

## CHAPTER II.—PATRONAGE AND CONSTITUTION OF SCHOOLS.

§ 1. TRANSFER OF PATRONAGE: APPARENT EXCEPTIONS; THE RIGHT JEALOUSLY GUARDED.—§ 2. LIST OF BURGH SCHOOLS.—§ 3. BURGH AND PAROCHIAL SCHOOLS: BURGH SCHOOLS BECOMING BURGH AND PAROCHIAL SCHOOLS; ELECTION OF BURGH AND PAROCHIAL MASTERS; THE TWO BODIES OF PATRONS; LIST OF BURGH AND PAROCHIAL SCHOOLS.—§ 4. CONSTITUTION OF SCHOOLS CHANGED BY ENDOWMENTS.—§ 5. ACADEMIES: THEIR ORIGINAL INTENTION; COURSE OF STUDIES; THE GOVERNING BODIES.—§ 6. THE OLD AND NEW PATRONS.

§ 1. WE have learned from the previous chapter that the church always possessed jurisdiction over burgh schools and burgh teachers, and the next subject for consideration is the patronage of schools. From the introductory part of this work it appears that when we first become acquainted with schools—and, indeed, for a considerable time afterwards, they were attached to, and under the exclusive control of, the church; but long before the Reformation some burghs claimed to elect, while others did, in point of fact, elect, their own masters irrespective of the church. The Reformation nearly completed the change in the patronage of the schools—a change which had commenced as early as the fifteenth century, in the gradual transfer of their management from the church to the burgh, while from of old the latter had always the power of regulating the fees, erecting and repairing the buildings, and paying the teachers' salaries—in short, the power of providing the ways and means.

Two or three cases may be quoted in illustration of the transference of the patronage, which was not always accomplished without protestation and demand for satisfaction of vested interests. In 1576 the council of Haddington earnestly 'requirēt Mr James Carmychell, in consideration of his greit burden in the minstre,' to demit his office of teacher

of the burgh; and in respect of the earnest suit of the council, the incumbent renounces for a consideration all 'claim of property which he has in the schoolmastership,' granted to him by the abbot of Holyrood and confirmed by the king.<sup>1</sup> Four years later the schoolmaster of the Canongate demits in the hands of the council of the burgh, 'as his undoubted patrons,' the office of teacher of the grammar school, granted to him for lifetime by the commendator of Holyrood.<sup>2</sup> In 1631 the council of Perth having all in one voice found that the ministry and session have 'no power in the putting of the master of the grammar school,'<sup>3</sup> appointed Mr John Row master. At this act of the council the 'ministrie wer offendit, becaus they wald have bein at placing ane man of thair awin, and the onlie doars thair of;'<sup>4</sup> in the following year the council attended at his induction, but the ministry, though also requested to be present, refused, being 'mychtele miscontent because the counsall' appointed him 'haillelie by thair own aduys, quhairupone the ministrie daylie railit out of the pulpitt aganes the provest, bailleis, and counsall, and thairefter did complene to the presbiterie.'<sup>5</sup> On 12th June of the same year, Mr Row compeared before the council, and wished to know what he should say to the presbytery who summoned him for accepting office without consent of the ministry. The council advised him to say that he was not 'sui juris,' but must obey his patrons the town council, of whom he holds his office, and who represent the burgh.<sup>6</sup> On 30th July the council positively refused to acknowledge the authority of the presbytery in appointing a master of the grammar school, 'except thair doubted of Mr Row's qualification;' whereupon, adds the record, the ministers 'departit malecontent.'<sup>7</sup>

In some burghs the church continued to have a voice in

<sup>1</sup> Burgh Records of Haddington.      <sup>2</sup> Register of the Canongate.

<sup>3</sup> Burgh Records of Perth.      <sup>4</sup> Ibid.      <sup>5</sup> Ibid.      <sup>6</sup> Ibid.

<sup>7</sup> Ibid. The master now chosen was the grandson of the celebrated Dr John Row, the first Reformed minister of Perth, and taught, it is said, Latin, Greek, and Hebrew, in the grammar school of Perth. He

the election of the teacher for a long time after the Reformation; but it is probable, that in such cases the ecclesiastical courts took part in appointing the master, either because they were appealed to by the council for advice and assistance in determining his qualifications, or because the teacher performed some office in connection with the church, which made it necessary that the session and presbytery should concur in the nomination. Thus, on 13th July 1612, the council of Stirling appoint a committee to meet with 'two or thrie brethren of the presbiterie,' for planting a master in the grammar school;<sup>1</sup> in April 1646, the council of Paisley appoint a 'call' to be given to a schoolmaster, the call to be drawn up and read before the session;<sup>2</sup> on 21st May following, the presbytery approve of the call by the kirk session and town council.<sup>3</sup> In 1673 the magistrates of Stirling ratify the appointment of a master of the grammar school by a committee of the council, with advice and consent of the ministers.<sup>4</sup> In January 1710 the council of Ayr acquaint the presbytery that they design to settle a doctor of the grammar school, and desire their approbation and concurrence;<sup>5</sup> and on 19th October 1728, the council of St Andrews apply to the kirk session for their co-operation in filling up the vacancy in the grammar school.<sup>6</sup> In 1725 a committee of the town council of Kinghorn was appointed to meet with the kirk session for calling a doctor to the grammar school;<sup>7</sup> and in 1739 the council choose a schoolmaster, after having 'conversed with the minister for his approbation.'<sup>8</sup> In 1762, and again in 1770, committees of the same council were appointed to meet committees of the kirk

was afterwards minister of Aberdeen, where he published his Hebrew 'Dictionar,' which he dedicated to the council; for which, and his 'paines in teaching the Hebrew tongue,' they granted to him, in 1643, 400 merks: Burgh Records of Aberdeen.

<sup>1</sup> Burgh Records of Stirling. Cf. *ibid.*, 1753.

<sup>2</sup> Burgh Records of Paisley.

<sup>3</sup> Presbytery Records of Paisley.

<sup>4</sup> Burgh Records of Stirling.

<sup>6</sup> Burgh Records of Ayr.

<sup>6</sup> Burgh Records of St Andrews.

<sup>7</sup> Burgh Records of Kinghorn.

<sup>8</sup> *Ibid.*

session for supplying the vacancy of a schoolmaster;<sup>1</sup> but in 1772 the council are described as 'patrons of the public school of Kinghorn.'<sup>2</sup>

The town councils, after having acquired the patronage of the schools, continued very jealous of any encroachment on their right of presenting the teachers. This is shown by such extracts as the following; in 1595 the master of the grammar school of Edinburgh was dismissed for taking a gift of his office from the abbot of Holyrood,<sup>3</sup> the old patron of the school; in 1707 the council of Kirkcaldy expressed great indignation at the kirk session for referring the choice of a schoolmaster to the presbytery, and declared that the session was entirely in the wrong in encroaching on the town's right of presenting a schoolmaster—a right, it is alleged, always exercised by them, as would appear from many of their standing acts before and after the Reformation;<sup>4</sup> and in 1711 the town council of Peebles request the presbytery to examine a schoolmaster lately appointed by them; the presbytery proposed that the examination should be held at Traquair, and not at Peebles, the usual place; the council, however, object to any such alteration, lest thereby the 'town's right of patronage and presentation may in time be weakened.'<sup>5</sup>

On the principle that 'seeing is believing,' the councils had sometimes recourse to symbols in order to preserve evidence of their undoubted authority over the teachers and right to the patronage of the school. Thus, in 1620, the town of Burntisland introduced a custom, which continued for many years, of the master and doctor annually delivering to the council the key of the schoolhouse, and of their dwelling-houses, as an acknowledgment that they held their offices of the town.<sup>6</sup> In the same way we learn that on 29th September 1714 there compeared before the town council of Crail the master of the grammar school, who, 'conform to

<sup>1</sup> Burgh Records of Kinghorn.

<sup>2</sup> Ibid.

<sup>3</sup> Burgh Records of Edinburgh.  
Burgh Records of Peebles.

<sup>4</sup> Burgh Records of Kirkcaldy.

Report on Burgh Schools, ii., 95.

custom, produced to the magistrates and council the key of the school door, in testimony of his dependence on them;<sup>1</sup> the key being immediately redelivered to him, with an exhortation to care and diligence. The same custom prevailed in other burghs; and the formality of the delivery of the key was gone through annually, at the end of September, immediately after the election of the magistracy.

