and a majority of whom shall form a quorum), to investigate the matter of such appeal or complaint, and confirm or disallow the by-law or resolution complained of; and on the representation and petition of the majority of the Trustees, or ratepayers, or two or more School sections in a township, present at special meetings called for the purpose, the county council shall have authority to appoint a committee of not less than five competent persons (two of whom shall be the County Judge and County Inspector, and a majority of whom shall form a quorum,) to revise and alter the boundaries of the school sections of such township, so far as to settle the matters complained of; Provided always, that no person shall be competent to act on either of the committees mentioned in this clause of this Act, who was a member of the township council that passed the by-law or resolution complained of; And provided also, that the alterations made in the boundaries of any school section by such committee, shall not take effect before

County council may establish Township boards.

School sections to contain fifty resident children unless the area exceeds four square miles.

Appeal against formation or alteration of school sections.

Authority of county councils.

Proviso—Who may not act on the committees.

Proviso—Alteration in the sections not to take place before the end of the year.

Appointment of board of examiners for teachers.

Proviso—Board not to exceed five members.

Quorum.

Remuneration.

Council of public instruction to prescribe a uniform examination and classification of teachers.

Proviso—as to first, second and third class certificates.

Proviso.

Proviso.

Proviso—

Existing local superintendents.

Instruction in natural history, agriculture, mechanics, etc.

which they shall be made, and of which alteration due notice shall be given by the Inspector to the clerk of the township, and to the trustees of the school sections concerned; Provided furthermore, that the school boundaries of a village existing at the time of its incorporation, shall continue in force, notwithstanding its incorporation, until altered under the authority of the school laws.

17. On the selection of land, as provided by law, for a school site, for the erection of a school-house and necessary buildings, or for enlarging school premises, if the owner of such land shall refuse to sell the same, or shall demand therefor a price deemed unreasonable by the Trustees, the proprietor of such land and the Trustees shall each forthwith select an arbitrator; and the arbitrators thus chosen and the County Inspector, or any two of them, shall appraise the damages to the owner of such land, and upon the tender of payment of the amount of such damages to the owner by the School Trustees, the land shall be taken and used for the purpose aforesaid.

18. On the formation or alteration of a union School section or division, under the authority of the fifth section of the School Law Amendment Act of eighteen hundred and sixty, it shall be the duty of the County Inspector concerned forthwith to transmit a copy of the resolution, by which the formation or alteration was made, to the clerk of the municipality affected by such resolution; Provided also, that it shall be competent for any County Inspector to call a meeting of the parties authorized to form and alter union School sections, and it shall be lawful for the Trustees of any union School section to equalize the assessment on the basis adopted by the county council.

19. Should the clerk neglect or refuse to prepare and furnish the map of the School divisions of his municipality, as required by the forty-ninth section of the Consolidated School Act, he shall render himself

the end of the year during which they shall be made, and of which alteration due notice shall be given by the Inspector to the clerk of the township and to the trustees of the school sections concerned; Provided furthermore, that the school boundaries of a village, existing at the time of its incorporation, shall continue in force, notwithstanding its incorporation, until altered under the authority of the school laws.

Proviso—  
School boundaries in villages.

17. On the selection of land, as provided by law, for a school site, for the erection of a school-house and necessary buildings, or for enlarging school premises, if the owner of such land shall refuse to sell the same, or shall demand therefor a price deemed unreasonable by the Trustees of any section or Board of Trustees in cities, towns or incorporated villages, the proprietor of such land, and the Trustees, or Boards of Trustees, shall each forthwith select an arbitrator; and the arbitrators thus chosen and the County Inspector, or any two of them, shall appraise the damages to the owner of such land, and upon the tender of payment of the amount of such damages to the owner by the School Trustees, the land shall be taken and used for the purpose aforesaid; Provided, nothing herein contained shall authorize the selection in a township of a site within a hundred yards of a garden, orchard, pleasure ground or dwelling-house, without the consent of the owner of such site; and provided further, that in cities, towns and incorporated villages, vacant land only shall be taken without the consent of the owner or owners.

