

make a return thereof into the office of the Secretary of the Province, and also a duplicate thereof into the office of the Clerk of the Peace for the County in which such public Road lies, to be by such Clerk entered into a book kept by Law for that purpose, and whatsoever the said Supervisors shall respectively do according to the powers given to them in this Act, shall be valid and good.

Acts of the Supervisors to be valid.

XX. *Provided always, and be it further enacted,* That nothing herein contained shall be construed to extend to oblige the Supervisors or any of them to lay out the several sums heretofore granted, or any or either of them within the current year, unless in cases where the same can be done advantageously to the public interest.

Supervisors not obliged to expend the sums granted, within the current year.

CAP. XXIII.

An Act to encourage the establishment of Schools in this Province.

Passed the 16th of March, 1816.

WHEREAS the education of Youth is of the utmost importance and public attention to that object, in affording them easy means of acquiring useful knowledge, has been found to be attended with the most beneficial effects in society.

Preamble.

I. *Be it enacted by the President, Council and Assembly,* That the Justices of the General Sessions of the Peace for the several and respective Counties in this Province, shall and may at the time of making the annual appointment of Town or Parish Officers, have power and authority to nominate and appoint two or more fit persons to be Trustees of and for Schools in the several Towns or Parishes within their respective Counties, who shall be sworn to the faithful discharge of their duty, and be in every respect subject to the same rules, regulations, penalties and forfeitures as any other Town or Parish Officers are subject to, by virtue of an Act made and passed in the twenty-sixth year of His MAJESTY'S Reign, entitled "An Act for the appointment of Town or Parish Officers in the several Counties of this Province," and in such of the said Counties wherein the said Court of General Sessions has been already held in this year, or shall be held before the publication of this Act, it shall and may be lawful for the Justices of the said Sessions to call and hold, as soon as conveniently may be after the publication of this Act, a special Session for the purpose of appointing such Trustees as aforesaid, which said Trustees so appointed, shall in all respects act and be liable as if they had been appointed at the General Sessions of the Peace as herein-before directed, and shall continue in office until other persons shall be appointed in their stead, in such Counties respectively.

Justices in Sessions to appoint Trustees for Schools.

Trustees to be sworn, and liable to penalties.

Trustees may be appointed at a Special Session.

II. *And be it further enacted,* That it shall be the duty of the Trustees to be appointed under and by virtue of this Act, as soon as may be after their appointment, after giving fifteen days previous public notice, to summon the inhabitants of their respective Towns or Parishes, being freeholders or hav-

Duty of Trustees

ing a yearly income in real or personal estate of the value of *forty shillings*, openly and publicly to meet and assemble in some fit and convenient place to be by the said Trustees for that purpose appointed, for the purpose of subscribing or voting for the raising money by assessment in the manner herein-after mentioned, for the establishment and support of Schools within their respective Towns or Parishes, to the end that the Youth therein may be taught Orthography, Reading, Writing and Arithmetic: *Provided nevertheless*, that the money so to be subscribed or raised, shall not be less than *thirty pounds*, nor more than *ninety pounds* for one year, and if raised by assessment, the same shall be determined by a majority of the inhabitants present at such meeting.

III. *And be it further enacted*, That it shall and may be lawful for such inhabitants at such meetings, to subscribe or raise money in the manner herein-before mentioned for building, providing or repairing one or more School Houses in their respective Towns or Parishes, and for procuring necessary furniture and utensils for the same, and also to define and settle the limits of such School or Schools.

IV. *And be it further enacted*, That the said Trustees shall at the request of any five freeholders in their respective Towns or Parishes in like manner, summon such of the inhabitants as are herein-before mentioned; to meet once in the year, to wit, on the first Monday in March, or on the first Monday in October, in each and every year, during the continuance of this Act, at such fit and convenient place as shall be by the said Trustees for that purpose appointed, for all or any or either of the purposes herein-before mentioned, first giving fifteen days previous public notice as aforesaid, of the time, place and purpose of such meeting as aforesaid.

V. *And be it further enacted*, That upon any sum or sums of money being voted as aforesaid, to be raised by assessment as aforesaid, at any such meeting as aforesaid, and upon the amount of such sum or sums so voted, being certified in writing under the hands of the said Trustees respectively, to the assessors of such Towns and Parishes respectively, the same shall be assessed and collected in like manner as rates for the support of the Poor are by Law assessed and collected, and shall be paid into the hands of the said Trustees respectively of the School or Schools within such Towns and Parishes respectively: *Provided always*, that the sums so voted shall be assessed in manner and form as aforesaid, upon such of the inhabitants as shall reside within three miles of some School House, and that all and whatsoever sum or sums of money shall be so as aforesaid subscribed at any meeting, for all or any or either of the purposes aforesaid, shall be made recoverable and payable, and be paid to the said Trustees respectively, to be by them disposed of in manner herein-after mentioned.

VI. *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 licenced, as by His MAJESTY'S Royal instructions is directed to keep such School or Schools in their respective Towns or Parishes, and to fix the salary to be allowed to each and every such School Master, to be paid out of the money to be subscribed and raised as herein-before mentioned

Inhabitants may raise money for Schools.

Justices at the request of five Freeholders, may call an annual meeting of the Inhabitants.