§ 2. As an important element in the history of the burgh schools, we now proceed to enumerate the schools which, at the passing of the Reform Act, were managed by the councils, who appointed the masters and regulated the fees and salaries, but did, not to any extent interfere with the teaching and discipline, which they wisely left to the teachers. In Aberdeen there was the grammar school where a master and two assistants taught Latin and Greek; a parochial school, for reading; a mathematical, arithmetical, and commercial school, and a writing school;<sup>2</sup> in Anstruther Easter, the burgh school;<sup>3</sup> in Banff, the grammar school;<sup>4</sup> in Brechin, the grammar school;<sup>5</sup> in Burntisland, the high school;<sup>6</sup> in Campbeltown, the grammar school, which was also the parochial school;<sup>7</sup> in Dumbarton, the high school, conducted by two teachers;<sup>8</sup> in Dumfries, the academy, taught by five masters, each having a separate department;<sup>9</sup> in Dunbar, the grammar school and the mathematical school;<sup>10</sup> in Edinburgh, the high school, taught by a rector, four classical masters, and teacher of writing, arithmetic, and mathematics;<sup>11</sup> in Elgin, the academy, a girls' school, and a school at Lossiemouth;<sup>12</sup> in Forfar, two masters in the grammar school;<sup>13</sup> in Forres, the grammar school, an English school for boys, a

<sup>1</sup> Burgh Records of Craik. <sup>2</sup> Municipal Corporations Report, i., 20.

<sup>3</sup> Ibid., i., 68. <sup>4</sup> Ibid., i., 109. <sup>5</sup> Ibid., i., 128. <sup>6</sup> Ibid., i., 139.

<sup>7</sup> Ibid., i., 150. <sup>8</sup> Ibid., i., 206. <sup>9</sup> Ibid., i., 212. <sup>10</sup> Ibid., i., 222.

<sup>11</sup> Ibid., i., 317. Several schools for English, reading, writing, and arithmetic, were formerly supported by this corporation, but they were gradually discontinued.

<sup>12</sup> Ibid., i., 427. The schoolmaster of Lossiemouth was appointed on the recommendation of the parish minister.

<sup>13</sup> Ibid., i., 443.

girls' school, and a free school, endowed by Jonathan Anderson, upon which was lately ingrafted an academy for teaching the higher branches;<sup>1</sup> in Glasgow, the grammar school;<sup>2</sup> in Greenock, the grammar school and the mathematical school;<sup>3</sup> in Haddington, the burgh school, taught by two teachers;<sup>4</sup> in Hamilton, an English school;<sup>5</sup> in Inverary, the grammar school;<sup>6</sup> in Inverkeithing, a girls' school;<sup>7</sup> in Inverness, a music school;<sup>8</sup> in Kirkcaldy, the burgh school;<sup>9</sup> in Kirkcudbright, the burgh school;<sup>10</sup> in Kirkwall, the grammar school;<sup>11</sup> in Lanark, the grammar school;<sup>12</sup> in Linlithgow, the burgh school;<sup>13</sup> in Montrose, the academy and grammar school, taught by a rector, two masters, two English teachers, and two writing masters, who also taught arithmetic;<sup>14</sup> in Musselburgh, the grammar school and two English schools (one in Musselburgh proper, and the other in Fisherrow);<sup>15</sup> in Nairn, a girls' school;<sup>16</sup> in North Berwick, the high school;<sup>17</sup> in Paisley, the grammar school, a writing school, parish schools of Low, Middle, and High Church;<sup>18</sup> in Peebles, the grammar school, an English school, and a girls' school;<sup>19</sup> in Perth, the academy and grammar school, school for French and other modern languages, school for writing and arithmetic, school for drawing and painting, school for English reading, school for singing and church music;<sup>20</sup> in Port-Glasgow, two schools—English, Latin, and French taught in one; writing, book-keeping, arithmetic, geography, and mathematics in the other;<sup>21</sup> in Renfrew, the grammar school;<sup>22</sup> in Selkirk, the burgh school, and a female school;<sup>23</sup> in Stirling, the high school, a writing and mathematical school, two English schools;<sup>24</sup> in Tain, the parish and burgh grammar school, an English school, and a girls' boarding school;<sup>25</sup> in Wigton, two schools—one for boys, and the other for girls.<sup>26</sup>

<sup>1</sup> Municipal Corporations Report, i., 451.

<sup>2</sup> *Ibid.*, ii., 35.

<sup>3</sup> *Ibid.*, ii., 62.

<sup>4</sup> *Ibid.*, ii., 68.

<sup>5</sup> *Ibid.*, ii., 74.

<sup>6</sup> *Ibid.*, ii., 82.

<sup>7</sup> *Ibid.*, ii., 93.

<sup>8</sup> *Ibid.*, ii., 110.

<sup>9</sup> *Ibid.*, ii., 158.

<sup>10</sup> *Ibid.*, ii., 169.

<sup>11</sup> *Ibid.*, ii., 177.

<sup>12</sup> *Ibid.*, ii., 190.

<sup>13</sup> *Ibid.*, ii., 228.

<sup>14</sup> *Ibid.*, ii., 241.

<sup>15</sup> *Ibid.*, ii., 251, 252.

<sup>16</sup> *Ibid.*, ii., 258.

<sup>17</sup> *Ibid.*, ii., 272.

<sup>18</sup> *Ibid.*, ii., 287.

<sup>19</sup> *Ibid.*, ii., 295.

<sup>20</sup> *Ibid.*, ii., 309.

<sup>21</sup> *Ibid.*, ii., 339.

<sup>22</sup> *Ibid.*, ii., 361.

<sup>23</sup> *Ibid.*, ii., 399.

<sup>24</sup> *Ibid.*, ii., 408.

<sup>25</sup> *Ibid.*, ii., 425.

<sup>26</sup> *Ibid.*, ii., 440.

Of the schools from which the commissioners appointed to inquire into the burgh schools of Scotland got returns in 1867, the following twenty-six were called by the town-clerks burgh schools: Annan academy, Banff, Burntisland, Dumbarton, Dumfries, Dunbar, Dunfermline, Edinburgh, Elgin, Forfar, Forres, Haddington, Kirkcaldy, Kirkcudbright, Kirkwall, Lanark, Linlithgow, Montrose, Musselburgh, Peebles, Perth, Port-Glasgow, Renfrew (burgh), Renfrew (grammar), Selkirk, Stirling; in Cupar there was a 'Madras' school, in St Andrews a 'Madras college;' and eighteen were returned as academies or grammar schools—namely, New Aberdeen, Old Aberdeen, Airdrie, Arbroath, Ayr, Dundee, Edinburgh, Glasgow, Greenock, Inverness, Irvine, Kilmarnock, Leith, North Berwick, Paisley, Peterhead, Stranraer, Tain.<sup>1</sup>

§ 3. The constitution of some of the schools was from an early period partly burgh and partly parochial, the patronage being vested in the town council and landward heritors jointly. Such schools are found in burghs of small note, and acquired the parochial character in consequence of the heritors contributing towards their maintenance. A school possessing this constitution was frequently the only one in the town and parish, one school having been found sufficient for the educational wants of the district, and both bodies of patrons being glad to share the expense between them, instead of each having to support a school.<sup>2</sup> The teacher of the burgh and parochial school was invariably session clerk and precentor, and derived a considerable part of his small income from

<sup>1</sup> Report on Burgh Schools, i., pp. lxx.-lxxii.

<sup>2</sup> Many of the town councils were quite willing to alter the constitution of their schools, especially the English schools, by sharing the patronage with the heritors of the parish in return for being relieved of part of their burden: thus in 1740, the town council of Dundee, taking into consideration that the heritors of the landward parish bear no part of the expenses of the English school, or the salaries of the schoolmasters, order a report to be made as to their liability to contribute to its support: Burgh Records of Dundee. The town council of Banff, in 1762, considering that no salary is established for a schoolmaster out of the parish, according to law, are of opinion that the salary of the assistant

these offices, which were so frequently conjoined that in practice they came to be regarded as parts and pertinents of that of the teacher; in Kinghorn there was a tedious lawsuit which extended from 1770 to 1791, between the town council and kirk session, the former contending for the 'doctrine that the grammar schoolmaster was also session clerk and precentor *ex officio*.'<sup>1</sup> The necessity of consulting the minister and kirk session when the teacher was to be session clerk necessarily limited the patronage of the town, and in course of time, perhaps, changed the original constitution of the school, which may at first have been strictly burghal.