Manner of determining the price to be paid for school sites.

18. On the formation or alteration of a union School section or division, under the authority of the fifth section of the School Law Amendment Act of eighteen hundred and sixty, it shall be the duty of the County Inspector concerned forthwith to transmit a copy of the resolution, by which the formation or alteration was made, to the clerk of the municipality affected by such resolution; Provided also, that it shall be competent for any County Inspector to call a meeting of the parties authorized to form and alter union School sections, and it shall be lawful for, and be the duty of the Reeves of the Township out of which the section is formed, with the County Inspector, to equalize the assessment.

On formation or alteration of union school sections Inspector to send copy of resolution to the clerk of the municipality affected.

Proviso.

19. [This section not altered.]

Penalty clerk neglects to furnish a map of the school

Proviso—  
School bound-  
aries in  
villages.

Manner of  
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be paid for  
school sites.

On formation  
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Proviso.

Penalty  
clerk ne-  
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nish a map  
of the school

liable to a penalty not exceeding ten dol-  
lars, to be recovered before a magistrate,  
for the School purposes of his municipali-  
ty, at the instance of any ratepayer thereof.

20. The Trustees of any School section  
or municipality shall have the same autho-  
rity to provide a residence for a School  
teacher that they now have by law to pro-  
vide School accommodations.

21. The report of the School Trustees  
required by law to be laid before the an-  
nual School meeting, shall include a sum-  
mary of their proceedings and state of the  
School during the year, together with a  
detailed statement of receipts and expendi-  
ture, signed by either or both of the School  
auditors of the section, and in case of dif-  
ference of opinion between the auditors on  
any matter in the accounts, it shall be re-  
ferred to and decided by the County In-  
spector.

22. Should the secretary of a Trustee  
corporation neglect or refuse at any time  
to give notice of a School Trustee meeting,  
it shall be lawful for any Trustee to do so,  
by giving notice of such meeting to his  
colleagues.

23. All moneys collected in any School  
section by the Trustee corporation, shall  
be paid into the hands of the secretary-  
treasurer thereof; and should the Trustees  
refuse or neglect to take proper security  
from such secretary-treasurer, they shall be  
held to be personally responsible for such  
moneys, and the provisions of the one  
hundred and thirty-seventh section of the  
Consolidated School Act shall apply to  
them.

24. Any chairman of a School meeting,  
who may be elected School Trustee at such  
meeting, shall make the declaration of  
office now required of Trustees by law, in  
presence of the secretary of such meeting.

25. Should the majority of the School  
Trustees, or the majority of a public School  
meeting, neglect or refuse, in case of a dif-  
ference in regard to a School site, to appoint  
an arbitrator, as provided in the thirtieth  
section of the Consolidated School Act, it  
shall be competent for the County Inspector,  
with the arbitrator appointed, to meet and  
determine the matter, and the County In-  
spector, in case of such refusal or neglect,  
shall have a second or casting vote, pro-  
vided they should not agree.

divisions,  
under Con-  
solidated  
School Act.

20. The Trustees of any School section  
or municipality shall have the same autho-  
rity to provide a residence for a School  
teacher that they now have by law to pro-  
vide a School site.

Trustees may  
provide resi-  
dences for  
teachers.

Contents of  
the annual  
school Trust-  
ees' report.

21. [This section not altered.]

Differences  
between au-  
ditors to be  
referred to  
the Inspector

22. Should the secretary of a Trustee  
corporation neglect or refuse at any time to  
give notice of a School Trustee meeting, it  
shall be lawful for any Trustee to do so.

Notices of  
trustee meet-  
ing.

Moneys to be  
paid to the  
secretary-  
treasurer.

23. [This section not altered.]

Trustees ne-  
glecting to  
take security  
from the  
secretary-  
treasurer.

Declaration  
by chairman.

24. [This section not altered.]

