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No. 11.

4th Session, 6th Parliament, 24 Vic., 1861.

BILL.

An Act to amend "An Act respecting Separate Schools" in Upper Canada, in so far as the same relates to Roman Catholic Separate Schools.

Received and read, 1st time, Saturday, 23d
March, 1861.

Second Reading, Tuesday, 2nd April, 1861.

Mr. R. W. Scott.

QUEBEC :

PRINTED BY THOMPSON, HUNTER & CO.,
ST. URSULE STREET.

An Act to amend "An Act respecting Separate Schools" in Upper Canada, in so far as the same relates to Roman Catholic Separate Schools.

HER Majesty, &c., enacts as follows :—

Preamble.

I. Section numbered eighteen of chapter Sixty-five of the Consolidated Statutes of Upper Canada is hereby repealed, and in lieu thereof the following shall be substituted ;

Sect. 18 of c. 65 of Con. Stat., U. C., repealed.

5 " Any number of persons, not less than five, being heads of families, and freeholders or householders, resident within any School Section of any Township, Village or Town, or within any ward of any City or Town, and being Roman Catholics, may convene a public meeting of persons desiring to establish a Separate School for Roman Catholics, in
10 such School Section or ward, for the election of Trustees for the management of the same."

New section. Five heads of families to call meeting:

II. Section number twenty of the said Act is hereby repealed, and in lieu thereof the following shall be substituted :

Section 20 repealed.

15 Notice of the holding of such meeting, and of such election of Trustees, shall be given by one of the Trustees so elected, to the Reeve or head of the Municipality, or to the Chairman of the Board of Common School Trustees, in the Township, Village, Town, or City in which such School is about to be established, designating by their names, professions, and residences, the persons elected in the manner aforesaid, as Trustees
20 for the management thereof.

New Section. Written notice to certain officer.

Contents.

III. Section number twenty-three of the said Act is hereby repealed, and in lieu thereof the following shall be substituted :

Sec. 23 repealed.

25 "Where such notice has been given of the election of Trustees in more than one ward of any city or town, or in more than one school section in any Municipality or Municipalities, adjoining or contiguous to each other, the Trustees thereof may, if they think fit, form a union for the establishment of separate schools in such parts of the said cities or towns, or in such sections of the Municipality or Municipalities as they think fit ; and from the day on which the notice announcing such union shall be published
30 in any public newspaper, issued in such city, town, village or municipality, or in the city, town, village or municipality nearest thereto, the Trustees of the several wards in such city or town, and the Trustees of such sections in any municipality or municipalities, shall form a body corporate, under the title of "The Board of Trustees of the Roman Catholic

New section. Unions of wards and sections, how formed.

Notice of Unions.

United Separate Schools, for the city (or town) of _____;” or “The Board of Trustees of the Roman Catholic United Separate Schools for the united Sections, numbers _____ (as the case may be,) in the township or townships of _____, in the county (or united counties) of _____.”

Section 25 repealed.

IV. Section numbered twenty-six of the said Act is hereby repealed, 5
and in lieu thereof the following shall be substituted :

New section.
Election and
time of office
of Trustees.

“ The Trustees of such Separate Schools shall remain in office until the Second Wednesday of the Month of January next following their Election, on which day in every year, a meeting shall be held in each such Section or Ward, commencing at the hour of Ten of the clock in the forenoon, for the election of three Trustees for Separate Schools theretofore established ; but no Trustee shall be re-elected at any such Meeting without his consent, unless after the expiration of four years from the time he went out of office : Provided always, that whenever in any City, or Town divided into wards, a united Board now exists, or shall be once established, one Trustee only for each ward shall be elected to represent such Ward at the United Board of Trustees, at the then next and all such subsequent general annual Meetings, for the election of School Trustees, on the second Wednesday in January. 10 15

Sect. 29 repealed.

V. Section numbered twenty-nine of the said Act is hereby repealed, 20
and in lieu thereof the following shall be substituted :

New section.
Exemption
from Com-
mon School
Rates.

“ Every person paying rates, whether as proprietor or tenant, who, on or before the first day of March in any year, gives, or who on or before the first day of March of the present year, has given, to the Clerk of the Municipality, notice that he is a Roman Catholic, and a supporter of a separate School situated in the said Municipality, or in a Municipality contiguous thereto, shall be exempted from the payment of all rates imposed for the support of Common Schools, and of Common School Libraries, or for the purchase of land or erection of buildings for Common School purposes, within the Municipality, for the then current year, and every subsequent year thereafter, while he continues a supporter of a separate School.—And such notice shall not be required to be renewed annually; and it shall be the duty of the Trustees of every separate School to transmit to the Clerk of the Municipality or Clerk of Municipalities (as the case may be) on or before the first day of June in each year, a correct list of the names of all persons supporting the separate Schools under their management.” 25 30 35

Section 33 repealed.

VI. Section number thirty-three of the said Act is hereby repealed, and in lieu thereof the following shall be substituted :

New section.
Separate
Schools en-
titled to a
share of the
public grant.

“ Every such separate School shall be entitled to a share in the fund annually granted by the Legislature of this Province for the support of Common Schools, and shall be entitled also to a share in all other public grants and allotments for Common School purposes made by the Province or the Municipal authorities, according to the average number of pupils attending such School during the twelve next preceding months, or during the number of months which may have elapsed from the establishment of a new separate School, as compared with the whole average number of pupils attending school in the same City, Town, Village or Township. 40 45

VII. Section number thirty-four of the said Act is hereby repealed, and the following shall be substituted in lieu thereof :

Sect. 34 repealed.

5 "The Trustees of each such separate School shall, on or before the thirtieth day of June, and the thirty-first day of December of each year, transmit to the Chief Superintendent of Education for Upper Canada, a correct Return of the names of the children attending such school, together with the average attendance during the six next preceding months, or during the number of months which have elapsed since the establishment thereof, and the number of months it has been

10 so kept open ; and the Chief Superintendent shall, thereupon, determine the proportion which the Trustees of such separate School are entitled to receive out of the Legislative grant, and shall pay over the amount thereof to such Trustees.

New section. Half-yearly returns to Superintendent.

Share of grant.

15 VIII. It shall be the duty of every Collector of public rates, when collecting general rates from supporters of Roman Catholic Separate Schools, to collect also from them, if requested so to do by the Trustees of the school or schools of which they are supporters, the school rate that may for the time being be imposed by such Trustees, and to pay over the same to them ; and for such service the said Collectors shall

20 be and are hereby authorized to retain five per centum of all taxes so collected ; Provided always, that if such Collector be paid a fixed salary or stipend from the Municipality, no additional sum or per centage shall be charged for collecting the Separate School rate.

Penalty for false returns. Collector of General Rates to collect Separate School rates, if required.