

Laws of Her Majesty's Province of United Canada, passed in the year 1851. York: Stewart Derbyshire and George Desbarts, 1851.

14 & 15 Victoria – Chapter 97

An Act to provide for the establishment of a Normal School, and further to promote Education in Lower Canada. 30th August, 1851.

Whereas the number of Common Schools in Lower Canada hath of late years greatly increased, and the want of able Masters and Teachers for the same is deeply felt, and it has become necessary, in order that the liberal encouragement granted by the Legislature for public instruction may not be unavailing, to establish a Normal School in Lower Canada, for the purpose of training Masters and Teachers; And whereas it is expedient to make provision for the closer inspection and supervision of the Common Schools of Lower Canada, and to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, *An Act to amend the School Law of Lower Canada*: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That it shall be lawful for the Governor of this Province to adopt all needful measures for the establishment of a Normal School in Lower Canada, containing one or more Model Schools, for the instruction and training of Teachers of Common Schools in the Science of Education and Art of Teaching,—to cause to be made from time to time Rules and Regulations necessary for the management of such Normal School, and for prescribing the terms and conditions on which Students shall be received and instructed therein,—to select the location of such School, — and to erect or procure and furnish the buildings requisite for the same,—and to determine the number and remuneration of the Teachers, and of all others who may be employed therein.

II. That there shall be allowed annually, out of the unexpended or unclaimed balance of the Common School Fund, and in case there be no such balance, or that it proved insufficient, out of the Jesuits' Estates Fund, wholly or in part, a sum not exceeding Fifteen Hundred Pounds, for the payment of the salaries of Officers and the contingent expenses of the said Normal School; and a further sum not exceeding Two Hundred Pounds, to facilitate the attendance of Teachers in training at such Normal School, under such Regulations as shall be from time to time made by Order of and approved by the Governor in Council.

III. That it shall be lawful for the Governor to appoint, from time to time, and for such period as he shall deem necessary, in each of the Districts of Lower Canada, one or more competent persons as Inspectors of Common Schools therein, whose duty shall be to visit each School Municipality in the District or section of a District for which he shall be appointed,—to examine the Schools, School Teachers and School Houses therein,—to inspect the Accounts of the Secretary Treasurer and the Register of the School Commissioners of every such Municipality,—and generally to ascertain whether the provisions of the existing School Laws are there carried out and

obeyed; and every such Inspector shall, with reference to such visits and examinations, have all the powers and authority of the Superintendent of Schools, unless those powers be otherwise defined, restricted or limited in and by the Instrument appointing him.

IV. That every such Inspector shall act under instructions conveyed to him by the Superintendent of Schools, to whom he shall, at least once in every three months, make a Report of all his proceedings, setting forth, in a clear manner, the state of Education in each Municipality visited by him,—the number of Schools in operation therein,—the competency of the Teachers employed in such Schools,—the condition of the School Houses in cases where they are public property,—the state of the School Commissioners' Register and Secretary Treasurer's Accounts,—and the causes, if any, so far as they can be ascertained, which impede the full execution and operation of the School Laws in such Municipality; and shall include in such Report, or shall furnish at any other time when required by the Superintendent of Schools, all such other information as may, by the Superintendent, be deemed necessary.

V. That the Secretary Treasurer of each such Municipality, and every Teacher of a Common School therein, shall, on being thereunto requested by any such Inspector, exhibit to him all and every the documents in his charge, belonging to or in any way relating to his office of Secretary Treasurer or Teacher, and for every refusal or neglect so to do, shall be liable to and incur a fine or penalty of Two Pounds currency, recoverable in the manner prescribed in and by the Act hereinbefore first cited for the recovery of fines thereby imposed.

VI. That every Inspector appointed under the authority of this Act shall be ex officio a Justice of the Peace of the District for which he shall be appointed; and the provisions of the Act passed in the sixth year of Her Majesty's Reign, intituled, *An Act for the qualification of Justices of the Peace*, shall not extend to any such Inspector.

VII. That each of the said Inspectors shall be paid such sum as shall appear to the Governor adequate remuneration for the duties performed by such Inspector, provided such remuneration in no case exceed the rate of Three Hundred Pounds per annum; and the sums necessary for such payment shall be taken from the same fund or funds, and in the same manner, as prescribed in the second section of this Act.

VIII. That an Act passed in the twelfth year of Her Majesty's Reign, intituled, *An Act to repeal certain parts of an Act therein mentioned, and to make better provision for the support of Common Schools in the Cities of Quebec and Montreal*, be and the same is hereby repealed; Provided always, that the forty-third section of the Lower Canada School Act, thereby repealed, shall continue to be so repealed.

IX. That in the Cities of Quebec and Montreal, no Rate shall be imposed or levied for the purposes of Common Schools, but that the City Treasurer of each of the said Cities, shall, out of the moneys in his hands forming part of the funds of the Corporation of such City, from whatever source such moneys are derived, (all Laws or Rules or By-laws of the Council of such Corporation to the contrary notwithstanding,) pay to the respective Boards of School Commissioners of such

City, and in proportion to the population of the religious persuasion represented by such Boards respectively, a sum equal in amount to that apportioned to such City out of the Common School Fund, to be employed by and for the purposes of the Common Schools, under the direction of such Boards of School Commissioners respectively; and if such Treasurer refuse to make such payment, the Board of Commissioners, or their Secretary, may recover the amount by action in the Superior Court, who shall order such Treasurer to pay the amount awarded by their judgment, principal, interest and costs, out of the moneys he may then have in, or that may thereafter come into his hands as such Treasurer; and shall compel him, by all legal means, even by *contrainte par corps*, to satisfy such judgment.

X. That the Secretary Treasurer of each School Municipality, shall, annually, in the first week of the month of July, prepare and submit to the School Commissioners thereof a detailed Statement of the Receipts and Expenditure of such Municipality for the year expired on the thirtieth day of June immediately preceding; and such detailed Statement, after being approved by the said School Commissioners, shall be by them submitted to a public meeting of the Rate Payers of such Municipality, to be convened sometime in the month of July, by the Secretary Treasurer, in the manner prescribed for convening meetings for the election of School Commissioners; and a fair copy of such detailed Statement, certified and signed by the Secretary Treasurer, shall be by him affixed at the door of the Church, or principal place of worship in such Municipality, before the hour of nine of the clock in the forenoon of the Sunday next after such meeting; and such Secretary Treasurer shall, on the payment to him of the sum of Five Shillings, currency, furnish to any Rate Payer a copy of such Statement.

XI. That the Provincial Secretary shall, immediately after the passing of this Act, cause copies thereof to be printed and distributed in the several School Municipalities throughout Lower Canada.

XII. That this Act shall apply to Lower Canada only.