25. Should the majority of the School  
Trustees, or the majority of a public School  
meeting, neglect or refuse, in case of a dif-  
ference in regard to a School site, to ap-  
point an arbitrator, as provided in the thir-  
tieth section of the Consolidated School  
Act, or should the owner of land selected  
as a School site, as provided by section  
seventeen of this Act, refuse to appoint an  
arbitrator, it shall be competent for the  
County Inspector, with the arbitrator ap-  
pointed, to meet and determine the matter,  
and the County Inspector, in case of such  
refusal or neglect, shall have a second or

Trustees ne-  
glecting to  
appoint an  
arbitrator in  
cases of dif-  
ferences re-  
garding  
school sites.

casting vote, provided they should not agree.

26. Should only a majority of the arbitrators appointed to decide any case under the authority of the School Laws of this Province, be present at any lawful meeting, in consequence of the neglect or refusal of their colleagues to meet them, it shall be competent for those present to make and publish an award upon the matter or matters submitted to them, or to adjourn the meeting for any period not exceeding ten days, and give the absent arbitrator notice of such adjournment.

Proceedings where an arbitrator is absent.

26. [This section not altered.]

27. All matters of difference between Trustees and Teachers, authorized and required by the eighty-fourth, eighty-fifth, eighty-sixth and eighty-seventh sections of the Consolidated School Act, 22 Vic., Chap. 64; the ninth section of the School Laws Amendment Act, 23 Vic., Chap. 49; and the ninth section of the Grammar School Improvement Act of 1865, 29th Vic., Chap. 29; to be settled by arbitration, shall hereafter be brought and decided in the Division Court by the Judge of the County Court in each county, and the said clauses of the said Acts are hereby repealed; Provided always, that the decision of any county Judge in all such cases may be appealed from, as provided in the one hundred and eighth and five following sections, or sub-sections of the said Consolidated Common School Act, and the twenty-eighth section of this Act.

27. All matters of difference between Trustees and Teachers, authorized and required by the eighty-fourth, eighty-fifth, eighty-sixth and eighty-seventh sections of the Consolidated School Act, passed in the twenty-second year of Her Majesty's reign, and chaptered sixty-four; the ninth section of the School Law Amendment Act, passed in the twenty-third year of Her Majesty's reign, and chaptered forty-nine; and the ninth section of the Grammar School Improvement Act of 1865, passed in the twenty-ninth year of Her Majesty's reign, and chaptered twenty-nine, to be settled by arbitration, shall hereafter be brought and decided in the Division Court by the Judge of the County Court in each county; and the said clauses of the said Acts are hereby repealed; Provided always, that the decision of any County Judge in all such cases may be appealed from, as provided in the one hundred and eighth and five following sections, or sub-sections of the said Consolidated Common School Act, and the twenty-eighth section of this Act.

Differences between trustees and teachers to be settled by the county Judge.

Proviso—Appeal from Judge's decision.

28. [This section not altered.]

28. Any Division Court Judge receiving an intimation of appeal from his decision, under the authority of the one hundred and eighth and five following sections of the Consolidated School Act, shall thereupon certify, under his hand, to the Chief Superintendent of Education, the statement of claim and other proceedings in the case together with the evidence and his own judgment thereon, and all objections made thereto.

In cases appealed, Judge to send statement of claim, etc., chief superintendent of education.

29. [This section not altered.]

29. The summer vacations of all the Public Schools shall be from the fifteenth day of July to the fifteenth day of August, inclusive.

Summer vacations.

30. Several sections and sub-sections of the Consolidated Common School Act for Upper Canada, 22 Victoria, Chapter 64, shall be amended as follows:

30. Several sections and sub-sections of the Consolidated Common School Act for Upper Canada, passed in the twenty-second year of Her Majesty's reign, and chaptered sixty-four, shall be amended as follows:

22 Vic., cap. 64, amended.

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(1.) The twenty-third section, after the words "twenty dollars," shall read "to be sued for and recovered before a Justice of the Peace, by the Trustees of the School section, or by any two ratepayers, for its use."

(1.) [This sub-section not altered.] Sec. 25.

(2.) In the second sub-section of the twenty-seventh section, the words "and shall proceed in the same manner as ordinary collectors of county or township rates and assessments," shall be amended to read as follows: "and shall have the same powers and proceed in the same manner in his School section and township, as a township collector, in collecting rates in a township or county, as provided in the Municipal Corporations and Assessment Acts."

