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CHARLOTTETOWN
PRINCE EDWARD ISLAND

SCHOOL ACTS.

THE REVISED AND AMENDED ACTS OF THE
GENERAL ASSEMBLY

RELATING TO

EDUCATION;

TOGETHER WITH

REGULATIONS FOR THE PUBLIC SCHOOLS, &c.

COMPILED FOR THE USE OF THE FREE SCHOOLS.

BY ORDER OF THE BOARD OF EDUCATION.

CHARLOTTETOWN, P. E. ISLAND:

EDWARD WHELAN, QUEEN'S PRINTER.

1858.

W 12659

EDUCATION.

The revised and amended Acts of the General Assembly relating to Education — Regulations for the Public Schools, &c.

XV° VICTORIÆ, CAP. XIII.

An Act for the encouragement of Education, and to raise Funds for that purpose, by imposing an additional Assessment on Land in this Island, and on Real Estate in Charlottetown and Common, and Georgetown and Common.

[*Passed April 3, 1852.*]

WHEREAS the Laws now in force relating to Education, and for the encouragement and support of District and other Schools, will shortly expire, and it is desirable to provide for a system of Free Education throughout this Island :—

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, and by the authority of the same, as follows :—That after this Act shall go into operation it shall be lawful for the Lieutenant Governor, by and with the advice and consent of Her Majesty's Executive Council of this Island, to nominate and appoint seven fit and proper persons to be and constitute a Board of Education, three of whom (including the Secretary of the Board)

Lt. Governor, &c., to appoint seven persons to constitute a Board of Education.

shall be a quorum—which seven persons, so to be appointed, shall meet four times in each year,* that is to say, on the last Thursday in the months of January, April, July and October, and shall give notice of the place and hour of every such quarterly meeting, by advertizing the same in the *Royal Gazette* newspaper of this Island, at least thirty days previous to such meetings; and the said Board may meet on such other and further days as they may deem necessary, from time to time, without such notice being required to be given.

Quorum.

Times of meeting of Board.

Notice of such Meetings, how Given:

Board may meet on such other days as they may deem necessary.

Board to appoint a Secretary.

Allowance to such Secretary.

Allowance to other Members of the Board.

II. That the said Board shall nominate and appoint one of their number as Secretary of the Board; and the said Secretary shall be paid the sum of thirty pounds *per annum*, in half-yearly payments, for his services, and to provide necessary stationery, and for other contingent expenses; and each other Member of the Board shall receive four pounds yearly for his services, subject to a deduction of twenty shillings for every time he shall be absent from the said Board at any of its quarterly meetings.†

Board, or any Member thereof, may be removed or suspended at any time, &c.

Vacancies in Board, how filled up.

III. That it shall and may be lawful for the Lieutenant Governor, by and with the advice aforesaid, at any time to remove or supersede any Board of Education appointed as aforesaid, or any Member thereof, and nominate and appoint a new Board of Education, or new Member thereto, instead of the old Board or Member thereof, so removed or superseded; and when and so often as any vacancy shall occur in such Board by any death, dismissal, removal or otherwise, it shall and may be lawful for the

* By 17 Vic. cap. 3, Sec. 46, the Board of Education are required to meet monthly, on the last Thursday in each month.

† This Section is amended so far as relates to the amounts to be paid to the Secretary and other members of the Board of Education, by 17 Vic. cap. 3, Sec. 49.

Administrator* of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council of this Island, to appoint a fit and proper person to fill up such vacancy.

IV. That any person who may be a candidate to become a District Teacher or Schoolmaster in this Island, shall, on one of the quarterly meetings of the Board, or on any other day which the said Board shall appoint, submit himself to an examination before the said Board; and if the Board shall be satisfied with his qualifications, they shall give him a certificate of his having passed such examination: Provided always, and be it enacted, That the said Board shall in no case examine or grant a certificate to any person who shall not have produced to the said Board a certificate of good moral character, signed by at least two persons of respectability, one of whom shall be a Clergyman or Justice of the Peace, resident in the neighbourhood where the applicant may have last resided, or usually resides.

District Teacher or Schoolmaster to submit to an examination, prior to his obtaining Certificate of qualification.

Certificate of good moral character to be produced prior to examination.

V. That there shall be only two classes of District School Teachers or Masters, who shall be licensed to teach in this Island; of whom the first or lowest class shall be competent to teach book-keeping, English grammar, reading, writing, arithmetic and Geography, without the use of the globes; and of whom the second or highest Class shall, in addition thereto, be competent to teach Algebra, Geometry, Trigonometry, Mensuration, Land Surveying and Navigation, Geography, with the Use of the Globes; and candidates for either class shall prove their capability of

Classification of District Teachers or Masters.

First Class.

Second Class.

* See 17 Vic. cap. 3, Sec. 48.

Capability of teaching, how proved.

teaching before the said Board, by producing a certificate thereof, signed by the Head Master of the Central Academy, or in his absence, by either of the other Masters of the same.

Licensed School-master, &c, having been absent from the Island, or having discontinued teaching for 2 years, to obtain new Certificate from Board.

VII. And provided also, that no School-master or Mistress licensed to teach under this or the said recited Acts, who shall have been, or may, or shall hereafter be absent from this Island, or shall have discontinued the practice of teaching, or not been employed therein under any agreement to teach, as in this or the said recited Act specified, for the space of two years together, shall hereafter be permitted or be qualified to teach under this Act, unless he or she shall again appear before the said Board of Education and be examined, and receive a new certificate or license as aforesaid.

Teacher found disqualified under this Act, may attend at Central Academy to receive instructions for a limited period free of all fees.

VIII. That any person who heretofore under any Act of the General Assembly of this Island may have been licensed to teach as a District Teacher, and shall hereafter present himself before the said Board of Education in order to be examined, and to obtain a license or certificate to teach under this Act, and shall not be found qualified to obtain the same, shall be entitled to attend at the Central Academy in Charlottetown, and to receive instructions from the Masters there, in order to enable him to qualify for a period not exceeding six months, after being refused such license or certificate, free of all fees.

Duty of Board of Education, and Visiter of Schools.

IX. That it shall be the duty of the Board of Education to be constituted under this Act, assisted by the Visiter of Schools, to be appointed as hereinafter mentioned to prepare suitable forms and regulations, for making all returns required by this Act, and conducting

all necessary proceedings thereunder, and to cause a copy of the same, with such instructions as they shall deem necessary for the guidance of all District and other Schools, the same not being inconsistent with the provisions of this Act; as also a copy of so much of this Act as relates to education, and regulates District Schools and Teachers, to be furnished to each Teacher from time to time, having an engagement to teach under this Act; which Act and documents shall be at all times kept in each School House by the Teacher, and not be removed therefrom, but be open to the inspection of the Trustees of such School, and all persons authorised by law to visit the same.

X. That upon any complaint being made to the Board of Education, of gross misconduct or neglect of duty on the part of any person holding a certificate as a District Teacher under the herein before recited Act, or under this Act, the said Board, after due investigation and satisfactory proof thereof had, shall have power to cancel and revoke the certificate held by such District Teacher as aforesaid; and shall also have the same power, if any Teacher under this Act, having entered into an engagement to teach in any District, as hereinafter mentioned, do not complete the whole term of his engagement, unless prevented from so doing by sickness or other incapacity, or unless the said engagement be dissolved by order or permission of the Board.

Empowers Board to cancel Teacher's Certificate in certain cases.

XI. That after the passing of this Act no sum or amount per head, or otherwise, shall be demanded on behalf of any child attending any School, the Teacher whereof shall receive pay under the authority of this Act, save and ex-

No sum to be demanded for the instruction of children attending Schools, the Teachers whereof receive

pay under this Act, except in certain cases. cept as in such cases as are hereinafter mentioned and excepted.*

National School,
how regulated.

XII. That the National School in Charlotte-town shall be subject to such regulations as shall be made by the Board of Education respecting the same, and to the provisions made in the last preceding clause of this Act.

Area of School
Houses.

XIII. That every School House within the meaning of this Act, if erected before the passing of the hereinbefore recited Act, shall not be less in clear area than one hundred and sixty-eight square feet; and if erected after the passing of the said recited Act or this Act, shall not be in clear area less than two hundred and fifty-six square feet.†

School Houses may, with consent of a majority of the Trustees, be used as a place of public Worship, &c.

XIV. That any such school house as aforesaid may be used as a place of public worship, or for any other lawful public meeting, by and with the consent of the majority of the Trustees thereof, and at such time as they may appoint, provided it shall not interfere with the teaching of the scholars therein; and the Teacher or Master of any School District may, with the consent of a majority of the Trustees thereof, make use of the school house therein, for the purpose of teaching night or evening classes therein for his own profit and benefit, provided it shall not interfere with his duties hereunder.

Master may, with like consent, teach night or evening Classes therein.

XV. And whereas it is desirable to provide for the proper choice of School Districts, and definitions of the extent and boundaries thereof, and for the proper choice of the sites

* See 17 Vic. cap. 3, Sec. 4.

† See 17 Vic. cap. 3, Sec. 14, on this point.

of School Houses: Be it therefore enacted, That when and so often as the inhabitants of any settlement, township or district, shall desire the erection of a new School District near to their place of residence, and not less than five of such inhabitants, being householders, shall make request in writing, notifying such their desire to the said Board of Education, then it shall be the duty of the said Board of Education to nominate and appoint a Justice of the Peace or Commissioner for the Recovery of Small Debts resident near to, but not being a party interested in such proposed District, to examine into the same; and it shall be the duty of such Justice or Commissioner, after notice of his intention for such purpose having been duly posted for at least six days, in three of the most public places in the settlement or district where such inhabitants shall reside, to attend at such place, and there personally to make such enquiry, in such manner and to such extent as by him shall be deemed requisite; and thereupon to fix and determine upon the most proper and eligible site or sites for such School House or School Houses, and the proper limits and boundaries of the district or districts thereof, and shall report upon such his opinion and determination in writing, under his hand, to the said Board of Education, whose decision thereon shall be conclusive; and if the said Board shall approve of the erection of any such School District, and the requisite funds for the support thereof can be obtained, they shall notify the same to the said inhabitants; and on the other requisites for School Districts under this Act being complied with, shall cause the said District to be registered in the book to be kept by the Secretary, as hereinafter mentioned.

Mode of determining sites for School Houses, and limits of School Districts.

Justice's or
Commissioner's
Fees.

XVI. Every Justice of the Peace or Commissioner who shall be nominated and appointed for the purpose or purposes in the last preceding clause mentioned, shall be entitled to demand and recover from the applicants, for his trouble, the sum of eight-pence per mile for each mile travelled by him to and throughout such proposed School District; and the sum of five shillings for his report in writing, and for transmitting the same to the Board of Education.

Duty of Secretary of Board of Education.

XVII. It shall be the duty of the Secretary of the Board of Education to keep a book or register in which, from time to time, shall be entered the several School Districts in this Island, properly constituted, and being in operation, and having a Teacher therein entitled to support under this Act; and it shall be the duty of the inhabitants or Teacher of all School Districts heretofore established, and claiming support under this Act, within three months after the same shall go into operation, as hereinafter mentioned, to cause the particulars and extents thereof to be forwarded to the Secretary of the Board of Education, who shall thereupon enter and register the same in rotation as they come into his office, in his said book or register; and all School Districts erected after this Act shall go into operation, shall be entered and registered within three months after the day when the determination of the said Board of Education shall be notified respecting the same, as hereinafter mentioned; and when the number of Districts entered, registered and claiming support under this Act shall amount to two hundred, then it shall not be lawful for the said Board to sanction the erection of any new district; nor shall such

Duty of inhabitants of School Districts.

Further duty of Secretary of Board.

School Districts to be registered within three months after notification of determination of Board respecting the same.

School Districts not to exceed two hundred, unless sanctioned by special order of Governor in Council.

District or Teacher therein be entitled to any allowance under this Act until the same has been referred to the Lieutenant Governor in Council, and the erection of such District and granting of such allowance shall have been sanctioned by a special Order made by the Lieutenant Governor, by and with the advice and consent of Her Majesty's Executive Council, directed to the said Board of Education.

XVIII.* The inhabitants of any School District within this Island, who shall have provided a School House therein, in conformity nevertheless with all the provisions of this Act, shall and they are hereby required to nominate and appoint five Trustees, three of whom shall be a quorum, to examine the said School quarterly in each year, and at all times in conjunction with the Visiter of Schools, hereinafter to be appointed, to enquire into the order, and direct the discipline and regulation of such School, and also to give any such licensed Teacher who has had the management thereof the necessary certificates required by this Act.

Inhabitants of School District to appoint five Trustees annually.

Quorum.

Duties of Trustees, &c.

XIX. Every Schoolmaster or Teacher who shall hereafter be engaged as a District Teacher in this Island shall be obliged, and he is hereby required, within twenty days after his entering into such engagement, to transmit to the Secretary of the Board of Education a notice thereof in writing, in the form in the Schedule to this Act annexed, marked (A) set forth, stating the date at which he shall have entered into such engagement; which notice shall be countersigned by at least three of the Trustees of the School to which he may be so appointed; and such engagement shall in no case be entered into for

District Teacher to transmit notice of his engagement to Secretary of Board.

Form of such notice.

Notice to be countersigned by Trustees of School.

* See 17 Vic. cap. 3, Secs. 15, 16, 17 and 18, as to mode of calling meetings to elect Trustees, &c., &c.

Duration of engagement.

a longer or shorter term than twelve months from the commencement thereof.

Trustees may assess all householders resident in School District for six months previous to assessment.

