

Overseer of the building in its progress to be appointed, and compensation paid from money granted.

IV. And be it enacted, That the said Commissioners shall have power and authority to appoint some fit and proper person, to be approved of by the Executive Government, as a Surveyor or Overseer to superintend the erection of the said buildings, and to pay to the said person such reasonable and proper compensation or hire, as they may deem expedient, which shall be reckoned and considered as part of the expenses of such buildings, and be paid out of the sum so appropriated as aforesaid.

CAP. LVI.

An Act to provide for the support and improvement of the Parish Schools.

Passed 14th April 1847.

Three Trustees to be annually appointed by the Sessions.

16 G. 3, c. 28.

3 G. 4, c. 29.

Trustees to divide Parishes into School Districts ;

Their powers and duty in establishing and superintending Schools.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace of the several Counties in this Province, at their respective Courts of General Sessions of the Peace, shall and may at the time of making the annual appointments of Town and Parish Officers, nominate and appoint three fit and proper persons to be Trustees of Schools for each of the several Towns and Parishes within their respective Counties, who shall be sworn to the faithful discharge of their duty, and be in all respects subject to the same rules and 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 in this Province*, and of another Act made and passed in the third year of the Reign of His 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 of this Province.'*

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 time to time be found convenient or necessary; and when the inhabitants of any District shall have provided a sufficient School House, agreed with a licenced Teacher for the term of six or twelve months, and secured the pecuniary or other allowances hereinafter mentioned for the Teacher, all being done with the consent and to the satisfaction of the said Trustees, or any two of them, of which they shall give to the proposed Teacher a written memorandum, then such Trustees shall consider such Teacher in the public service, and shall visit and inspect the School so established, at least once in six months during the period of engagement, with full power and authority to inquire into all matters appertaining to the said School, whether they affect regularity in attendance, instruction imparted, religious observances, compliance with the regulations of the Provincial Board of Education hereinafter mentioned, or the nature and satisfactoriness of the payments stipulated to be made to the Teachers; and to exhort, admonish or reprove for defects in these particulars, and to suspend or displace the Teacher for intemperance, immorality, repeated neglect of duty, or other misconduct, in which latter cases the said Trustees shall forthwith transmit a report of their proceedings to the Office of the Provincial Secretary, for the information of His Excellency the Lieutenant Governor or Administrator of the Government for the time being.

III. And be it enacted, That His Excellency the Lieutenant Governor or person administering the Government of the Province for the time being, shall, with Her Majesty's Executive Council, be constituted a Provincial Board of Education.

Governor and Executive Council constituted a Provincial Board of Education.

IV. 'And in order that a uniform and efficient system of instruction may be adopted and continued in the Parish Schools in this Province;' Be it enacted, That it shall be the duty of the said Provincial Board of Education, and they are hereby empowered and required as soon as may be after the passing of this Act, to establish a Training School at Fredericton, and thereunto to appoint a Teacher duly qualified, and to fix his salary, so that the same shall not exceed two hundred pounds per annum, and to require such and so many of the licenced Teachers of Schools within the Province for the time being as may be deemed necessary, to attend the said Training School for the purpose of being instructed in the Art of Teaching.

Board of Education to establish a Training School, appoint the Teacher, and require licenced Teachers to attend.

V. And be it enacted, That the Board of Education shall appoint a Secretary to the Board, and shall fix a salary, so that such salary shall not exceed the sum of one hundred pounds per annum.

Board to appoint a Secretary.

VI. And be it enacted, That it shall be the duty of the Teacher of the said Training School to train the said School Instructors in the Art of Teaching, which training shall include a thorough knowledge of the method of conducting a Common School, and especially the art of communicating the rudiments and elementary branches of Common School Education, in a manner best suited to the capacities, ages and conditions of such of the Youth of the Province as the said School Instructors may be afterwards required to teach.

Duty of the Teacher of the Training School.

VII. And be it enacted, That there shall be attached to the said Training School so to be established at Fredericton, a Common School, with a sufficient number of Pupils from five to sixteen years of age, as a model for the practical illustration of the Art of Teaching, and that no School Instructor shall receive a certificate of his competency until he shall have given satisfactory evidence of the same by conducting the exercises of the Model School, and instructing the Pupils therein to the entire satisfaction of the Teacher of the Training School, and agreeably to such regulations as may be established by the Provincial Board of Education.

A Model School to be established in connexion with the Training School, and School Masters' Certificates of competency made contingent upon properly conducting the exercises.