(2.) [This sub-section not altered.] Sec. 27, sub-s. 2

(3.) The eighth sub-section of the same (twenty-seventh) section shall be amended so as to read as follows: "To contract with and employ teachers for such School section, and determine the amount of their salaries; but no agreement between the Trustees and teacher of any School section shall be valid and binding on either party unless such agreement has been made and signed as agreed to, at a meeting, of which all Trustees have been duly notified."

(3.) The eighth sub-section of the same (twenty-seventh) section shall be amended by striking out all the words therein after the word "salaries." Sec. 27, sub-s. 8.

(4.) The ninth sub-section of the same (twenty-seventh) section, after the words "school section," shall be amended, so as to read as follows: "but they [the Trustees] shall not give such order in behalf of any teacher, except for the actual time during which said teacher, while employed, held a legal certificate of qualification."

[(4.) This sub-section not altered.] Sec. 27, sub-s. 9.

(5.) At the end of the twelfth sub-section of the same (twenty-seventh) section, the following words shall be added: "and in case of any omission or mistake in such roll, the township council shall have authority to correct it."

(5.) [This sub-section not altered.] Sec. 27, sub-s. 12.

(6.) In the first sub-section of the ninety-first section, the words, "he shall apportion no money," shall read, "he shall apportion, but shall not give an order to pay money."

(6.) [This sub-section not altered.] Sec. 91, sub-s. 1.

31. Wherever reference is made in any School Act to the Municipal Institutions or Assessment Acts, it shall be held to mean those Acts or amendments to them which may be in force at the time of citing them, and performing any duty under their authority.

31. [This section not altered.] Reference in school Acts to the Municipal and Assessment Acts.

32. And whereas it is expedient that the whole system of Public Schools should be consolidated and united under one man-

32. The public schools in cities, towns and incorporated villages shall be under the management of Boards of Public School Grammar and Public schools to be under the

Proceedings where an arbitrator is absent.

Differences between trustees and teachers to be settled by the county judge.

Proviso—Appeal from judge's decision.

In cases appealed, judge to send statement of claim, etc., chief superintendent of education.

Summer vacations.

of or and 22 Vic., cap. 64, amended.



agement, and that the Grammar Schools should be made effective in promoting the interests of a higher English, scientific and commercial, as well as classical education, it is hereby enacted, that from and after the sixth day of July next ensuing, the Boards of Grammar School Trustees in cities, towns and villages shall cease to exist, and the Grammar and Public Schools in the municipalities or School divisions shall be under the management of the Boards of Public School Trustees; and each of such Boards shall be a Corporation, under the designation of Public School Board, and in addition to the legal powers now possessed by Grammar and Common School Trustees, shall succeed to all the property, rights, obligations and powers of such Boards of Grammar and Common School Trustees in such Municipalities or School divisions; Provided that the Grammar and Common School Boards shall continue in office until their successors are elected, as provided by the thirty-third section of this Act.

33. The members of the Boards of Public School Trustees shall be elected and classified in the manner provided by law for the election and classification of Common School Trustees in cities, towns, incorporated villages, and other School divisions, as the case may be; which elections shall be held on the second Wednesday in July in each year, and the first election on the first Wednesday in July next after the passing of this Act, commencing at ten o'clock in the forenoon. Provided always, that it shall be lawful for the municipal council of any city, town, or incorporated village within which a High School may be situated, to appoint and determine the continuance and succession in office of a number not exceeding four duly qualified persons, as members of the Board of Public School Trustees, in addition to those authorized to be elected by the ratepayers.

34. The Grammar Schools shall be designated and known as High Schools, in which provision shall be made for teaching the higher branches of an English and commercial education, including the natural sciences, with special reference to agriculture, and, also, the Latin, Greek, French and German languages, to those pupils whose parents or guardians may desire it, according to a programme of studies and regulations, which shall be prescribed from time to time by the Council of Public Instruction, with the approval of the Lieutenant Governor in Council.