XX. In each School District so appointed as aforesaid, a majority of the Trustees thereof shall have power to assess the inhabitants, householders resident therein, and who shall have been so resident for six months previous to making such Assessment, in a sum to provide the necessary books directed to be found by the School Visiter, to be appointed as hereinafter mentioned, and for the necessary repairs of the School House, together with the fuel and furniture required therein; and such Assessment shall be recoverable, with costs, as in the thirty-second Section of this Act directed, and when recovered, shall be applied for the purposes for which the same shall be levied.*

Objects of assessment.

Mode of recovery and application thereof.

Two Trustees to go out, in rotation, annually, and two others to be elected in their stead.

XXI. Two of the Trustees of every School, appointed in pursuance of this Act, shall, in rotation, go out in each year, on the first day of July in each year, commencing with the two Members first nominated and appointed; and the inhabitants of such District wherein is the School to which they shall have been appointed Trustees, shall thereupon elect two other Trustees in their stead, having the like power and authority: Provided, nevertheless, that if the said inhabitants think fit, they may re-appoint, at the bottom of the List, such Trustees so going out by rotation; and immediately after such election or re-election, and whether new appointments be made or not, the Trustees of such School shall notify the proceedings to the Secretary of the Board of Education.†

Out-going trustees may be re-elected.

Secretary of Board of Education to be notified of proceedings.

* By 17 Vic. cap. 3, Sec. 5, it is enacted that the power of Assessment under this clause shall only extend to householders having children between 5 and 16 years of age.

† By 17 Vic. cap. 3, Sec. 19, new Trustees may be elected on any day in the month of July, yearly, &c.

XXII. Every engagement to teach in any School District in this Island, now or hereafter to be constituted, shall be duly made and entered into in writing between the Master or Teacher and the Trustees of the District appointed hereunder.

Engagement to teach, how entered into, &c.

XXIII. It shall and may be lawful for the Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, after this

One Visiter of Public Schools to be appointed, on Act going into operation, who may be displaced, and another appointed in his stead.

Act shall go into operation, to nominate and appoint one fit and proper person to be Visiter of all the Public Schools in this Island during the continuance of this Act, and to displace any such person so appointed, and to appoint another person to fill up such vacancy; and such School Visiter shall not be engaged in trade or business whilst holding such situation, under the superintendence of the aforesaid Board of Education; and his duty shall be to visit all such Schools at least twice in every year, and assist the Board of Education to prescribe the course of education to be pursued in such Schools, and the books, diaries, list of attendances and other records necessary to be kept therein, and to order what books shall be used in the Schools—what shall be the hours of attendance of the scholars and commencement of terms, and other necessary details connected with the management of the Schools; and such Visiter shall have power, and he is hereby directed, whenever he shall see fit, to call meetings of the respective Trustees connected with the Schools, and to make a report in writing of every visit to the Board of Education, stating therein the condition of every School, the method of teaching practised therein, the number of Scholars, state and descrip-

Vacancies, how supplied.

Visiter not permitted to engage in trade, &c.

Visiter's duty.

Empowers Visiter to call meetings of Trustees.

Visiter to report to Board, in writing, after every visit. Particulars of report.

tion of School Houses, and such information as he may deem it necessary to give; and whether in such Schools the provisions of this Act, and the orders made for their guidance by the said Board of Education, have been complied with; and such other information as he may deem it necessary to give; and it shall be lawful for and the duty of the Board of Education to extract and furnish to each Branch of the Legislature, within fourteen days after the meeting thereof, such parts of the said Visiter's Reports, including the statistics thereof, as they may deem necessary, together with, if they shall see fit, their own remarks thereon; and a copy of such extracts and remarks shall be annually published in the *Royal Gazette* newspaper.

Duty of Board of Education, with reference to such reports.

XXIV. The salary of such School Visiter shall be two hundred pounds *per annum*, to be paid to him quarterly from the date of his first appointment, by warrant under the hand and seal of the Lieutenant Governor, drawn on the Treasurer of this Island in the usual manner, on producing the certificate of the Board of Education of his being entitled to receive the same.

Salary of School Visiter.

XXIX. Whenever it shall appear to the Visiter of Schools that there is any District in this Island not provided with the means of education, and the number limited or to be limited of School Districts hereunder not being established, it shall be his duty to report the same, and to define and point out the extent and limits thereof to the Board of Education—who, having made due inquiry therein, shall, if they think fit, constitute and register the same as a School District, and direct the said Visiter to call a meeting of the inhabitants of such District, in order that they may elect Trustees for the same, whose duty it shall be, and they are

School Visiter to report Settlement destitute of the means of education.

Board may constitute and register the same as a School District, &c.

Visiter to call meeting of inhabitants to elect Trustees.

hereby authorised, to assess the inhabitants, being householders, in the sum necessary for the erection and furnishing of a school-house therein, of the dimensions herein before mentioned, and for a supply of books—which assessment shall be recoverable from any party or parties neglecting or refusing to pay the same, in manner as directed in the thirty-second section of this Act, with like right of revision and re-adjustment thereof, and otherwise, as in such last mentioned section enacted; and when recovered, shall be applied to the purposes for which the same may have been assessed.

Trustees to assess inhabitants for erection of School House, &c.

Mode of recovery and application of assessment.

XXX. All Teachers, while conforming to the provisions of this Act, shall be exempt from Statute Labour and Militia Duty.

Exempts Teachers from performance of Statute Labour and Militia Duty.

XXXI. In all cases the vacations of each School under this Act shall be three in number in each year, and at the respective periods following (that is to say), the first, for one week, in June; the second, for one week, commencing on the second Monday in October; and the last, from the twenty-fourth day of December to the sixth day of January, both inclusive; and no deduction shall be made from the salary to be paid to such Schoolmaster, nor any time added to the period of his service, on account of such vacations being allowed; and every alternate Saturday in each week shall be allowed as a holiday to the Teacher in each District School, without any deduction being on account thereof made from his salary.*

Number of vacations in each year.

First vacation.

Second vacation.

Third vacation.

No deduction to be made from Teacher's salary on account of such vacations.

Every alternate Saturday to be allowed as a holiday.

XXXII. Every Board of Trustees of School Districts appointed under the said recited Act, or to be appointed under and by virtue of this Act, shall keep a book or record, in which their

Board of Trustees to keep a record of their proceedings.

*Amended by 17 Vic., cap. 3, sec. 24.

First appointment of Trustees, how minuted.

Minutes of future meetings to be signed by three Trustees.

Particulars of all assessments to be entered in minute book, and signed by three Trustees.

Mode of recovery of assessment.

Defendant may plead the inequality of the rate.

proceedings shall be entered; and the minutes of the first appointment hereafter to be made of Trustees, in any District, after their election as aforesaid, and their names, shall be entered and signed by the School Visiter, or Chairman of the meeting of inhabitants at which such Trustees were elected, in such book or record, which shall afterwards be so kept by the Trustees as aforesaid; and when so signed, such appointment shall be held and be deemed to be good and valid; and minutes of future meetings and proceedings, elections and re-elections, shall be entered therein, and signed by any three of the Trustees for the time being; and the particulars of all assessments made by any such Trustees shall be also duly entered and signed by any three of them; and if any such assessment shall not be paid by any party liable to pay the same within ten days after a demand thereof made upon or at the residence of the debtor, and after an order thereof made in writing, under the hands of a majority of said Trustees, and produced to the debtor, or after the said order or a copy thereof shall have been left at his dwelling house, that then and in every such case the said Trustees, or any one or more of them, or such other person as the majority of them may appoint, and in the name of any one or more of the said Trustees, may sue and prosecute the debtor before any Court appointed for the recovery of Small Debts or Justice of the Peace, by summons or otherwise, under such regulations as are by law prescribed for the recovery of Small Debts; and it shall be lawful, at the hearing of such cases, for the defendant, if he shall see fit, to plead the inequality of the rate—provided he give notice of his intention so to do, in writing, to the Trustee or Trustees, or other person in whose name the summons shall have been taken out, within

twenty-four hours after the serving of the same; and if he shall so plead, then it shall be lawful for the said Court for the recovery of Small Debts, or Justice of the Peace, before whom the summons shall be returnable, to hear such evidence as may be adduced by either party, and to vary the amount of the rate, and make an order for such amount of payment as justice may require: Provided, nevertheless, that if the defendant making such plea shall have, at any time theretofore, acquiesced in the justice or equality of such rate, by having, on occasion of any former assessment, paid his proportion or quota thereto, or any part thereof, then such Court or Justice of the Peace shall not permit the same to be heard, or any evidence connected therewith to be adduced, but order the reasonable costs incurred on either side to be paid by the defendant.

Court may hear evidence—vary amount of rate, and make such order as justice may require.

Defendant having acquiesced in rate, Court not to permit plea to be heard.

XXXIII. In the event of any dispute between any of the Trustees or Inhabitants of any District and the Teacher, as to his conduct as Teacher, the Trustee or Trustees, or Inhabitants, intending to prosecute such complaint with the view of removing him from the School before the expiration of his agreement, shall be obliged to lodge, in writing, with the Board of Education, a statement of such complaint, and at the same time to send a copy thereof to the Teacher; and such Board of Education may inquire into such complaint, in such way as to them may seem most fit, and examine witnesses, on oath, touching the same; and on such complaint being established, the same Board may, in their discretion, supercede such Teacher, and authorise the Trustee or Trustees of the District to engage another Teacher in his place, although the term of the agreement with the Teacher so suspended may not have expired;

Mode of prosecuting complaints against Teachers.

Complaint to be lodged, in writing, with Board of Education.

Teacher to be furnished with a copy thereof.

Board may examine witnesses, on oath, touching such complaint.

Board may supercede Teacher, &c.

Proportion of salary payable thereto.

but such last mentioned Teacher shall, nevertheless, be entitled to receive the proportion of his salary up to the time of his dismissal.

Every Teacher to keep a journal.

Particulars of such journal.

Journal to be open at all times to inspection of School Visiter, &c.

Journal, how finally disposed of.

XXXIV. Every licensed Teacher shall hereafter keep a regular journal of his School—which shall always be kept in the school-house—containing the names and ages, with notes of the progress and attendance of the pupils, and which journal shall at all times be open to the inspection of the School Visiter and Trustees of said School for the time being, and other persons authorised to visit the same, as in the next section of this Act mentioned, and also of any Member of the Board of Education who may choose to visit any such School; and such journal shall, at the termination of the Teacher's engagement, be by him or her forwarded to the Secretary of the Board of Education.

Empowers Clergymen &c., to visit Public Schools, to inquire into their management, &c.

XXXV. All Clergymen, Judges, Magistrates and Members of the Legislature, shall have power to visit any Public School under this Act, and to inquire into its management or any other object connected with its prosperity, and may note down, in a Visiter's book which shall be kept by every Teacher for that purpose, any omission observed in any department, or other remarks relating to the School.

Teachers depositing original agreement, or a true copy thereof, with Secretary of Board of Education, &c., entitled to their respective allowances.

XXXVI. Each and every Teacher, on depositing, or there being deposited on his behalf, with the Secretary of the said Board of Education, one part of the original agreement made by him or on his behalf, with the Trustees or Inhabitants of any School District, or a true copy thereof, attested on oath, with a certificate, in the form prescribed in the Schedule to this Act marked (B), endorsed thereon, or

thereto annexed, under the hands of a majority of the Trustees of his School, in the manner prescribed by this Act, and that the provisions of this Act, in all respects, have been duly complied with; and also certifying to the good conduct, attention and sobriety of such Master, during the time he shall have kept his School, pursuant to such agreement—which conduct shall also be thereon certified by one or more Justice or Justices of the Peace, residing near such School—the said Secretary, by and with the concurrence of one other Member of said Board, shall certify the class to which such Teacher shall belong, and the amount to which by law, and as shall satisfactorily appear by such certificate, the said Teacher shall be entitled; and on the production of such certificate last mentioned, such Teacher shall be entitled to receive from the Treasury of this Island the respective amounts following (that is to say), if a Teacher of the first class, at the rate of forty-five pounds* for teaching for one year; and if a Teacher of the second or higher class, at the rate of fifty pounds† for teaching for one year—the same to be paid by half-yearly payments, on production of the certificates and other requisites aforesaid, by warrant under the hand and seal of the Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council.

Form of Trustees' certificate.

Secretary and one other Member of Board to certify the class to which Teacher belongs, &c.

Allowance to First Class Teachers.

Allowance to Second Class Teachers.

XXXVII. Any Teacher of the second or higher class, if he shall, in addition to the necessary qualifications as herein set forth, be qualified to teach Latin, and hold a certificate from the Board of Education of such qualification, shall, in addition to the rate or allowance

Teachers of the second class entitled to receive an additional allowance, in certain cases.

*Increased to fifty pounds by 17 Vic. cap. 3.

†Increased to 60 pounds by 17 Vic. cap. 3.

to be paid to him by virtue of the last preceding clause of this Act, be entitled to receive from the Treasury of this Island at the rate of ten shillings *per head per annum*, for each scholar taught and instructed by him in Latin and the higher branches of education, as pointed out by the fifth section of this Act, up to twenty scholars (that is to say) until the annual amount or rate payable to him under this and the last preceding sections of this Act shall amount to sixty pounds *per annum*, and there the allowance under this Act shall stop; but nevertheless, if more than twenty scholars offer themselves, requiring to be taught Latin and the said higher branches, the said second class Teachers shall instruct them therein, without, in any case under this Act, being entitled to a higher allowance or rate of annual salary and tuition money than sixty* pounds; and in order to entitle any Teacher to receive the amount granted under this section, he must, in addition to the certificates hereinbefore required, produce a written return, signed by himself, and certified and verified by the School Visiter, and also by the Secretary of the Board of Education, stating the number of scholars, and their names, actually taught by him in Latin and the higher branches, and the periods during which they have been so taught.

If more than 20 scholars require to be taught Latin, &c., no greater allowance per annum than £60 to be made therefor.

Before obtaining allowance, Teacher to produce a written return, stating the number of scholars instructed in Latin and the higher branches, &c.

