



No. 177.

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3rd Session, 6th Parliament, 23 Victoria, 1860.

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**An Act for the further promotion of  
Public Instruction in Upper Canada.**

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Received and read first time, Tuesday, 17th  
April, 1860.

Second reading, Friday, 20th April, 1860.

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**Hon. Mr. Atty. Genl. MacDONALD.**

An Act for the further promotion of Public Instruction  
in Upper Canada.

**W**HEREAS it is expedient to amend the Law and to make further provision for the promotion of Public Instruction in Upper Canada : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Preamble.

COMMON SCHOOLS.

- 1.** Any teacher refusing, on the demand of the majority of the Trustees of the School Corporation employing him, to deliver up any School Register or School House Key or other School property in his possession, shall be deemed guilty of a misdemeanour and shall not be deemed a qualified Teacher until restitution be made, and shall also forfeit any claim which he may have against the said Trustees.
- 2.** On the incorporation of a part of any School section within the limits of a Village, the Municipal Council of the Township within the limits of which such School section is in whole or in part situated, shall have authority forthwith to attach the part or parts of such school section not included within the limits of the Village Corporation, to an adjacent School section or School sections, or form them into a separate and distinct section or sections ; Provided always, that the Municipal Council of such newly incorporated Village, or of any Village incorporated since one thousand eight hundred and fifty-seven, shall, within twelve months after its incorporation, cause to be paid back to the Trustees of the section or part section, on behalf at the rate-payers not included within its limits who may have paid School rates, any sum or sums which they may have paid as School taxes or rates within two years previously to its incorporation for the purchase of a School site or the erection of a School House in said Village ; And the sums thus received back shall be applied by the Trustees to a *pro rata* abatement of any School taxes of such rate-payers thereafter payable.
- 3.** The seventeenth section of the Upper Canada Common School Act, chapter sixty-four of the Consolidated Statutes for Upper Canada, shall be amended so as to read as follows :—  
No person shall be entitled to vote in any School section for the election of Trustee or on any School question whatsoever, unless he shall have been assessed and shall have paid School rates as a freeholder or householder in such section ; and in

Penalty on teacher refusing to deliver up School Register, &c.

As to remainder of School section of which part is incorporated in a Village.

Proviso: for re-payment of certain moneys paid for School Houses.

Section 17 of Con. Stat. of U. C. cap. 64, amended.

Who may vote at School elections or on School questions.

Declaration may be required.

case an objection be made to the right of any person to vote in a School section, the chairman or presiding officer at the meeting shall, at the request of any rate payer, require the person whose right of voting is objected to, make the following declaration :

Form.

“ I do declare and affirm that I have been rated on the assessment Roll of this School section as a Freeholder (or Householder. *as the case may be*) and that I have paid a public School tax in this School section within the last twelve months, and that I am legally qualified to vote at this meeting.”

Penalty for false declaration.

Whereupon the person making such declaration shall be permitted to vote on all questions proposed at such meeting ; but if any person refuses to make such declaration his vote shall be rejected ; And if any person wilfully makes a false declaration of his right to vote, he shall be guilty of a misdemeanour and upon conviction upon the complaint of any person, shall be punishable by fine or imprisonment in the manner provided for in the said Upper Canada Common School Act.

Time and hours for school elections.

4. The poll at every election of a School Trustee or Trustees shall not close before eleven of the clock in the forenoon, and shall not be kept open later than four of the clock in the afternoon ; In school sections the poll shall close on the same day the election is commenced ; in cities, towns and incorporated villages the same time shall be allowed for the election of School Trustees which is allowed for the election of Municipal Councillors in such municipalities.

Sections 45, 46, amended.

Formation of Union School sections.

5. The forty-fifth and forty-sixth sections of the said Upper Canada Common School Act, shall be amended so as to read as follows : “ Under the conditions prescribed in the fortieth section in respect to alterations of other school sections, union school sections, consisting of parts of two or more townships or parts of a township and any town or incorporated village, may be formed and altered by the Reeves and Local Superintendent or Superintendents of the townships out of parts of which such sections are proposed to be formed,—or in the case of a union section of parts of a township or townships and a town or incorporated village, by the Reeve and Local Superintendent of the township, and the Council of the town or village, at a meeting appointed for that purpose by any two of such Reeves, or by the Council of such town or village, of which meeting the other parties authorized to act with them shall be duly notified ; and each union school section composed of portions of adjoining townships or portions of a township or townships and a town or incorporated village, shall, for the purposes of the election of Trustees under their control, be deemed one school section, and shall be considered in respect to superintendence and taxation for the erection of a school house as belonging to the township, town or village in which the same is situated.”

