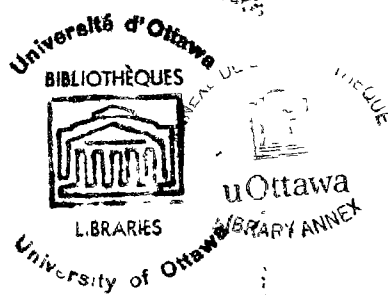


PROBLEMS CONNECTED WITH THE  
ORIGIN AND ESTABLISHMENT OF SEPARATE SCHOOLS  
IN CANADA WEST (1841-1852)

by

Sister Mary of St. Genevieve, C. S. C.

Thesis presented to the Faculty of Arts  
of the University of Ottawa through the  
Department of History as partial ful-  
fillment of the requirements for the  
degree of Master of Arts.



*Degree conferred  
Oct. 6, 1960  
- R. H. Murphy  
- J. G. ...  
Secret. Grad. Div.*

Ottawa, Canada, 1960

UMI Number: EC56148

### INFORMATION TO USERS

The quality of this reproduction is dependent upon the quality of the copy submitted. Broken or indistinct print, colored or poor quality illustrations and photographs, print bleed-through, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

UMI<sup>®</sup>

---

UMI Microform EC56148  
Copyright 2011 by ProQuest LLC  
All rights reserved. This microform edition is protected against  
unauthorized copying under Title 17, United States Code.

---

ProQuest LLC  
789 East Eisenhower Parkway  
P.O. Box 1346  
Ann Arbor, MI 48106-1346

ACKNOWLEDGMENT

This thesis was prepared under the direction of Mr. Lionel Guimond of the Department of History in the Faculty of Arts in the University of Ottawa. The author wishes to express her gratitude to him for his kind suggestions and constructive criticism.

Sincere appreciation is also expressed to the staff of the National Archives, Ottawa, the staff of the Ontario Archives, and to Miss Leslie Clarke of the Toronto Archdiocesan Archives for their unfailing courtesy and valuable assistance at all times.

The comments and recommendations of those who have read the manuscript are also deeply appreciated.

## TABLE OF CONTENTS

Chapter	Page
INTRODUCTION	viii
I.-EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA	1
1. Origin of grammar schools in 1807	1
2. The Common School Act 1816	3
3. Social and political barriers to educational development	5
4. Royal Commission Reports and petitions begging for better legislation	12
II.-LEGISLATION CREATING SEPARATE SCHOOLS	18
III.-RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION	41
IV.-THE GREAT CHARTER--BEFORE AND AFTER	67
1. Before	67
2. After	79
V.-THE FIERY FIFTIES	98
CONCLUSION	110
BIBLIOGRAPHY	112
Appendix	
1. LETTER FROM REV. A. MACDONELL TO LORD DURHAM	122
2. MEMORIAL ADDRESSED TO LORD SYDENHAM	124
3. SECTION XI OF STATUTES 4 AND 5 VICTORIAE CAP.18	128
4. LETTER FROM REV. ANGUS MACDONELL v. g. TO NEILSON	130
5. LETTER FROM RYERSON TO DRAPER APRIL 12, 1847	132
6. NINETEENTH SECTION OF THE COMMON SCHOOL ACT, 1850	135
7. RYERSON REFUTES BROWN'S ERRONEOUS STATEMENTS	137

LIST OF TABLES

Table	Page
1. Number of Protestant and Catholic Separate Schools in Upper Canada, 1850-1851	105

## INTRODUCTION

No public question has caused more bitter controversy or engendered deeper feelings of animosity than the so-called separate school question of Ontario. When it is remembered that the population of Canada is, in the main, composed of two racial groups, corresponding roughly to the two great branches of the Christian faith, one can readily understand why racial and religious considerations should have been important factors in determining the fundamental school law of the Province of Canada.