Trustees; and each of such boards shall be a corporation under the designation of Public School Board, and shall succeed to all the property, rights, obligations and powers of Boards of Common School Trustees in such cities, towns and villages; Provided that the Common School Boards shall continue in office until their successors are elected, as provided by the thirty-third section of this Act.

boards of public school trustees.

Proviso-as to existing boards.

33. The members of the Public School Boards shall be elected and classified in the manner provided by law for the election and classification of Common School Trustees in cities, towns and incorporated villages.

Election and classification of members of the board.

34. Boards of Grammar School Trustees shall be designated High School Boards; and the Grammar Schools shall be designated and known as High Schools, in which provision shall be made for teaching to both male and female pupils the higher branches of an English and commercial education, including the natural sciences, with special reference to agriculture, and, also, the Latin, Greek, French and German languages, to those pupils whose parents or guardians may desire it, according to a programme of studies and regulations, which shall be prescribed from time to time by the Council

Grammar schools to be high schools.

Education therein.

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35. All the provisions of the Grammar School Act shall, as far as is consistent with the provisions of this Act, apply to High Schools, their Trustees, head masters, and other officers, as fully as they apply to Grammar Schools and their officers, and the Board of Public School Trustees shall have the same power to provide for the accommodation and support of High Schools as they have, or may have, by law to provide for the accommodation and support of the Common Schools under their management.

36. The Grammar or High School grant shall be exclusively applied in aid of High Schools, and shall be apportioned and paid upon the same conditions as the School Fund is apportioned and paid in aid of Common Schools.

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of Public Instruction, with the approval of the Lieutenant-Governor in Council ; and the Council of Public Instruction shall have power to exempt any High School, which shall not have sufficient funds to provide the necessary qualified teachers, from the obligation to teach the German and French languages.

35. All the provisions of the Grammar School Act shall, as far as is consistent with the provisions of this Act, apply to High Schools, their Trustees, head masters and other officers, as fully as they apply to Grammar Schools and their officers, and as far as the fund will permit, it shall be lawful for the Lieutenant-Governor in Council to authorize the establishment of additional High Schools upon the conditions prescribed by the Grammar School Act and this Act.

Certain provisions of the grammar school Act to apply to this Act.  
Board may provide for the support of high schools.

33. The Grammar or High School grant shall be exclusively applied in aid of High Schools ; and of the sums of money required to be raised from local sources for the support of a High School a sum equal to one-half of the amount paid by the Government to any High School in a city or town withdrawn from the jurisdiction of the county, together with such other sum as may be required for the accommodation and support of such school, shall be provided by the Municipal Council of such city or town upon the application of the High School Board. In the case of a High School in towns, incorporated villages or townships, one-half of the amount paid by the Government shall be paid by the Municipal Council of the county in which such High School is situated, upon the application of the High School Board ; and such other sums as may be required for the maintenance and school accommodation of the said High School, shall be raised by the Council of the Municipality in which the High School is situated, upon the application of the High School Board ; or in the event of the County Council forming the whole or parts of a county into one or more High School districts, then such other sums as may be required for the maintenance of the said High School shall be provided by the High School district upon the application of the High School Board in the manner hereinafter provided :

Application of the Grammar school grant.

(1.) The Council of any municipality or the councils of the respective municipalities, out of which the whole or part of such High School district is formed, shall, upon



37. No Public or High School shall be entitled to share in the Fund applicable to it unless it is conducted according to the regulations provided by law ; nor, unless in the case of a High School, has an average attendance of twenty pupils ; and each High School conducted according to law shall be entitled to an apportionment of not less than three hundred, and not more than one thousand dollars per annum, according to the average attendance of pupils, their proficiency in the various branches of study, and the length of time each such High School is kept open as compared with other High Schools.