Effect of such Union.

6. It shall not be lawful for any Common School Trustee to enter into a contract with the corporation of which he is a member or have any pecuniary claim on such corporation, except for a school site, or as collector of school rates, and then only when he shall be appointed and the warrant to him signed by the other two members of the corporation, with the seal of the same.

In what cases only a School Trustee may contract with his School Corporation.

7. No Act or proceeding of a School Corporation shall be deemed valid or binding on any party which is not adopted at a regular or special meeting, of which notice shall be given by the Secretary to all the trustees by notifying them personally or by sending a written notice to their residences, and the proceedings of such Trustee meetings shall be entered in a book of the corporation kept for that purpose, and signed by the Senior or presiding Trustee ; Provided always, that a majority of the Trustees, at a meeting thus called, shall have full authority to perform any lawful business.

Proceedings not valid unless adopted at regular meetings.

Proviso.

8. In order that there may be accuracy and satisfaction in regard to the school accounts of school sections, it shall be the duty of the Trustees of each School section to call a public meeting of the freeholders and householders of such section between the eighteenth and twenty-eighth days of December of each year for the appointment of two auditors of the school accounts of the year then ending ; And the majority of the freeholders and householders present at such meeting shall appoint a fit and proper person to be auditor of the school accounts of the section for the year then ending, and the Trustees shall appoint another auditor ; and the auditors thus chosen or either of them shall forthwith appoint a time before the day of the next ensuing annual school meeting for examining the accounts of the school section, and it shall be the duty of the Trustees or their secretary-treasurer in their behalf to lay all their accounts before the auditors or either of them together with the agreements, vouchers, &c., in their possession, and to afford to the auditors or either of them all the information in their power as to their receipts and expenditures of school moneys in behalf of their school section ; And it shall be the duty of the auditors to examine into and decide upon the accuracy of the accounts of such section and whether the Trustees have truly accounted for and expended for school purposes the moneys received by them ; and if the auditors or either of them object to the lawfulness of any expenditures made by the Trustees, they shall submit the same to the Chief Superintendent of Education whose decision shall be final, and the auditors shall remain in office until their audit is completed ; The auditors or either of them shall have the same authority to call for persons and papers and require evidence on oath and to enforce their decisions as have arbitrators appointed under the authority of the eighty-fourth, eighty-fifth and eighty-sixth sections of the said Upper Canada Common School Act ; and it shall

Meeting for appointment of Auditors of School accounts.

Duties of School Trustees.

Powers and duties of Auditors, &c.

Auditors' report.

be their duty or that of either of them to report the result of their examination of the accounts of the year to the annual school meeting next after their appointment, when the Annual Report of the Trustees shall be presented and the vacancy or vacancies in the Trustee corporation be filled up, as provided by law ; And if the Trustees, or their secretary in their behalf, refuse to furnish the auditors or either of them with the papers or information in their power and which may be required of them relative to their school accounts, the party refusing shall be guilty of a misdemeanor and upon prosecution by either of the auditors or any rate-payer be punished by fine or imprisonment, as provided by the one hundred and fortieth section of the said Upper Canada Common School Act. 5 10

Penalty on Trustees refusing information, &c., to Auditors.

Penalty on Trustees refusing to comply with award of Arbitrators under sect. 81 of the said Act.

9. If the Trustees refuse or neglect, for twenty days after publication of award to comply with or give effect to an award of arbitrators appointed as provided by the eighty-fourth section of the said Upper Canada Common School Act, the Trustees so refusing or neglecting shall be held to be personally responsible for the amount of such award which may be enforced against them individually by warrant of such Arbitrators within one month after publication of their award ; and no want of form shall invalidate the award or proceedings of Arbitrators under the School Acts. 15 20

School Trustees may dispose of School sites not required.

10. It shall be lawful for any School Trustee Corporation to dispose by sale or otherwise of any School site or School property not required by them in consequence of a change of School site and apply the proceeds thereof for their lawful School purposes ; And all sites and other property given or acquired or which may be given or acquired for Common School purposes by any title whatsoever shall vest absolutely in the Trustee Corporation for this purpose. 25 30

Qualification of School Trustees.

Certain persons disqualified.