Inhabitants of School District may engage a Female Teacher.

Allowance to such Teacher. Same certificates necessary as in the case of Male Teachers.

XXXVIII. If the Teacher or Inhabitants in any School should prefer engaging a Female Teacher, qualified under this Act, they may enter into an agreement for that purpose with any Female Teacher, who, whilst so engaged in teaching, shall be entitled to receive from the Treasury of this Island the sum of thirty pounds *per annum*, payable half-yearly, in the same manner and on producing the same certi-

*Increased to sixty-five pounds by 17 Vic., cap. 3.

ficates as in the case of Male Teachers; and such Female Teacher, and the School wherein she shall be, shall be subject to all the regulations and provisions herein contained respecting other Teachers and Schools: Provided, that such Schools, taught by Females, shall be limited to the instruction of female scholars and of boys under twelve years of age.

School subject to same regulations, &c., as other Schools.

Description of pupils to be taught in such Schools.

XXXIX. *And whereas there are many of the children of the French Acadians in this Island who are unable to speak English, and would therefore not be benefitted by the foregoing provisions of this Act, and it is just and desirable that their interests should be provided for: Therefore, every French Acadian Teacher, who shall teach in a School the children of that class of the inhabitants of this Island, on his producing, or there being produced on his behalf, a certificate, signed by the Priest or Clergyman of the District or Parish wherein such School shall be taught, and of whose congregation the said Teacher shall be a member, that such Teacher hath been by him duly examined and found capable of teaching such School efficiently in the French language, and also in reading and writing in the English language, and also the certificate herein before required as to his moral character, and also of his having taught thirty scholars for six months in a suitable building, accompanied by a certificate of approval from the School Visiter, shall be entitled to receive payment at the rate of thirty-five pounds *per annum*, payable in manner aforesaid, half-yearly, out of the Treasury of this Island, although such Teacher may not have passed the said Board of Education, as duly qualified in other respects required by the following provisions of this Act.

French Acadian Teachers, on producing certificate of Clergyman, &c., to receive £35 *per annum*.

*Amended by 17 Vic., cap. 3, sec. 30.

Two Female Schools allowed for Charlotte-town. Teachers' salaries.

Additional Female Schools may be established by Board, when necessary.

Allowance to such Teachers.

Teachers to be allowed for Georgetown. Allowance to Male Teacher. Allowance to Female Teacher.

Duty of senior Justice of the Peace in Georgetown.

Annual meeting of inhabitants, when and where to be holden.

Meeting, how convened.

XLII. There shall also be allowed for Charlottetown, under this Act, two Schools, with two Female Teachers, who shall receive forty pounds a-year each; and when and so soon as there shall be more than fifty scholars in attendance at each of said Female Schools, and it shall appear to the said Board that there is a sufficient number of scholars above said number to render it desirable or requisite to have further assistanse, then the iaid Board may establish one or two more Schools, and appoint one or two more Female Teachers thereto, or appoint one or more Female Teachers as assistant Teachers in the first mentioned Schools, who shall receive thirty pounds a-year each.*

XLVI. There shall be allowed in Georgetown, under this Act, one Master or Teacher of the highest class, who shall be qualified to teach Latin, who shall receive seventy pounds a-year, and one Female Teacher, who shall receive thirty-five pounds a-year.†

XLVII. It shall be the duty of the senior of Her Majesty's Justices of the Peace, resident for the time, being in Georgetown, and he is hereby required, annually, during the continuance of this Act, on the first Tuesday in June, in each year, to convene a public meeting of the inhabitants, householders of Georgetown, its Common and Royalty, having children between five and sixteen years of age, to be holden at the Court House in Georgetown—such meeting to be convened by such Justice giving or causing to be given at least eight days' notice thereof in writing, the same to be published by being posted in three or more public places in the said Town and Common and three or more public places in the said Royalty; and the said inhabitants,

*Increased to thirty-five pounds a-year by 17 Vic., cap. 3, sec. 35.

†See 17 Vic., cap. 3, sec. 38.

householders, or a majority present at such meeting, shall elect five fit and proper persons, being also such inhabitant householders as aforesaid, to be the Trustees for the ensuing year of the Schools to be established in Georgetown under this Act; and such Trustees, so to be elected, shall have the controul of said Schools in Georgetown, and the selection of the Teachers, and may make regulations respecting the location thereof; and the Teachers shall be entitled to receive payment of their salaries half-yearly, by warrant of the Lieutenant Governor on the Treasurer of this Island, on producing a certificate that the same is due, signed by a majority of the Trustees, and certified by the School Visiter and the Secretary of the Board of Education, and that the Teacher has been actually teaching upwards of thirty scholars during the period for which the sum specified in the certificate is payable.

Trustees of Schools, how chosen.

Powers of Trustees.

Teachers' salaries to be paid half-yearly, on producing the requisite certificates.

XLVIII. The children of the inhabitants of Georgetown Common and Royalty may attend the Schools in Georgetown under this Act; but this privilege shall not interfere with the erection of District Schools in Georgetown Royalty, in the same manner as in other Districts under this Act.

Children of inhabitants of Common and Royalty may attend Schools in Georgetown. Privilege not to interfere with the erection of District Schools in said Royalty.

XLIX. The scholars receiving instruction in Georgetown, at the Schools supported and regulated under the two last preceding Sections of this Act, shall pay quarterly each the sum of two shillings and six-pence, to be collected by the Teachers, and paid over to the Trustees of the said Schools, appointed as herein before mentioned, and to be applied by them to purchasing books, rent, fuel and repairs of school-houses, and other necessary purposes connected with the Schools; and if the said Trustees shall

Scholars in Georgetown to pay quarterly 2s. 6d. each.

Application thereof.

Such payment being found insufficient, Trustees may order further payment.

Such further payment not to exceed 2s. 6d. quarterly.

Failing payment, scholar may be debarred further instruction.

Mode of recovery thereof.

find that the said quarterly payment is not sufficient in amount for the purchase of books and other purposes as aforesaid, then it shall be lawful for the said Trustees to order and require a further payment to be made by each scholar, not exceeding, however, in any case the sum of two shillings and six-pence quarterly, in addition to the first mentioned quarterly payment of two shillings and six-pence; and if the said sums, or either of them, be not paid, the scholar in arrear may be debarred from further instruction until the same is paid; and the said payments shall also be recoverable by the Teachers in the name of the said Trustees or a majority of them, before the Court of Commissioners for the recovery of Small Debts, which holds its sittings nearest to Georgetown, from the parents or guardians of the scholar.

Sum to be advanced by Government for the purchase of books, maps, &c.

Books, maps, &c., how distributed.

Moneys derived from the sales, how applied.

Terms and regulations to be imposed.

L. The Lieutenant Governor, by and with the advice and consent of Her Majesty's Executive Council of this Island, may, upon the requisition of the School Visiter and Board of Education, advance to the said Board of Education a sum not exceeding five hundred pounds, to be expended in the purchase and importation of improved school books, maps, apparatus and educational reports, to be supplied to the various Schools throughout this Island receiving support under this Act, at cost price; and the moneys received from the sale of the same shall be again laid out in the same manner in making fresh purchases; and any books, maps or apparatus, or moneys arising from any sales thereof, as aforesaid, which shall remain in the hands of the said Board of Education at the expiration of this Act, shall be handed over or paid into the Treasury of this Island; and the Lieutenant Governor in Council, on making such advances, may impose such terms and regula-

tions respecting the same as they may deem just and proper.

LI. All Schools claiming allowance to Teachers therein under this Act, wherein, at or after the expiration of twelve calendar months after this Act shall go into operation, the books, regulations and system of education to be prescribed by the School Visiter and Board of Education, as aforesaid, shall not be observed and adopted, shall, if the said Board shall think fit, and make an order to that effect, be refused or deprived of such allowance until such time as such books, regulations and system of education shall be observed and adopted.

School allowance may be withheld until prescribed regulations &c., are observed and adopted.

LII. When any new School District shall hereafter be applied for and erected, and the School Visiter shall certify that the inhabitants thereof are in poor circumstances and require pecuniary assistance to enable them to build a school-house thereon, then it shall be lawful for the Lieutenant Governor in Council to grant the sum of five pounds to the Trustees of such District, to be expended in erecting such school-house.

Allowance to Districts requiring assistance to build school-houses.

LIII. All children over five years of age, residing in any School District in this Island, shall be entitled to attend the School therein, the Teacher whereof receives pay under this Act; and the said Teacher shall be bound to receive and instruct all such children.

All children over five years of age entitled to attend District Schools.

LIV. Where any child does not reside within any School District, such child shall be entitled to attend at the School in the nearest School District, the Teacher whereof receives pay under this Act; and the said Teacher whereof shall be bound to receive and instruct such last

Child not residing within any School District to be taught in the School of the nearest District, unless the scholars thereof exceed fifty.

mentioned child, unless the number of children already in attendance at his School shall exceed fifty.*

*See 17 Vic., cap. 3, sec. 40.

Schedules to which this Act refers.

SCHEDULE (A.)

NOTICE FROM TEACHER OF HIS ENGAGEMENT.

Notice from
Teacher of his
engagement.

I hereby give notice that I have entered into an agreement, bearing date the _____ day of _____ 18____, to teach the School in (the Settlement of _____ in Township Number _____ or the Town or Royalty of _____) (as the case may be,) for the term of _____
A. B., Teacher.

We do hereby certify that the foregoing statement is correct.

C. D. }
E. F. } Trustees.
G. H. }

SCHEDULE (B.)

TEACHER'S CERTIFICATE TO OBTAIN SALARY.

Teacher's certificate to obtain salary.

WE, the undersigned Trustees of the School at _____ on Township Number _____ do hereby certify that A. B., Teacher of the _____ class, has diligently, faithfully, and soberly discharged his duties during the last _____ months as Teacher of our School, and has duly kept a journal of the said School during the said period, and in all other respects has complied with the provisions of the Act for the encouragement of Education, and to raise funds for that purpose by imposing an additional Assessment on Land in this Island, and on Real Estate in Charlottetown and Common and Georgetown and Common, and is entitled to receive the sum of _____ for his said services; and that a school-house in accordance with the said Act has been provided, as witness our hands, this _____

Signed in presence of me, }
one of Her Majesty's }
Justices of the Peace. }

Trustees of Schools.

PART OF ACT XVI° VIC., CAP. II.

SEC. IV. AND VI. TO VIII.

IV. Any Teacher who, under the provisions of the Act of the tenth year of the reign of Her present Majesty Queen Victoria, chapter nine, intituled *An Act for the encouragement of Education*, may have entered into an agreement to teach in any District in this Island, the term whereof shall not have ended when said last mentioned Act shall expire, shall nevertheless be entitled to receive the proportion of his salary or allowance up to the time when such Act shall expire, on his producing to the Secretary of the Board of Education, to be appointed under the said Act of the fifteenth year of the Reign of Her present Majesty Queen Victoria, chapter thirteen, the necessary vouchers and documents heretofore in other cases of application for Teacher's salary, under the said Act of the tenth year of the Reign of Her Majesty Queen Victoria, chapter ninth, requisite to enable him to obtain his salary, varied only in form and purport, so as to meet the particular circumstances of the case; and the said Secretary, by and with the concurrence of one other Member of the said Board, shall certify the amount to which the said Teacher shall by law be entitled, according to the proportion or period of his service under the agreement which may have then elapsed; and on the production of such last mentioned certificate, the Teacher shall be entitled to receive from the Treasury of this Island the amount therein specified.

Teachers engaged under 10 V., c. 9, entitled to receive their salaries up to the time when Act shall expire.

Vouchers, &c., to be produced.

Duty of Secretary of Board of Education in such cases.

VI. If any School in a District established before the said recited Act of the fifteenth year

Mode of proceeding where

Schools have been established within three miles of each other.

Disputes, how settled.

School-house may be remov-

of the Reign of Her present Majesty Queen Victoria, chapter thirteen, shall go into operation, and claiming maintenance thereunder, shall be nearer to any other School established or to be established than three miles, and it shall appear to the Board of Education, either from paucity in the number of the scholars attending the same, or either of them, or other local circumstances, that both the said Schools should not receive such maintenance at the same time, or if a dispute should arise between the inhabitants of such Districts, as to which is entitled to maintenance, or most entitled to receive the same, and an application shall be made in writing to the Board of Education, signed by at least five inhabitants, householders in such District, or either of them, to have the dispute decided and settled, then and in either of such cases, it shall be lawful for the Board of Education, if it think the circumstances of the case require the same to be done, to nominate and appoint three persons, being Justices of the Peace or Commissioners for the recovery of Small Debts, resident near to, but not being parties resident or interested in either of the Districts, to examine into the particulars; and such Justices or Commissioners, after notice of their intention so to do shall have been duly posted for at least six days previous on each of the school-houses, shall attend at such time and place in either of the said Districts as shall in such notice be specified, and shall personally then and there proceed to make enquiry in such manner and to such extent as they or the majority of them shall deem requisite, and shall thereupon fix and determine which of the said Schools in the District in dispute is most entitled to maintenance; and if they think that either of the school-houses should be removed to any particular site, so as

to form a new District entitled to maintenance, then shall fix upon the same, and report such their opinion and determination, under their hands or the hands of the majority of them, to the Board of Education, whose decision thereon shall be conclusive; and the said Board shall be and they are hereby empowered to withhold or suspend the maintenance claimed by such Schools, or either of them, and either entirely or until such time as the school-house shall have been removed, in accordance with the opinion or recommendation contained in the report of the Justices or Commissioners, or to make such other order therein as to the said Board shall seem meet, and such order and determination of the Board of Education shall be duly notified to the inhabitants of the Districts in dispute.

ed to form a new School District.

Board of Education may suspend maintenance in certain cases.

