

New Zealand.

ANNO TRICESIMO PRIMO

V I C T O R I Æ R E G I N Æ .

No. 41.

AN ACT to regulate and provide Subsidies Title. for Maori Schools.

[10th October 1867.]

WHEREAS it is expedient to make provision for the establishment and maintenance of schools for the education of native and half-caste children within the Colony of New Zealand Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

1. The Short Title of this Act shall be “The Native Schools Act 1867.” Short Title.

REPEAL.

2. The Ordinance of the Governor and Legislative Council of New Zealand intituled “An Ordinance for promoting the Education of Youth in the Colony of New Zealand” and “The Native Schools Act 1858” are hereby repealed. Education Ordinance repealed.

APPROPRIATION.

3. Out of the ordinary revenue of the Colony there shall be payable to Her Majesty for the period of seven years commencing from the first day of July one thousand eight hundred and sixty-seven the annual sum of four thousand pounds and such annual sum shall and may be applied in accordance with the provisions of this Act in contributing to the maintenance of schools for the education of children of the aboriginal native race and of half-castes being orphans or being the children of indigent persons and for the education and maintenance of native children who may be placed in schools which are not subject to the provisions of this Act and for other purposes necessary to the carrying out of this Act and if in any year the whole of the said annual sum of four thousand pounds shall not have been applied in payments under this Act it shall be lawful for the Governor to direct that such unexpended sum may be expended at any time thereafter for the purposes specified in this Act and such unexpended sum shall not be deemed to lapse anything in any Act not specially providing that such sum shall lapse to the contrary notwithstanding. Four thousand pounds appropriated for seven years.

4. And whereas there is at this time in the hands of the Colonial Treasurer the sum of three thousand two hundred pounds nineteen shillings and threepence sterling being the unexpended balance of sums appropriated by “The Native Schools Act 1858” and available for special grants for school buildings and for defraying other expenses incident to the first establishment of schools and for improvements upon any school estate and for prizes and rewards for deserving Balance of fund under “Native Schools Act 1858” appropriated.

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scholars Be it enacted that notwithstanding the repeal of the said Act the said sum shall not lapse but it shall be applied to the purposes and in the manner specified in this Act.

ESTABLISHMENT OF NEW SCHOOLS.

Meeting may be called.

5. Upon the memorial of any considerable number of the male adult native inhabitants of any locality or district where no native school already exists praying for the establishment of a school and in which memorial are defined the boundaries of such locality or district the Colonial Secretary shall by notice in the *Kahiti* or by such other notification as he shall think fit call a meeting of the male adult native inhabitants of such locality or district at such time and place as may seem desirable and shall name a person who shall preside over the meeting.

Educational district may be formed.

6. If the meeting so called shall by vote of the majority of the male adult natives inhabiting such district then present declare that they are willing that the district shall be constituted an Educational District and shall further declare that they are willing to provide a proportion of the expenses of the establishment and maintenance of a school in accordance with the provisions of this Act the meeting shall thereupon proceed to elect a committee consisting of not less than three nor more than seven persons the majority of whom shall be aboriginal natives who shall thereupon elect a chairman and report the proceedings of the meeting to the Colonial Secretary and the Colonial Secretary shall notify in the *Kahiti* that such district is an Educational District under this Act and the committee elected as aforesaid shall be called the District School Committee of such district.

Committee of management.

7. The committee shall be elected annually by the adult native inhabitants of the district and shall have the general management of the school subject to the provisions of this Act and to such regulations as may from time to time be issued by the Colonial Secretary in that behalf.

After report of committee Governor may subsidize buildings.

8. After the receipt of the above-mentioned report from the school committee it shall be lawful for the Colonial Treasurer out of such moneys as aforesaid and upon the Governor's warrant to issue such proportion of the cost of the requisite buildings as the Governor may think fit subject to the following conditions—

- (1.) The buildings shall include a schoolroom and unless other provision be made a teacher's residence the plan of which shall have been approved by the Colonial Secretary.
- (2.) A site in extent not less than one acre shall be provided by the inhabitants of the district and shall be vested in two or more trustees to be nominated from time to time as occasion may require for each site by the Governor and any such trustee may be by the Governor removed and another person appointed in his place and such sites shall be held in trust for ever for the purposes of a native school under this Act.
- (3.) A deposit of the proportion of the outlay to be borne by the inhabitants of the district shall have been made in the nearest Savings Bank connected with the Post Office or in the hands of the Resident Magistrate of the district or locality.
- (4.) The amount of subsidy to be granted towards the erection of the buildings shall not exceed one-half of the total estimated cost provided that in any case where land exceeding one acre in extent shall be given for the purposes of the school it shall be lawful for the Governor to give a subsidy larger than one-half of the estimated cost in aid of the buildings.