11. No person shall be eligible to be elected or serve as School Trustee who is not a resident assessed freeholder or householder in the School section for which he is elected ;—nor shall any teacher, local superintendent, saloon-keeper or inn-keeper hold the office of Trustee ; and a continuous non-residence of three months from his School Section by any Trustee shall cause the vacation of his office. 35

Trustees' agreement with Teacher to be binding only during their term of office, and to be under seal.

12. It shall not be lawful for the Trustee of any School section to make an agreement with a Teacher which shall be binding longer than the period of such Trustee continuing in office, and all agreements between Trustees and Teachers to be valid and binding upon the section shall be in writing signed by the parties thereto and sealed with the corporate seal, and shall not include any stipulation to provide the Teacher with board and lodging. 40 45

- 13.** It shall be the duty of a Local Superintendent of Schools to receive, investigate and decide upon any complaints which may be made in regard to the election of School Trustees or in regard to any proceedings at School meetings; **5** Provided always, that no complaint in regard to any election or proceeding at a School meeting shall be entertained unless made in writing within twenty days after the holding of such election or meeting.
- 14.** In any case of dispute as to the boundaries of a school section, the Local Superintendent shall have authority to investigate and decide upon it; and the Chief Superintendent shall have authority to decide upon all disputes and complaints laid before him, the settlement of which is not otherwise provided for by law, and upon all appeals made to him from the **10** **15** decision of any Local Superintendent or other School officer.
- 15.** Arbitrators appointed under the authority of the School Acts and Local Superintendents engaged in investigating and deciding upon School complaints and disputes, shall be entitled to the same remuneration *per diem* for the time thus employed **20** as are members of the Municipal Council of their County for their attendance at Council meetings; Provided always, that the parties concerned in such disputes shall pay all the expenses incurred in them according to the award or decision of the Arbitrators and Local Superintendents respectively.
- 25** **16.** Each County Board of Public instruction shall meet half yearly, and each of its members shall be entitled to the same recompense for his time and expenses as are members of the County Corporation for their attendance at County Council meetings; and the incidental expenses attending **30** the meeting of such County Board shall include the recompense to its members, the stationery, room, fuel, light, printing of notices, examination papers and certificates, and such remuneration to the Secretary of such Board as the Board may deem just and expedient; and should objection be made **35** to any part of the incidental expenses authorized by such County Board, it shall be referred to the County Judge whose decision shall be final and binding upon the County Council.
- 40** **17.** Every Public School in Upper Canada shall be opened from three to four of the clock each Friday afternoon for the special religious instruction of pupils by their ministers or their representatives of the respective persuasions; In cities, Towns and incorporated Villages where there are as many School rooms as may be required for the separate accommodation of the pupils of each religious persuasion, such rooms shall **45** be allowed for the purpose according to the assignment of each room by the Trustees; In School houses, where there is not a sufficient number of rooms for the separate accommodation of each religious persuasion, the most numerous class at such
- Local Superintendent to decide complaints about elections.  
Proviso.
- Local Superintendent to decide boundary questions.  
Chief Superintendent, all appeals and all questions not otherwise provided for.
- Allowance to Local Superintendents and Arbitrators.  
Proviso: who shall pay expenses.
- Allowance to Members of County Board of Public Instruction;— and for expenses.
- Religious Instruction on Friday afternoon by Ministers of each pupils' persuasion.

