

Duties to be collected and applied as in 2 W. 4, c. 9.

III. And be it enacted, That the several Rates and Duties imposed by this Act shall be levied, collected, paid, received, recovered and applied as directed in and by the Provisions of the Act to which this Act is an Amendment.

CAP. XXXI.

An Act relating to Parish Schools.

Passed 19th March 1833.

'WHEREAS the Laws now in force for the Encouragement of Parish Schools in this Province require Amendment;'

Three Trustees of Schools for each Parish to be annually appointed by the Sessions.

I. Be it enacted by the Lieutenant Governor, 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 nominate and appoint Three fit Persons to be Trustees of Schools for the several Towns and 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 the Reign of His Majesty King George the Third, intituled *An Act for the Appointment of Town or Parish Officers in the several Counties of this Province*, and of another Act made and passed in the Third Year of the Reign of His late Majesty King George the Fourth, intituled *An Act in addition to an Act, intituled An Act for the Appointment of Town or Parish Officers in the several Counties in this Province*.

To be sworn, and subject to the same Rules &c. as other Parish Officers.

Trustees to divide their Parishes into Districts, and visit

II. And be it enacted, That it shall be the Duty of the said Trustees to divide their respective Parishes into as many School Districts as may from

from Time to Time be found convenient or necessary; and when the Inhabitants of any such District shall provide or build a proper School House for the Use and Purpose of a School, and do, by and with the Consent and Approbation of said Trustees, agree with a Person or Persons duly licensed as by His Majesty's Royal Instructions is directed, to teach in the same Six Months or One Year, such Trustees are hereby required to visit and inspect such School at least Twice during the said Period, and to inquire into the Order, and direct the Discipline and Regulation of such School; and in case such Teacher should refuse or neglect to comply with such Rules and Regulations, or may otherwise be guilty of Misconduct, the said Trustees may in their Discretion discharge and displace any such Teacher: Provided always, that whenever such Trustees may displace any such Teacher, they shall make report thereof, with the Cause of such Dismissal, to the Justices in their next General Sessions, in order that a Statement thereof may be transmitted by such Justices to the Secretary's Office for the Information of the Lieutenant Governor or Commander in Chief of this Province, provided the said Justices shall be of Opinion that there was sufficient Cause for such Dismissal.

and direct the Discipline of Schools;

May displace Teachers for Misconduct and report to the Sessions.

III. And be it enacted, That the said Trustees may and they are hereby authorized to admit into any such School such Number of Free Scholars, being Children of indigent Persons, as they may think proper.

Trustees may admit Free Scholars.

IV. And be it enacted, That when any School may have been kept, pursuant to Agreement, by a Person duly licensed and employed as aforesaid, for the Space of Six Months or One Year, to the Satisfaction of such Trustees, in a School House built or provided for that Purpose, and the Inhabitants of the District have subscribed and paid towards the Support of said School, if kept by Agreement

Trustees to certify Schools to Sessions when kept as herein specified.

Agreement as aforesaid for Six Months, Ten Pounds, or if kept Twelve Months, Twenty Pounds, or have furnished the said Teacher with Washing, Boarding and Lodging during such Period in lieu of such Subscription, or in case of a female Teacher that Five Pounds for a School taught Six months, or Ten Pounds for a School taught Twelve Months have in like Manner been subscribed and paid, or Board, Washing and Lodging found and provided for the Teacher in lieu thereof as aforesaid, that then it shall and may be lawful for such Trustees to make a Certificate thereof in the Form following, viz:

Form of Certificate.

‘ We the Trustees of Schools in and for the Parish of _____, in the County of _____, do hereby certify to the Court of the General Sessions of the Peace in and for the said County, that in and for the said Parish of _____, the following Schools have been established and kept; (that is to say,)

‘ In District Number One a School House has been built or provided for the Use and Purpose of a School, that A. B. a Male (or Female), duly licensed as by His Majesty’s Royal Instructions is directed, has been employed as a Teacher in the same, and has actually taught therein for the Period of _____ Months, from the _____ Day of _____ to _____ One thousand eight hundred and thirty _____ to our Satisfaction, and that the Inhabitants of such District have subscribed and paid the Sum of _____ (or have furnished the said Teacher during the said Period with Board, Washing and Lodging in lieu thereof), towards the Support of the said School.