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9. The Governor may grant out of such moneys as aforesaid towards the current expenditure in salaries of teachers and the purchase of books or repairs of buildings and other incidental expenses of any school established under the provisions of this Act a sum not exceeding three-fourths of the total expenditure upon these purposes and the committee shall give satisfactory assurance that from school fees or other sources they will provide the remaining sum necessary to defray the total expenditure. And grant subsidy for teacher's salary &c.
10. It shall be the duty of every school committee to make arrangements for the collection of the proportion of the school expenditure which is provided locally and shall together with such other returns as may be required give a certificate quarterly signed by the chairman or a Justice of the Peace that the amount has been collected and deposited in the hands of the chairman and no portion of the Government grant will be paid for any quarter until after the receipt of this certificate. Committee to collect local subscriptions.
11. All sums payable out of such ordinary revenue as aforesaid for the maintenance of any school shall be paid to the chairman of the committee of such school and to no other person whatever and the chairman shall furnish accounts of the disbursement of all moneys received by him in such manner as the Colonial Secretary may require. Payments to be made to chairman.
12. If at any time the inhabitants of an educational district shall refuse or neglect to elect a school committee or if the members of the school committee refuse or neglect to perform their duties under this Act the Colonial Secretary may by notice in the *Kahiti* or Government *Gazette* declare the powers of the committee to be suspended and may appoint a commissioner for such district who shall from the date of such notice exercise all the powers rights privileges and duties of such committee. In case of neglect by committee Governor may appoint commissioner.
13. To any school or college for the education of native or half-caste children heretofore established or which may hereafter be established not under the provisions of this Act hereinbefore contained the Governor may make special grants out of such moneys as aforesaid for current expenditure. Special grants for schools not established under Act.
14. No school shall receive such special grant unless a proper well ventilated schoolroom with teacher's residence and other buildings according to the requirements and character of the school have been provided and are kept in repair by the managers or other persons having the care thereof and are approved by an Inspector of Schools to be appointed as hereinafter provided. Conditions of special grants.
15. Such special grants shall be calculated at a certain yearly rate upon the daily average number of scholars in attendance and shall be payable quarterly on the receipt of such returns as to the number of the scholars and their proficiency in the English language and in the knowledge of reading writing and arithmetic as shall be from time to time prescribed in regulations to be made in that behalf by the Colonial Secretary. Special grants how to be calculated.
16. The amount of such yearly rate per head shall be determined in respect of each school by the Colonial Secretary and shall remain the same for one year from the time that it shall be so determined. Capitation to be fixed by Colonial Secretary.
17. The total amount of such special grant shall in no case exceed three-fourths of the total current expenditure of the school in any one year and full accounts shall be rendered by the managers to the Colonial Secretary of all such expenditure and of all receipts from endowments or other sources. Limit of special grants.
18. It shall be lawful for the Colonial Secretary out of the moneys appropriated by this Act to pay for the education clothing and maintenance of native children in European schools not subject to the provisions of this Act and also to pay out of such moneys such sums as he shall think fit for the purpose of providing or training suitable Colonial Secretary may pay for education of Natives in European schools.

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teachers for native schools and also towards the maintenance of itinerant teachers employed in the education of native and half-caste children within the Colony.

Inspector.

19. There shall be an inspector of schools for the purposes of this Act who shall be appointed and be removable by the Governor.

His duties.

20. Such inspector shall have power to enter and inspect and examine all schools receiving aid under the provisions of this Act and he shall report annually to the Government upon the attainments and progress of the scholars the nature of the instruction given the cleanliness and health of the scholars and generally upon the discipline management and efficiency of the several schools.

No grants except English taught.

21. No school shall receive any grant unless it is shown to the satisfaction of the Colonial Secretary by the report of the inspector or otherwise as the Colonial Secretary shall think fit that the English language and the ordinary subjects of primary English education are taught by a competent teacher and that the instruction is carried on in the English language as far as practicable. Provided always that it shall be lawful for the Colonial Secretary to contribute to the maintenance or salaries of such Native teachers as shall conduct Native Schools in remote districts when it may be found impossible to provide English teachers.

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