The following case may be cited with the view of showing how this class of schools originated: on 20th October 1606, the bailies and council, and community of Inverury, resolve to have a grammar school at the expense of their common good. The first teacher was paid from that source, but in 1607 the salary of the second schoolmaster was paid partly out of the funds of the burgh and partly by a 'voluntary collection from the gentlemen and ministers adjacent to the town.'<sup>2</sup>

We give two instances illustrative of the steps by which the constitution of a burgh school was changed into that of a burgh and parochial school, and of the character of the agreement entered into between the new patrons. In 1656 the council of Jedburgh admitted the heritors of the parish to the joint management of the grammar school of the burgh by a contract stating, that in respect the parish of Jedburgh

master of the grammar school should be laid on the parish, and authorise a committee of their number to take counsel in the matter: Burgh Records of Banff.

<sup>1</sup> Burgh Records of Kinghorn; Session Minutes of Kinghorn; Presbytery Records of Kirkcaldy.

<sup>2</sup> Burgh Records of Inverury. The school, after having existed only for one year as a burgh school, became burgh and parochial. It retained that constitution until 1649, when it became entirely parochial, the burgh having no voice after that date in the management of the school, although the council continued to contribute more or less towards its maintenance.



consists of a free burgh and a land parish, who have both an equal interest in the school, whenever the 'place of a schoolmaster shall vaik,' the provost and bailies of the burgh and the minister of the parish shall advertise every heritor that the school 'vaiks,' and desire him to attend a meeting for electing a schoolmaster. When the council and heritors convene, they shall choose seven persons on either side—eleven being a quorum, five on each side—who may elect a schoolmaster, but not impose additional burden for the support of the school; and lest the school suffer prejudice by the heritors not compearing, they who attend shall, with an equal number from the town, elect a schoolmaster.<sup>1</sup> A more recent example of a change in the constitution of a school occurred in 1821 when the school of Crail was converted from a burgh school into the school of a parish, consisting of a royal burgh and landward heritors. The history of the constitutional change may be briefly indicated: in 1808, the town council, considering the inadequate means provided for the education of the numerous children in the burgh and landward parish, without having recourse to schools not in connection with the Established Church, propose that another school should be established in the burgh, and appoint a committee to correspond with the heritors in order to provide a salary for the new teacher.<sup>2</sup> This movement appears to have produced no result, and the question of providing for the educational wants of the town and parish was allowed to sleep during another decade. On 5th December 1818, a meeting of the council being called for appointing a burgh teacher, they resolved to consult the heritors, who, on 15th December, agreed to subscribe £18 yearly during the life of the next incumbent.<sup>3</sup> On 27th April 1819, at a meeting of the heritors, the majority gave it as their opinion that the burden of providing for a schoolmaster

<sup>1</sup> Burgh Records of Jedburgh; *cf.* also the Minutes of the Heritors on 19th February 1767 and 14th May 1767, as an illustration of the proceedings of the patrons in appointing schoolmasters under the new order of things.

<sup>2</sup> Burgh Records of Crail.

<sup>3</sup> *Ibid.*

falls on the burgh, and that the heritors are in no respect liable.<sup>1</sup> On the day following, the town council agreed to take the opinion of counsel as to the heritors' liability;<sup>2</sup> and on 30th June, considering that the opinion of John Clerk, Thomas Thomson, James Moncrieff, and James Wilson, advocates, is favourable to the town, they resolve to call a meeting of the heritors in order that the subject be again resumed.<sup>3</sup> A member of the council, present at the meeting of heritors, stated that if they did not join the council, the latter would establish a school for themselves and not admit any scholars from the landward part.<sup>4</sup> At a meeting of the heritors, held on 4th August, it was resolved, that although the majority of the heritors present do not consider themselves liable by law, yet, considering the numerous children in the parish who are without the means of education, they propose that the landward part of the parish should be assessed for 400 merks, and for two-thirds of the expense of repairing the schoolhouse and providing a garden and house for the master, the town continuing to contribute as formerly.<sup>5</sup> At a meeting of heritors held on 1st June 1820, it was agreed to delay the further consideration of the permanent establishment of a school and provision for a schoolmaster till 17th July next;<sup>6</sup> but on 20th December 1820, the minister of Crail produced before the presbytery at St Andrews a copy of the original charter of the foundation of the grammar school of Crail, from which it appeared that the school was strictly a grammar school, endowed by private individuals; the presbytery therefore find that the parish of Crail is entitled to a parochial school, in terms of the Acts of Parliament, and if the heritors shall not, before 28th March 1821, establish the school, application shall be made to the commissioners of supply for remedy, as prescribed by law.<sup>7</sup> On 15th March 1821, the heritors and town council agree to establish a parochial union school, the heritors paying the maximum salary and the town

<sup>1</sup> Minute Book of the Heritors.    <sup>2</sup> Burgh Records of Crail.    <sup>3</sup> Ibid.

<sup>4</sup> Minute Book of the Heritors.    <sup>5</sup> Ibid.    <sup>6</sup> Ibid.

<sup>7</sup> Presbytery Records of St Andrews.

paying £12 annually for the support of a master.<sup>1</sup> The right of the election of the master, who shall be styled rector of the united grammar and parochial school of the town and parish, shall be after the manner of a *vice* patronage, the heritors with the ministers having the patronage at one time, and the town council and minister at another; and it was further provided that the usher be selected by the rector, who shall submit him to the council for approbation, after which he shall be remitted to the minister for examination, and if found qualified, shall be appointed by the council.<sup>2</sup>

A few cases may be quoted to show how the teachers of this class of schools were appointed in the absence of any express agreement between the two bodies of managers. In 1663 the council of Pittenweem approve of an agreement made by the bailies and minister for planting a schoolmaster in the burgh;<sup>3</sup> and in 1677 the council unanimously agree that the bailies and minister, with some of the council, shall appoint a schoolmaster;<sup>4</sup> in 1684 the council seriously recommend to the magistrates to consider with the minister and kirk session for settling a schoolmaster;<sup>5</sup> and in 1697 the minister and elders concur with the council in appointing a master of the grammar school, who was also precentor and session clerk;<sup>6</sup> in 1729, intimation having been made from the pulpit by the minister, calling a meeting of the heritors for maintaining the fabric of the school, the council appoint a committee to represent the town at that meeting.<sup>7</sup> In 1730 the town council of Dingwall ordain the minister of the burgh and two heritors to attend the next diet of council, in order to concur in the election of a schoolmaster of the burgh.<sup>8</sup> The town council of Kilmarnock, in 1764, appoint a committee

<sup>1</sup> Minute Book of the Heritors.

<sup>2</sup> Burgh Records of Crail; Minute Book of the Heritors.

<sup>3</sup> Burgh Records of Pittenweem.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid. The school became a parish school towards the end of the eighteenth century.

<sup>8</sup> Burgh Records of Dingwall.

of their number to attend a meeting of the heritors, and concur with them in the election of a master of the grammar school.<sup>1</sup>

Sometimes one body of patrons elected the teacher, the other afterwards homologating the appointment. Thus, in 1689, the council of Irvine, considering that the minister and session had appointed, during the vacancy of the magistrates, a doctor of the school and precentor of the church, who is paid out of the casualties of baptisms and marriages, and out of the town's patrimony, ratify the agreement.<sup>2</sup> Conversely, on 8th January 1695, the kirk session of Dumbarton being informed that the town council, with consent of the minister, have nominated a schoolmaster, approve of the appointment, the master having the same right as his predecessor to all casualties and fees from the session.<sup>3</sup>

But the two bodies did not always act so harmoniously together as in the cases just quoted. Thus, in 1718, a vacancy having occurred in the office of master of the grammar school of Selkirk, the town council appointed Mr Andrew Elliot, without the consent of the other heritors. The validity of this appointment was disputed by the heritors, and several commissions having been recovered from 1674 downwards, all bearing that the several masters were appointed by the heritors of the landward parish and the council of the burgh, the Court of Session found that the commission granted by the town council, without the votes of the landward heritors, was void. The corporation reclaimed, but before a re-hearing was obtained entered into an agreement with the heritors, dated in 1719, whereby the 'choiceng, calling, admitting, and installing of the rector of the grammar school' was fixed to be by the heritors having each a vote, and two magistrates each a vote.<sup>4</sup>

<sup>1</sup> Burgh Records of Kilmarnock.

<sup>2</sup> Burgh Records of Irvine.

<sup>3</sup> Kirk Session Records of Dumbarton.

