

have received the benefit of having such a school before the same school shall return to the parish where it was once holden."¹ The Justices were also to pay to each master of such English schools the sum of £25 received from the Provincial Fund of £375, laid aside for that purpose.² The fourth duty of the Justices was that of appointing a committee, to "visit and examine" the schools twice a year.³ The rector or missionary of the Church of England in the parish in which the school was situated was suggested, by the act, as a member of this committee, who were to report to the Justices regarding the conditions of the school. The fifth duty was that of admitting "any number not exceeding four, to be free scholars without charge for their tuition" in any such English school.⁴ The choice of such pupils was to rest with the Justices. The Justices were to be "held accountable to the legislature for their conduct and arrangement of the monies granted them by this act."⁵

The sections of the above act which dealt with common schools were limited to six years.⁶ This portion of the law was continued by 50 G. III, Cap. XXXIII, "An Act to continue the establishment of Common Schools as provided for by an Act intituled 'An Act for encouraging and extending literature in this province,'" until March 5, 1816, and then it expired.

The Act of 1805 contained several improved provisions. The duties of the Justices as a Parish School Committee were more carefully determined, thus giving the central authority, the Lieutenant Governor in Council, a means of checking up their administration. This Act provided for the inspection of schools by a committee from the parish and also the admission of four free scholars

in each school. This Act contained two points of weakness. The first and greater was that of decreasing the provincial grant and limiting it to two schools in each parish. The second was a provision for the moving school, which was to pass from parish to parish. Since there were six parishes in each county and two English schools were to be established in each county, this Act provided for the possibility of an English school in each parish once in three years. This grant provided two good schools in each county because the salary was much better than the usual one at the time. It did not interfere with the schools already in existence, but aimed to provide each parish with a good school some of the time. Although this moving characteristic recalls the moving school of Massachusetts¹ which developed during the last quarter of the seventeenth century and was superseded by the district school under the law of 1789; still, it lacked many of the evils of the latter. Its length of tenure in each parish was set by law, "one continued year;" its succession was decided by an impartial Board; and its teacher had a good salary assured by the government.

This Act continued in force for ten years, and was superseded by 56 Geo. III, Cap. XXIII (1816.) "An Act to Encourage the Establishment of Schools in this Province." This act also exhibited several marks of advancement in the educational ideals of the legislators. It provided for a local Board of three trustees for each parish, to be appointed yearly by the Justices of the Peace for the county "at the time of the appointment of town and parish officers."² These men were to be sworn to the faithful discharge of their duties and held accountable, as were other town officers. The duties of immediate administration were by this Act vested in these local trustees. They were to procure a school house, hire the teacher, visit and inspect the schools³ and make annual report to the Justices of their respective counties.⁴ The duties of the Justices were supervisory in character. They were to distribute provincial

⁴ & ¹Ibid. Sect. 9.

²Ibid. Sect. 10.

³Sect. 11.

⁴These, as other schools, were to be supported in part by the tuition fees of the pupils.

⁵Speaking of this Act, Hannay says. "This Act is a long step in advance of any former enactments with regard to schools in this province and was a recognition of the fact that the youth of the counties were entitled to the benefits of education." Hannay Op. Cit., Vol. I, p. 300.

⁶Secs. 9 to 13, inclusive. 45 Geo. III, Cap. XII.

⁷Acts of the General Assembly of His Majesty's Province of New Brunswick, 1810. Jacob S. Mott, Prince William St., London.

¹See Harlan Updegraff "The Origin of the Moving School of Massachusetts."

²56 G. III, Cap. XXIII, Sect. 1. See Part II, No. II (2) of this paper.

³Ibid. Sect. 6.

⁴Ibid. Sect. 12.