- Accommodation for such purpose. schools shall occupy the first separate room available and the other classes may be heard and instructed by their respective pastors or their representatives in the Common School room, or the minister of any religious persuasion or his representative shall be at liberty to meet and instruct the pupils of his charge at such other place than the School house at the appointed hour as he shall provide for that purpose. 5
- Saturday to be a holiday. **18.** Every Saturday shall be a holiday in all the public Schools.
- School Trustees to take declaration of office. **19.** Every person elected as Trustee, and who is eligible and liable to serve as such, shall make the following declaration of office before the chairman of the School meeting; "I will truly and faithfully, to the best of my judgment and ability, discharge the duties of the office of school trustee to which I have been elected," And if any person elected as Trustee shall not make such a declaration within one week after his election, his neglect to do so shall be sufficient evidence of his refusing to serve and of his liability to pay the fine as provided for in the twenty-third section of the said Upper Canada Common School Act; Provided always, that any Chairman who neglects to transmit to the local Superintendent, a copy of the proceedings of an annual or other School section meeting, over which he may preside, within ten days after the holding of such meeting, shall be liable, on the complaint of any rate-payer to a fine of not more than five dollars to be recovered as provided in the one hundred and fortieth section of the Upper Canada Common School Act aforesaid. 10 15 20 25
- Fine for default.
- Proviso: fine on Chairman not transmitting proceedings of School meeting to Chief Superintendent. **20.** Trustees shall not be liable to any prosecution or the payment of any damages while acting under any By-law of a Municipal Council. 30
- Trustees not liable for acting under a By-law, &c.
- Powers and liabilities of Collectors of School rates. **21.** Collectors of school rates shall have the same powers, and be under the same obligations in their respective school municipalities, as Township Collectors have and are liable to in their respective municipalities.
- Number of Local Superintendents in any County determined. Qualification. **22.** There shall not be more than one Local Superintendent in a county, unless the number of Common Schools in such county exceed one hundred and fifty, in which case there may be two; nor shall any person be appointed Local Superintendent after the first of January next, who has not experience in teaching and whose attainments are not attested by the authority appointing him to be above those of a first class teacher; Each Local Superintendent shall hold office during pleasure, and shall be entitled to not less than five dollars for each school section under his charge.; Provided always, that the Municipal Council of any county may, if it shall judge proper, transfer by resolution, the appointment of Local Superintendent of Schools for such county to the Department of 35 40 45
- Tenure of office and pay. Proviso: appointment may be transferred to De-

Public Instruction, by which latter authority no Local Superintendent shall be appointed who is not acquainted with the system of teaching and discipline practised in the Provincial Normal and Model Schools, and with the use of the various kinds of school apparatus, as well as with the School Law generally.

partment of Public Instruction.

23. A Local Superintendent shall have the same authority to suspend for the time being a provincial certificate of teacher's qualifications, and report the same forthwith to the Chief Superintendent, as he has to suspend a county certificate, notifying in writing the teacher, whose certificate is suspended, the reasons of it; and the Chief Superintendent shall finally decide upon the case.

Local Superintendent may suspend a Provincial Teacher's certificate.

24. It shall be competent for the Chief Superintendent of Education, should he deem it expedient, to submit any question arising under the Grammar or Common School Acts, to the Superior Courts for their opinion and decision.

Chief Superintendent may refer certain questions to Superior Courts.

25. It shall be the duty of the Chief Superintendent of Education to cause to be printed by the printer of the Legislative Assembly for the time being, under his direction, a sufficient number of copies of his annual Report to supply each School and Municipal Corporation, Local Superintendent and County Board of Public Instruction in Upper Canada.

Copies of Chief Superintendents' report to be distributed, &c.

26. It shall be lawful for the Chief Superintendent of Education to assist Mechanics' Institutes and all other institutions receiving Legislative aid in Upper Canada, to establish and maintain libraries, and procure maps and school apparatus, upon the same terms as such things are now supplied by the Educational Department to township and school municipalities, in proportion to the sums which they have transmitted to him or may transmit for such purposes, in the same manner to establish prizes of books and other publications in public schools and other institutions aided by the Legislature.

Chief Superintendent may assist Mechanics' Institutes, to establish Libraries, &c.

#### GRAMMAR SCHOOLS.

27. The Grammar School Fund shall be apportioned to Counties, upon the same terms and conditions as the Fund provided by the Legislature in aid of Common Schools.

Apportionment of fund.

28. The Corporation of each County shall annually levy and collect a rate for the support of Grammar Schools in the same manner, and subject to the same conditions and restrictions, as such Corporations levy and collect rates for the support of Common Schools; and the unexpended balances of Grammar School moneys over from any one year, shall be added to and form part of the Grammar School Fund of the next year.

Rate to be imposed for support of Grammar Schools, &c.

Youth of the County to be free of tuition fees.

Exception.

Proviso.

**29.** In consideration of the aid provided by the Corporation of each County to the Grammar School or Schools of such County, as authorized and required by the foregoing section, such School or Schools shall be free to all the youth of such County, without payment of fees for tuition, (except to residents in the City, Town, incorporated Village or Township within the limits of which a Grammar School may be situated,) according to the standard now established or which may be established for the admission of pupils to Grammar Schools, and as long as the conduct of such youth shall be agreeable to the rules of such Schools; Provided always, that where a County is divided into School Circuits, each Grammar School shall be free only to the youth of that School Circuit for which it is established.

Corporation of City, &c., where a Grammar School is located, to provide accommodation.