<sup>4</sup> Contract registered in the Sheriff Court Books of Selkirkshire. The constitution of this school has given rise to a lawsuit. Under the Educa-

In the election of teachers, and management of this group of schools, or of schools entirely parochial but situated in burghs, the session and heritors were less active as patrons than the town councils; indeed, the management of such schools was left almost entirely to the councils, unless a dispute arose, when the claim of right was wakened. In 1665 the schoolmaster of Forfar was appointed by the town council, though the heritors and the session paid part of his salary.<sup>1</sup> The council of Rothesay appear to have managed for a long time the grammar school in the town, but the 'presenting, placing, and giving commission to the schoolmaster' belonged to Sir James Stewart of Bute and his predecessors. In 1780 an extract of the deed of patronage of the school was registered in the sheriff court books of the shire, from which we learn that the heritors of the parishes of Rothesay and Kengarth, the council of the burgh of Rothesay, and the ministers and elders of the parish of Rothesay, being 'sessionally convened' and considering the poverty and daily decay of the school, by reason of the small funds appointed for the maintenance of a schoolmaster, augment his salary—the town contributing, as formerly, £40 Scots from the common good, and furnishing a sufficient schoolhouse. To prevent 'confusion and disorder in the choice of the schoolmaster, and encourage Sir James Stewart and his heirs to continue their patronage,' the heritors, magistrates, ministers, and elders consent that Sir James Stewart and his successors

tion Act, a school board having been elected for the parish of Selkirk, and another for the burgh, both parties proceeded on the assumption that the school in question, as the school of the parish, became vested in the parish board, which accordingly entered into possession of the school and schoolmaster's house. In October 1873, the burgh board opened negotiations with the parish board for purchasing the school and dwelling-house and garden, believing that these subjects had vested in the latter; but a doubt having been raised by the burgh board as to whether the Act had the effect of vesting the subjects in the parish board, both parties agreed to submit the question to the decision of the Court of Session.

<sup>1</sup> Burgh Records of Forfar.

be patrons of the school.<sup>1</sup> The heritors of Campbeltown do not appear to have interfered at any time in the election of teachers of the grammar school in that burgh, though it was a parochial school, supported partly by them; and after the passing of the Act 43 George III., c. 54, they paid half of the minimum salary of the master, the other half being paid by the town council;<sup>2</sup> in 1831 there was a change in the constitution of this school, which then became a burgh and parochial school, the appointment still continuing with the town council.<sup>3</sup>

<sup>1</sup> The deed is in the charter chest of Rothesay. The only occasion on which the heritors appear to have interfered with the proceedings of the town council in managing the grammar school was in 1763, when the council arbitrarily dismissed the schoolmaster. On 9th November of that year the provost called a meeting of the council in pursuance of a letter from the Earl of Bute, who, as being the most considerable heritor in the town and parish, and as having a claim to the patronage of the school, disapproved of the method in which the teacher was dismissed without trial. The council, having considered the letter, were, with the exception of the provost, of opinion that there was no reason for retracting anything that had been done; at last the schoolmaster was reponed.

<sup>2</sup> This Act, passed on 11th June 1803 with the view of improving the position of parochial schoolmasters, did not apply to a parish consisting only of a royal, or part of a royal burgh, but affected the case of a parish consisting of a royal burgh and landward parish, by requiring that the salary and accommodation in such cases shall be equal in value to those provided by the Act. Teachers in burgh and parochial schools availed themselves, accordingly, of the provisions of this Act when their salary was less than that of a parochial schoolmaster; and teachers of burgh schools sought to bring them within the compass of the Act when their conditions were less favourable than those of the parochial teacher. Thus, in 1803, the master of the grammar school of Crail prays the town council to grant him augmentation of salary according to the Act of Parliament lately passed; the council desire the minister to call a meeting of the heritors, the common good of the town not being able to afford any augmentation; on 16th December the heritors declare they are not liable by the Act for an increase of salary, and are resolved to defend themselves at law; the magistrates are also of opinion that Crail being a royal burgh, it does not come under the operation of the Act: Burgh Records of Crail.

<sup>3</sup> Burgh Records of Campbeltown.

In 1835, the patronage of the following schools was vested in the town councils and landward heritors. The council of Old Aberdeen had, with the other heritors of the parish, a vote in the election of the parish schoolmaster;<sup>1</sup> the magistrates of Brechin elected, with the minister and heritors of the parish, the parochial schoolmaster;<sup>2</sup> the magistrates of Culross, as heritors of the parish, had a voice in the election of the schoolmaster, but the manner was not settled;<sup>3</sup> the united burgh and parochial school of Crail was conducted by a rector, elected alternately by the burgh and landward heritors, the minister being associated with each as a joint elector;<sup>4</sup> the magistrates of Forfar were conjoined with the heritors for the election of a parish schoolmaster;<sup>5</sup> in Hamilton the magistrates had the patronage of the grammar school, the rector being also parochial teacher, and appointed by the heritors of the parish and the council;<sup>6</sup> in the burgh and parochial school of Inverkeithing the teacher was appointed by the town and heritors jointly;<sup>7</sup> the patronage of the grammar school of Jedburgh was vested equally in the burgh and landward heritors;<sup>8</sup> the magistrates of Lauder, along with the heritors and kirk session, appointed the burgh schoolmaster;<sup>9</sup> the magistrates and minister of Newton-upon-Ayr chose the schoolmaster, who had the minimum salary allowed by the Act 43 George III., c. 54;<sup>10</sup> the magistrates of North Berwick, along with the heritors of the parish, had a vote in appointing the parochial schoolmaster;<sup>11</sup> the magistrates of Rothesay had a voice in the election of the schoolmaster of the burgh only as heritors of the

<sup>1</sup> Municipal Corporations Report, i., 50.

<sup>2</sup> Ibid., i., 128.

<sup>4</sup> Ibid., i., 158.

<sup>6</sup> Ibid., ii., 75. In 1848 the grammar school passed into the academy, including a parochial, burgh, and proprietary school: Report on Burgh Schools, ii., 254. It is now managed by the school board: Report on Endowed Schools, ii., p. 491.

<sup>7</sup> Ibid., ii., 93.

<sup>10</sup> Ibid., i., 96.

<sup>3</sup> Ibid., i., 172.

<sup>5</sup> Ibid., ii., 443.

<sup>8</sup> Ibid., ii., 135.

<sup>11</sup> Ibid., ii., 272.

<sup>9</sup> Ibid., ii., 200.

parish in respect of the burgh property;<sup>1</sup> the parish school of Rutherglen was under the patronage of the magistrates, but for many years the right had been exercised by neighbouring feuars and proprietors of portions of land;<sup>2</sup> the magistrates of Selkirk had two votes, along with the landward heritors, in the appointment of the parish schoolmaster.<sup>3</sup>

The commissioners appointed to report on the burgh schools of Scotland in 1867 found that there were nine burgh and parochial schools, and received returns from six of them—namely, Brechin, Campbeltown, Hamilton, Annan, Wigtown, and Arbroath; Falkirk and Rothesay were returned as parochial.<sup>4</sup>

§ 4. The constitution of several schools underwent a modification or alteration in consequence of an endowment having been granted on condition of the patrons divesting themselves more or less of the right of presentation. Thus the constitution of the grammar school of Dunfermline underwent several changes; before the Reformation it was under the direction of the abbot of Dunfermline; between that event and 1610 the patronage was probably exercised by the council of the burgh or the commendator of the abbey; in 1610 the school received a constitution from Queen Anne, who mortified £2000 for paying the salaries of the masters of the grammar and sang schools, providing 'always that it should

<sup>1</sup> Municipal Corporations Report, ii., 368. In 1868 the patrons were three—the provost, the Marquis of Bute, and the parish minister: Report on Burgh Schools, ii., 153.

<sup>2</sup> *Ibid.*, ii., 374.

<sup>3</sup> *Ibid.*, ii., 399.

<sup>4</sup> Report on Burgh Schools, i., 70-72. In forty burghs there were no high schools, but only parochial or other schools. From the following twenty-seven burghs they got no returns: Anstruther Easter, Anstruther Wester, Bervie, Crail, Cromarty, Cullen, Culross, Dingwall, Dornoch, Dysart, Fortrose, Inverary, Inverkeithing, Inverury, Jedburgh, Kilremy, Kintore, Lauder, Lochmaben, Nairn, New Galloway, Pittenweem, Queensferry, Rutherglen, Sanquhar, Whithorn, Wick; but in these burghs there are no burgh schools, or if they exist, they are on a level with parochial or other elementary schools.



not be lawful to the provost, bailies, and community of the burgh, nor to their successors, to admit, place, or depose the present masters of the schools or their successors, without the special advice, concurrence, and consent of the Queen's most excellent majesty and her successors, or else of the present heritable bailie of the lordship of Dunfermline, and his successors, bailies thereof, so that the full right of presentation shall remain with her majesty and her successors, and heritable bailies of the lordship; and the provost, bailies, council, and community of the said burgh oblige themselves and their successors to give the said patrons faithful advice as to the qualifications, life, conversation, admission and deposition of the said masters, which advice the said patrons promise to accept, in so far as the same is conducive to the weal of the burgh, and to the virtuous and good upbringing of the youth.<sup>1</sup> The patronage of the grammar school continued from that time till the passing of the Education Act to be exercised by the heritable bailies of Dunfermline, who it is believed generally nominated the person recommended by the town council.<sup>2</sup>

In 1630, Charles I. granted to the Earl of Dunfermline, as bailie of the lordship of Musselburgh, and to the magistrates, council, and inhabitants of the burgh, the right of presenting the master of the sang school of the burgh, endowed by the king.<sup>3</sup> In 1634, Sir Patrick Maule having acquired the lordship of Brechin and the right of presentation to the preceptory of the Maison Dieu, with which the office of schoolmaster was combined, appointed the son of the former chaplain to the preceptory, on condition that he should 'teach the youth of the city in grammar, and exercise the place and charge of master of the grammar school.' It appears that subsequent appointments of masters were made by the council, who, however, recognised the right of the Earl of Panmure as lay impropiator of the benefice, by making formal appli-

<sup>1</sup> The Original in the charter chest of Dunfermline.

