

from the residence of such child: the Board reserving to themselves the power of allowing children under eight years of age, when they reside more than a mile from a Public Elementary School, to absent themselves, upon a request addressed to the Board by the parent to that effect.

IV. Subject to the provisions of the Elementary Education Act, 1870, 1873, and of these Bye-laws, the time during which such child shall attend school shall be the whole time during which the school selected shall be open.

V.—A child of not less than ten years of age, who has obtained from one of Her Majesty's Inspectors of Schools, a certificate that he has reached a standard equivalent to the fourth standard of the Code of the Education Department in force at the date of such certificate, shall be altogether exempt from the obligation to attend school.

VI.—Nothing in these Bye-laws—

- (a.) Shall prevent the withdrawal of any child from any religious observance or instruction in religious subjects.
- (b.) Shall require any child to attend school on any day exclusively set apart for religious observance by the religious body to which his parent belongs.
- (c.) Shall be of any force or effect in as far as it may be contrary to anything contained in any Act for regulating the education of children employed in labour.

VII.—If the parent of any child satisfies the School Board that the reason that his child does not attend school, is that he is unable from poverty to pay the school fees of such child, the School Board, in the case of a school provided by the Board, will remit the whole or such part of the fees as, in the opinion of the Board, the parent is unable to pay, for a renewable period to be fixed by the Board, not exceeding six calendar months.

VIII.—Every person who shall not observe, or shall neglect or violate these Bye-laws or any of them, shall upon conviction, be liable to a penalty not exceed five shillings, including costs, for each offence.



18th November, 1875.

*Samuel Dew, Chairman.*

*William Thomas, Clerk.*

AT the Court at Windsor, the 12th day of February, 1876.

PRESENT,

The QUEEN'S Most Excellent Majesty in Council.

WHEREAS the School Board of Upottery, appointed under "The Elementary Education Act, 1870," have, in virtue of the powers conferred upon them by the seventy-fourth section of that Act, with the approval of the Education Department, made certain Bye-laws, bearing date the nineteenth of January, one thousand eight hundred and seventy-five, numbered 541.

And whereas all the conditions in regard to the said Bye-laws, which are required to be fulfilled by the said Act, have been fulfilled, and the said Bye-laws have been submitted for the sanction of

Her Majesty in Council: now, therefore, Her Majesty, having taken the said Bye-laws (copy whereof is hereunto annexed) into consideration, is pleased, by and with the advice of Her Privy Council, to declare, and doth hereby declare, Her sanction of the same.

*C. L. Peel.*

*Bye-laws referred to in the foregoing Order.*

No. DXLI.

THE ELEMENTARY EDUCATION ACT,  
1870.

*Parish of Upottery, in the County of Devon.*

BYE-LAWS OF THE UPOTTERY SCHOOL BOARD.

*Recital of Election of School Board.*

WHEREAS, in pursuance of a requisition sent by the Education Department to the Clerk to the Guardians of the Honiton Union, in the county of Devon, of which Union the parish of Upottery, in the said county, forms part, a School Board for the district of the said parish, was duly elected on the 8th day of April, 1872.

Now, at a Meeting of the School Board of the said parish of Upottery, held in the Board School Room, in the said parish, on the 19th day of January, 1875, at which Meeting a quorum of the Members of such Board are present, the said Board do hereby, subject to the approval of the Education Department, make and ordain the following Bye-laws:—

*Interpretation of Terms.*

1.—The term "Education Department" means the Lords of the Committee of the Privy Council on Education.

The term "Her Majesty's Inspectors" means the Inspectors of Schools appointed by Her Majesty on the recommendation of the Education Department.

The term "Parish of Upottery" means the parish of Upottery as at present constituted, being a place for which a separate poor rate is or can be made.

The term "School Board" or "Board" means the School Board of the district comprising the parish of Upottery.

The term "School" or "Public Elementary School" means a Public Elementary School as defined by the Elementary Education Act, 1870, and includes a Free School but not an Industrial School.

The term "Parent" includes guardian and every person who is liable to maintain, or has the actual custody of, any child, but does not include the mother of a child when the father is living, and is residing within the said parish.

Terms importing males include females.

*Requiring Parents to cause Children to Attend School.*

2.—Subject to the provisions of the Elementary Education Act, 1870, and of these Bye-laws, the parent of every child not less than five years of age nor more than thirteen years of age, residing within the district of the said parish, shall cause such child, unless there is some reasonable excuse, to attend school.

*Determining Time during which Children shall Attend School.*

3.—The time during which every child shall attend school shall be the whole time for which