**30.** The Corporation of each City, Town, Village or Township within the limits of which a Grammar School is or may be situated, shall provide such accommodations and further means for the support and efficient operation of such school, and free education of pupils at such City, Town, Incorporated Village or Township, as may be required from time to time, by the Board of Trustees of such School.

How Trustees of Grammar Schools shall be appointed by County Council.

**31.** The Trustees of each Grammar School shall be appointed by the Corporation of the County, City, Town, Incorporated Village or Township Municipality within the limits of which such Grammar School is or may be situated; that is to say, each County Council at its first session to be held after the first day of January next, shall select and appoint as Trustees of each Grammar School within its jurisdiction, three fit and proper persons as Trustees of such Grammar School, one of whom in the order of their appointment shall annually retire from office (but may be re-appointed) on the thirty-first day of January in each year; and the vacancy occasioned by the retirement of one of such Trustees annually, as also any occasional vacancy in their number arising from death, resignation, removal from the County or otherwise, shall be filled up by such County Council, provided that the person appointed to fill such occasional vacancy shall hold office only for the unexpired part of the term for which the person whose place shall have become vacant was appointed to serve; And the Corporation of the City, Town, Incorporated Village or Township Municipality, within the limits of which a Grammar School is or may be situated, shall, at its first session in January next, appoint three fit and proper persons as Trustees of such Grammar School, one of whom, in the order of their appointment, shall annually retire from office (but may be re-appointed) on the thirty-first day of January in each year, and the vacancy occasioned by the retirement of one of such Trustees annually, as also any occasional vacancy in their number, arising from death, resignation, removal from the Municipality or otherwise, shall be filled up by such Council, provided that the person appointed to fill such

Retirement of Trustees and filling of vacancies.

Council of City, &c., where School is situate.

Retirement and filling of vacancies.

occasional vacancy shall hold office only for the unexpired part of the term for which the person whose place shall have become vacant was appointed to serve.

**32.** Each Board of Grammar School Trustees, in order to provide for the accommodation and support of the Grammar School under their charge, shall, within the limits of each City, Town, Incorporated Village or Township, in which such Grammar School is situated, possess and exercise all the powers with which the Board of Common School Trustees in any City or Town is or may be invested by law.

Powers of Trustees.

**33.** The present Trustees of Grammar Schools shall retire from office on the thirty-first day of January, one thousand eight hundred and sixty-one, and their successors in office shall be appointed as hereinbefore provided by this Act, and the Trustees thus appointed shall be a corporation, and shall succeed to all the rights, name, powers and obligations of the present Trustees as well as to all such rights, powers and obligations as are conferred or imposed upon Trustees of Grammar Schools by the Act twenty-second Victoria, chapter sixty-three hereinbefore mentioned, and by this Act.

Present Trustees to retire in 1861: and new Trustees to be appointed, &c.

**34.** All property heretofore given or acquired for Grammar School purposes and vested in any person or persons, or corporation by any title whatsoever, or hereafter to be given or acquired, shall vest absolutely in the corporation of Grammar School Trustees holding and having the care of the same; and such Trustees shall have full power to manage and dispose of the same in such manner as they may deem expedient, for the interests of their Grammar Schools.

Property for Grammar School purposes vested in the Trustees.

**35.** So much of the last part of the seventh clause of the twenty-fifth section of the Act respecting Grammar Schools, being chapter sixty-three of the Consolidated Statutes for Upper Canada, as limits the number of Common School Trustees to six in joint Boards of Grammar and Common Schools, is hereby repealed; but the union of the Grammar and Common Schools or departments thereof, as provided in said clause of said Act, may be dissolved at the end of any year by a notice of three months given in writing at a meeting of the Joint Board, and signed by a majority of the members of either board, and published at least three times in one or more local newspapers; On the dissolution of the union between any Grammar and Common School or departments thereof, the school property acquired or possessed by the Joint Board, shall be divided or applied to public school purposes as may be agreed upon by a majority of the members of each board, or if they cannot agree, then by the Municipal Council of the city, town, incorporated village or township within the limits of which the Grammar and Common Schools of such Boards of Trustees are situated.

Section 25 of cap. 63 of Con. Stat., U. C., amended; as to number of Common School Trustees on joint Boards.

Allowance to Headmaster for meteorological observations.

**36.** The Headmaster of each Grammar School situated in a county town shall be entitled to a special allowance at the rate of four dollars per week over and above his salary, on condition of his taking and reporting the meteorological observations as required by law, to the satisfaction of the Chief Superintendent of Education. 5

Conditions for receiving share of fund.