<sup>2</sup> Mun. Corpor. Report, i., 261; Report on Burgh Schools, ii., 97.

<sup>3</sup> Report on Burgh Schools.

cation to him at every election for the preceptory. The bishop of Brechin was associated with Lord Panmure in making the appointment in 1685, but from the rebellion of 1715, when the property of the Earls of Panmure was annexed to the Crown, the council were patrons of the grammar school; though, when a rector was appointed, they formally applied to the Crown for the emoluments of the preceptory.<sup>1</sup> On 6th June 1651, three daughters of John Tweedie, sheriff-clerk of Peebles, grant certain lands and houses for augmenting the fee of the schoolmaster of the burgh, providing always that certain persons named have a voice in, and consent to, the election of the teacher.<sup>2</sup>

The change in the patronage of the school was not always for the benefit of education; thus, in 1700, the magistrates and council of the Chanonry of Ross, considering the deplorable condition of the burgh for want of a schoolmaster, appoint a committee to deal humbly with the Countess of Seaforth for presenting a qualified person to serve as schoolmaster of the burgh.<sup>3</sup> In 1716, the town being at a great loss for want of a school, now vacant, the council appoint a committee to wait on the Countess - Dowager of Seaforth, that she may 'extend her goodwill and do justice to this town with respect to the encouragement of a new schoolmaster to be presented by the magistrates, conform to the old letter of mortification given to that effect.'<sup>4</sup>

The history of the origin of the right acquired by the kirk session of Dunfermline in having a vote in the election of the doctor of the grammar school of the burgh is not without interest. On 25th May 1745 there was read before the council an extract obligation granted by the provost,

<sup>1</sup> Report on Burgh Schools, ii., 34.      <sup>2</sup> Burgh Records of Peebles.

<sup>3</sup> Burgh Records of Fortrose. We have not been able to discover the date of the endowment, but in 1661 Parliament enacts, that notwithstanding the loss of the deed endowing the school, the proprietors of lands from which the feu-duties are payable shall pay as before to the schoolmaster: Acts of Parliament, 1661, c. 318, vii., 290.

<sup>4</sup> Ibid.

bailies and council of the burgh, dated 14th September 1678, and registered in the regality books of Dunfermline on 18th September of the same year, narrating that the ministers and kirk session of Dunfermline mortified in the hands of the magistrates and council 1000 merks Scots for augmenting the stipend of the doctor; also, that the council, at that time in office, granted to the minister and kirk session, and their successors, equal right of patronage with them and their successors in presenting a doctor to the school as often as the same should be vacant; all which being considered by the council who 'knew nothing about the bond until lately,' and wishing to cultivate a good understanding with the session, confirm the said obligation in all points; and as the office of doctor is now vacant, the council desire the session to concur with them in settling a proper person as doctor in the school.<sup>1</sup> The right acquired by the kirk session of Crail in having a voice in the election of the school doctor probably originated in the same way as at Dunfermline, that is, by contributing towards his salary.<sup>2</sup> We read that in 1716 it was represented to the town council that the ministers and elders of the kirk session have unanimously agreed that John Row shall continue as doctor of the grammar school till Martinmas next, a resolution acquiesced in by the town council.<sup>3</sup>

The most important case in recent times of the surrender by a town council of the patronage of the school, is that of the grammar school of St Andrews, of which the council divested themselves in 1831. On 13th April of that year, the provost of St Andrews stated that he had called the council for the purpose of laying before them a communication from the very reverend Dr Andrew Bell, which his sister, Miss Bell, had transmitted to him through the town-clerk: '9th April 1831. Many of my negotiations and exertions in be-

<sup>1</sup> Burgh Records of Dunfermline.

<sup>2</sup> In 1669 the kirk session of Crail, for the encouragement of the assistant to the master of the grammar school, agree to pay him yearly £10 out of the session box: Kirk Session Records.

<sup>3</sup> Burgh Records of Crail.

half of the good town [of St Andrews] fail, and I am now come to a last effort, if you can meet it, without losing a day. I will make over for the benefit of your school my estate of Egmore, rental £400 a year, if you will engage to pay a free annuity of £400 a year to my sister during her life. Be so good as answer yes or no; and write immediately by post, and send by the mail coach the necessary papers.' The council having considered the 'very liberal and munificent offer of Dr Bell, and the laudable, important and benevolent object which it aims at, deem it incumbent on them as administrators of the property of the city to accede to the proposals of Dr Bell—presuming, as they do, that Dr Bell intends them to continue patrons of the school.'<sup>1</sup> The next entry in the records shows that Dr Bell had no such intentions; for, on August 6, the provost stated that by the deed of trusts certain shares of stocks disposed to the town are to be transferred to four trustees, being the provost and the ministers of St Andrews for the time being, and Professor Alexander, and, at his death, the sheriff-depute of Fife for the time being, for the purpose of erecting and endowing a Madras college in the city; it is also conditioned in the deed that the present salary of £50 sterling per annum now payable to the Latin and English teachers of this city, shall be continued to these masters in time coming, in addition to such sums as may be allowed to them by the trustees of the college. The two public schools would thus be incorporated with the Madras college. In consequence of this grant Dr Bell proposed that the appointment of the Latin and English masters should, upon a vacancy occurring, be vested in the trustees of the Madras college, a proposal which appeared reasonable to the provost, who therefore recommends the council to commit the appointment of these two masters to the trustees and their successors. The council having considered the 'unparalleled munificence of Dr Bell, bind themselves and their successors in office to transfer the patronage and right

<sup>1</sup> Burgh Records of St Andrews.

of presentation of the Latin and English masters of this city to the trustees appointed in the deed.<sup>1</sup>

The constitution of the school of Leith was in 1835 in an anomalous state, being under the management of several bodies nowise connected with one another. Originally there was a school endowed with considerable funds, which having come into the possession of the kirk session of South Leith, they appointed two masters with salaries, the one corresponding to the teacher of a high school, and the other to a parish schoolmaster. In 1804, the high school was built by public subscription, and placed under the direction of trustees, consisting of the magistrates, ministers, and heads of corporations. After the creation of Dr Andrew Bell's trust, a salary was given by the trustees to two of the teachers who, accordingly, were in 1835 under the direction of the kirk session, the trustees of the school, and Bell's trustees.<sup>2</sup> In 1848 the magistrates and council and two ministers became managers of the school; but latterly, the rector was entrusted with the appointment of teachers and the general control of the school. The school was managed in 1857 in much the same way as an ordinary adventure school, the rector appointing such and so many masters as he considered requisite.<sup>3</sup> The school is now transferred by the trustees to the school board of Leith, who have resolved that it shall be deemed a higher class public school.<sup>4</sup>

§ 5. Another class of schools remains to be noticed,—namely, 'academies.' About the middle of last century there

<sup>1</sup> Burgh Records of St Andrews. Objections were made to the arrangement by which the town gave away the property of the school and school grounds, surrendered the patronage of the two masters, became bound to continue to the new establishment the salaries they were wont to pay to their own school, and divested themselves of any control of the funds originally appropriated for a town's school, except in so far as the provost is *ex officio* a trustee of Madras college: Municipal Corporations Report, ii., 382, 383.

<sup>2</sup> Municipal Corporations Report, ii., 214.

<sup>3</sup> Report on Burgh Schools, i., p. 122.