VIII. And be it enacted, That the sum of ten shillings a week, for a period not exceeding ten weeks, shall be allowed and paid to every licenced Teacher so called upon, to enable him to pay the necessary expenses of Board and Lodging while attending at the said Training School, and a like sum shall also be allowed to any licenced Teacher who, with proper testimonials of character, may think proper to apply to learn the Art of Teaching in the said Training School; and a like sum shall also be allowed to bear the expenses of any Candidate who, on a proper certificate of character and attainments, may, on application to the Provincial Board of Education, be admitted to learn the Art of Teaching in the said Training School: Provided always, that no payment shall be made to any such Teacher or Candidate, until he shall have produced a satisfactory certificate of competency, and time of attendance, from the Teacher of the Training School; the same to be granted under the directions and agreeably to the regulations of the Provincial Board of Education.

Pecuniary allowances made for expenses of Teachers and Candidates while attending the Training School.

IX. And be it enacted, That it shall and may be lawful for the Provincial Board of Education, if they shall deem it fit and proper, to appoint such number of the said trained Teachers as they may think necessary, to train and instruct other Teachers and approved Candidates, and to establish the same in any of the Counties, Towns or Parishes in this Province, or in any of the Parish Schools therein, subject to such instructions, rules and regulations as they, the said Provincial Board of Education, may think proper to prescribe.

Trained Teachers may be appointed to train and instruct other Teachers and Candidates.

All licenced Teachers to attend a Training School within a period to be prescribed by the Board.

X. And be it enacted, That it shall be the duty of all Teachers having licences, within such period of time after the passing of this Act as may be appointed by the Provincial Board of Education, to attend either at the Central Training School in Fredericton, or at some other Training School within the Province, and there undergo a regular course of instruction in the Art of Teaching, to the satisfaction of the Provincial Board of Education, and subject to the instructions of the said Board.

Teachers to be classed according to their qualifications.

XI. And be it enacted, That the Teachers when so trained, shall, under the direction of the Provincial Board, be classed in the following order, that is to say : Teachers of the lowest Class shall be qualified to teach Spelling, Reading, Writing, and Arithmetic of whole numbers, including simple interest, and the combination of rules called "Practice;" Teachers of the second Class shall be qualified to teach Spelling, Reading, Writing, Arithmetic, English Grammar, Geography, and Book Keeping : Teachers of the highest Class shall be qualified to teach Spelling, Reading, Writing, Arithmetic, English Grammar, Book Keeping, Natural Philosophy, Algebra, Geometry, Trigonometry, Mensuration, Land Surveying, and Navigation.

Trained Teachers to obtain a Licence before re-engagement in any District.

XII. And be it enacted, That the several persons who shall have creditably passed through any of the said Training Schools, shall apply for and obtain licence to teach, from the Lieutenant Governor or person administering the Government for the time being, previously to their being re-engaged in any School District.

Two Inspectors to be appointed by the Governor in Council.

XIII. And be it enacted, That from and after the passing of this Act, it shall be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to appoint from time to time as occasion may require, two competent School Inspectors, whose duty it shall be to inspect, once in each year, every School in the Province, and to report on the state and condition of the same, according to the mode and forms which may be prescribed for that purpose by the Provincial Board of Education.

£200 per annum assigned to each Inspector who shall satisfactorily perform his duty.

XIV. And be it enacted, That each Inspector so appointed as aforesaid, and who shall satisfactorily perform the duties required of him, shall be entitled to receive two hundred pounds per annum for each and every year, to be drawn from the Provincial Treasury by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, with the advice and consent of the Executive Council.

Board of Education to enforce the system of instruction illustrated at the Model and Training School ;

XV. And be it enacted, That the said Provincial Board of Education shall and may, by regulations to be by them made, sanction, require and enforce the system of instruction and education illustrated at the principal Model and Training School in all the Schools established under this Act, and may after due inquiry, select and determine the set of Books and apparatus to be used therein, prescribe to the Teachers and School Inspectors such forms as may be considered necessary for shewing the number of pupils in daily attendance, with their attainments in the several branches of education, with such other matters as may be deemed worthy of notice, and also may appoint and establish forms of Registers, wherein may be entered the names, ages, and attendance of pupils, and their progress in learning, and may in general take such charge of all the Schools established under this Act, as shall lead to the prevention of abuses, and the promotion of a good practical education.

Select the set of Books, &c. to be used ;
Prescribe forms of Returns ;

And take general charge of Schools established under this Act.