While it is universally admitted that the true function of the Common school is to train for enlightened citizenship, the question of the means to be adopted for such training--whether instruction imparted should be of a secular nature only, or religious as well as secular, has proved to be a subject of diverse opinions. Such opinions presented a challenge to the writer who chose the decade (1841-1852) as a period when opposing forces met and propounded their theories. The position taken by the Reverend Egerton Ryerson and his advocates of secular institutions was that instruction in the fundamental ethical and moral principles, sanctioned by all religious sects should be given in the common or public school. But here the line was sharply drawn to exclude all teaching of a denominational or sectarian character. Denominational schools, thought

## INTRODUCTION

vii

Mr. Ryerson were a dangerous interference with the Common School System of Canada West, and would militate against the success and prosperity of that System. It was true, he had advocated their continuance, for he had found in 1844 such a provision for separate schools in existence. Nevertheless, he entertained the hope that these schools would eventually die out, not by the force of legislative enactment but under the influence of enlightened and enlarged views of Christian relations between different classes of the community. He also maintained that the "ultra montanism" of Bishop de Charbonnel and the "Papal Aggression" issue intensified the Bishop's attacks on the Common School system of education.

On the other hand, Roman Catholic and Anglican authorities insisted upon a clause in each successive act which would assure them of denominational schools. In this repeated request, Catholics were given the right to establish separate schools but in each clause there was found a wedge deliberately imposed to block the erection or the expansion of these schools.

In Chapter one, the writer has provided a survey of the educational background of Upper Canadians. After the Union, legislative acts set administrative machinery in action and established the principle of separate schools. The evolution of our present system of elementary education with Separate Schools as an integral part is the theme of

## INTRODUCTION

viii

Chapters three and four. In the early "fifties", the demand for denominational schools which the Church of England unsuccessfully strove after in the "Forties" was insisted upon with more success by the Roman Catholics under the aegis of Reverend Bishop Charbonnel.

As a certain amount of confusion would result from the exclusive use of a chronological treatment of the matter, it was deemed advisable to discuss the subject matter based on the dictates of individual circumstances.

For the greater part of this material, the writer had access to manuscripts, newspapers, education reports and statutes. John G. Hodgins' series of twenty-eight volumes, "The Documentary History of Education in Upper Canada" proved to be an indispensable source.

The authorities consulted are found in the Dominion Archives, the Ontario Archives and the Toronto Archdiocesan Archives. In the appendixes will be found an amount of collateral material, which it is hoped will shed some light on the argument of the main narrative.

The following abbreviations have been used throughout the text:

- D. H. E.      Documentary History of Education in Upper Canada
- P. A. C.      Public Archives of Canada
- O. A.         Ontario Department of Public Records and Archives
- T. A. A.      Toronto Archdiocesan Archives
- E. P. U. C.   Educational Papers of Upper Canada

## CHAPTER I

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA

Education in the early days of Upper Canada was intimately connected with the churches for such was the situation in Europe at that time. The Provincial Legislature manifested at a very early period its conviction of the necessity of providing for the education of her youth for in 1797 both houses united in petitioning His Majesty for the appropriation of a portion of the waste lands of the Crown as a fund for the establishment and support of a respectable grammar school in each district.<sup>1</sup> The desire to establish schools and to promote education was also fostered by first settlers of Upper Canada who, having brought with them into Canada their love for education, framed in 1797 a memorial to the Governor General (Sir Guy Carleton) praying for a seminary of learning at Frontenac (Kingston). Their prayer was granted as far as the setting apart of lands and the support of schools for expatriated colonists were concerned.<sup>2</sup> They fashioned these schools on the New England pattern in every settled township of the Province. Agitation for Catholic schools

---

1 P. A. C., Series Q, V. 283 M. G. 11, p. 215.

2 J. G. Hodgins, Ryerson Memorial Volume, p. 60-61.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 2

began early in the nineteenth century shortly after the arrival in 1804 of a considerable body of Catholic immigrants under the leadership of Rev. Alexander Macdonell, later the first Catholic Bishop of Upper Canada.<sup>3</sup>

## 1. Origin of Grammar Schools in 1807

The first statutory acknowledgment of the responsibility of the Legislature in the matter of education resulted in the act of 1807.<sup>4</sup> This act established public or grammar schools in each and every one of the eight districts of the province of Upper Canada. They were regarded as classical schools confined mostly to the wealthy, undemocratic in organization and denominational. It also directed the minds of citizens, generally, towards a type of education leading directly to the university ideal. As time went on, this greatly influenced the outlook of Catholics on educational matters and led to the establishment of their own colleges rather than grammar schools now in existence. The assembly began soon to attack them, demanding the transfer of their revenues to schools for the masses. The Legislative Council and the Executive Council defended them and rejected the Assembly's bills for schools

---

<sup>3</sup> O. A. Macdonell Papers, V. 8, p. 1155-1156.