<sup>4</sup> Report on Endowed Schools, ii., pp. 516, 520.

arose a cry for a more liberal and more practical course of education than that supplied by the old burgh schools, where the neglect or omission of the commercial branches was felt to be a great evil—an evil which the burgesses and others interested in education endeavoured to remove by introducing science classes into the schools. At first, in some academies this branch alone was taught, but in a short time they lost their original characteristics; became, in fact, grammar schools, with this difference, that the new schools, designated academies, had a more practical course of studies, more commodious buildings, better staff of teachers, better organisation, and generally a new body of patrons. Though at first the academies were intended merely to supplement the grammar schools, in a short time they superseded or absorbed them; and in a few instances, instead of amalgamating with them, became their rivals.

The oldest academy in Scotland is that of Perth, which was projected on 24th September 1760, when the town council, considering that it would be of 'great utility to the youth to have an academy for literature and science established in Perth, recommend an inquiry to be made on the footing of academies in other places.'<sup>1</sup> On 17th November following, Mr Bonar, one of the ministers of the city, read before the council a memorial stating that in some ages education had either been entirely neglected or allowed to run in a very narrow channel. 'Not long ago, all learning consisted in the grammatical knowledge of the dead languages, and in skill in metaphysical subtleties; now things begin to be estimated according to their value. The time necessary for completing a course of education at the universities and the expense of such attendance prove an insurmountable bar in the way of the greater part who have inclination for these studies.' The advantage of academies, of which there is scarcely any institution of the kind in Scotland, would, it is stated, be obvious from a scheme of education which he proposed for the acceptance of the council, and might be completed in two sessions.<sup>2</sup>

<sup>1</sup> Burgh Records of Perth.

<sup>2</sup> Peacock's History of Perth, 524.

Perth was considered to be a very proper place for an institution of this kind; the town is at a considerable distance from any of the universities, very pleasant and healthy, the centre of a populous country—so that an institution of this kind would co-operate with the national plan of improving and civilising the Highlands—provisions may be had at a reasonable rate, and there is good accommodation for boarders; the people being of a sober and industrious disposition, the manners of the youth are in less danger of being corrupted here than in any of the great towns.<sup>1</sup>

At Ayr there long flourished a school in which better provision was made for imparting the education proposed to be now supplied by the academies than, perhaps, in any other school of Scotland. Arithmetic, mathematics, and natural philosophy, were taught in the school of Ayr long before the period when the prospectus of the academy was published in 1794, which sets forth that the education supplied by the universities is tedious and expensive—ill suited to the great bulk of a people in a commercial country. Even among those so educated, well founded complaints are frequently made that the university education has rather tended to unfit than qualify them for the active business of life. Sensible of these disadvantages, and desirous not only that their youth should be more completely instructed in the most useful parts of learning, but that they should have their education more under the observation of their parents and friends than when sent to distant colleges, gentlemen in different parts of the kingdom have procured the establishment of academies for the instruction of youth, furnished with teachers of approved abilities. The town of Ayr is happily situated for a seminary for liberal education from the cheapness of its markets, healthful climate, and central position in a large and populous country.<sup>2</sup>

Following the example of other burghs, the town council of Elgin, on 14th June 1791, issued an address to the public soliciting subscriptions to establish an academy at Elgin. The

<sup>1</sup> Muses Threnodie.

<sup>2</sup> Minute Book of the Academy.

prospectus states that university education must ever continue of consequence to those intended for the learned sciences; but sensible of the advantages of having youth educated in the most necessary parts of learning nearer home, and more under the eye of their parents and friends, academies have been established in different parts of the kingdom, and the success attending these institutions has given the most ample proof of their ability. The committee opened a subscription for establishing a good seminary of learning at Elgin, so happily situated in one of the best climates in Scotland; but the academy was not ready until 1801, when the classrooms are advertised as being very commodious, and the school situated in a pleasant and healthy locality; the town of Elgin is large, the country very fertile, and the markets regular, and well supplied.<sup>1</sup>

In 1810 the directors of the academy of Fortrose, established in 1791, issued circulars asking for additional subscriptions to the funds of the academy. The circular states that this institution was the earliest of the kind established north of the Spey, that it has already been of considerable utility, and from the abilities and steady conduct of the teachers, the directors recommend it to public notice and patronage. Fortrose, the venerable seat of the bishops of Ross, esteemed by many the Montpelier of Scotland, is perhaps as healthy and happy a situation as any in the kingdom for such an institution.<sup>2</sup>

<sup>1</sup> Elgin Case (Session Papers, No. 541).

<sup>2</sup> Records of Fortrose Academy. In answer to that appeal, the most distinguished alumnus of the academy, of whom a greater academy might well be proud, remitted to the Rev. Mr Smith, Avoch, between £600 and £700 for the use of the institution; he writes: 'BOMBAY, 15th June 1810. DEAR SIR,—About a fortnight ago I received your letter of Dec. 16, and I take the earliest opportunity of thanking you and the other managers of the academy of Fortrose for doing me the justice to believe that I shall ever retain an interest in a seminary which opened to me the road to knowledge. I have already circulated the subscription papers here, with more success than I expected, in a place where literature is not much pursued, or, I fear, even respected.'



It is of interest to examine the course of study proposed for these academies. The curriculum sketched for the Perth Academy in 1760 consisted of the higher branches of arithmetic, mathematical, physical, and political geography, logic, and the principles of composition; algebra, including the theory of equations and the differential calculus; geometry, consisting of the first six books of Euclid; plane and spherical trigonometry; mensuration of surfaces and solids; navigation, fortification, analytical geometry, and conic sections; natural philosophy, consisting of statics, dynamics, hydrostatics, pneumatics, optics, and astronomy; and subsequently chemistry was added, consisting of heat, light, including spectrum analysis, chemical affinity, laws of combining proportion, atomic theory, nomenclature, and notation, the gases, acids, alkalies,

I shall use every effort in my power in this subscription, which is the only one I ever recommended. I shall be zealously seconded by Captain Smith (son of Mr Smith, formerly master of Fortrose school), who, after some vicissitudes of fortune, now fills a lucrative and very respectable office, very creditably, I believe, to himself. From present appearances, I should guess that we might hope to raise £500 at this presidency. I shall send a copy of the subscription paper to Mr Falconer, Secretary to Government at Madras, who was my school companion at Fortrose, and who will, I dare say, effectually patronise the subscriptions. The modes of remittance from hence to Great Britain are easy and secure. I shall take care to send you the money, probably in October, but perhaps not till February. If I go home, I shall carry it myself, but this is a matter too uncertain to say anything about.—I remain, very respectfully yours, JAMES MACKINTOSH.' In a second letter, dated BOMBAY, 30th September 1810, he says: 'MY DEAR SIR,—In June I wrote to inform you that I would use every possible exertion to promote the object of the trustees of the Fortrose academy. I have now the pleasure to inform you that we have collected by subscription at this place the sum of £627, 8s. The Governor of Bombay, Captain Smith, son of the late Mr Smith of Fortrose school, and Mr Inglis, nephew of the late Provost Inglis of Inverness, subscribed £50 each; General Abercrombie, and several other gentlemen, have contributed £25 each. I am very happy in being able to give a proof of my zeal for the diffusion of knowledge in my native country, and my good wishes to a seminary to which I owe the inestimable blessing of liberal education. With every good wish to you and your family, I am, my dear Sir, yours truly and sincerely,—J. MACKINTOSH.'

etc.<sup>1</sup> The town council adopted, with some modifications, this programme, voted a large sum of money as salaries, and appointed a rector and master to carry it out.<sup>2</sup>

The programme adopted for the Dundee academy, if not quite so ambitious as that of Perth, was in substance the same. From an advertisement dated 1786, we learn that the academy was designed to instruct young gentlemen in mathematical learning, and the several branches of science with which it is connected. The whole course will be conducted in the following order: First class, arithmetic in all its parts; second, bookkeeping; third, first class of mathematics, comprehending the elements of Euclid, plain trigonometry, practical geometry, containing the elements of mensuration, surveying, and gauging; fourth, second class of mathematics, comprehending algebra, conic sections, spherical trigonometry, fluxions, and geography; fifth, navigation; sixth, natural philosophy and astronomy; seventh, drawing, perspective; eighth, French.<sup>3</sup>

A meeting of a committee of the town and county of Inverness was held at Inverness on 29th January 1787, in order to form a plan for establishing an academy at Inverness; on 1st May 1788, it was resolved that there should be

<sup>1</sup> This academy has in a large degree carried out the original intention; chemistry has been taught in it during the last seventy years; natural philosophy, in all its branches, at least a hundred years; and the elements of geology, botany, and natural philosophy about thirty years, so that the claim of Perth to the honour of having been the first burgh in Scotland to introduce science classes into our public schools is well founded: Conference on Education, p. 29.

