

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1805. Saint John, NB: John Ryan, Printer to the King's Most Excellent Majesty, 1805.

45 George III – Chapter 12

An Act for Encouraging and Extending Literature in this Province. Passed the 5th of March, 1805.

Whereas the Education of Youth is of the utmost importance in Society, and Public attention to that object has by experience been found to be attended with the most beneficial effects.

- I. Be it therefore enacted by the President, Council and Assembly, That a Public Grammar School be and the same is hereby established in the City of Saint John.

- II. And be it further enacted, That the Rector of Trinity Church in the said City for the time being, the Mayor of the said City for the time being, and the Recorder of the said City for the time being, together with the Honorable George Leonard, Esquire, Jonathan Bliss, William Pagan, John Robinson, John Black, and Thomas Wetmore, Esquires, Inhabitants of the said City be, and they are hereby appointed Trustees and Directors of the said School, and the said Rector of Trinity Church always to be President of the Board: And that the said President and Directors shall be and they are hereby incorporated by the name of the President and Directors of the Public Grammar School in the City of Saint John, and shall by that name have perpetual succession and be enabled to sue and be sued, implead and be impleaded, answer and be answered unto, and to receive, take and hold gifts and grants of Lands and real Estate (the annual income of which shall not exceed One thousand Pounds) and to accept and receive donations for the erection of a Building for and the endowment of the said School.

- III. And be it further enacted, That the President and Directors of the said Grammar School and their successors, or the major part of them, when duly summoned and assembled, shall form a Board for dispatch of business, and such Board of Directors or the major part of them so assembled, are hereby empowered to point out and procure a proper place whereon to erect the Building for the said School; to contract for and superintend the Building thereof; to provide a Master and one or more Ushers or Tutors, as they shall judge expedient, and from time to time to make and establish Bye Laws, Ordinances, and Regulations, for the government of the said School, and to enforce obedience to the same by fines and expulsions, or other public censures, as they may judge proper.

- IV. And be it further enacted, That during any vacancy or absence of the Rector of the said Church, the Mayor of the said City shall act as President, and it shall be the duty of the President at all times to summon a Board of Directors whenever the same shall be requested by three or more of the said Directors, and in case of sickness or absence of the said Rector, the Board may be summoned by the said Mayor, and in case of the inability or absence of both the said Board may be summoned by the said Recorder.

V. And be it further enacted, That in case of death or removal from the said City of any of the said Directors not being permanent by office, the remaining Directors at a Board for that purpose, to be summoned within Three Months After, shall elect another fit person being an Inhabitant of the said City for his successor, who being approved of by the Commander in Chief of the said Province for the time being, shall be one of the Directors of the said School, and every other vacancy shall be filled from time to time in like manner.

VI. And be it further enacted, That the said President and Directors shall hold public Visitations and Examinations of the said School twice in every Year, to wit, on the first Monday in April and first Monday in September.

VII. And be it further enacted, That whenever the said President and Directors shall think proper they may admit any number not exceeding Eight to be free Scholars of the said Grammar School, without any charge for their tuition.

VIII. And be it further enacted, That One hundred Pounds annually be included in the Estimate for the ordinary expences of the Province, and granted to the said President and Directors of the said Public Grammar School, to be applied by them for or towards the support of the Matter thereof, and that the sum of One hundred Pounds be granted to the said President and Directors, for the purpose of assisting them to purchase or erect a Building for the said School; and that they the said President and Directors shall be accountable from time to time to the Legislature of the Province for their conduct and management of the property so vested and to be vested in them by virtue and in pursuance of this Act. Provided always, That as soon as the annual sum of said Grammar School, in whatever manner the same may arise, shall amount to Six hundred Pounds, then and in such case the annual sum of One hundred Pounds hereby granted shall cease.

IX. And be it further enacted, That there be and are hereby established in each and every of the Counties in this Province for Six years (except the County of Saint John) two Schools, and in the said County of Saint John one School for instructing the Youth of both sexes in the English language, and Writing and Arithmetic, which Schools shall be under the regulation, direction, controul and management of the Justices in the General Sessions of the Peace for the said Counties respectively, who are hereby authorized and empowered in such General Sessions respectively, to appoint the Masters for the said Schools from time to time and to displace them at their pleasure: And to direct and appoint the places where such Schools shall be kept or holden from time to time, so that only one of the said Schools shall be kept or holden in any one Parish at one and the same time, and when appointed for such Parish shall be kept or holden in the same for one continued Year and no longer, and shall then be removed to another Parish and shall there continue in like manner, and so *toties quoties*, until each and every Parish shall have received the benefit of having such School held within the same for one Year, before the same School shall return to the Parish where it has been once holden. Provided always, That the said School for the County of Saint John, shall never be held in the City or Parish of Saint John, and provided further that neither of the said Schools for the said County of York, shall be held in the Town or Parish of Fredericton, any thing herein contained to the contrary notwithstanding.

X. And be it further enacted, That there shall be included in the estimate for the ordinary Expenses of the Province the sum of Three hundred and Seventy-five pounds annually, and granted to the Justices of the Peace for the said several and respective Counties towards the support of the Matters of such English Schools respectively. that is to fay, to the Justices of the Peace of the Counties of Westmorland, Charlotte, Northumberland, King's County, Queen's County, York and Sunbury, each Fifty Pounds, and to the Justices of the Peace of the City and County of Saint John, Twenty-five Pounds, so that each Matter shall receive at the rate of Twenty-five Pounds per annum for his services.

XI. And be it further enacted, That the said English Schools respectively, shall be visited and examined twice in each and every Year, at such times as the said several Courts of General Sessions of the Peace shall appoint, by the Rectors or Missionaries of the several and respective Parishes or places in each County where such School may happen to be kept or held, together with Committees to be for the purpose annually appointed by the said Courts of General Sessions in each Year, or in case there shall be no Rector or Missionary in any of the said Parishes or places at the time, then such visitation and examination to be had by such Committees respectively: And it shall be the duty of such persons after due examination to report from time to time to the said Courts of General Sessions of the Peace respectively, the state and condition of the said Schools.

XII. And be it further enacted, That whenever the said Courts of General Sessions of the Peace respectively shall think proper they may admit any number not exceeding Four, to be free Scholars of such English Schools respectively, without any charge for their tuition.

XIII. And be it further enacted That the said several and respective Courts of General Sessions shall from time to time be accountable to the Legislature of the Province for their conduct and management of the Monies granted to them by this Act.