



BY AUTHORITY.

THE following, being Chapter 40 of the Consolidated Statutes, and a Schedule of the Acts of which such Chapter is a consolidation, are published by Order of the Governor in Council, dated 1st June, 1876, under Sections 14 and 20 of the Chapter of the Consolidated Statutes relating to the Promulgation and Repeal of Statutes; and from and after the publication hereof, the said Chapter 40 is hereby brought into operation, and the Acts referred to in the said Schedule repealed to the extent therein set forth.

## CHAPTER 40.

### SCHOOLS.

1. The following terms shall in this Chapter mean as herein defined, unless there is something in the context repugnant thereto:—

"Schools" shall mean all Schools established under this Chapter, or "The Common Schools Act 1871," or any amendment thereof:

"District," that portion of territory into which the Province shall be divided for local School government:

"Border District," a District embracing portions of two or more Parishes forming parts of two or more Counties:

"Ratepayer," any person rated in the Parish Assessment List in respect of real or personal property or income:

"Clerk of the Peace" and "County Treasurer" shall severally include the Secretary-Treasurer of Incorporated Counties where the duties are performed by such officer:

"Sessions" shall include the County Council of Incorporated Counties.

2. The Governor in Council shall appoint a Chief Superintendent of Education at a salary of sixteen hundred dollars per annum, payable quarterly, besides travelling expenses, charges and contingencies of office, and a Clerk or Assistant, at a Salary of twelve hundred dollars per annum, payable quarterly.

3. The Governor in Council may issue Warrants in the ordinary manner, for the payment of the several allowances, salaries and services provided for hereby.

#### BOARD OF EDUCATION.

4. The Governor, the Members of the Executive Council, the President of the University of New Brunswick, and the Chief Superintendent of Education, shall constitute a Board of Education; the Governor with three Members of the Executive Council, and the Chief Superintendent, who shall act as Secretary, shall constitute a quorum.

5 The Board of Education shall have power—

(1) To provide for the establishing and efficient working of a Normal School with Model departments; to appoint a Principal at a salary of twelve hundred dollars per annum, payable quarterly, who shall, with the approval of the Board, appoint such Assistants as may be found necessary, and to make such allowances for the travelling expenses of pupil Teachers attending the School as shall be deemed proper, not exceeding twenty four dollars:

(2) To appoint fifteen Inspectors, and the sum of four thousand two hundred dollars shall be at the disposal of the Board to provide for such service; but as far as it shall deem practicable each County shall constitute an Inspectoral District, and the Board shall have power to prescribe the qualifications for Inspectors and their duties when not herein prescribed, and to provide for the uniform certification of all candidates for the same:

(3) To divide the Province into School Districts, and from time to time to create new Districts or alter boundaries, having due regard to

the number of children, and the ability of each District to support one or more efficient Schools: Towns, villages, and populous localities, having a community of interests, shall, as far as practicable, form a single District, and no District shall contain less than fifty resident children between the ages of five and sixteen years, unless the area of such District shall contain four square miles; and in the erection of Districts the Board may obtain such assistance as may be found necessary:

(4) To make regulations for the organization, government, and discipline of Schools, for the arrangement and order of School premises, and for the classification of Schools and Teachers, to appoint Examiners of Teachers, and to grant and cancel Licenses:

(5) To prescribe text books and apparatus for the use of Schools, books for School Libraries, plans for the construction and furnishing of School houses, and courses or standards of instruction and study for Schools:

(6) To determine all appeals from the decisions of Inspectors, and make such orders thereon as may be required:

(7) To prepare and publish Regulations under which moneys may be drawn and expended:

(8) To make such Regulations as may be necessary to carry into effect this Chapter, and generally to provide for any exigencies that may arise under its operation.

6. Whenever the Board of Education shall unite two or more Districts, or divide or otherwise alter any District, it shall have power from time to time to make such order or orders as it may deem proper, respecting the continuance and constitution of the Board of School Trustees, removing as it may deem proper any Trustee or Trustees, and appointing other or others in his or their place, and respecting the rights, property and liabilities of the Districts affected by such union, alteration, or division, and to relieve if it shall see fit, any person in whole or in part from assessments made and ordered in such year previous to such division or alteration, and which may remain uncollected, and generally to order and direct all things which may become necessary to give effect to such union, alteration, or division.

7. The provisions of the preceding Section shall extend to cases where, previous to the passage hereof, the union, alteration, or division of Districts may have been effected.

8. The Board of Education shall have power to attach to a District, as part thereof, any body of dyked marsh or river island wherever situate which may belong to parties resident in such District.

#### CHIEF SUPERINTENDENT.

9. It shall be the duty of the Chief Superintendent of Education, and he is hereby empowered—

(1) To have, subject to the Board of Education, the supervision and direction of the Inspectors and Schools:

(2) To enforce the provisions of this Chapter, and the regulations and decisions of the Board of Education:

(3) To apportion the County School Fund in accordance with the provisions of this Chapter, withholding the same, and all Provincial aid, from Districts presenting a false or insufficient return, and dealing with forfeited balances as directed by the Board of Education:

(4) To furnish the Inspectors with the numbers and boundaries of the Districts within the respective Counties, and from time to time, as new Districts are erected or boundaries altered, to furnish such new boundaries; and the certificate of the Inspector shall be evidence of such boundaries:

(5) To cause copies of this Chapter, with Regulations of the Board of Education, together with all necessary forms and instructions, to be published and furnished gratuitously to Inspectors, Trustees, and Teachers:

(6) To prepare annually a Report upon the Schools subject to his supervision, accompanied with full Statistical Tables, and detailed Accounts of the expenditures of the moneys appropriated under this Chapter, and offer suggestions on educational subjects; which Report shall be laid before the Legislature within ten days after the opening of the next succeeding Session thereof.