£1000 granted to the Board to provide Books and

XVI. And be it enacted, That the sum of one thousand pounds shall be placed at the disposal of the Provincial Board of Education, for the purpose of providing
Books

Books and apparatus for the use of the Parish Schools, to be placed in charge of persons to be appointed for that purpose in the respective Counties within the Province, and sold for the use of such Schools at prices to be fixed by the Board of Education.

apparatus to be sold for the use of the School.

XVII. And be it enacted, That all persons so appointed to sell and distribute such Books and apparatus as aforesaid, shall on or before the thirty first day of December in each year, during the continuance of this Act, make return of the Books and apparatus sold by them respectively, and also of the Books and apparatus that may be remaining on hand, with an account of all sums of money by them respectively received during the year, the same returns and accounts to be sent to the Board of Education at Fredericton, to be laid before the General Assembly, and the several sums of money to be paid to the Secretary of the Board of Education, and that an account of the Books and apparatus from time to time purchased and sold, shall, with the other reports of the Board of Education, be laid before the Legislature.

Persons appointed to sell the Books to render Accounts.

Accounts and Reports to be laid before the Legislature.

XVIII. And be it enacted, That all Teachers of the highest or first Class shall be entitled to receive from the Treasury for teaching a School six months, fifteen pounds, being at the rate of thirty pounds per annum ; and for a Teacher of the second Class, the sum of eleven pounds for teaching a School six months, being at the rate of twenty two pounds per annum ; and for a Teacher of the lower or elementary Class, the sum of nine pounds for teaching a School six months, being at the rate of eighteen pounds per annum ; provided that the inhabitants of the said District shall have subscribed and paid the sum of ten pounds for the support of such Teacher for a period of six months, or provided board and lodging for the said period.

Remuneration of Teachers.

XIX. And be it enacted, That when any School shall have been kept pursuant to agreement made with the consent of the Trustees, and in accordance with the provisions of this Act, either for six months or one year, then, and in every such case, it shall and may be lawful for such Trustees to make a Certificate in the form following, that is to say :

Trustees to certify to the Sessions Schools duly kept.

‘ We, the Trustees of Schools in and for the Parish of —, in the County of —, do certify to the Court of General Sessions of the Peace in and for the said County, that in the Parish of —, the following Schools have been established and kept, that is to say : in District number —, a School House has been erected or provided, that A. B., a Teacher, being a British Subject and of moral and sober habits, duly licenced, and being of the — Class of Teachers, has been employed in the same, and has actually taught therein for the period of —, ending on the — day of —, to our satisfaction, and that the inhabitants of the said District have subscribed and paid the sum of — pounds [or have furnished the said Teacher during the said period, with board, washing and lodging, as the case may be,] towards the support of the said School.

Form of Certificate.

‘ C. D. } Trustees.
E. F. }

XX. And be it enacted, That the said Justices at their General Sessions respectively, shall, and they are hereby required, twice in each and every year, to certify in one general Schedule, all such Cetificates of the Trustees of Schools as shall or may be laid before them at their General Sessions, under and according to the provisions of this Act, and shall transmit the same to the Secretary of the Province ; upon which Schedule there shall be allowed and paid towards the support of each School, a sum of money at and after the rate of eighteen pounds per

Justices in Sessions to certify.

Rates and amount to be drawn from

the Treasury on
account of the
Schools.

per annum for each School taught by a Schoolmaster or Schoolmistress of the lowest Class; and a sum of money at and after the rate of twenty two pounds per annum for each School taught by a Schoolmaster or Schoolmistress of the second Class; and a sum of money at and after the rate of thirty pounds per annum for each School taught by a Schoolmaster or Schoolmistress of the first or highest Class; and a sum of money at and after the rate of twenty pounds per annum for each School taught by an untrained licenced Teacher; the same to be drawn from the Treasury of the Province by Warrant of His Excellency the Lieutenant Governor or person administering the Government of the Province for the time being, in favour of the Trustees of Schools of the respective Parishes mentioned in such Schedule, to be applied towards the support of the said Schools according to the true intent and meaning of this Act; provided nevertheless, that no greater sum than two hundred and sixty pounds shall be paid out of the Treasury of this Province for Schools kept in any Parish in any one year; provided also, that no greater allowance shall be made for any one County than on an average of one hundred and eighty pounds for each and every Parish in the County; and provided also, that when the whole sum allowed for any one Parish, pursuant to this Act, is not sufficient to afford the above allowance to each and every School, by reason of the too great number of Schools in the Parish, then, and in such case, it shall and may be lawful for the Trustees, and they are hereby required to apportion the whole sum among all the Schools in the Parish, according to the nature of their respective claims, whether yearly or half yearly Schools.