Fifteen days notice to be given.

Money being voted to be raised by assessment and certified to the Assessors, may be raised as sums for support of the Poor.

Assessment limited to inhabitants residing within three miles from a School House.

Sums subscribed to be recoverable.

Trustees may agree with Schoolmasters and fix their Salaries.

mentioned, and out of that which may be received from the Treasury of this Province under the provisions of this Act, and the said Trustees are hereby respectively required to use their best endeavours to cause the Youth of the respective Towns or Parishes regularly to attend to the said Schools, and to visit and inspect the same twice in each and every year, during the continuance of this Act, and to enquire into the discipline and regulations 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, in cases where the money shall be raised by subscription.

Trustees to endeavor to cause the youth to be instructed, and to visit the Schools.

VII. *And be it further enacted*, That the said Trustees shall be, and they are hereby authorized and empowered from time to time, and so often as they shall see fit, to inquire into the conduct of the Master or Teachers employed in the School or Schools within their respective Towns or Parishes, and to report the same to the Court of General Sessions of the Peace for the several and respective Counties which shall have power to remove such Master or Teachers, if they find him or them negligent, insufficient or of bad morals.

Trustees to inquire into the conduct of Teachers, and report to the Sessions, who may remove them.

VIII. *And be it further enacted*, That the said Trustees or the major part of them in the respective Towns or Parishes shall and may, and they are hereby authorized and empowered to remove or expel any Scholar or Scholars being of abandoned and wicked habits, out and from any of the Schools within their respective Towns or Parishes.

Trustees may expel Scholars of bad habits.

IX. *And be it further enacted*, That as soon as it shall be certified in writing to His Honor the PRESIDENT or Commander-in-Chief for the time being, by the Court of General Sessions of the Peace in and for any County within this Province, that a School House has actually been built or provided for, and a School Master appointed thereto, in any Town or Parish in the said County, and that money has been raised to the amount of *thirty pounds*, that then and in such case there shall be allowed for the further support of such School, the sum of *twenty pounds* per annum, and a like proportion for any larger sum not exceeding *ninety pounds*, the same to be drawn from the Treasury of the Province, by warrant from His Honor the PRESIDENT or Commander-in-Chief for the time being, by and with the advice of His MAJESTY'S Council, in favor 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: *Provided nevertheless*, that no one School in any Town or Parish, shall receive in any one year, a larger sum than *twenty pounds*; and *provided also*, that no larger sum than *sixty pounds* shall be paid to the Schools in any one Town or Parish in any one year.

Upon certificate that a School-house is provided and a master appointed and £30 raised, an allowance to be paid from the Province Treasury.

Limitation of Allowance.

X. *And be it further enacted*, That the Trustees in the several Towns or Parishes may if they think fit, retain out of the monies so to be raised in their respective Towns or Parishes as aforesaid, and to be drawn from the Treasury of the Province as aforesaid, a sum of money not to exceed the sum of *twenty shillings* for each and every School in the several Towns or Parishes, to be by them laid out and expended in the purchasing of Stationary, Books and other suitable rewards, to be

Trustees may retain money for procuring rewards to be distributed to the Scholars.

by them distributed to those of the Scholars in the several Schools, who shall excel in each of the several branches of Orthography, Reading, Writing and Arithmetic, at the examination of such Schools: *Provided nevertheless*, that no reward shall be distributed to any Scholar who cannot repeat by heart the Creed, the LORD'S Prayer, and the ten Commandments.

XI. *And be it further enacted*, That at the several Schools so to be established as aforesaid, when the same shall be provided for and supported by assessment upon the inhabitants, the Scholars shall be taught free from all expence whatsoever, other than their own Books and Stationary, and individual proportion of Fuel. When Schools are supported by assessment, Scholars to be taught free of expence, except for Books &c.

XII. *And be it further enacted*, That the said Trustees so as aforesaid to be appointed in the several Towns or Parishes shall annually account to, and with the Court of General Sessions of the Peace in each County respectively, for all monies by them received, disbursed and distributed to and for the use of their respective 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. Trustees to account annually to the Sessions.

XIII. *And be it further enacted*, That this Act shall remain and be in force for four years, and from thence to the end of the next Session of the General Assembly. Limitation.

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CAP. XXIV.

An Act further to continue an Act, entitled " An Act
" for regulating, laying out and repairing High-
" ways and Roads, and for appointing Commissio-
" ners and Surveyors of Highways within the seve-
" ral Towns and Parishes in this Province."

Passed the 16th of March, 1816.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the fiftieth year of His MAJESTY'S Reign, entitled " An Act for regulating, laying out " and repairing Highways and Roads, and for appointing " Commissioners and Surveyors of Highways within the seve- " ral Towns and Parishes in this Province" be further conti- Continued for two years. nued, and the same is hereby continued for two years, and until the end of the then next Session of the General Assembly.

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CAP. XXV.

An Act further to continue an Act, entitled " An Act
" to provide for the more effectually repairing the
" Streets and Bridges in the City and County of St.
" John." Passed the 16th of March, 1816.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the fiftieth year of His MAJESTY'S Reign, entitled " An Act to provide for the more ef- Continued for two years. fectually
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