VII. Each Justice of the Peace or Commissioner of Small Debts who shall be nominated and appointed for the purpose or purposes in the last preceding clause mentioned, shall be entitled to receive from the Treasury of this Island the sum of eight-pence per mile for each mile necessarily travelled by him to and throughout such School Districts, and also the sum of five shillings for the report in writing, and for transmitting the same to the Board of Education, the same to be paid on producing a voucher or certificate therefor, signed by the Secretary and three Members of the Board of Education.

Mileage to be allowed to Justices of the Peace, &c., for duties performed under preceding section of this Act.

VIII. It shall be lawful for the Board of Education, constituted and appointed under the said Act of the fifteenth year of the Reign of Her present Majesty Queen Victoria, chapter thirteen, to receive and take to themselves and their successors in office, deeds and conveyances

Board of Education may receive deeds of land, for school-houses, in trust for the inhabitants, in certain cases.

of the prices of land whereon the school-houses now or hereafter to be erected, and claiming maintenance under the said Act, shall be situate, (where the owners thereof shall not prefer conveying them to the Trustees of the District, or shall not otherwise secure them to the inhabitants of the District by conveyance), and to hold the same in trust for the inhabitants of the District wherein the same are situate, for the purposes of education, and of the said last mentioned Act.

XVII° VICTORIÆ, CAP. III.

An Act in further amendment of, and in addition to the Free Education Act.

[Passed May 10, 1854.]

WHEREAS it is desirable to increase the allowances to the different classes of Teachers under the Free Education Act, now in force, and otherwise to alter and amend the said Act, for the purpose of rendering it more efficient in its operation, and the better adapted to the wants of the community: Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, as follows:

I. That from the time of this Act coming into operation, each and every District School Teacher or Master who shall belong to either of the two classes of Teachers mentioned in the fifth section of the Act of the fifteenth Victoria, chapter thirteen, intituled "*An Act for the encouragement of Education, and to raise Funds for that purpose by imposing an additional Assessment on Land in this Island, and on Real Estate in Charlottetown and Common and*

Schoolmasters of both classes mentioned in 15 V., c. 13, s. 5, who comply with 36th sec. thereof, to have an additional sum of five pounds *per annum*.

Georgetown and Common,” and who shall be licensed in accordance with the provisions of the said Act, shall, on producing the several certificates, and complying in all respects with the terms and directions contained in the thirty-sixth section of the said recited Act, be entitled to receive from the Treasury of this Island an additional sum of five pounds, over and above the annual allowance or sum to which he is entitled under the last mentioned section of the said Act, that is to say: If a Teacher of the first class, he shall be entitled to receive at the rate of fifty pounds for teaching for one year, instead of forty-five pounds; and if a Teacher of the second, or highest class, at the rate of fifty-five pounds for teaching for one year, instead of fifty pounds, as allowed under the said section—the same to be paid by half-yearly payments, in the way and manner provided in and by the said last mentioned section.

II. That the increased allowance granted under the thirty-seventh section of the said recited Act, to any Teacher of the second or higher class, qualified as therein mentioned, who shall teach and instruct scholars in Latin and the higher branches of education, namely, at the rate of ten shillings per head, per annum, for each scholar so taught by him up to twenty scholars, shall continue to be granted and paid to such Teachers, upon the same terms as are therein mentioned; making the whole amount or rate payable to him under the said Act (where he shall have taught to the number of twenty scholars, or upwards, in Latin and the higher branches of education), upon his producing the several certificates and documents therein mentioned and referred to, the sum of sixty-five pounds per annum, instead of sixty pounds, as

Increased allowance granted under 37th sec. of 15 Vic., cap. 13, viz: 10s. per head, in what cases to be continued.

mentioned in the said thirty-seventh section of the said recited Act.

Increased allowance to be calculated from the time of Act coming into operation.

III. Every Teacher entitled to an increased allowance under this Act, who may have an engagement subsisting at the time of this Act coming into operation, shall be entitled to receive a rateable proportion of such increased allowance, to be calculated from the day in which this Act shall come into operation.

Nothing in 11th sec. of said recited Act to prevent inhabitants of Districts from voluntary subscriptions.

IV. Nothing in the eleventh section of the said recited Act contained shall extend, or be construed to extend to prevent the inhabitants, or any one or more of the inhabitants of any School District in this Island, from voluntarily subscribing any sum or sums of money whatsoever towards the pay or support of the Teacher of the School therein, in addition to the allowance to which such Teacher may be entitled under the said recited Act; and in all cases where any such voluntary subscription may be entered into and signed by any such inhabitants as aforesaid, either as an inducement to any efficient Master to take charge of a School, or for any other reason whatsoever, the Master or Teacher with whom the same shall have been entered into, or the Trustees of the said School, if the same shall have been entered into with them, shall be entitled to demand and receive from the person or persons respectively who shall have signed the same, the amount of their respective subscriptions, in accordance with the terms thereof; and in default of payment, such Teacher or Trustees respectively shall be entitled to sue for and recover the same, in the manner provided by law for the recovery of Small Debts.

Master or Trustees of School may demand and enforce payment of voluntary subscriptions.

Power of assessment under sec.

V. And whereas it is unjust that parties having no children within the ages of five and

sixteen years should be liable to be assessed for books and other objects connected with the Schools within their respective Districts: Be it enacted, That from the time of this Act coming into operation, the power of assessment given by the twentieth clause or section of the said recited Act to a majority of the Trustees of any such School District, shall only extend to and be exercised in respect to inhabitants, householders respectively resident therein, who shall have a child or children within the ages aforesaid, and who shall have been so resident for six months previous to the making of the assessment, and to no other person or persons whomsoever. And the said Trustees of any School District, or the majority thereof, are hereby empowered to apportion the said assessment between such resident householders, according to the number of children within the ages aforesaid respectively belonging to them—the assessment upon each parent to be increased in proportion to the number of his or her children within such ages.

20 of recited Act shall extend only to householders having children within five and sixteen years old.

School Trustees to apportion assessment.

VI. The Trustees of any District School established and in operation under this Act, or a majority of such Trustees, shall have power to order books or maps to be provided for the use of such school—provided that before such order be made, a certificate be obtained from the Board of Education, or the Secretary thereof, as to the fact of such School being in operation; and a majority of such Trustees shall thereupon have power to assess the resident householders within the said District for the cost of such books and maps (such householders being the same parties as are liable to assessment in other cases under this Act); and which assessment shall be recoverable with costs, in the

School books or maps to be ordered by Trustees.

Majority of Trustees to assess householders for cost of books and maps.

Assessment, how recoverable.

manner pointed out by the twentieth section of the said recited Act.

All School Districts registered by Board of Education under 15 Vic. cap. 13, confirmed and established, notwithstanding want of form, &c.

Certificate of registry of District, how granted, and effect thereof as evidence, &c.

VII. All School Districts as now registered by the Board of Education, under or by virtue of the said recited Act of the fifteenth Victoria, chapter thirteen, are hereby declared to be established and confirmed as School Districts, conformably to the said Act, and shall be entitled to all the rights and benefits conferred upon or belonging to established School Districts by the said Act—notwithstanding any want of form, or any error or irregularity whatsoever in the mode of making any original application for the laying off, defining or establishing of any such Districts, or in any other proceeding, act, matter or thing necessary to be had, done or performed under the said recited Act, prior to or in respect of any such registration whatsoever; and that a certificate of the registry of any such District as aforesaid, or of any School District hereafter to be registered, under or pursuant to the said recited Act, granted under the hands of a majority of the Board of Education, or under the hand of the Secretary of the Board of Education for the time being, shall be *prima facie* evidence of the establishment of such District respectively in all actions, suits or other proceedings in any Court of Law or Equity, or before any court or tribunal whatsoever, in all matters touching or relating to such School District or the School therein, or where it may be necessary to prove the establishment of any such District.

Size of School Districts may be enlarged or diminished by Board of Edu-

VIII. The Board of Education for the time being, with and subject to the control and consent of the Lieutenant Governor, or the Administrator of the Government in Council, for

the time being, shall have full power and authority to alter, enlarge or diminish the size or boundaries of any School District or Districts now established under the said recited Act, or hereafter to be established under the said Act, or any Act or Acts in amendment thereof, where circumstances may render the same necessary or desirable; and in any case or cases where an application shall be made in writing to the Board of Education, signed by at least five inhabitants, householders in any such District, to cause any such alteration to be made as aforesaid, either in the District in which such inhabitants may reside, or any other adjoining District, so as to render the same more suited to the convenience of the respective inhabitants, it shall be lawful for the Board of Education, if in its discretion it thinks such a course necessary, to nominate and appoint three competent persons, not being parties resident or interested in the District, or either of the Districts respecting which the application may have been so made, to examine into the particulars; and such person so appointed as aforesaid, after notice of their intention so to do, shall have been posted, for at least six days previous, on the school-house in the District; or if the application shall concern more than one District, then on the respective school-houses in the several Districts so concerned, shall attend at such time and place in such District, or either of such Districts respectively as shall in such notice be specified, and shall personally then and there proceed to make enquiry, in such manner and to such extent as they or a majority of them shall deem requisite; and if they think that the interest or convenience of the inhabitants would be promoted by an alteration in the boundaries of such District or Districts respectively, they

cation with consent of Governor and Council.

Application for alteration to be made in writing by five inhabitants, &c.

Board of Education to appoint three competent persons, &c., to examine into particulars.

Such persons to cause six days' notice to be posted;

and shall attend at time and place notified;

Shall fix and decide upon the manner, and define such alteration;

and report their opinion to Board of Education, whose decision, when sanctioned by Governor and Council, to be conclusive.

Notification thereof to be given to inhabitants.

Remuneration to be paid persons who shall settle boundaries of Districts as above.

Where such remuneration is to be borne by original applicants.

Two-thirds inhabitants of

shall fix and decide upon the manner, or define the extent of such alteration; and shall thereupon report such their opinion and determination, under their hands, or the hands of the majority of them, to the Board of Education, whose order or decision thereon, when sanctioned by the Lieutenant Governor or Administrator of the Government, in Council, shall be conclusive. And upon such order of the Board of Education being so confirmed, the same shall be duly notified to the inhabitants of the District or Districts respectively, regarding the boundaries or extent of which such determination shall have been made; and an alteration in the registry shall thereupon be made accordingly.

IX. Each person who shall be nominated and appointed for the purposes in the last preceding clause mentioned, shall be entitled to receive from the Treasury of this Island eightpence per mile for each mile necessarily travelled by him to and throughout such School District or Districts respectively; and also the sum of five shillings for the report, in writing, and for transmitting the same to the Board of Education—the same to be paid on producing a voucher and certificate therefor, signed by the Secretary and three Members of the Board of Education: Provided that the Board of Education therein certify to the Lieutenant Governor and Council that the application on which the commission has been issued is of a just and reasonable nature; and if otherwise, then the expenses aforesaid shall be borne by the original applicants themselves.

X. When and as often as at least two-thirds of the inhabitants, resident householders within

any School District now registered, or hereafter to be registered or established, under the said recited Act of the fifteenth Victoria, chapter thirteen, shall desire to alter the site of the school-house therein, and shall signify such their desire, in writing, to the Board of Education, specifying therein the site to which the School is proposed to be removed, and being also accompanied by a written memorandum from the owner or lessee of the contemplated site, offering to execute a deed or lease thereof, to the Board of Education or the Trustees of such School, for the purposes thereof, it shall be lawful for the said Board, if they shall see fit so to do, to make an order for such alteration, to take effect when and so soon as the contemplated site shall be conveyed to the Board of Education, or otherwise, in accordance with the eighth section of the Act of the sixteenth year of the Reign of Her present Majesty, chapter two.

any School District desiring to alter site of school-house may apply to Board of Education.

Mode of application.

Board may make order for alteration.

XI. In all cases where the site of a School house within any established District is legally altered, under the provisions of this Act, and such school-house is situated upon land held under lease, deed or otherwise, the Trustees of such School District shall be, and they are hereby authorised and empowered to remove the school-house or building from its former site, unless there be a special clause in such lease or other instrument under which such last mentioned site was held, prohibiting such removal.

When site of school-house altered, Trustees of District may remove building, unless, &c.

XII. Where the erection of a School District has been sanctioned by the Board of Education, under the said recited Act of the fifteenth Victoria, chapter thirteen, section fifteen. it shall

A committee of five persons may assess inhabitants of District for

erection of a school-house, where District has been sanctioned, &c.

Plan of school-house to be first submitted, &c.

Committee empowered to levy and sue for such assessment.

Mode of proceeding.

Defendant may plead inequality of the rate.

Notice of such plea to be given, when and to whom, &c.

be lawful for the householders resident within the same, or a majority thereof, to meet together and appoint a committee of five persons to assess the inhabitants, being resident householders within such District, for the erection of a school-house, and to superintend the same—such school-house, as to size and dimensions, being in conformity with the provisions of this Act; and a plan and specification of the said school-house having been submitted to and approved of by a majority of such resident householders, the said committee shall thereupon have full power and authority to make and levy such assessment as aforesaid; and if any one of such resident householders shall refuse to pay the amount for which he shall be so assessed, within fifteen days after the same shall be demanded of him or her, by or on behalf of the said committee, or after a memorandum of the amount of such assessment, signed by said committee, or a copy thereof, shall be left at the dwelling house of such inhabitant, it shall be lawful for the said committee, or any one or more member or members of the said committee, in the name of the whole, to sue for and prosecute the debtor before any Court appointed for the recovery of Small Debts, or Justice of the Peace, by summons or otherwise, under such regulations as are by law prescribed for the recovery of Small Debts; and it shall be lawful, at the hearing of such case, for the defendant, if he or she shall see fit, to plead the inequality of the rate, provided he or she give notice of his or her intention so to do, in writing, to the committee, or member or members thereof, in whose name or names the summons shall have been taken out, within forty-eight hours after the serving of the same; and if he or she shall so plead, then it shall be lawful for the said Court before which the summons shall

be returnable, to hear such evidence as may be adduced by either party, and to vary the amount of the rate, and make an order for such amount of payment as justice may require.