<sup>4</sup> Canada, Statutes 1807 George III, Chapter 6, p. 217

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 3

for the people. Disputation continued until the war of 1812 had begun and ended. The close of this War witnessed a great increase in population from the three Kingdoms where higher education for higher classes was in vogue. Advocates of free elementary schools found ready supporters of their views in a large group of Catholics who lived in Glengarry Township.<sup>5</sup> Petitions began to pour into the Legislature pleading for schools to meet the common needs of ordinary citizens. The following quotation from one petition is typical of the complaints in all:

The act to establish public schools in each and every district of this province is found by experience not to answer the end for which it was designed ... A few wealthy inhabitants and those of the town of Kingston, reap exclusively the benefit of it in this district. The institution instead of aiding the middling and poorer classes of His Majesty's subjects, casts money into the lap of the rich, who are sufficiently able, without public assistance, to support a school in every respect equal to the one established by law.<sup>6</sup>

## 2. The Common School Act 1816

Ultimately, however, better counsels prevailed and in the session of 1816 an agreement was reached which had

---

<sup>5</sup> William J. Stewart, Bishop Alexander Macdonell and Education in Upper Canada, unpublished M. A. thesis 1942, p. 39

<sup>6</sup> J. G. Hodgins, D. H. E., V. 1, p. 77.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA

4

for its object the establishment of primary schools. The Common School Act, 1816,<sup>7</sup> the first of the great series of Common School Acts, granted to His Majesty a sum of six thousand pounds per year, for four years, to be divided annually among ten school districts on the basis of population. Each district in turn distributed its portion of the grant among the teachers on the basis of school registration. All additional charges had to be met by the parents out of fees and subscriptions. This act was effective in creating common schools and is the real beginning of the Public School System of the Province of Ontario. Public meetings called by parents were held to appoint three trustees who could hire teachers and regulate schools subject to some supervision from the District Boards of Education. These District Boards were to be appointed by the Government. Before a teacher could be paid his portion of the grant, the trustees had to certify that at least twenty scholars had been educated in that school. Religious instruction is not mentioned in the Act but we see in the course of study in the Home District School that church catechism was heard once a week.<sup>8</sup>

---

<sup>7</sup> Canada, Statutes, 1816, 56 George III, Chapter XXXVI, p. 383-387.

<sup>8</sup> J. G. Hodgins, D. H. E. V. 1, p. 182.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 5

## 3. Barriers to Educational Development

Once put into effect, however, the limitations of the Act became all too apparent. Many trustees were incompetent and some school teachers were abominable impostors. It was with great reluctance that this act was passed by the legislative council in return for non-interference by the assembly, with grammar schools. They reduced the appropriation to these common schools with a view to provide a different type of school for children of the people. Further opposition was part of the wider conflict which ultimately led to the rebellion of 1837. On the one side were ranged the Lieutenant Governor, the professional and administrative classes, the executive and legislative councils, and in the main, the adherents of the Anglican Church. Against them were ranged the masses of the people, the legislative assembly and in the main, the adherents of other churches including the Catholics who numbered about 15,000 in the year 1819 when Rev. Alexander Macdonell was named Vicar General of Upper Canada and consecrated as Titular Bishpp.<sup>9</sup>

Increasingly large numbers of emigrants continued to arrive from the old country including a large proportion of Catholics from Ireland and of Presbyterians from Scotland.

---

9 P. A. C. Series Q, V. 323, No. 14, p. 177

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA

6

Their ministers were very discontented with Church of England monopoly of schools as seen from the memorial of Scotch Churches in Canada to Earl Bathurst.