38. The County, City, or Town Inspector of Schools, the Chairman of the Board of Public School Trustees, and the head master of the High School shall constitute a Board of Examination for the admission of pupils to the High School, according to the regulations and programme of examination provided according to law ; and it shall be the duty of the Inspector of High Schools to see that such regulations are duly observed in the admission of pupils to the High Schools ; Provided, nevertheless, that the pupils already admitted as Grammar School pupils according to law, shall be held eligible without further examination for admission as pupils of the High Schools ; and provided furthermore, that pupils from any part of the County in which a High School is or may be established shall be admitted to such school on the same terms as pupils within the town or village of such school, upon the condition always, that the Council of such County shall contribute *pro rata* towards raising the sum or sums required by law to be provided from local sources to entitle such High School to share in the Grammar School Fund.

39. The Inspector or Inspectors of Grammar Schools now authorized by law, shall be known as the Inspector or Inspectors of High Schools.

40. It may and shall be lawful for any County Council to form the whole or parts of one or more townships, towns and villages within its jurisdiction into a High School district, within the limits of which a Board of six Trustees shall be elected by the ratepayers in the same manner as are

the application of the High School Board, raise the proportion required to be paid by such municipality or part of the municipality, from the whole or part of the municipality, as the case may be.

37. No Public or High School shall be entitled to share in the Fund applicable to it unless it is conducted according to the regulations provided by law ; and each High School conducted according to law, shall be entitled to an apportionment at the rate of not less than four hundred dollars per annum, according to the average attendance of pupils, their proficiency in the various branches of study, and the length of time each such High School is kept open, as compared with other High Schools.

38. The County, City or Town Inspector of Schools, the Chairman of the High School Board and the head master of the High School shall constitute a Board of Examiners for the admission of pupils to the High School, according to the regulations and programme of examination provided according to law ; and it shall be the duty of the Inspector of High Schools to see that such regulations are duly observed in the admission of pupils to the High Schools ; Provided nevertheless, that the pupils already admitted as Grammar School pupils according to law, shall be held eligible without further examination for admission as pupils of the High Schools ; And provided furthermore, that pupils from any part of the county in which a High School is or may be established shall be admitted to such school on the same terms as pupils within the town or village of such school.

39. [This section not altered.]

40. Every County Council shall determine the limits of each High School district for each Grammar School now existing within the County, and may form the whole or part of one or more townships, towns and villages within its jurisdiction into a High School district ; and the High

Conditions upon which Public or High Schools may share in the school fund.

Board of examiners for admission of pupils to high schools.

Proviso—as to pupils already admitted to grammar schools.

Proviso—as to the admission of pupils from the county.

Inspectors of grammar schools to be inspectors of high schools.

County council may form high school districts.

Board of trustees

Boards of School Trustees in incorporated villages, in such place and at such time, for the first election, as may be appointed by the Warden of the County, and at such place subsequently as may be appointed by the said Board; and all the provisions of the School Acts relating to the election and succession of Trustees in incorporated villages, shall apply to the election and succession of Trustees in said High School district, as far as is consistent with this section; and the Board of Trustees of such High School district shall possess all the powers within the said district for the support and management of their High School, and in respect to the County Council, as are possessed by the Boards of Public School Trustees in incorporated villages, in respect to the support and management of the schools under their care, and in respect to the Municipal Council of their Municipality, as provided by the School Acts of Upper Canada: Provided always, that it shall be lawful for such County Council to appoint and determine the continuance and succession in office of a number not exceeding four duly qualified persons as members of such Board of High School Trustees in addition to those authorized to be elected by the ratepayers.

41. And whereas it is desirable to encourage the establishment of superior classical Schools, it shall be lawful for the Lieutenant-Governor in Council to confer upon any High School, in which not less than four masters are fully employed in teaching the subjects of the prescribed curriculum, and in which the daily average of male pupils studying the Latin or Greek language shall be not less than sixty, the name Collegiate Institute; and toward the support of such Collegiate Institute it shall be lawful for the Lieutenant-Governor in Council to authorize the payment of an additional sum, at the rate of, and not exceeding seven hundred and fifty dollars per annum out of the Superior Education Fund, provided under the authority of the tenth section of the Consolidated Grammar School Act, twenty-second Victoria, chapter sixty-three; Provided, that if in any year the average of pupils above described shall fall below sixty, or the number of masters be less than four, the additional grant shall cease for that year. And if the said average shall continue to be less than sixty, or the number of masters less than four, for two successive years, the institution shall forfeit the name and privileges of a

School Board of such district shall possess all the powers within the said district, for the support and management of their High School, and in respect to the County Council, as are possessed under the Grammar School Acts and this Act by High School Boards in respect to the support and management of the schools under their care; and such County Council may appoint and determine the continuance and succession in office of six duly qualified persons as members of such High School Board. Provided however, that existing Grammar School divisions already established shall be called High School districts, and continue as such till otherwise altered by law of such County Council.

tees—how appointed.