XIII. In all cases where the majority of inhabitants, resident householders in any established School District, shall decide upon erecting a new school-house within the same, it shall be lawful for such majority of resident householders to meet together, and make an order, or give directions to the Trustees of such School District for the time being, to assess the several resident householders within the same, for the erection of such school-house, the same as to size to be in conformity with the provisions of this Act; and a plan and specification of such school-house having been submitted to and approved by a majority of such resident householders, the said Trustees shall thereupon have full power to make such assessment as aforesaid, with all the like powers and authorities, as to the demanding, suing for and recovery of such assessment by such Trustees as are herein before given to committees appointed for the assessing of inhabitants in newly erected Districts—such proceedings being in all respects similar (*mutatis mutandis*) to those herein before provided in respect to such committees, and with the same power to any such householder against whom any action may be brought for the recovery of such rate, of pleading the inequality thereof, after such notice to the Trustee or Trustees in whose name the action may be brought, as is herein before provided in the case of such committee as aforesaid.

Trustees may assess householders for the erection of a new school-house.

Size and plan of such school-house to be first submitted, &c.

Power to sue for such last mentioned assessment similar to that given in last preceding section.

Like plea of inequality of rate allowed.

XIV. Every school-house hereafter to be erected and used as such, within any District

School-house not to be less

than four hundred feet square and nine feet between, &c.

now established, or hereafter to be established under the said last recited Act or this Act, shall not be less in clear area than four hundred square feet, nor in the height of post than nine feet clear between the floor and ceiling.

Assessment of Trustees under 15 Vic., cap. 13, sec. 18, when and how done.

XV. The nomination and appointment of Trustees under the eighteenth section of the said recited Act of the fifteenth Victoria, chapter thirteen, shall take place at a meeting of inhabitants, called by a written or printed notice, signed by at least three resident householders within the School District, and posted in at least three of the most public places within the same, seven days prior to such meeting—which notice may be in the form prescribed in the schedule to this Act annexed, marked (A); and a majority of the resident householders present at such meeting shall be competent to appoint such Trustees.

Notice to be posted prior to such appointment.

Trustees appointed as above mentioned, to forward notice thereof to Board of Education.

XVI. Upon any such appointment of Trustees being hereafter made, under the eighteenth section of the said recited Act, as amended by the last preceding clause of this Act, it shall be the duty of the Trustees so appointed, immediately thereafter to forward a notice of their appointment to the Board of Education.

Proof of appointment of Trustees may be made by a certificate, signed by three householders.

XVII. In all cases where it may be necessary to prove the appointment of Trustees appointed under the said eighteenth section of the said recited Act, or hereafter to be appointed under authority of the same, or of this Act, or any other Act in amendment thereof, in any Court of Law or Equity, or before any Court or Tribunal whatsoever, a certificate, stating the fact of such appointment, signed by any three resident householders present at such

meeting respectively, shall be, and shall be held, taken and deemed to be good and sufficient legal evidence of such appointment, in all matters and questions touching the School or the School District respecting which such appointment shall have been made, or in any matter in which such appointment may come in question.

XVIII. In order to obviate the necessity and consequent expense of a more formal proof of the calling of any meeting for the appointment of Trustees under the said eighteenth section of the said recited Act, as amended by this Act, an affidavit of the posting of the notices for the calling of such meeting, shall, in all cases of the appointment of Trustees which shall hereafter take place, be made by the person by whom such notices shall be posted, or other person or persons who can prove the fact of the several notices having been duly posted, before any Justice of the Peace for the County wherein the School District shall be situate; which affidavit shall be in the form, or to the effect prescribed in Schedule (B), to this Act annexed, and shall be affixed to the register, or books of record kept by the Trustees of the School therein,—and a copy of such affidavit, certified by any two of the Trustees of such School for the time being, shall be *prima facie* evidence in any Court of Law or Equity, or before any Court or Tribunal whatsoever, of due notice of such meeting having been given.

Proof of calling a meeting for the appointment of Trustees may be made by an affidavit of the posting of notices.

Copy of such affidavit to be *prima facie* evidence.

XIX. That notwithstanding any thing in the twenty-first section of the said recited Act of the fifteenth year of Her present Majesty, chapter thirteen, contained, to the contrary, it shall be lawful for the inhabitants, resident

Two new Trustees to be elected, notwithstanding Act of 15 Vic, cap. 13.

householders within any District now constituted, or hereafter to be constituted or established, under the said recited Act, or this Act, at a meeting to be called by such Trustees, after notice thereof given, in the manner provided by the fifteenth section of this Act, to elect two new Trustees, on any day in the month of July, yearly; and until such election shall be had the two Trustees required by the said twenty-first section of the said recited Act to go out yearly, shall remain in office—provided that nothing herein contained shall extend to prevent the said two Trustees, or either of them, so required to go out yearly, from being re-elected.

Two old Trustees, how long to remain in office.

Proviso.

Vacancy in Board of Trustees, how filled.

Election, how conducted.

XX. In the event of any vacancy or vacancies occurring, from time to time, in any Board of Trustees for any School District, appointed or elected under the said last recited Act, or any Act or Acts in amendment thereof, by the death, absence or refusal to act of any Trustee or Trustees after his or their appointment or election, the inhabitants, householders of said District, are hereby empowered to proceed to call a meeting, in the same manner as provided for the first or annual election of Trustees, and to choose or elect one or more person or persons to supply such vacancy or vacancies; and the Trustee or Trustees so chosen or elected during the currency of any year, shall have the same power in all respects as if he or they had been elected at the commencement of the year, or at the last previous general election of Trustees.

No Schoolmaster except, &c., to be entitled to any allowance

XXI. No Schoolmaster or Teacher shall be entitled to any allowance by virtue of the said last recited Act, or this Act, except Teachers

mentioned in the thirty-ninth, forty-second and forty-sixth sections thereof, and the twenty-second and thirty-second sections of this Act, unless the inhabitants of his School District shall have first provided a sufficient school-house, to be exclusively used for that purpose, (except as therein provided for), and also that there shall have been at the least forty children, between the ages of five and sixteen years, resident within his School District, for the six months immediately preceding the period of his claiming such allowance, and that the average daily attendance of scholars during the said six months shall not be less than twenty: Provided always, that this enactment shall not extend to School Districts already registered under the said Act, in which there are not the number of forty scholars within the aforesaid ages residing, if the daily average attendance of such children at the Schools therein amount to twenty.

unless a sufficient school-house first provided;

also, unless forty children have resided within District for six months.

Proviso.

XXII. And whereas there are certain settlements in this Island not included within the limits of School Districts heretofore established, and where the requisite number of forty children within the ages of five and sixteen years cannot be found within one and a-half miles of a central part; then and in such case, on a written requisition, made by the inhabitants thereof to the Visiter of Schools, appointed under the said recited Act, it shall be the duty of the said Visiter to make enquiry into the circumstances of such application, and as to the number of children within the ages aforesaid within the said limit; and the said Visiter shall make a report thereof in writing to the said Board of Education, who, having duly considered the circumstances of the case, may, if

Settlements where forty scholars cannot be found;

School Visiter to make enquiry on receiving written requisition;

and to report to Board of Education, whomay authorise the erection of such

a settlement in-
to a minor
School District.

School therein
to be constitut-
ed as in other
Districts.

Teacher to re-
ceive thirty
shillings for
each scholar.

Female ditto
twenty shil-
lings.

Teachers li-
censed under 7
Vic., cap. 28,
but not under
10 Vic., cap. 9,
and 15 Vic.,
cap. 13, shall
be eligible to
teach as a sepa-
rate class, &c.

they shall think proper so to do, and subject to the approval of the Lieutenant Governor, or other Administrator of the Government in Council, authorise the erection of such settlement into a minor School District; and the registration thereof as such, and building committees and Trustees may thereupon be appointed for such minor District, in the same manner as in other cases; and such Trustees may be annually elected, and shall have the same power as Trustees in those Districts where the requisite number of forty scholars can be found; and the Teacher engaged to teach in such minor District, where the number of scholars is less than forty, shall also be subject to the same rules and regulations as in cases where there are forty scholars, and shall be entitled to receive from the Treasury of this Island, on production of certificates, signed as in other cases under the said recited Act, by the Trustees of the District and the Secretary of the Board of Education, if such Teacher be a Male, the sum of thirty shillings *per head per annum* for each scholar taught by him, calculating the same according to the daily average attendance, as shown by his register or journal; and if a Female Teacher, the sum of twenty shillings *per head per annum* for each scholar taught by her in like manner—such certificates to state the number of scholars actually taught, according to such daily average.

XXIII. Persons who have been licensed as Teachers under the Act passed in the seventh year of the Reign of Her present Majesty, chapter twenty-eight, but who have not been licensed under the subsequent Education Acts of the tenth year of the Reign of Her present Majesty, chapter nine, and the fifteenth year of the reign of Her present Majesty, chapter

thirteen, shall be eligible to teach as a separate class, under this Act, or the said last recited Act, to which it is an amendment, in all cases where such persons shall obtain an engagement in a regularly constituted School District, or minor School District, in this Island; and on such persons complying in all other respects with the terms, requisites and provisions of the said last recited Act, and other Acts in amendment thereof, and on their producing the several certificates required by the said recited Act to be produced by Teachers of the first and second class respectively, to entitle them to their allowance, varied only in form as to the designation of such Teacher, or the class to which he belongs—which designation or class shall be a Teacher under the seventh Victoria, chapter twenty-eight—such persons respectively shall be entitled to receive from the Treasury of this Island at the rate of thirty-five pounds *per annum* while so engaged.

Terms to be
complied with.

XXIV. So much of the thirty-first section of the said recited Act of the fifteenth Victoria, chapter thirteen, as defines the number, periods and extent of the several vacations of the Schools thereunder, shall be, and the same is hereby repealed; and instead and in lieu thereof, it is hereby enacted and declared, that in future in all cases of Schools constituted under the said last recited Act, or this Act, excepting always those Schools constituted in Charlottetown and Georgetown, the vacations of each School shall be two in number in each year, that is to say: a spring vacation, extending from the fifteenth of May to the first of June; and an autumnal vacation of two weeks, to take place in the month of October—and which shall be fixed by the respective Trustees of the several School Districts.

So much of 15
Vic., cap. 13,
sec. 31, as de-
fines School va-
cations hereby
repealed.

Book to be kept
by Trustees to
be *prima facie*
evidence.

XXV. The book or record to be kept by the Trustees of the several School Districts constituted under the said recited Act of the fifteenth Victoria, chapter thirteen, or this Act, and signed by the persons and in the manner mentioned and set forth in the thirty-second section of the said last recited Act, shall be good and sufficient *prima facie* evidence of the truth of all statements, minutes, matters and things therein contained and set forth, in any Court of Law or Equity, or before any Court or Tribunal whatsoever, whether such statements, minutes, matters or things shall relate to meetings of the inhabitants, the appointment or election of Trustees, or re-elections thereof, assessments upon the inhabitants, or other proceedings whatsoever of such Trustees, and of the regularity and correctness of all acts, matters and things relating to, or connected with such proceedings, so entered and set forth in such book or record.

School Visiter
to enter his
name and date
of visits in
book.

XXVI. The School Visiter appointed under the said last recited Act, shall, and he is hereby required, at each and every visitation made by him of the several Schools constituted and in operation under the said Act, or this Act, to enter his name, and the date of his visitation, in the said book or record kept by the Trustees of such School respectively.

Disputes be-
tween Teacher
and Trustees,
&c., how to be
settled.

XXVII. In all cases of disputes between any of the Trustees or Inhabitants of any District, and the Teacher, in reference to his conduct, and where a statement of the complaint against such Teacher shall be laid before the Board of Education, with a view to his removal, as provided in and by the thirty-third section of the said last recited Act, the evidence, as well on the part of such Trustees or Inhabitants, in

support of the charge or complaint, as on the part of the Teacher, in answer thereto, may be taken by affidavit or written depositions before any Justice or Justices of the Peace for the County, to be nominated by the said Board for that purpose, not interested in the issue of the dispute, and transmitted to the Board of Education for their consideration and final decision thereon: Provided always, that the said Board may, if they think fit, require the parties and their witnesses to appear personally before them, in or touching the matter of any such investigation.

XXVIII. The Trustees of any School constituted under the said last recited Act, or this Act, shall have and be vested with full power and authority to expel any scholar for gross misconduct or misbehaviour.

Expulsion of scholars, where authorised.

XXIX. And whereas it is desirable that French Acadian Teachers should be obliged to open English classes in the minor branches of education: Be it therefore enacted, That in all cases where French Acadian Teachers shall be engaged to teach, or take charge of a School in any settlement in this Island, he shall be required to open English classes for imparting instruction in reading, writing and arithmetic; and on his producing, or their being produced on his behalf, a certificate, signed by the Priest or Clergyman of the District or Parish wherein such School shall be taught, and of whose congregation the said Teacher shall be a member, certifying to the effect mentioned and set forth in the thirty-ninth section of the said recited Act of the fifteenth Victoria, chapter thirteen; and also the several other certificates referred to therein, and containing the requisites therein set forth, (the certificate of approval from the

French Acadian Teachers, where required to open English classes.

Certificates required by them.

Their allowance
or salary.

School Visiter therein mentioned, also setting forth that such Teacher has taught at least one English class for the period of six months immediately preceding the granting of such certificate), shall be entitled to receive an allowance at the rate of forty pounds *per annum*, instead of thirty-five pounds, as set forth in the last mentioned section of the said recited Act, payable out of the Treasury of this Island, in the manner in the said section mentioned.

