

The Provincial Statutes of Canada, passed in the year 1841. Kingston: Stewart Derbishire & George Desbarats, 1841.

4 & 5 Victoria – Chapter 19

An Act to make temporary provision for the appropriation of the funds derived from the sale of School Lands in that part of the Province formerly Upper Canada, and for other purposes. 18th September, 1841.

Whereas it is very desirable to afford every encouragement to the advancement of Education throughout the Province: And whereas His late Most Gracious Majesty, King George the Third, was pleased to direct that a quantity of the waste Lands of the Crown should be set apart for the support of Grammar Schools within that part of the Province heretofore called Upper Canada: And whereas the advancement of Education will be promoted by devoting a portion of the annual revenues of such waste Lands, to the support of such Grammar Schools: And whereas it is expedient to repeal an Act of the Parliament of the late Province of Upper Canada hereinafter mentioned: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*; and it is hereby enacted by the authority of the same, that the several District Schools within that portion of the Province heretofore called Upper Canada, 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 enacted, that the money arising from the sales of the School Lands, now remaining in the Receiver General's hands, unexpended, or which may come into his hands, applicable to the purposes of this Act, shall be invested in the Debentures of that part of this Province heretofore Upper Canada, at six per cent interest, and the annual interests or rents thereof, placed under the controul of the Governor, or Person administering the Government of the Province for the time being, to be distributed by and with the advice and consent of the Executive Council of the said Province, among such Districts within that part of the Province formerly called Upper Canada, as may more immediately require assistance, owing to the state of the School House or other circumstances.

III. And be it enacted, that within three months after the passing of this Act, the Council of King's College, or their Bursar or Treasurer shall transfer and pay over to the Receiver General, as aforesaid, all Debentures unredeemed, and sums of money arising from unexpended arrears of interest, which may have accrued thereon and be at present held under the authority of the Act hereby repealed, by the said Council or Treasurer, on account of the proceeds of the sale of School Lands as aforesaid, to be by the said Receiver General invested in debentures, and the interests and rents thereof, appropriated and distributed as hereinbefore mentioned.

IV. And be it enacted, that a sum not exceeding one hundred pounds per annum, may be advanced to each of the several Boards of Trustees for the said Grammar Schools, from time to time, out of any monies in the hands of the Receiver General, arising from the sale of the said School Lands, and applicable to the purposes of this Act, to be expended in providing an additional Master and other additional means of instruction for the Grammar Schools in the Districts, respectively, within that part of the Province formerly called Upper Canada.

V. And be it enacted, that it shall and may be lawful for the Board of Trustees in any District now constituted or hereafter to be constituted in that part of the Province formerly called Upper Canada, out of any monies in the hands of the Receiver General, applicable to the purposes of this Act, as aforesaid, to receive a sum not exceeding two hundred pounds, to aid in the construction and 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 guarantee the permanent insurance of the building.

VI. And be it enacted, that it shall and may be lawful for the Governor, Lieutenant Governor or Person administering the Government for the time being, by and with the advice and consent of the Executive Council as aforesaid, to authorize a sum not exceeding one hundred pounds, per annum, out of the monies arising from the sale of the said Lands, 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, Township or Village within any of the Districts aforesaid, in which the Inhabitants shall provide a suitable School House, at which not less than fifty 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 Governor, Lieutenant Governor, or Person administering the Government of the Province for the time being, by and with the advice and consent of the Executive Council thereof, from extending the aid to four Grammar Schools (including the said two) other than the one established in the Distinct Town, should it be deemed expedient.

VII. And be it enacted, that an account in detail of the sums received and expended under the provisions of this Act, shall be rendered to the Governor, Lieutenant Governor, or Person administering the Government of this Province, annually, in order that the same may be laid before the Legislature, within thirty days after the commencement of each Session.

VIII. And be it enacted, that the Act of the Legislature of the late Province of Upper Canada, passed in the second year of Her Majesty's Reign, intituled *An Act to provide for the advancement of Education in this Province*, shall be, and the same is hereby repealed: Provided always, that such repeal shall not annul or be construed to annul any order, engagement or act, for the distribution of the interest upon the Debentures, by the Council of King's College, made and carried into effect previous to the passing of this Act: And provided also, that the management and sale of the said School Lands shall continue to be conducted by the said Council of King's College, until further provision shall be made in that behalf at any future Session of the Legislature.