Reservation for
Schools and
Trustees under the
expiring Acts.

XXI. And be it enacted, That all Schools established and in operation at the time of passing this Act, shall be kept until the termination of the period contracted for, and be subject and entitled, in all respects, to the same regulations, certificate, and encouragement, as if the Acts under which they were put in operation were still in force, and that the Trustees now in office shall be, to all intents and purposes, Trustees to carry into effect the provisions of this Act, until the making of the annual appointment of Parish Officers.

Untrained Teach-
ers to be continued
as Teachers, &c.
subject to being
considered as of
the lowest class,
after a period to be
prescribed by the
Board of Educa-
tion.

XXII. And be it enacted, That all persons duly licenced, who have not passed through a course of instruction in any Training School, shall for the time being be considered as Teachers, to be continued under the operation of this Act, and as such, shall be entitled to receive at and after the rate of ten pounds for six months, or twenty pounds for one year, as the case may be: Provided always, that it shall be in the power of the Provincial Board of Education to reduce, after a reasonable time, all such licenced Teachers as may omit to avail themselves of the opportunity of acquiring a practical training and knowledge of the improved System of Teaching, to Teachers of the lowest Class, and as such to be subject to the several provisions of this Act.

Free Scholars to be
admitted into the
Schools by the
Trustees.

XXIII. And be it enacted, That it shall be the duty of the Trustees in their several and respective Parishes, and they are hereby required to admit free scholars, being the children of poor and indigent parents, into the Schools in their several and respective Districts: Provided always, that no greater number than five free scholars shall be admitted into and taught in any one School at one and the same time.

£100 per annum
may be drawn
from the Treasury
to provide a School
House, &c. in
Fredericton.

XXIV. And be it enacted, That for the purpose of providing a proper Building, and for the other incidental expenses of the School to be established at Fredericton, it shall be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, annually to draw from the Provincial Treasury a sum not exceeding one hundred pounds.

XXV.

XXV. And be it enacted, That an Act made and passed in the sixth year of the Reign of Her present Majesty, intituled *An Act to revive and continue the Acts relating to Parish Schools*, be and the same is hereby continued and declared to be in force until the first day of January which will be in the year of our Lord one thousand eight hundred and forty eight.

Act 6 V. c. 38.
continued till 1st
January, 1848.

XXVI. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

Act limited to 1st
May, 1850.

CAP. LVII.

An act to alter and amend an Act, intituled *An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John*.

Passed 14th April 1847.

WHEREAS in and by the sixth section of an Act made and passed in the first year of the Reign of Her present Majesty, intituled *An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John*, it is enacted, *inter alia*, that the Alms House in the said City shall be used as and for a Public Infirmary, under the care, management and direction of the said Commissioners, (meaning the Commissioners to be appointed under and by virtue of the second section of the said Act :) And whereas, at the time of making such enactment, the said Alm's House, together with the grounds and lands on which it was built, was vested in, and was owned by the Corporation of the said City, and was transferred, with the other property belonging to the said Corporation, in September one thousand eight hundred and forty two, to Trustees, for the benefit of the creditors of the said Corporation, as by reference to the Trust Deed then executed, will more fully and at large appear: And whereas such investment of the Alms House, by the said sixth section, was not warranted;

Preamble.

1 V. c. 17.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said sixth section of the hereinbefore recited Act, vesting the care, management and direction of the said Alms House in the Commissioners appointed or to be appointed under and by authority of the second section of the said Act, be and the same is hereby repealed.

Act 1 V. c. 17, s. 6.
so far as it vests the
management of the
Alms House to be
used as an Infir-
mary in certain
Commissioners,
repealed.

CAP. LVIII.

An Act to amend an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province*.

Passed 14th April 1847.

WHEREAS by the first section of an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province*, power is given to any two of Her Majesty's Justices of the Peace in the County where any Town or Parish lies, to impose a fine of forty shillings upon any Town or Parish Officer who shall neglect to qualify as therein stated, or having qualified for any Town or Parish Office, shall neglect or refuse to do his duty, or misbehave in the execution of his office, to be recovered and applied as is mentioned in the said Act: And whereas it is necessary to extend the power given to two Magistrates by the said in part recited Act, to the several Courts of General Sessions of the Peace in this Province;

Preamble.

26 G. 3, c. 28.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the same power given

Power to fine Pa-
rish Officers for ne-
glect of duty, con-