Sec. 39 of 15
Vic., cap. 13,
in part repeal-
ed.

XXX. So much of the thirty-ninth section of the said recited Act as authorises the granting of an allowance to any French Acadian Teacher who shall not keep open in his School an English class or classes, in the manner provided in and by the last preceding clause of this Act; and also so much of the said thirty-ninth section as limits the allowance to be granted to French Acadian Teachers to thirty-five pounds *per annum*, shall be, and the same is hereby repealed.

Charlottetown,
Common and
Royalty to be
divided into
School Dis-
tricts.

XXXI. Within thirty days after this Act shall go into operation, the Board of Education shall cause Charlottetown, and the Common and Royalty thereof, to be divided into School Districts—the whole number of such Districts not to exceed six; and shall immediately thereafter publicly notify the inhabitants thereof, by advertisement in the *Royal Gazette* newspaper; whereupon it shall be the duty of the resident householders within such respective Districts, having children under the age of sixteen years, to meet together for the purpose of electing Trustees in the manner by this Act provided, in respect to ordinary School Districts—such meeting being called by public notice, signed by at least three resident householders, and posted in the manner and for the periods in

Trustees, how
elected there-
for.

that behalf herein before mentioned in regard to ordinary District Schools—a majority of such resident householders present at such meeting being competent to appoint or elect such Trustees.

XXXII. Upon such Trustees for the said Districts within Charlottetown and Royalty being so appointed, they shall have and be invested with all the powers and authorities, and be subject to all the duties by the said recited Act of the fifteenth Victoria, chapter thirteen, or by this Act, or any other Act in amendment thereof, given to or required by the Trustees of ordinary District Schools, as well in regard to the engaging of Teachers—the examination of Schools within their respective Districts, and the direction of the discipline and regulation thereof, the giving of the necessary notices to the Board of Education, upon their appointment, and the requisite certificates to Teachers when entitled to the same, as required in other cases under this Act, as all other powers, authorities and duties whatsoever within their respective Districts, as shall for the time being be conferred upon, or required of Trustees of other District Schools in this Island, save and except the power of assessing the inhabitants of their respective Districts, for the purpose of providing books, fuel or furniture for the use of the Schools, or to defray the cost of erecting school-houses, or of the repairs thereof, or for any other local purpose whatsoever—such power of assessment being hereby expressly withheld from any such Trustees—it being the intent and meaning hereof that the said inhabitants shall be entirely exempt from any assessment whatsoever, for or towards the support of such Schools, beyond the general assessment imposed by the said recited Act of the fifteenth Victoria,

Powers of Trustees for Charlottetown or Royalty Districts.

chapter thirteen, or any Act in amendment thereof, upon real estate in the said Town and the Common thereof.

Two Teachers
of highest class
allowed for
Charlottetown.

Allowance as
salaries.

Masters of first
or lowest class
for the other
Charlottetown
Districts.

Proviso.

XXXIII. There shall be allowed for Charlottetown, and the Common and Royalty thereof, under this Act, not more than two Masters or Teachers of the highest or second class, who must also be qualified to teach Latin, who shall severally receive eighty-five pounds a-year; and which said Masters shall be assigned by the Board of Education to such Districts (with the consent of the Trustees thereof), within the said Town as they may deem advisable, having a regard to the ages and state or proficiency of the children in the several Districts—those most advanced or proficient—giving preferable claims to the District in which they may reside; and for each of the other Districts in the said Town, Common and Royalty, there shall be employed a Master or Teacher of the first or lowest class, who shall severally receive seventy pounds a-year. Provided always, that if the inhabitants of any one of said Districts, instead of sending their children to the School in their own District, if such shall be in operation, shall prefer sending them to the School of any other District in the said Town, Common or Royalty, they shall be at liberty so to do, unless the children in attendance at such last mentioned School shall exceed sixty in number—in which case, upon a representation made by the Trustees of such last mentioned School, or other persons interested therein, or who shall desire to send their children thereto, of the necessity of having an additional Master or Teacher, as an Assistant therein, it shall be competent for the Board of Education to enquire into the matter, and if they see fit so to do, to appoint an additional Master or Teacher, of either class, as

an assistant Teacher in such School, which said Master so appointed shall receive sixty pounds a-year: Provided further, that the said Board shall have no power to appoint such Assistant Teacher, if the number of Masters and Assistants in Charlottetown and Royalty then actually engaged and receiving Government pay (exclusive of the Master of the National School and the Teachers of the Female Schools), shall amount to eight.

XXXIV. Notwithstanding any thing in this Act contained, the provisions of the forty-second section of the said recited Act of the fifteenth Victoria, chapter thirteen, by which Female Schools are sanctioned and permitted to be established in Charlottetown, in the manner therein mentioned, the said Section of the said recited Act shall be and continue in force; nor shall the division of the said Town into Districts by the said Board of Education in any manner interfere with or affect such Female Schools or the National School established in Charlottetown.

This Act not to affect sec. 42 of 15 Vic., cap. 13.

XXXV. The Teachers of the respective Schools established under the said forty-second section of the said recited Act shall receive an additional allowance of five pounds a-year over and above the respective yearly allowances or sums thereby granted.

Female Teachers under said section to have additional five pounds per year.

XXXVI. The Teachers of the Female Schools and the Teacher of the National School shall be entitled to receive payment of their salaries half-yearly, by warrant on the Treasurer of this Island, drawn by the Lieutenant Governor thereof, on producing a certificate, signed by a majority of the Board of Education, certifying that the same is due; but no Teacher in

Female Teachers and Teacher of National School to be paid half-yearly.

Charlottetown shall be entitled to receive a salary unless he or she shall have taught at least thirty scholars, and such must be specified in the respective certificates.

One shilling
and six-pence
to be paid quar-
terly by scho-
lars in Schools
of Charlotte-
town, &c., for
fuel, &c.

XXXVII. The scholars receiving instruction in Charlottetown, and the Common and Royalty thereof, at any of the Schools therein receiving support from the Government, shall pay quarterly each the sum of one shilling and six-pence, to be collected by the Teacher of each School, and paid over, if a District School, to the Trustees thereof, and if a Female School, or the National School, to the Secretary of the Board of Education, and to be applied by such Trustees, or Secretary of the said Board, respectively, to the purchasing of fuel and defraying rent, and the cost of repairs of said school-houses, and other necessary purposes; and if such Trustees, or Board of Education, respectively, shall find that the said quarterly payment is not sufficient in amount for the purchase of fuel and other purposes as aforesaid, then it shall be lawful for the said Trustees, or Board of Education, respectively, to order and require a further payment to be made by each scholar, not exceeding, however, in any case, the sum of one shilling and six-pence quarterly, in addition to the first mentioned quarterly payment of one shilling and six-pence; and if the said sums, or either of them, be not paid, the scholars shall be debarred from future instruction until the same is paid; and the same shall also be recoverable by the Teacher in the name of any one or more of the Trustees, or of the Secretary of the Board of Education, respectively, before the Court of Commissioners for the recovery of Small Debts in Charlottetown, from the parents or guardians of the children.

XXXVIII. The Trustees of the Georgetown Schools, appointed under the forty-seventh section of the said recited Act of the fifteenth of Victoria, chapter thirteen, shall have and be invested with a discretionary power in the choice of a Teacher for the principal School therein, as to what class such Teacher shall belong to: Provided always, that if such Trustees prefer to engage a Teacher of the highest class, and qualified in accordance with the directions of the forty-sixth section of the said recited Act, such Teacher shall be entitled to receive at the rate of seventy pounds a-year while so engaged.

Trustees of Georgetown Schools to have discretionary power in choice of Teacher.

Proviso.

XXXIX. Two of the said Trustees of the Georgetown Schools shall go out of office annually, on the first Tuesday in June, in rotation, in the manner provided in respect to District Schools, that is to say: the two persons first nominated shall go out, and the inhabitants of the said Town, and the Common and Royalty thereof, at their annual meeting, to be held under the forty-seventh section of the said last recited Act, shall elect two persons to supply their places—power being, nevertheless, given to the said inhabitants to re-elect such two Trustees so going out, or either of them, if they shall see fit so to do, their names, or the name of such one of them as may be re-elected, being then placed at the bottom of the list; and in all cases of election or re-election of Trustees, notice thereof shall thereupon be immediately forwarded by the Trustees of said Schools to the Secretary of the Board of Education.

Two Trustees of Georgetown Schools to go out of office annually.

Mode of electing others.

XL. The provisions of the fifty-fourth section of the said last recited Act, by which children not residing within any School District are per-

Provisions of 54th sec. of 15 Vic., cap. 13, extended.

mitted to attend at the School in the nearest School District, the Teacher whereof is receiving pay thereunder, shall extend to any child or children residing within a District, the School of which is not in operation; and the Teacher of such School District so receiving pay shall in like manner be bound to receive and instruct such last mentioned child or children, unless the number of children already in attendance at his School shall exceed fifty.

Teachers under 21 years of age, where allowed

XLI. Any Teacher who shall be under the age of twenty-one years shall not be permitted to enter into an engagement with the Trustees of the School District in which he may have been brought up, without first obtaining the consent of the Board of Education thereto.

Teachers prohibited from embarking in mercantile pursuits.

XLII. No Teacher, while receiving pay under the said recited Act of the fifteenth Victoria, chapter thirteen, or any Act in amendment thereof, shall be allowed to embark in any mercantile pursuit, or to follow the occupation of a tavern keeper.

School-house erected on church grounds where may be leased.

XLIII. In all cases where a school-house is erected on church grounds, and the trustees or managers of such church property are desirous of obtaining the benefits of the said recited Act, and of having such School established as a District School, a lease of such school-house shall be given by the parties in whom such property may be vested, or who shall have the legal control over the same, to the Board of Education for the time being, to hold to them and their successors in office for such term as may be required for the purposes of the said Act, or as may be agreed upon in that behalf.

XLIV. The agreement to be entered into between the Trustees of any School established under the said recited Act, or any Act in amendment thereof, with the Master or Teacher, on his engaging to take charge of such School, shall or may be in the form or to the effect prescribed in the Schedule to this Act annexed, marked (C).

Form of agreement between Master and Trustees.

XLV. The sixth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, fortieth, forty-first, forty-third, forty-fourth, and forty-fifth sections of the said recited Act passed in the fifteenth year of the reign of Her present Majesty, chapter thirteen, and every matter, clause and thing therein, severally and respectively contained, shall be, and the same are hereby repealed.

Repeals 6, 25, 26, 27, 40, 41, 43, 44 and 45th sections of 15 Vic, cap. 13.

XLVI. The Board of Education constituted for the time being under the said recited Act of the fifteenth Victoria, chapter thirteen, shall meet regularly on the last Thursday in each and every month in each year, instead of four times in each year, as provided by the first section of the said recited Act, and shall give notice of the place and hour of every such monthly meeting by advertising the same in the *Royal Gazette* newspaper of this Island, at least ten days previous to such respective meeting; and the said Board may meet on such other and future days as they may deem necessary from time to time, without such notice being required to be given.

Board of Education to meet monthly in future.

XLVII. So much of the first section of the said last recited Act as limits the number of regular meetings of the said Board in the year, and defines the manner and length of notice to be given prior thereto, or as relates in any man-

Sec. 1 of 15 Vic., cap. 13, partially repealed.

ner to the meetings of the said Board, shall be, and the same is hereby repealed.

Salary to Secretary of Board of Education.

XLVIII. The Secretary of the Board of Education, appointed in manner in the second section of the said recited Act mentioned, shall be paid out of the Treasury of this Island the sum of fifty pounds *per annum*, in half-yearly payments, for his services, and to provide necessary stationery, and for other contingent expenses; and each other Member of the Board shall receive nine pounds yearly for his services, subject to a deduction of fifteen shillings for every time he shall be absent from the said Board at any of its monthly meetings.

Sec. 2 of 15 Vic., cap. 13, partially repealed.

XLIX. So much of the second section of the said last recited Act as defines the respective amounts to be paid to the Secretary and the other Members of the Board of Education for their services yearly, or as relates in any manner to such payment, shall be, and the same is hereby repealed.

Establishment of six scholarships in Central Academy.

L. And whereas it is desirable that the advantages derivable from a public institution, such as the Central Academy, established in Charlottetown, should be extended in a larger degree to the rural districts of this Island: Be it therefore enacted, that so long as this Act shall remain in force there shall be six scholarships established in connection with the Central Academy at Charlottetown, two for each of the several Counties in this Island; and the endowment to each of the said scholarships shall be twenty pounds *per annum*, payable from the Treasury of this Island; and that candidates for such scholarships shall be selected in the following manner, that is to say: it shall be the duty of the School Visiter, as soon as conveniently

Candidates therefor, how selected.

may be, after this Act shall come into operation, to select six boys as such candidates from each of the several Counties, such selection to be made with the consent and approbation of the parents; and from such candidates the Board of Education shall, upon due examination, choose two for each County, which said two pupils so chosen, shall, besides enjoying the benefit and privilege of the said endowment hereby made, be severally entitled to the privilege of being taught gratis at the said Academy (in accordance with the provisions of the ninth section of the Act passed in the sixth year of the Reign of Her present Majesty, intituled "*An Act to alter and amend the Act for the establishment of an Academy in Charlottetown,*") for the period of two years: Provided always, that the conduct of the said pupils so chosen, while remaining at the said Academy, shall be subject to the approval of the Board of Education.

LI. Upon a vacancy occurring at any time in such scholarships, the same shall be supplied in the way and manner herein before provided for the first selection of pupils under the said endowment, it being the duty of the School Visiter for every such vacancy that may occur, to select three candidates from the County for which said vacancy may have occurred, from which one pupil shall be chosen in the manner aforesaid.

Vacancy in
scholarships,
how supplied.