<sup>2</sup> The first rector was Mr Mair, who for a long time was master of the grammar school of Ayr; he is well known as the author of a 'Treatise on Bookkeeping,' and an 'Introduction to Latin Syntax;' he filled the office from 1761 till his death in 1769. His successor was Dr Hamilton, who discharged the duties of rector during ten years, when he was appointed professor of natural philosophy in Marischal College, Aberdeen. He is also well known for two treatises, namely, 'Introduction to Merchandise,' and an 'Inquiry into the Rise, Progress, Redemption, and Present State of the National Debt.'

<sup>3</sup> Burgh Records of Dundee.

the five following masters in the academy : one for English ; one for Latin and Greek ; one for writing, arithmetic, book-keeping, algebra, and geography ; one for mathematics and astronomy, navigation, fortification, gunnery, land surveying ; and one for mechanics, natural and experimental philosophy, and natural history. French and drawing shall be taught by the master best qualified, until a special master can be appointed for these branches.<sup>1</sup> The prospectus of the Ayr academy, issued in 1794, states that it is proposed to engage masters of distinguished abilities for teaching writing, arithmetic, bookkeeping, geography, algebra, mathematics, mechanics, navigation, astronomy, natural and experimental philosophy, together with a sketch of natural history ; all which, with schools for English, Latin, Greek, French, drawing, and music, shall be included in one seminary ; and the grammar school instructions being finished, it is believed that by teaching for ten months in the year, and adopting a proper arrangement of classes, a complete course of the other parts of this academical education may be completed in two years and a half, or at most in three years.<sup>2</sup> To enable the public to judge of the utility of the institution to be established at Elgin, they were told that masters should be engaged of the first abilities for teaching the English and French languages grammatically, and church music, Latin and Greek, with ancient and modern geography, writing, arithmetic, bookkeeping, and the elements of mathematics, including geometry, trigonometry, algebra, navigation, surveying, perspective, and drawing.<sup>3</sup> When the academy was opened in 1801, fortifica-

<sup>1</sup> Minute Book of the Academy. The year was divided into two sessions of five months each, one commencing on 10th January, and ending on 10th June ; the second beginning on 20th July, and ending on 20th December. Each of the three last mentioned masters shall divide his course into two parts, each part to be finished in one session ; but when he begins the second part in the second session, he shall at the same time begin the first part again, and so go on with two classes during the same session.

<sup>2</sup> Minute Book of the Academy.

<sup>3</sup> Elgin Case (Session Papers, 541).

tion, gunnery, and architecture were also said to be taught in the most approved method.<sup>1</sup>

An elaborate programme or curriculum was adopted for the Fortrose academy. We learn from a report made by the presbytery of Chanonry, of date 1802, that the rector taught Latin, Greek, and French; geography and the elements of general history, both ancient and modern, but particularly the history of Great Britain and Ireland; superintended the good order, principles, and morals of the whole academy; taught his class daily; prayed with and attended to church the other masters and scholars of the academy every Sabbath during a course of two sessions of five months each yearly; and had in his several classes thirteen scholars. The second master taught mathematics, arithmetic, drawing, and book-keeping; the elements of Euclid, algebra, navigation, land surveying, and other measurements; also the elements of chemistry and natural philosophy; taught his class daily, and attended his scholars to church. The third master taught reading, principles of English grammar, and writing, all in the most approved and modern style; held his classes daily; and had sixty scholars in his classes daily.<sup>2</sup> The Annan academy was founded on 16th July 1801, 'for the education of youth upon a liberal plan.'<sup>3</sup> At the commencement of the royal academy of Tain, founded by voluntary subscription in 1810, it was announced that the teachers should consist of a rector and an assistant for teaching, on the most approved plan, reading and writing the English language grammatically and correctly; the Latin and Greek languages, arithmetic, bookkeeping, algebra, geometry, navigation, the elements of fortification and gunnery.<sup>4</sup> Peterhead academy was founded on 15th June 1846, for 'affording the means of a liberal education to all classes of the inhabitants.'<sup>5</sup>

The constitution of the governing bodies of academies partakes to some extent of the proprietary and public element.

<sup>1</sup> Elgin Case (Session Papers, 541).

<sup>2</sup> Presbytery Records of Chanonry.

<sup>3</sup> Report on Endowed Schools, ii., 344.    <sup>4</sup> *Ibid.*, 600.    <sup>5</sup> *Ibid.*, 569.

These high schools having been established by voluntary subscriptions, their management was vested in a body of the subscribers and certain persons *ex officio*, but in the directorate the members of the town councils had more or less a place as representing the community, and because they had contributed from their funds for the erection and maintenance of those schools which as a rule absorbed their own old burgh schools. It is a peculiarity of the Perth academy that the proprietary element was not introduced into its constitution. Its patronage has always been in the hands of the town council, and the subscribers appear to have had at no time any voice in the management of the institution, or the appointment of its teachers.<sup>1</sup> Nor did the town council of Elgin part with the patronage of the academy when it was built in 1800, at the joint expense of the town and the public. This school is now, like other burgh schools, under the school board.<sup>2</sup> The case of the academy of Dumfries is also exceptional; there were two separate schools in the burgh under the control of the council until 1802—the grammar school, in which classics and English were taught, and the commercial school, in which writing, arithmetic, mathematics, and navigation were taught.

<sup>1</sup> Before 1807 the academy and grammar school were conducted in separate buildings; but at that time a new building was erected at an expense of £7000, of which the town council contributed £1050, and the public the rest. The whole of the departments taught in this building were advertised as one school by the patrons about fifty years ago, and called the Perth academy; and this is the name of the institution in the Education Act.

<sup>2</sup> At first, however, the projectors intended to give it the same constitution as other academies. In the address to the public, dated 14th June 1791, it was announced that subscribers of £50 sterling shall be directors for life; and such as subscribe £100 sterling to have the same privilege, which shall descend to their heirs, when of age and resident in the county; that the provost, bailies, dean of guild, and treasurer of the burgh, and convener, shall also be directors; likewise two gentlemen heritors to be chosen at the annual county meeting; and two guild brethren, not in council, to be chosen by the guildry: Elgin Case (Session Papers, No. 541).

When the present buildings were erected by subscription, and called the academy, they were opened with a staff of masters—the management being shared between the subscribers and council until 1814. At that date the patronage was handed over to the town council who continued as sole patrons until the passing of the Education Act;<sup>1</sup> in the same way, the subscribers of the Dumbarton academy, erected in 1865, handed over the buildings when finished to the management of the town council, who were succeeded by the school board.<sup>2</sup>

We shall now briefly describe the constitution of the governing bodies of some of the academies. The Arbroath academy, superintended by the magistrates and a body of directors,<sup>3</sup> was superseded in 1861 by the high school, which was managed, in 1868, by representatives of the town, of the subscribers, and of the different churches.<sup>4</sup> The management of the Ayr academy is vested, by royal charter, dated 28th June 1798, in seven directors, annually chosen from the magistrates and council of the burgh, in the sheriff-depute of the county, in the nearest heir-male of John Ferguson of Doonholm, in all persons, or incorporations, subscribing £50, and in five persons annually from subscribers under £50 and not under £5.<sup>5</sup> By the Education Act, the Ayr academy is to be managed by the school board of the burgh, as a higher class school.<sup>6</sup> The trustees of the Annan academy, founded by heritors, burgesses, and town council of Annan in 1801, were formerly a committee of the burgh heritors and town council—now the school board of the burgh.<sup>7</sup> The grammar school and the English school of Cupar-Fife were amalgamated about 1822 into the academy, the patronage of which was exercised, in 1835, by the magistrates, subscribers of £10, and certain persons *ex officio*; this

<sup>1</sup> Extracted from a Report prepared by the council.

<sup>2</sup> Report on Endowed Schools, ii., 418.

<sup>3</sup> Municipal Corporations Report, i., 5.

<sup>4</sup> Report on Burgh Schools, ii., 39.

<sup>5</sup> Municipal Corporations Report, i., 86; Report on Burgh Schools, ii., 262. Cf. also Minute Book of Academy, under 2d May 1796.

<sup>6</sup> Report on Endowed Schools, ii., 353.

