

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Eighteenth day of November, 1806, and continued by several prorogations to Thursday the Fourteenth day of February, 1811, in the Fifty-first year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Seventh Session of the Ninth General Assembly, convened in the said Province. From Henry H. Cogswell, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: from the Sixth Session of the Eighth General Assembly, to the Fifty-Sixth year of his Majesty's Reign. John Howe and Son, 1816.*

51 George III – Chapter 8

### **An Act for Encouraging the Establishment of Schools throughout the Province.**

Whereas it is highly advantageous to the youth of this province, to afford them easy means of acquiring useful knowledge in those essential parts of general education, which are necessary to persons of every rank and station in civilized society, for obtaining therefore an object so desirable:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that it shall and may be lawful for the inhabitants, being freeholders, or having an income, in real or personal estate, of forty shillings a year at the least, of such townships, districts, or settlements in this province, as may be desirous to have such schools established therein, if such townships, district of settlement, consist of thirty families or householders, to assemble on the first Monday in April or November, annually, during the continuance of this act, for the purpose of voting, subscribing or raising, money, for the establishment and support of schools within such township, district or settlement, to the end that the youth therein may be taught orthography, reading, writing and arithmetic; provided nevertheless, that the money so voted or subscribed shall not exceed two hundred pounds, nor less than fifty pounds, for one year, and if voted it shall be by a majority of the inhabitants or householders then present, being freeholders, or having an income of forty shillings a year, in real or personal estate, and shall be assessed and collected in like manner as poor rates are, by law, assessed and collected, and be paid into the hands of the trustees for such school or schools, when appointed as herein after directed; and if the money shall be subscribed for the purposes aforesaid, the same shall be payable, and paid, to the said trustees, for the purposes aforesaid; and, provided always, that no such monies shall be voted, assessed, or subscribed, by the inhabitants of such townships, districts or settlements, unless the overseers of the poor, in the notice now by law required to be given for raising money for the support of the poor, shall also state that the subject of establishing an English school, and raising money for the support thereof, is to be submitted at said meeting, which notice shall be given by the said overseers at the request of any five freeholders of such township, district or settlement: and, provided also, that no one school shall receive from the province treasury more than twenty-five pounds.

II. And be it further enacted, that it shall and may be lawful for such inhabitants of the several townships, districts and settlements, at such meeting, to raise money, in manner aforesaid, for erecting, providing or repairing, one or more school houses in their respective townships, districts and settlements, and for procuring necessary furniture and utensils for the same, and also to define and settle the limits of such school or schools respectively.

III. And be it further enacted, that the inhabitants or householders in such township, district or settlement as aforesaid, being freeholders, or having an income of forty shillings a year, in real or personal estate, who shall or may be desirous of having a school, or schools, established therein, shall nominate, at such meeting, six fit and proper persons, being freeholders, to be trustees of or for such school, whose names shall, by the chairman of such meeting, be presented to the court of general sessions of the peace for the county, of which such township, district or settlement, is part, out of which number the said court of sessions is hereby empowered and directed to appoint three, who shall be trustees of and for such school, and shall and may serve during good behaviour, and residence within such township, district or settlement. Provided always, that if complaint shall be made in writing to the said court of general sessions of the peace, by any one or more of the inhabitants, being freeholders of such township, district or settlement, of misconduct or neglect of duty, on the part of such trustees, or either of them, and due proof thereof shall be made, it shall and may be lawful for the said court of general sessions of the peace, to remove such trustee or trustees, whose place or places shall be filled by one or more persons, nominated and appointed as aforesaid.

IV. And be it further enacted, that it shall and may be lawful for the said trustees to agree from time to time with proper persons, being duly licensed as by law directed, to keep such school or schools, in any township, district or settlement, as aforesaid, and to fix the salary to be allowed to each and every such schoolmaster, out of the money to be raised as herein before directed, and that may be received from the treasury of this province under the provisions of this act, and the said trustees are hereby required to use their best endeavours to cause the youth of the respective townships, districts and settlements, regularly to attend the said schools, and to visit and inspect the said schools at least twice in each year during the continuance of this act, and to enquire into the discipline and regulation thereof, and of the proficiency of the scholars, and to take care that the benefit of such schools shall be confined to the youth of such persons as contribute to their support, if the money shall be raised by subscription.

V. And be it further enacted, that the said trustees shall be, and are hereby, authorised and empowered, from time to time, and as often as they shall see fit, to enquire into the conduct or insufficiency of the master or teachers employed in such schools, and to report the same to the court of session, which shall have power to remove such master or teachers, if they find him or them negligent, insufficient, or of bad morals.

And as an encouragement to the persons inhabiting the various townships, districts and settlements, in the province, to establish schools therein, according to the former provisions and direction of this act:

VI. Be it enacted, that as soon as it shall be certified in writing to the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by the court of general sessions of the peace, in and for any county or district within this province, that a school house has been actually built or provided for, and a schoolmaster appointed thereto, in any of the said townships, districts or settlements therein, and that money has been actually raised to the amount of fifty pounds, there shall be allowed for the further support of such school, the sum of twenty-five pounds per annum, and a like proportion for any larger sum not exceeding two hundred pounds. Provided, no one school shall receive a larger sum than twenty-five pounds as aforesaid, the same to be drawn from the treasury of the province, by warrant from the Governor, Lieutenant-Governor, or Commander in Chief for the time being, pursuant to the instructions and directions of His Majesty, in favour of the trustees of such school, and to be by them applied in support thereof, according to the true intent and meaning of this act.

VII. And be it enacted, that at the several schools so to be established, when the same shall be in part provided for by assessment, the scholars shall be taught free from all expense whatever, other than their own books and stationary, and individual proportion of fuel.

VIII. And be it further enacted, that the said trustees so as aforesaid to be appointed, shall annually account, to and with the said court of general sessions of the peace in each county and district, for all monies by them received and disbursed to and for the use of such schools, and shall be subject to such rules and orders as the said court shall from time to time make, touching the funds of the said several schools or the application thereof.

IX. And be it further enacted, that if any money shall be subscribed, granted or bequeathed, for the benefit of such schools in this province, by any person or persons whatsoever, the same shall be received and applied by the trustees thereof, pursuant to the directions and provisions of this act, and shall be considered as part of the sum which shall entitle such township, district or settlement, to draw money from the treasury, under the provisions of this act.

X. And be it further enacted, that this act shall continue and remain in full force and effect for three years from the publication thereof, and from thence to the end of the next session of the general assembly, and no longer.