LII. The endowment hereby conferred upon such scholarship shall be paid in half-yearly sums or payments, to or for the benefit of the respective pupils who shall become entitled thereto, upon their producing, or there being produced on their behalf, a certificate of the Head Master of the said Academy, that such pupils respectively have attended at the said

Mode of pay-
ment of endow-
ment to scholar-
ships.

Academy for six months previously, and also upon a certificate of at least three Members of the Board of Education, approving of the general conduct of such pupils respectively while so attending.

Commencement
and duration of
Act.

LIII. This Act shall go into operation on the first day of July next, and from thence shall be and continue in force and operation for such period of time, and so long as the said recited Act of the fifteenth year of the Reign of Her present Majesty, chapter thirteen (of which it is an amendment), shall continue in force and operation, and no longer.

Schedules to which this Act refers.

SCHEDULE (A.)

FORM OF NOTICE OF MEETING.

NOTICE.

Schedule (A.) A meeting of the inhabitants, resident householders within School District number _____, on Township Number _____ (describe the District according to its registered name or usual designation), will be held at the school-house in said District (*or, as the case may be*), on _____ the _____ day of _____ next (*or instant, as the case may be*), at _____ o'clock in the _____ noon, for the purpose of electing Trustees for the said School District, according to law.

Dated this _____ day of _____ 18

A. B. }
C. D. } Resident householders within
E. F. } the said District.
G. H. }

SCHEDULE (B.)

FORM OF AFFIDAVIT OF NOTICE BEING POSTED.

County }
to wit, }

J. K., of _____ in the said County,

maketh oath and saith, that he, this deponent,

did on the _____ day of _____ instant (*or last, as*

Schedule (B.)

In witness whereof, the said parties have hereunto set their hands, this day of 185 .

Signed in presence of

A. B.	}	Trustees.
C. D.		
E. F.		
G. H.		
I. J.		
K. L.		

XVIII° VICTORIÆ, CAP. XII.

An Act to establish a Normal School, and in further amendment to the Free Education Act.

[*Passed April 17, 1855.*]

BE it enacted by the Lieutenant Governor, Council and Assembly, as follows: It shall be lawful for the Lieutenant Governor, with the advice and consent of the Executive Council, to establish a Normal School in Charlottetown for the training of Male and Female Teachers.

Lt. Governor,
&c., to establish
Normal School
in Charlotte-
town.

National School
building to be
used for Normal
School.

And to be suit-
ably fitted up
for such pur-
pose.

Board of Edu-
cation, subject
to approval of
Government, to
regulate mode
of conducting
Normal School.

II. The building in Charlottetown called the National School shall be made use of and appropriated for such Normal School, and the Lieutenant Governor, with the advice and consent of the Executive Council, is hereby authorised to cause the same to be fitted up so as to be suitable for the purposes of this Act.

III. The mode in which such Normal School shall be conducted, unless when otherwise provided for in this Act, shall be ordained by proper rules and regulations, to be made for that purpose by the Board of Education, subject to the control, alteration, supervision and approval of the Government.

IV. The number of male scholars, in addition to Teachers, or those desiring to be trained for such, who shall be entitled to attend at such Normal School, under this Act, shall, as heretofore, be limited to fifty, unless the Board of Education make an order to increase such number, which they are hereby authorised in their discretion to do, and such increased number of pupils shall be nominated by the Board of Education, and the quarterly payments towards defraying the cost of fuel and books shall be the same for each pupil as in the case of other Charlottetown Schools, and recoverable in the same manner.

Not more than fifty of male scholars, in addition to Teachers, &c., desiring to be trained, to attend at Normal School, unless Board of Education authorise same.

Scholars to pay same amount toward cost of fuel, &c., as in other Schools in Charlottetown.

V. The Board of Education, if they think fit, may cause one of the Charlottetown Female Schools to be held in the said school-house, in a room to be fitted up apart from the said School for male scholars, to be held therein, and put the said Female School and the Teacher thereof under the supervision of the Superintendent of the Normal School, who shall train, (if it be thought advisable), Teachers and Candidates to be Teachers therein.

Board of Education may order one of Female Schools to be held in Normal School building,

under supervision of Superintendent of the Normal School.

VI. The Teacher of the said Normal School shall be appointed by the Lieutenant Governor, with the advice of the Executive Council, and shall by himself, and the Teachers being trained by him, teach the children in attendance there the ordinary branches of education usually taught in District Schools, and shall also train in the art of teaching such Teachers and Candidates as may attend, giving to the latter a thorough and competent knowledge of the best method of conducting a common District School, and especially teaching them the art of communicating the several branches of common school education, in a manner best suited to the

Teacher of Normal School to be appointed by Lt. Governor in Council.

Duties, &c., of Teacher of Normal School.

capacities, ages and conditions of the pupils who may thereafter be under their care.

Office of Master of National School abolished so soon as Normal School shall have been established.

VII. The office of Master of the National School in Charlottetown, as it existed before the passing of this Act, shall, so soon as the said Normal School shall have been established under this Act, be abolished.

£200 per annum to be paid to the Teacher of the Normal School.

VIII. There shall be paid to the person to be appointed Teacher of the Normal School, in addition to the sum already granted annually to the Master of the National School, one hundred and thirty pounds, making in all two hundred pounds *per annum*, to be paid to him quarterly, from the date of his first appointment, by warrant under the hand and seal of the Lieutenant Governor, drawn on the Treasury of this Island, in the usual manner, on producing the certificate of the Board of Education of his being entitled to receive the same.

The same to be paid quarterly on producing certificate of the Board of Education.

Visiter of Schools to be *ex officio* a Member of the Board of Education.

IX. The Visiter of Schools for the time being shall hereafter be *ex-officio* a member of the Board of Education.

Duty of Visiter to visit and superintend Normal School, and with other Members of the Board to direct its management, &c.

X. It shall be the especial duty of the School Visiter to visit frequently and superintend the Normal School, to be established under this Act, and to direct, in conjunction with the other members of the Board of Education, the management and conduct thereof.

All persons who, in the opinion of the Board, shall *bona fide* be candidates to be Teachers, entitled to attend and receive

XI. All Teachers, whether male or female, *bona fide* candidates for the office of Teacher, of whose qualification the Board of Education are hereby constituted the judges, shall be entitled to attend at the Normal School, and receive instruction and training in the art of teaching,

without having to pay any fees or charges therefor. training free of charge.

XII. After the Normal School, to be established under this Act, shall go into operation, the Board of Education shall, before granting a license to teach to any person who shall have appeared before them to be examined for the office of Teacher, require and receive from the party applying for such license a certificate, signed by the Teacher of the Normal School, to the effect that such applicant has attended, and received instruction and training at the said Normal School, for a period not less than three months, and which three months' attendance at the Normal School may be given either shortly before or after the examination passed before the Board of Education.

After establishment of Normal School persons applying for licenses to teach, shall, before the same are granted to them, produce certificates from Teacher of Normal School that they have attended, &c, at Normal School for at least 3 months.

Such attendance may be either before or after examination by Board of Education.

XIII. The Board of Education shall have power to include the farms of Township lands fronting on the back Royalty Road of Charlotte-town Royalty, in the same District or Districts with the Royalty District Schools, or one or other of them, according to their situations; and the inhabitants of such farms, in accordance with the terms of any such order which may be made by the Board of Education, shall be entitled to send their children to the School named in such order, and be liable to pay the same assessments and rates, or charges for fuel, furniture and books for such School, or for keeping up and repairing the same, as the inhabitants of the Royalty are liable.

Board of Education empowered to include certain farms of Township lands in same District with Charlotte-town Royalty Schools, &c.

Inhabitants of such farms, according to order of Board, may send their children to Royalty Schools, and be liable to pay same charge, &c., for fuel, &c., as the inhabitants of the Royalty.

XIV. The Lieutenant Governor, with the advice and consent of the Executive Council, is hereby empowered from time to time, when it shall be found necessary, to dispense either

Lt. Governor in Council empowered to dispense wholly or in part with one of the

School Visiter's two annual inspections of Schools.

wholly or in part with one of the two inspections or visitations of District Schools in this Island, which the Visiter of Schools is now by law required to make in each year.

After establishment of Normal School, candidates for the office of Teacher need not produce the certificate of their capability, signed by the Masters of the Central Academy, as heretofore required.

XV. When and so soon as the Normal School under this Act shall be established, it shall no longer be necessary for candidates for the office of Teacher to prove their capability of teaching before the Board of Education, by producing a certificate thereof, signed by the Head Master of the Central Academy, or by either of the other Masters, as required by the sixth section of the said recited Act.

So much of 15 Vic., cap. 13, sec. 38, as limits scholars to be taught by Female Teachers to females or boys under 12 years of age, repealed.

XVI. So much of the thirty-eighth section of the Act of the General Assembly of this Island, passed in the fifteenth year of the Reign of Her present Majesty, chapter thirteen, as provides that Schools taught by females shall be limited to the instruction of female scholars, and of boys under twelve years of age, shall be, and the same is hereby repealed.

Female Teachers entitled to receive £35 *per annum*, instead of £30, as heretofore.

XVII. Every Female Teacher, qualified under the said recited Act, whilst engaged in teaching, as set forth in the thirty-eighth section thereof, shall be entitled to receive from the Treasury of the Island the sum of thirty-five pounds *per annum*, instead of thirty pounds, as heretofore allowed, payable half-yearly, in the same manner, and on producing the same certificates as in the case of Male Teachers.

Payable half-yearly on producing certain certificates.

Board of Education, when they enlarge or diminish boundaries of School District, may change the site of the school-house therein,

XVIII. The Board of Education, with, and subject to the control and consent of the Lieutenant Governor in Council, when in exercise of the power and authority given to them by the eighth section of the said recited Act, to alter, enlarge or diminish the size or boun-

daries of any School District, shall also have power, and they are hereby authorised at the same time to change the site of the school-house therein, so as to meet the altered circumstances of the District, and to make all orders necessary to cause that such change of site be observed and made.

and make necessary orders to carry out any change of site.

XIX. It shall no longer be necessary for the Masters or Teachers of the highest or second class, allowed for Charlottetown and Common, and the Royalty thereof, under the thirty-third section of the Act of the seventeenth Victoria, chapter three, to be qualified to teach Latin, as in and by the said section of the said recited Act is required.

Masters or Teachers of 2d class, allowed for Charlottetown and Royalty, need not be qualified to teach Latin.

XX. The additional Female Teachers who are now, or hereafter shall be appointed under the forty-second section of the Act, fifteenth Victoria, chapter thirteen, shall, when teaching in separate Schools in Charlottetown, be entitled to receive the sum of forty-five pounds a-year each, instead of thirty pounds a-year, being the amount originally allowed to them under the said herein recited section of the said Act.

Additional Female Teachers in Charlottetown under 15 Vic., cap. 13, sec. 42, to receive, when teaching a separate School, £45 a-year, instead of £30, as originally allowed.

XXI. Where any school-house has been, or shall hereafter be erected on any site or piece of ground under the said Act of the fifteenth Victoria, chapter thirteen, with the consent of the owner, tenant or occupant of such land, and such site and school-house have also been recognized by the Board of Education as the legal site and school-house for the District wherein the same are situate, then and in such case it shall be illegal for the original owner, tenant or occupant of such land, or any person or persons under or in trust for such owner,

Where a school-house has been, or shall be erected on a site with the consent of the owner, &c., of the land, and same has been recognized by Board of Education as the legal site and school-house—

It shall be illegal for the original owner, &c., or any other

person to interfere with the same, or prevent the peaceable possession thereof, &c., by the Trustees, Master, &c., or others, for the purposes of education, unless sanctioned by the terms of any deed, &c., of the site given by the owner or occupant, &c

All conveyances of such sites ineffectual to enable grantee, &c., therein named to interfere with same or the school-house thereon, or parties in possession thereof, for purposes of education.

Preamble to section.

Repeals so much of sec. 32 of Act 17th Vic., cap. 3, as exempts the inhabitants of Charlottetown, Common and Royalty, from being assessed by their Trustees for books, fuel, &c.

tenant or occupant, by deed or otherwise, whether registered or unregistered, in any manner to interfere with such site or school-house thereon erected, or to prevent the free and peaceable possession and use thereof, and access thereto and thereover, by or to the Trustees, Masters or Children, or the Inhabitants of the District, or the Board of Education, or others for the purposes of education, unless such interference shall be expressly sanctioned by the terms of any deed, lease or agreement given by the owner, tenant or occupant of, or person entitled to, the land on which the house is or shall be erected; and any conveyance or deed of the site heretofore made, or hereafter to be made, shall be ineffectual to pass any estate therein, so as to enable the grantee, or releasee, or person to whom the same is conveyed, to interfere with such site, or any school-house thereon, or any of the aforesaid parties, in the free and peaceable use and occupation and possession thereof, as aforesaid.

XXII. And whereas the restriction contained in the thirty-second section of the Act of the seventeenth Victoria, chapter three, by which the inhabitants of Charlottetown Royalty and Common are exempt from being assessed for the purposes in the said section mentioned, has not been found to operate with advantage: Be it therefore enacted, that so much of the said section of the said last recited Act as exempts the inhabitants of the Common and Royalty of Charlottetown from being assessed by the Trustees elected under the thirty-first section of the said last herein recited Act, for the purpose of providing books, fuel or furniture for the use of Schools, or to defray the cost of erecting school-houses, or of the repairs thereof, or for any

other local purpose whatsoever, shall be, and the same is hereby repealed.

XXIII. That from and after the passing hereof it shall and may be lawful for the said Trustees to assess the inhabitants of the Royalty of Charlottetown and Common for the purpose of providing books, fuel or furniture, for the use of the Schools in the said Royalty or Common, and to defray the costs of erecting school-houses, or the repairs thereof, in manner and subject to the powers, rules, regulations and provisions in any and all of the Acts of the General Assembly of this Island relating to the encouragement of education.