‘ C. D. } Trustees.
‘ E. F. }

Justices in Sessions to certify once a year to the Lt. Govern-

V. And be it enacted, That the said Justices at their General Sessions shall and they are hereby required once in each and every Year to certify

tify to His Excellency the Lieutenant Governor or Commander in Chief for the Time being, the Number of Schools kept in the several Parishes of their respective Counties, the Names of the Teachers employed, and the Number of Scholars whether Male or Female taught therein, and the Amount subscribed as aforesaid, agreeably to the Form herein after prescribed; upon which Certificate there shall be allowed and paid towards the Support of such School, a Sum of Money at and after the Rate of Twenty Pounds *per Annum* for each School taught by a Schoolmaster named in such Certificate, (that is to say,) for a School kept Six Months pursuant to Agreement as aforesaid Ten Pounds, and for a School kept One Year Twenty Pounds, and for each School taught by a Schoolmistress for the Term of One Year Ten Pounds, and for Six Months pursuant to Agreement as aforesaid Five Pounds; the same to be drawn from the Treasury of the Province by Warrant from His Excellency the Lieutenant Governor or Commander in Chief for the Time being, in favour of the Trustees of Schools of the respective Parishes mentioned in such Certificates, to be applied toward the Support of said School according to the true Intent and Meaning of this Act: Provided nevertheless, that no larger Sum than One hundred and sixty Pounds shall be paid out of the Treasury of this Province for Schools kept in any Parish in any One Year; and provided that no County in the Province shall be entitled to receive a larger Sum from the Province Treasury in any One Year than would arise from an Average of One hundred and twenty Pounds for each and every Parish in such County; and provided also, that no more than Two Female Schools shall be included in such Certificate for any One Parish in One Year; and provided also, that when the whole Sum allowed for any One Parish pursuant to this Act is not sufficient

nor the Number of Schools, Teachers' Names and Amount subscribed.

Allowances herein specified to be drawn from the Province Treasury for each School.

No larger Sum than £160 to be paid for Schools in any Parish in One Year.

No County to draw more than the Average of £120 for each Parish.

Female Schools limited to Two in a Parish. Trustees to apportion Money among the Schools when

sufficient

Sum allowed for the Parish is not sufficient to give each School the Amount before specified.

ufficient to afford each School the above Allowance, by reason of the great Number of Schools in the Parish, that the Trustees be and are hereby authorized to apportion the whole Sum among all the Schools in the Parish according to the Nature of their respective Claims, whether Male or Female, yearly or half yearly Schools.

VI. And be it enacted, That the Certificate mentioned in the next preceding Section shall be in the Form following; (that is to say,)

Form of Certificate of Sessions.

‘ At a Court of General Sessions of the Peace held at _____, in and for the County of _____, on the _____ Tuesday in _____ One thousand eight hundred and thirty_____.

‘ Present.

‘ A. B. }
‘ C. D. } Esquires, Justices.
‘ E. F. }

‘ The said Court of General Sessions of the Peace do hereby certify to His Excellency the Lieutenant Governor (*or Commander in Chief for the time being*), that in the Parish of _____ in the said County, the following Schools have been reported by the Trustees of Schools in said Parish, viz :

‘ In District Number One a School House has been built or provided for the Use and Purpose of a School, that A. B., Master (*or Mistress*), a competent Person duly licensed as by His Majesty’s Royal Instructions is directed, has been employed as a Teacher in the same for the Period of _____ Months, from the _____ Day of _____ One thousand eight hundred and _____, and that the Sum of _____ Pounds has been subscribed and paid, or the Teacher furnished with Board, Washing and Lodging by the Inhabitants of said District in lieu of such Subscription, toward the Support of said School during said Period.

‘ In

‘ In District Number Two [*here proceed in the same Form, and so on for all other Schools in the Parish*].’

‘ A. B. Clerk.’

VII. And be it 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 their respective Counties for all Monies by them received, disbursed and distributed for their respective Schools, and shall be subject to such Rules and Orders as the said Courts shall from Time to Time make, touching the Funds of the said Schools or the Application thereof.

Trustees to account annually with the Sessions for Monies received and disbursed by them.

VIII. And be it enacted, That all Teachers of Schools in this Province, once every Six Months during the Period they may be employed to teach School, shall render to the Clerks of the Peace in the several and respective Counties, to be laid before the General Sessions, a true and correct Account of the Number of male and female Scholars taught by them respectively, with their Names and Ages; and in Case of the Neglect or Refusal of any Teacher so to do, he shall forfeit all Claim to the Provincial Bounty.