Power of board of trustees.

County councils may appoint members to the board.

Collegiate institutes.

Grant in support of collegiate institutes.

41. [This section not altered.]

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Collegiate Institute, until restored by the Lieutenant-Governor in Council, under the conditions provided by this section.

42. Be it furthermore enacted, that it may and shall be lawful for the Board of Public School Trustees of each city, town and village to establish one or more Industrial Schools for otherwise neglected children and to make all needful regulations and employ the means requisite to secure the attendance of such children, and for the support, management and discipline of such school or schools.

43. All the provisions of the Grammar and Common School Acts which are inconsistent with this Act are hereby repealed.

42. The Public School Board of each city, town and village may establish one or more Industrial Schools for otherwise neglected children, and make all needful regulations and employ the means requisite to secure the attendance of such children, and for the support, management and discipline of such school or schools. <sup>Industrial schools.</sup>

43. Each male teacher of a public school holding a certificate of qualification under the School Acts of this Province shall, and each such female teacher may, pay into the fund for the support of superannuated school teachers the sum of four dollars annually; and each Inspector of schools is hereby authorized and required to deduct one-half of such sum semi-annually from any payments made by him to any male teacher under his jurisdiction, and transmit the same to the Education Department; Provided always, that any teacher retiring from the profession shall be entitled to receive back from the Chief Superintendent one-half of any sums thus paid in by him to the fund: And provided further, that on the decease of any teacher, his wife, or other legal representative, shall be entitled to receive back the full amount paid in by such teacher, with interest at the rate of seven per centum per annum. <sup>Superannuated teachers' fund.</sup>

44. The summer vacation in high schools throughout the Province shall be from the first day of July until the fifteenth day of August inclusive. <sup>Summer vacation in high schools.</sup>

45. The Treasurer of every High School Board shall submit his accounts to the county Auditors to be audited by them in the same manner as the county treasurer's accounts are audited, and it shall be the duty of the county Auditors to audit such accounts. <sup>Audit of treasurer of high schools accounts.</sup>

46. The one hundred and thirtieth and seven following sections of the Consolidated School Act, passed in the twenty-second year of the reign of Her Majesty, and chaptered sixty-four, shall apply to every school trustee or other person, into whose hands any school moneys or school property shall come, and who neglects or refuses to account for, or deliver up the same when called upon by competent authority to do so; and the County Judge, upon application of any two ratepayers in a school section <sup>Jurisdiction over persons having moneys or property in their hands.</sup>

Industrial schools.

Superannuated teachers' fund.

Summer vacation in high schools.

Audit of treasurer of high schools in accounts.

Jurisdiction over persons having moneys or property in their hands.

or division, supported by their affidavit of the facts made before a Magistrate, shall have the same jurisdiction in the case as he has in that of a secretary-treasurer, by the said sections of the Consolidated School Act; Provided always, that it shall be the duty of school trustees to exact security from every person to whom they entrust school money, or other school property, and to deposit such security with the Township Council for safe keeping.

Security for school money.

47. The provisions of the Act passed in the thirty-second year of Her Majesty's reign, chaptered forty-four, intituled "An Act to amend the Act respecting Common Schools in Upper Canada," are, except the ninth and tenth sections thereof, hereby declared to apply to the city of Toronto alone.

Certain sections of 32 Vic., cap. 44, to apply only to Toronto.

48. All the provisions of the Grammar and Common School Acts which are inconsistent with this Act are hereby repealed.

Grammar School and Common School Acts inconsistent herewith repealed.