Trustees may assess inhabitants of Charlottetown Royalty and Common for books, fuel, &c., for erecting and repairing school-houses, &c. Subject to regulations contained in the several Acts of Assembly for the encouragement of Education.

XXIV. Whereas among the population of Charlottetown there are certain orphans, as well as certain children of destitute parents, who are subject to be excluded from the benefits of free education, by reason of their total inability to pay the fees imposed in and by the forty-fourth section of the said recited Act of the fifteenth Victoria, chapter thirteen, and it is expedient to constitute an additional School in Charlottetown aforesaid, for the instruction of such orphans and children, free from any charge to them whatsoever: Be it therefore enacted, that it shall be lawful for the Board of Education to establish at some convenient place in Charlottetown aforesaid, an additional School for the instruction of such children of either sex as aforesaid, and from time to time to appoint a competent Teacher of either sex for such School, who shall be entitled to receive therefor a salary of not more than forty pounds *per annum*, payable out of the public Treasury of this Island, in such manner, and under, and subject to such regulations as shall be prescribed by the Board of Education.

Preamble to section.

Authorises Board of Education to establish School in Charlottetown for orphan and destitute children, and to appoint a Teacher of either sex to the same.

Salary of such Teacher payable in manner, &c., as prescribed by the Board of Education.

Teacher of School for orphan and destitute children to be examined by Board and receive certificate to teach primary branches of education.

Board may cancel and revoke such certificate, &c.

XXV. That the Teacher of such School shall first be examined by the said Board, and if found competent, shall receive a certificate to teach the primary branches of education, whether he or she shall or shall not be able to qualify as a first class Teacher, in manner required by the said Act; and it shall be lawful for the said Board of Education to cancel and revoke such certificate, for such reasons and in such manner as mentioned in the tenth section of the said recited Act.

Orphan children to have preference in admission to said School.

No children under four or over ten years of age to be admitted, &c.

Certificate of recommendation to be produced, &c.

XXVI. That orphan children shall have preference of admission to said School, and no child shall be admitted thereto if under the age of four years, nor continued therein if above the age of ten years; nor shall any child be admitted unless recommended by a certificate in writing, to be signed by a clergyman resident in the said Town, and also by a Member of the Board of Education.

A sufficient amount to defray the rent and fitting up of a school-house, and the cost of books and fuel, to be annually paid to the Secretary of the Board of Education, who is to account for the same.

XXVII. That a sufficient amount of money to defray the fitting up a school-house, or room, the rent thereof, with books and fuel for the same, shall be paid annually out of the public Treasury of this Island into the hands of the Secretary of the Board of Education for such purposes, who shall account for the same to the Board.

School for orphans and destitute children in other respects to be subject to regulations of Education Acts.

XXVIII. That the said School and the Teacher thereof, shall, in all other respects, as far as circumstances shall admit, be conformable and subject to the several enactments, rules and regulations not inconsistent with this Act, and prescribed for Schools and Teachers in and by the several Acts of this Island relating to free education.

XXIX. That the number of scholars to be limited for the said School, either as regards sex, or the aggregate of both sexes, as well as the superiority of claims for admission thereto, shall, from time to time, as occasion may require, be ordered and regulated by the said Board of Education.

Number of scholars, &c., to be regulated by the Board of Education.

XXX. That the fees now payable at the other Charlottetown Schools, by the thirty-seventh section of the Act passed in the seventeenth year of the Reign of Her present Majesty, intituled "*An Act in further amendment of, and in addition to the Free Education Act,*" shall in future be paid at the time of the entrance of each pupil, and thereafter quarterly, in advance, any thing in the said section to the contrary thereof notwithstanding.

Fees payable at Charlottetown Schools to be hereafter paid quarterly in advance.

XX° VICTORIÆ, CAP. XVII.

An Act to continue and amend the Free Education Law.

[Passed April 15, 1857.]

WHEREAS the Act of the fifteenth Victoria, chapter thirteen, intituled "*An Act for the encouragement of Education, and to raise funds for that purpose, by imposing an additional Assessment on land in this Island, and on real estate in Charlottetown and Common and Georgetown and Common,*" will shortly expire, and it is deemed expedient to continue and amend the same, as well as the several Acts and parts of Acts in amendment thereof, and in addition thereto: Be it therefore enacted by the Lieutenant Governor, Council and Assembly, as follows, that is to say:—

Preamble.
15 Vic., cap.
13.

Act 15 Vic.,
cap. 13, and
Acts in amend-
ment thereof,
&c., except as
amended, con-
tinued for six
years, &c.

I. The said herein before recited Act, and the several Acts and parts of Acts in amendment thereof, and in addition thereto, save and except in so far as the same are hereby repealed and amended, shall be, and the same are hereby continued in force for the space of six years from the passing hereof, and from thence to the end of the then next Session of the General Assembly, and no longer.

Teacher of Dis-
trict School,
Georgetown, if
of the highest
class to receive
£80, and if of
lowest class to
receive £70 per
annum.

V. From and after the passing of this Act the Teacher for the time being of the District School in Georgetown, shall, if on the second or highest class, and qualified as required by the fifth section of the said herein recited Act of the fifteenth Victoria, chapter thirteen, receive and be paid the sum of eighty pounds *per annum*; and if of the first or lowest class, and qualified as required by the said fifth section of the said recited Act, such Teacher shall receive and be paid the sum of seventy pounds *per annum*, in lieu of the salary heretofore by law paid to such Teacher.

REGULATIONS

TO BE OBSERVED IN THE DISTRICT AND
OTHER PUBLIC SCHOOLS OF PRINCE
EDWARD ISLAND.—1857.

1. Every School be daily opened and closed by Prayer, according to the following form:—

Rules and regulations.

OPENING PRAYER.

O Almighty and Everlasting God, from whom proceedeth true wisdom and knowledge, grant, we beseech thee, that the children of this School may acquire such knowledge as will be profitable to them, in both body and soul, and receive, with a teachable and humble mind, all the instructions that may this day be given to them in accordance with thy will.

Opening prayer.

Incline their hearts to look to thee for a blessing upon all their labours, whether mental or bodily, for without thee nothing is strong, nothing is holy; and grant, we beseech thee, thy blessing also to their Teachers, that they may in all wisdom and prudence, in all gentleness and patience, so labour to instruct those committed to their charge, that their labour may be approved by thee, and be found to the praise and glory of thy name.

This we ask, O Heavenly Father, in the name and mediation of thy Son, our Saviour, Jesus Christ, to whom, with Thee and the Holy Ghost, be all honour and glory, world without end. *Amen.*

CLOSING PRAYER.

O Lord, our Heavenly Father, who art the author and giver of every good and perfect

Closing prayer.

gift, enable us, both Scholars and Teachers, ever to look to thee for the supply of all our wants, and to feel truly grateful to thee for all that thou hast done for us, both for our bodies and for our souls. Enable us to retain in our memories whatever instruction we may have this day received, which is in conformity with thy will, that we may be profited thereby, and that our profiting may appear unto others. Enable us all to remember thee, our Creator, in the time of this mortal life, to live in thy faith, fear and love, and to do always that which is righteous in thy sight, through Jesus Christ our Lord; and may His grace, the love of God, and the fellowship of the Holy Spirit, be with us, and remain with us all, now and ever.
Amen.

Rules and regulations.

2. No Books of any kind shall be used in the Schools except those approved of by the Board of Education from time to time.

3. Each School to be furnished with a Register, to be neatly kept, which must be called over and marked twice daily, once in the forenoon and once in the afternoon—the morning's attendance being indicated by a stroke slanting from right to left, as in ordinary writing; the afternoon's, by a stroke cutting the former nearly at right angles, thus—X. Every evening, before dismissing the School, the attendance marks in that day's column must be correctly added up, and the sum placed at the foot of the column—half-day's attendance in this enumeration being accounted the same as that for the whole day. Opposite the names of all pupils who have not been in attendance on that day, must then be written the abbreviation—"ab." The average attendance to be calculated at the end of every quarter, and marked by the Teacher at the foot or side of the

columns. Should the average attendance at the end of any quarter fall below the standard prescribed by law, then the Teacher is immediately to notify the Board of Education of the fact; and wherever, at the end of the second quarter, the average attendance continues below twenty, then notice shall be given to the District that unless the said average shall be made up at the end of the third or succeeding quarter, the School shall be closed—the Teacher, on presenting the usual certificates, to receive his proportion of salary. This Register, or so much of it as has been used—having the blank at the top for the name of the School filled up—must be forwarded, together with the other papers required by law, to the Secretary of the Board at the end of every six months, or at whatever time the Teacher purposes to draw his salary.

4. The hours and objects of instruction shall be regulated in each School by the Visiter, in conformity with the directions he may from time to time receive from the Board of Education.

5. The School shall be open from the fifteenth day of April to the fifteenth day of October, in each year, from nine, a. m., to four, p. m., with one hour's intermission for recreation; and during the remainder of the year, from ten, a. m., to three, p. m.; with one half-hour's intermission. The Visiter shall, notwithstanding, be empowered, before the closing of the School under this rule, to extend the examination of any School beyond the hours specified as aforesaid, whenever he shall judge it necessary so to do.

6. There shall be in each School, that will admit of it, five Reading Classes and three

Classes in Arithmetic; and in every School there shall be a Grammar Class and a Geography Class.

7. At the examination of each School the Visiter shall examine all the classes in the order in which they are daily taught, and report progress to the Board, immediately after each examination, in terms of the twenty-third section of the Act fifteenth Victoria, chapter thirteen, in order that the Board may prepare the report required by law.

8. Teachers shall take especial care that a copy of the School Acts and of the instructions of the Board of Education, and a Visiter's book, are kept in each School.

9. Meetings must be duly held for the nomination of Trustees, as directed by the twenty-first section of the Act fifteenth Victoria, chapter thirteen, and by the nineteenth and twentieth sections of the Act seventeenth Victoria, chapter three, in amendment thereof.

10. The attention of the Teacher is particularly drawn to the following duties:—

First. To observe the utmost punctuality in the hours of attendance.

Second. To classify the children according to the books used, to study those books himself, and to teach according to the improved method recommended in their prefaces, or as directed by the Board.

Third. To observe himself, and to impress upon the minds of the pupils, the great rule of regularity and order—a time and place for every thing, and every thing in its time and place.

Fourth. To promote, both by precept and example, cleanliness, neatness and decency in

the state and appearance of the School. The School apartments should be swept and dusted every evening, and regard had to the sufficient ventilation of the School.

Fifth. To pay the strictest attention to the morals and general conduct of the pupils, and to omit no opportunity of inculcating the fear of God, the principles of truth and honesty, the duties of respect and obedience to all persons placed in authority over them.

Sixth. To evince a regard for the improvement and general welfare of the pupils; to treat them with kindness combined with firmness; and to aim at governing them by their affections and reason, rather than by harshness and severity.

Seventh. To cultivate kindly and affectionate feelings among the pupils; to discountenance quarrelling, cruelty to animals, and every approach to vice.

N. B.—The Teacher, on the first Monday morning in every month, to *lecture* the pupils on the subject of the foregoing rules and duties.

By order of the Board of Education,
JOHN McNEILL, Secretary.

FORMS OF RETURNS.

NOTICE FROM TEACHER OF HIS ENGAGEMENT, TO BE FORWARDED
WITHIN TWENTY DAYS OF THE DATE THEREOF.

I hereby give notice that I have entered into an agreement, bearing date the _____ day of _____ 185 _____, Notice from
to teach the School in (the Settlement of _____ in Teacher of his
Township Number _____ or the Town or Royalty of engagement.
(as the case may be.)

A. B., Teacher.

We do hereby certify that the foregoing statement is correct.

C. D. }
E. F. } Trustees.
G. H. }

In witness whereof the said parties have hereunto set their hands, this day of 185 .

Signed in presence of

A. B.,	} Trustees.
C. D.	
E. F.	
G. H.	
I. J.	
K. L.	

Orders for school books, signed by the Teacher and one Trustee, to be addressed alone to H. Stamper, Esquire, Depository, Queen Square.

BOARD OF EDUCATION.

WEDNESDAY, February 25, 1857.

The following Resolution having been adopted by the Board, was ordered to be added to the regulations now in force for the government of the Free Schools of this Island, and a copy to be furnished to every Teacher and Board of School Trustees for their guidance, viz:—

Resolution of Board with respects to religious instruction in Schools.

That the Board of Education recognize the desirableness of affording, as far as possible, to the scholars in the Public Schools of this Island, the benefit and advantages of a religious and moral, as well as of a literary education; but taking into consideration the extreme difficulty of laying down any general rules for the Public Schools, respecting the mode of conducting religious reading or instruction, on account of the different religious persuasions prevailing amongst the Inhabitants and Teachers in the various Districts of the Island, and fearing that any attempt to do so, instead of proving beneficial and producing harmony and good will, would be productive of religious strife and contention, which they consider it to be the duty of all to avoid as much as possible—the Board have always deemed it better to leave the management of the District Schools in this respect to be adjusted by the respective

local Trustees thereof, and the parents of the children attending the same; and the result has been, as appears from returns before the Board, that in a large number of Schools in this Island religious instruction is imparted to the children of those parents, both Protestant and Catholic, who desire it, and who thereby, without offence, the one to the other, and in harmony, enjoy religious freedom.

The Board think it would be in the highest degree unwise to disturb this happy state of things, for while they have no intention to prohibit the reading of the Bible, but have permitted and will hereafter permit it, where desired by the parents of children, they feel it their duty, as having charge of the general educational interests of all religious sects, to set their faces steadfastly against any compulsory regulations, or any attempt directly or indirectly, to interfere with the peculiar tenets of any description of Christians.

By order of the Board,

JOHN McNEILL, Secretary.

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