Teachers to render to the Clerks of the Peace semi-annual Statements of the Number, Names and Ages of Scholars, male and female.

IX. And be it enacted, That the Justices of the Peace for the several Counties in this Province, shall once in each and every Year make Return to His Excellency the Lieutenant Governor, or Commander in Chief for the Time being, of the Names of the Teachers employed in their respective Counties, the Number of Children male and female taught in the respective Schools, for the Purpose of being laid before the Legislature.

Justices to make Return to the Lieutenant Governor of the Names of Teachers and Number of Children, to be laid before the Legislature.

X. ‘ And whereas Difficulties have frequently arisen from the School House being the Property of Private Individuals, as built on their Land;’ Be it further enacted, That the Justices of the Peace in their respective Counties, and also the Trustees of Schools in their several Parishes, shall

Justices and Trustees to endeavour to cause School Houses to be built on public Ground.

as much as in them lie endeavour to cause the School Houses to be built on the public Ground of any County, or on Property conveyed to the Justices of the Peace for that Purpose, who are hereby empowered to receive Conveyances of the same, and to hold the same for the Use of such Schools: and that no School House shall be removed from One Part of a Parish to another Part without the Order of the Justices in their General Sessions, to be made, if they should so think fit, upon the Application and with the Consent of the Trustees and Proprietors.

Removal of
Schools.

4 G. 4, c. 25,

9 & 10 G. 4, c.
22, and

1 W. 4, c. 30,
repealed.

Reservation for
Schools not cer-
tified, and Trus-
tees now in Of-
fice,

XI. And be it enacted, That an Act made and passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the Encouragement of Parish Schools in this Province*; also an Act made and passed in the Ninth and Tenth Years of the said Reign, intituled *An Act in Amendment to the Act for establishing Parish Schools*; also an Act passed in the First Year of His present Majesty's Reign, intituled *An Act to continue the Acts for the Encouragement of Parish Schools in this Province*, be and the same are hereby repealed; saving nevertheless, that all Schools established and in Operation at the Time of passing this Act, which may not be finished nor certified agreeably to the Provisions of the said Acts, shall be kept until the Expiration of the Year contracted or agreed for, and be subject and entitled in all Respects to the same Regulations, Certificate and Encouragement; as if the said Acts had not been repealed; and all Trustees appointed by virtue of said Acts shall continue in their said Offices, and shall have in all Respects the like Powers, Duties and Authority so far as respects the said Schools so in Operation as aforesaid, until the same shall be finished and certified respectively; and also that the Trustees now in Office, under and by virtue of the Provisions of the Acts now in Force, shall

he

be to all Intents and Purposes Trustees to carry into effect the Provisions of this Act, until the making of the annual Appointment of Town or Parish Officers.

XII. And be it further enacted, That this Act shall continue and be in Force until the First Day of April in the Year One thousand eight hundred and thirty six.

Limitation.

CAP. XXXII.

An Act to prevent Nuisances within the City of Saint John and Parish of Portland in the County of Saint John.

Passed 19th March 1833.

1. **BE** it enacted by the Lieutenant Governor, Council and Assembly, That from and after the passing of this Act, if any Hog or Hogs, Swine, Horse or Horses, Ox or Oxen, Sheep, Goat or Goats, Dog or Dogs, shall be found going at large, except under unavoidable Circumstances, within the said City of Saint John, or Parish of Portland, within such bounds as the Justices of the Peace for the City and County of Saint John in their General or Special Sessions may from Time to Time appoint, on any of the Roads, Highways, Streets, Squares or Alleys thereof, the Owner or Owners thereof shall forfeit and pay the Sum of Ten Shillings for each and every Hog or other Animal as aforesaid so found going at large, One Half to the Overseers of the Poor for the said City in case the Offence shall happen there, or to the Overseers of the Poor for the said Parish in case the Offence shall happen there, and One Half to the Informer, to be recovered together with Costs of Prosecution upon Conviction before any One of His Majesty's Justices of the Peace for the said City and County of Saint John, and to be levied of the Goods and Chattels of the Owner or Owners of such Hog or Hogs, or other

No Hogs, Swine, Horses, Oxen, Sheep, Goats, or Dogs, to go at large within such Bounds in the City of Saint John or Parish of Portland as the Justices in Sessions may appoint.

Penalty.

Application.

Recovery.