**37.** No Grammar School shall be allowed to receive any thing from the said Fund unless it has a daily average attendance (times of epidemic excepted) of at least ten pupils learning the Greek and Latin languages, exclusive of those in such subjects of Agricultural Chemistry and Physical Science as may be prescribed according to law. 10

Least amount receivable.

**38.** Each Grammar School, conducted according to law, shall be entitled to receive at the rate of not less than three hundred dollars per annum from said Fund. 15

Conditions of extra-allowance.

**39.** All apportionments made to Grammar Schools at the rate of over and above the sum of three hundred dollars per annum shall be made according to the daily average attendance (certified by the Head Master and Trustees) of pupils studying the Latin or Greek language or such subjects of Agricultural Chemistry and Physical Science as may be prescribed according to law. 20

Condition for additional Grammar School Fund.

**40.** No additional Grammar School shall be established in any County unless the Grammar School Fund of such County shall be sufficient to allow the apportionment of three hundred dollars per annum to be made to such additional School. 25

County Council may change site of Grammar School;—except at County Town.

**41.** Each County Council shall have discretionary authority to change the site of any Grammar School within its jurisdiction (except that situated in the County Town) and transfer it to another place in the County on condition that the Municipality to which such Grammar School is transferred shall pay to that from which it is transferred any sum which the County Council may judge equitable for a building or buildings which may have been erected for the Grammar School and which may not be required for other School purposes, less the sum received from the sale of such building. 30 35

Certain sects. of cap. 64, of Con. Stat., U. C., to apply to differences between Boards of Trustees and Masters of Grammar Schools. Proviso.

**42.** The eighty-third, eighty-fourth, eighty-fifth, eighty-sixth and eighty-seventh sections of the said Upper Canada Common School Act, shall apply to the settlement of all differences between Boards of Trustees and Head Masters and Teachers of Grammar Schools in the same manner as they apply to the settlement of differences between the School Trustees and Teachers of Common Schools; Provided always, that in such cases the Local Superintendent shall not act as an arbitrator, but in the event of a difference of opinion on the part of the two arbitrators, they shall themselves choose a third arbitrator, and 45

the decision of a majority of the arbitrators thus chosen shall be final.

- 43.** Whereas it is desirable and important that each Grammar School should, as soon as practicable, be made a school of Practical Science as well as of Classical learning, it shall be the duty of the Trustees of each Grammar School to establish a mastership or lectureship in Elementary and Agricultural Chemistry and in Natural Philosophy, especially Mechanics, as illustrative of the various kinds of machinery required by the manufacturing and other mechanical interests of the country ; The course of lectures in Chemistry and Natural Philosophy to continue not less than four months each year ; and the expense of the apparatus and lectures, including the salary of the master, shall be defrayed equally by the City, Town, Incorporated Village or Township, within which the Grammar School is situated, and the County or School Circuit for which such Grammar School is established, on an estimate from time to time prepared by the Board of Trustees of such Grammar School, and laid before the Municipal Councils of the County and of the City, Town, Incorporated Village or Township, respectively ; and it shall be the duty of such Councils to provide the sum or sums at such times and in such manner as may be required by such Board of Trustees.

Grammar Schools to be made Schools of Practical Science as soon as practicable, by establishing certain masterships, &c., in them.

- 44.** After the first day of January, 1861, it shall not be competent for any person to be employed as Head Master of a Grammar School who shall not present to the Board of Grammar School Trustees, proposing to engage him, a satisfactory certificate of good moral character, and a certificate from the Upper Canada Committee of Examiners of Candidates for Masterships of Grammar Schools, as to his ability to teach the subjects required to be taught in each Grammar School and to organize and manage such School as required by law ; and all certificates from such Committee shall be issued under the hand and official Seal of the Chief Superintendent of Education.

Qualification of Headmasters after 1st January, 1861.

Certificates to be under hand and seal of Chief Superintendent.

- 45.** So much of the said Upper Canada Common School Act and of the said Act respecting Grammar Schools, as are inconsistent with the provisions of this Act, are hereby repealed ; and in the second line of the ninety-fifth section of the said Upper Canada Common School Act, the phrase " The County Council shall divide " shall read, the " County Council shall have authority to divide," etc.

Inconsistent enactments, repealed.

Section 95 of cap. 64, amended.