<sup>7</sup> *Ibid.*, 344.

institution was merged into the Madras academy, created by the Bell Trust, and managed by the lord-lieutenant of the county, the provost, the dean of guild, and two Established Church ministers of Cupar.<sup>1</sup> The high school of Dundee is made up of three other schools, now incorporated into one institution; the oldest being the grammar school, towards which Queen Mary, by warrant of her Privy Council, appointed £10 yearly to be paid, from a fund called the hospital fund; the other schools being of more recent origin—the English school and the academy. The patronage of the high school was vested in twenty directors; the subscribers to the building fund, and to a fund for providing a salary to the teachers, elected ten; and the provost and magistrates, with as many more as make up the other ten, completed the number.<sup>2</sup> The provost of Fortrose, the sheriff-depute of the county of Ross, and the presbytery of Chanonry were appointed constant annual visitors of the Fortrose academy, erected in 1791; also every subscriber of £50, and his heir, was a visitor, with the perpetual right of sending to the academy any one to be educated in the two highest classes, without paying fees; also every subscriber of £21, with the privilege of sending a free scholar during his own life. In 1817, the management of this academy was vested in a president and thirteen directors, five from subscribers of not less than £10, 10s., two from the town council, two from the heritors of Rosemarkie, two from the presbytery of Chanonry, and two appointed at the county meeting.<sup>3</sup> Greenock academy was opened in September 1855; half of the directors being appointed by the town council from their own body, and the other half appointed by the proprietors of the school.<sup>4</sup> A royal charter, dated in 1793, vests the management of the

<sup>1</sup> Report on Burgh Schools, ii., 85. Since the trust came into operation the burgh paid nothing, though the deed provided for considerable yearly payments by the burgh, which gave only the buildings: Report on Endowed Schools, ii., 392.

<sup>2</sup> Report on Endowed Schools, ii., 425; Mun. Corp. Report, i., 233.

<sup>3</sup> Records of Fortrose Academy.

<sup>4</sup> Report on Endowed Schools, ii., 482.

Inverness academy in the provost, four bailies, and dean of guild; sheriff-depute of the county; moderator of the presbytery; and five persons chosen annually by the commissioners of supply; subscribers of £50; and heirs-male of subscribers of £100.<sup>1</sup> The academy of Irvine, originally promoted by the town council, who subscribed from the common good £1600, the rest, £400, being raised by subscription, was incorporated by royal charter in 1818, with the following directorate: the provost, bailies, dean of guild, and treasurer, with six councillors; subscribers of £50, and their heirs-male; three representatives chosen from those who subscribe £5 and upwards; the heirs-male of such subscribers being also entitled to elect three representatives from their number.<sup>2</sup> In the middle of the last century, the parochial or grammar school and the English or high school of Kilmarnock were taught under one building; in 1806, the heritors and ministers proposed to the town council that, as the joint schools were not nearly large enough, a new school-house should be built, containing accommodation for a teacher of English, another, of Latin and Greek, another, of writing and drawing, and a fourth, of arithmetic, mathematics, and geography; a committee of the town council was appointed to co-operate with the heritors, and their labours resulted in the erection of the academy of Kilmarnock, for which a constitution was framed in 1811, and again approved, with some addition, in 1828. The management was vested in the subscribers in equal proportion—five heritors, five councillors, five subscribers, one member of the Merchant Society, three ministers, in all nineteen. That number was afterwards reduced to fourteen (five heritors, five councillors, one subscriber, three ministers). The directors appointed the teachers, other than the parish teacher, who was elected by the heritors, but generally on a recommendation by the directors.<sup>3</sup> In 1864, the gram-

<sup>1</sup> Mun. Corp. Rep., ii., 110; Report on Burgh Schools, ii., 291.

<sup>2</sup> It is now under the school board who have declared it to be a high-class school.

<sup>3</sup> Cf. Kirk Session Records, Burgh Records, and Records of the



mar school and the English and commercial school of Paisley were amalgamated into the academy, which was managed by the town council and a committee of subscribers to the building,<sup>1</sup> and is now under the school board. The government of the Peterhead academy, established by public subscription and donation from Government, was entrusted to a board of directors, the provost, three bailies, and Protestant ministers of the burgh being *ex officio* directors; other directors were elected by subscribers of £5; besides these, any subscriber of £50 became a director for life.<sup>2</sup> The governing body of the Tain academy consists of the provost and eldest bailie of Tain, the sheriff-depute of Ross, the sheriff-substitute of Ross, moderators of the synod of Ross, Caithness, and Sutherland, and of the presbytery of Tain; and others elected annually.<sup>3</sup>

§ 6. In every burgh of Scotland schools had been founded for instructing the children of burgesses,<sup>4</sup> the patronage of which was, till recently, generally exercised by the town councils. Eminent educationists have thought that it could not be placed in better hands than those of town councils, as reformed by the Municipal Act; the councils had always exercised the responsible trust with intelligence, impartiality, and success; they represented the community, and did not fail to introduce changes and reforms demanded by their constituents; in most cases they sent their own children to the burgh school, whose character, for their own sake, and for the credit of the burgh, was to them a matter of great importance. In a subsequent chapter we shall see the solicitude with which they appointed the masters of the schools.

The patronage of the second group of schools—burgh and Academy. In 1868, the directors consisted of representatives of the heritors, of the town council, of the original subscribers, and the two ministers: Report on Burgh Schools, ii., 143.

<sup>1</sup> Report on Burgh Schools, ii., 166.

<sup>2</sup> Report on Endowed Schools, ii., 569.

<sup>3</sup> *Ibid.*, 600.

<sup>4</sup> The commissioners appointed in 1867 to report on our burgh schools found that in seventy-six burghs, excluding Kinghorn, Oban, and Portobello, there were eighty-two schools: Report on Burgh Schools, i., p. lxx.

parochial—appears to have been carefully exercised. In this class of schools the town councils and landward heritors appointed the teachers—sometimes alternately, but generally after a certain proportion of representation. The town councils generally took more interest in the welfare of a school to which their children largely resorted, than the landward heritors, who, as a rule, used it in a lesser degree; but between the two bodies of patrons we cannot doubt there would be found a sufficient number who encouraged a promising teacher, or otherwise sought to promote the interests of their little school.

The directorate of academies is well adapted for conducting a school—especially a school intended for teaching the higher branches of education. The town councils were generally represented in the board of management, and there were also the subscribers, who doubtless took a lively interest in an institution to which they had subscribed, more or less liberally.

The Education Act of 1872 produced a revolution in the patronage of schools, which is now vested in the school boards.<sup>1</sup> In some instances the Act has benefited the grammar schools; but experience tends to confirm the opinion of some distinguished teachers who hold that school boards are not particularly well fitted to promote the higher education of the country. The members are in many cases elected after a contest

<sup>1</sup> The Act transfers to school boards the powers and duties of the town councils and magistrates or other authorities with regard to burgh schools, which shall include any school to which that term is now legally applicable, although it may be called an academy, or a high school, or a grammar school, or any other name: 34 and 35 Vict. c. 62, §§ 24, 36. With respect to schools erected or maintained with funds derived from contributions or donations made for promoting education, the persons vested with the title of such a school, with the consent of the persons having the administration of the trusts upon which the school is held, may transfer it to the school board, which, with the sanction of the Board of Education, may accept of such transference. This offer having been made and accepted, the school becomes a public school, and is managed by the school board: § 38. The consent to the transference of the persons having the administration of the trusts on which any school is held, may be given by a majority of not less than two-thirds of those having the administration of such trusts: § 39.

in which little regard is paid to their knowledge of education. Many of them, perhaps, have never paid any attention to the subject; and if any one is elected who has a hostility to the school or teacher—and unhappily such cases have arisen, he has it in his power to do much mischief to the school. An appeal exists to the education board, but it is unpleasant for a teacher to be opposed to his patrons and superiors; and even although pecuniary interests may be materially affected, few would care to incur the risk, expense, and trouble of bringing the case under the review of the courts of law. But if the school boards prove not as good patrons of the higher branches of instruction as the authorities which they have superseded, such certainly was not the intention of the Act, which distinctly aimed not only at organising a system of elementary public schools to be managed by the people themselves, but also at promoting higher instruction by converting schools in which elementary and secondary instruction were formerly given, into schools for promoting the higher branches of knowledge. Perhaps the most important feature of the Act is the section which seeks to separate the elementary from the secondary schools, and encourages generally the establishment of higher class public schools in the principal burghs. Sect. 62 provides that, with respect to high schools existing at the passing of this Act, in which the education given does not consist chiefly of elementary instruction in reading, writing, and arithmetic, but of instruction in Latin, Greek, modern languages, mathematics, natural science, and generally in the higher branches of knowledge, a school board having the management of any such school shall, so far as practicable and expedient, subject to the approval of the Board of Education, relieve the same of the necessity of giving elementary instruction in reading, writing, and arithmetic to young children, by otherwise providing sufficient public accommodation for such elementary instruction, so that the funds and revenues of such higher school, and the time of the teachers, may be more exclusively applied to giving instruction in the higher branches.