

Laws of Her Majesty's Province of Upper Canada, passed in the year 1839. Toronto: Robert Stanton, 1839.

2 Victoria – Chapter 10

An Act to provide for the advancement of Education in this Province. Passed 11th May, 1839.

Whereas it is very desirable to afford every encouragement to the advancement of Education throughout the Province: And whereas His late most Gracious Majesty George the Third was pleased to direct, that a quantity of the Waste Lands of the Crown should be set apart for the endowment of Grammar Schools and also of a University: And whereas a Royal Charter has been granted incorporating the University of King's College which has been endowed by a grant of Lands from the Crown: And whereas Upper Canada College has by an Act of the Legislature been incorporated with and now forms an appendage to such University: And whereas the advancement of Education will be better promoted by devoting a portion of the annual Revenues of King's College to the support of Upper Canada College and of Grammar Schools for several years to come, than by the erection of a University in the present state of Education in the Province: And whereas Upper Canada College, with some changes easily effected, would afford sufficient accommodation to the public as a Provincial seat of learning until it should be deemed requisite to erect the University: And whereas it is expedient to appoint Trustees for each Grammar School in the several Districts to superintend the Schools to be established under the provisions of this Act, and to see to the application of the monies appropriated to their support: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the several District Schools in this Province shall be and are hereby declared to be Grammar Schools, as contemplated by His late most Gracious Majesty King George the Third, at the time the said reservation of land was directed to be made as aforesaid.

II. And be it further enacted by the authority aforesaid, That there shall be constituted and appointed by the Lieutenant-Governor a Board of Trustees to each and every Grammar School in the several Districts of this Province consisting of not less than five members, three of whom shall be a quorum, who shall have the superintendance of the Grammar Schools established in the several Districts of this Province, and receive the money authorised to be paid under this Act.

III. And be it further enacted by the authority aforesaid, That the money now remaining in the Receiver-General's hands unexpended arising from the sales of School Lands, or which

may come into his hands applicable to the purposes of this Act, shall be invested in the Debentures of this Province at six per cent, interest, and the proceeds placed under the control of the Council of King's College for the purposes of this Act, to be by the said Council distributed amongst such Districts as in their opinion more immediately require assistance, owing to the state of the School House or other circumstances.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Lieutenant-Governor by and with the advice of the Executive Council, to set apart two hundred and fifty thousand acres of the Waste Lands of the Crown in this Province, to be sold in like manner as other Crown Lands, at a price not less than ten Shillings per acre, and the proceeds thereof paid into the hands of the Receiver-General from time to time, to be appropriated in such manner and for the Grammar Schools as hereinbefore provided.

V. And be it further enacted by the authority aforesaid, That a sum not exceeding One Hundred Pounds per annum may be advanced to each of the said Boards of Trustees from time to time, out of any monies in the hands of the Receiver-General applicable to the purposes of this Act, and should such monies be insufficient, it shall and may be lawful for the Council of King's College in their discretion, to appropriate a sufficient sum from the annual revenues thereof to make up the deficiency, to be applied in providing an additional Master and other means of instruction for the Grammar Schools in each District respectively: Provided always, that no portion of the principal money arising from the sale of Lands granted to King's College shall be so appropriated, but merely the interest or rents thereof.

VI. Provided also, and be it further enacted by the authority aforesaid, That it shall and may be lawful for the said Council of King's College first to appropriate a proportion of the revenues thereof, not exceeding one half, to the support, extension and maintenance, of Upper Canada College, until it shall be deemed necessary to erect the University.

VII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Board of Trustees in any District now constituted or hereafter to be constituted, to receive out of any monies in the hands of the Receiver-General applicable to the purposes of this Act, a sum not exceeding Two Hundred Pounds, to aid in the erection of a suitable building for a School House in each District; Provided an equal sum shall be raised by subscription among the inhabitants for the like object, and provided they shall ensure the permanent insurance of such building.

VIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Lieutenant-Governor to authorise a sum not exceeding One Hundred Pounds per annum for each School to be paid to any Board of Trustees, for the use and support of two other Schools than the one in the Town where the Court House is situated, in any Town or Village in which the Inhabitants shall provide a suitable School House, at which not less than Sixty Scholars shall be educated; Provided any such additional School shall not be within six miles of the District Town: And provided always, that nothing herein contained shall prevent the Council of King's College from extending the aid to four Grammar Schools, (including the said

two) other than the one established in the District Town, should the said Council deem it expedient.

IX. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Council of King's College to make such rules, regulations and by-laws, for the conduct and good government of the several Schools established under this Act, as to such Council shall seem proper.

X. And be it further enacted by the authority aforesaid, That an account in detail of the sums received and expended under the provisions of this Act shall be rendered to the Lieutenant-Governor annually, in order that the same may be laid before the Legislature within thirty days after the commencement of each Session.