

Laws of Her Majesty's Province of Newfoundland, passed in the year 1852.

15 Victoria – Chapter 2

An Act for the Encouragement of Education. (Passed 14th June, 1852.)

Whereas it is expedient to provide for the Encouragement of Education in this Colony:

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, That the First Section of an Act passed in the Fourteenth Year of the Reign of Her present Majesty, entitled, "An Act for the Encouragement of Education," shall be and the same is hereby Continued for the period of One Year, from the Thirtieth Day of June in this present Year, and no longer.

II. And be it further enacted, That the Sum by this Act appropriated for the purposes of Education shall be distributed in manner following, that is to say: in support of Schools for the Instruction of Children of Members of Protestant Churches, and of the Roman Catholic Church, in proportion to their respective numbers, as appears by the Census last taken, that is to say: to the Protestant Churches Three Thousand Eight Hundred and Forty-seven Pounds Fifteen Shillings and Three Pence; and to the Roman Catholic Church Three Thousand Six Hundred and Fifty-two Pounds Four Shillings and Nine Pence.

III. And be it further enacted, That for the purpose of the distribution and proper employment of the Money hereinbefore granted, there shall be constituted in St. John's Two Boards of Education, to be called respectively the Roman Catholic Central Board of Education, and the Protestant Central Board of Education. And it shall be lawful for the Governor, or Administrator of the Government for the time being, with the advice of the Council, from time to time to nominate and appoint, by Warrant under his Hand and Seal, to the said Roman Catholic Board, Nine Members of the Roman Catholic Church, of which the Roman Catholic Bishop for the time being shall be one; and to the Protestant Board, Nine Protestants, who shall be selected from Members of the Church of England and other Protestants in proportion to their respective numbers according to the last Census. And whenever and as often as any vacancy shall occur in any of the said Boards, by the death, resignation, or absence from the Colony for twelve months, or the removal of any such Members, it shall be lawful for the Governor, or Administrator of the Government, with the advice aforesaid, to nominate and appoint, in like manner, a fit and proper person or persons to fill such vacancy, either temporarily or permanently as may be deemed expedient.

IV. And be it further enacted, That Five Members of the said Boards respectively shall constitute a quorum thereof, and such Boards shall from time to time make such Bye-laws, Rules and Regulations for the management and good government of all Schools under their respective control, as they shall deem necessary, and shall determine the places where Schools shall be established or supported under this Act, and the amount to be contributed from Monies at their disposal for the Erection and Repair of School-houses, and the proportions and conditions upon which such contributions shall be made, and shall from time to time appoint Teachers thereto, and remove the same for sufficient cause, and shall determine the amount of salary to be paid to each Teacher, and the amount of support to be

given to each School, and also the amount of Fees to be charged to the Pupils: Provided, that no such Bye-laws, Rules and Regulations, shall be of any force or avail until the same shall have received the approval of the Governor, or Administrator of the Government, and Council; and provided also, that no School shall be built, established, or supported under this Act, in any Town, Place or Settlement, without the approval aforesaid.

V. And be it further enacted, That each of the said Central Boards may appoint from time to time, and for sufficient cause remove, a Secretary, who shall keep an accurate Account of all Monies expended under the said Board, and a faithful Record of all Proceedings of such Board; and may also, if necessary, hire an Office, and incur such expense as is absolutely needful for Stationery, Fuel, and such like Contingencies. And such Secretary shall be paid such Salary as the Board appointing him shall fix; which Salary, and other expenses as aforesaid, shall be deducted out of the Monies appropriated by this Act to the said respective Boards.

VI. And be it further enacted, That whenever it shall be necessary to Prosecute or Defend any Action at Law, or Suit in Equity, on behalf of any of the said Boards, the same may be brought or defended in the name of the Chairman of such Board.

VII. And be it further enacted, That out of the Fund to be by this Act appropriated to the Education of Protestants, a Sum not exceeding Five Hundred Pounds shall be appropriated and paid for the maintenance and support of Schools established and supported, or which shall be established and supported within this Colony by the Newfoundland School Society, and also the further Sum of Two Hundred and Fifty Pounds to the Chairman of the Wesleyan Methodists, towards the support of Schools established, or to be established by that Body.

VIII. And be it further enacted, That out of the Fund to be by this Act appropriated to the Education of Roman Catholics, the Sum of Two Hundred Pounds shall be appropriated and paid for the maintenance and support of the Presentation Convent School of St. John's; and the Sum of One Hundred and Fifty Pounds shall be appropriated and paid for the maintenance and support of the Orphan Asylum School of St. John's; and the sum of One Hundred Pounds shall be appropriated and paid for the maintenance and support of the Presentation Convent School of Harbour Grace; and the Sum of One Hundred Pounds shall be appropriated and paid for the maintenance and support of the Presentation Convent School of Carbonear; and the sum of Seventy-five Pounds shall be appropriated and paid for the maintenance and support of the Presentation Convent School of Harbour Main.

IX. And be it further enacted, That the several Central Boards shall annually furnish the Governor or Administrator of the Government, with a full and true Return, signed by the Chairman of each Board, of the number of Schools in operation during the past year, and every month of the year, under their respective control; the average number of Scholars during each month; the Amount of Fees or Dues received by and the Salary paid to each Schoolmaster; the amount of monies expended by each Board, with the service for which the same was so expended, together with such other information as such Boards respectively shall consider useful. And such Returns shall be laid before the legislature at its next Session.

X. And be it further exacted, That it shall be lawful for the Governor or Administrator of the Government for the time being, by Warrant under his Hand and Seal, from time to time to Nominate and Appoint, And again for sufficient cause to Remove, in the several Electoral Districts of this Island, and in as many Settlements in each District as he may deem necessary, Local Boards of Education for such Settlement or Districts, to consist respectively of Members of the Roman Catholics and of Protestants, in such numbers as he shall think fit, which said Boards shall carry into effect the Rules and Directions of their respective Central Boards, and shall Visit and Superintend the several Schools placed under their respective care, and may recommend to the said respective Central Boards fit and proper persons to be Schoolmaster in the respective Districts.

XI. And be it enacted, That in apportioning the Sums to be allotted for the support of Schools, the said Central Boards are hereby respectively authorised and required to call upon the Inhabitants of the Settlement or place where any School is intended to be established or supported, to provide, according to their ability, by a subscription or contribution front among themselves, towards the erection or repair of the Schoolhouse, and towards the maintenance of the Schoolmaster; and the said respective Boards shall in their discretion explode from a participation in the public monies hereby granted, any Settlement or Place, if the Inhabitants thereof have not, according to their ability, contributed and paid towards the erection or repair of a School-house and the Salary of a Teacher.

XII. And be it enacted, That it shall be lawful for the Governor and Council, on the recommendation of the major part of the members of the Central Protestant Board, to authorise and permit the said Board to divide and separate the Protestant Board Schools now or hereafter to be established within the limits of the Electoral Districts of St. John's and Conception Bay, among the Members of the Church of England and other Protestant Churches: Provided, that such Division shall not take place where the Salary of any Teacher employed in any locality within the said respective Districts will by such change be reduced to an amount under Thirty pounds Sterling, anything in this Act to the contrary notwithstanding.