Not to dwell on the evils which in a moral and religious point of view are hereby incurred, your memorialists beg leave humbly to suggest to your Lordship that the situation of this country in a political view is fraught with danger. As the chief emigration proceeds from Scotland and Ireland, it happens that a great majority of the Protestant population in the British provinces of North America are of the Presbyterian persuasion and therefore can derive no benefit from the Established Church of England, in consequence of which they are either wholly destitute of religious instruction and ordinances, or from necessity become attached to the different sectaries who resort among them from all parts of the United States of which the necessary effect is to disseminate political disaffection with religious fanaticism.<sup>10</sup>

The Assembly constituted itself guardian of the Act of 1816 whereas the Legislative Council constituted itself guardian of the Act of 1807. Neither tolerated interference and progress ceased. At length, Rev. John Strachan of York leading the Anglican Church in its insistence on its educational prerogatives, became sponsor of district schools and tried to meet a demand for common schools by the extension of district schools. This attempt was foiled and Strachan turned now to create a rival or substitute system of schools called the Church of England National Schools, without the

---

10 P. A. C. Series Q, V. 159 Part 2, p. 345-346.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA

7

consent of the House of Assembly.<sup>11</sup> In fact one such school, the elementary Central School under the direction of Mr. Joseph Spragge at York was established in the autumn of 1820, two years before the assent of the Home Government was given to the project on Oct. 12, 1822.<sup>12</sup> It was necessary, Strachan thought, to support the Church of England as a bulwark against Sectaries and the Romish Church. To secure premises for such a school, the Executive Council and the District Board of Education arbitrarily cut off the grant to the common school and appropriated the building thus evoking a politico-religious discussion which led to a bitter struggle against denominational influence in school affairs.<sup>13</sup>

In accordance with Strachan's plans, the lieutenant-governor, Sir Peregrine Maitland obtained permission from England in 1822 to establish the General or Central Board of Education to direct all schools in receipt of state aid and to control all lands and funds for educational purposes.<sup>14</sup>

---

11 E. P. U. C., R. G. 5, B 11, V. 1, No. 30

12 Series Q, 1824, M. G. 11, V. 335, Pt. 2, p. 351 and Series G1, 1821-4, R. G. 7, V. 60 p. 80

13 Hathaway, Ernest J., "Early Schools of Toronto" in the Ontario Historical Society Papers and Records, 1926, V. 23, p. 312-327.

14 Series G1, 1821-4, op. cit.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 8

As Chairman of the Board, Strachan was the first superintendent of education in Upper Canada<sup>15</sup> and received an annual salary of £300.<sup>16</sup> Great discontent followed this appointment as was evidenced by a report to His Excellency, Sir John Colborne, in which the Select Committee asked the lieutenant governor to discontinue the appropriation of £300 a year to a President of a General Board of Education, a Board which could be of no use if the District Boards were constituted of persons active, zealous and conscientious in the discharge of duties appertaining to their appointment.<sup>17</sup> This same House of Assembly Select Committee on Education had attacked the District Grammar Schools as favouring the Church of England in the religion taught and charged that the trustees were generally members of that church.<sup>18</sup>

As early as 1830 Reformers in York under Robert Baldwin annoyed with educational privileges granted to the Church of England petitioned that there be established

... a system of education under the control of the Provincial Legislature with Schools and Colleges in which there should be no preference of sectarian tenets or interests and whose portals and honours would be equally accessible to meritorious industry of every religious creed.<sup>19</sup>

---

15 Series G1, 1821-4, R. G. 7, V. 60, p. 257-258.

16 E. P. U. C., R. G. 5, B 11, V. 3, No. 73.

17 Upper Canada, Journal of House of Assembly, 1829, p. 69.

18 Ibid, Appendices 42-43.

19 J. G. Hodgins, D. H. E. V. 1, p. 318-319.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 9

The discontent and annoyance was the contention that the Church of England was to be regarded as the sole established church in Upper Canada. Typical of the protestations of the dissenting groups was this petition of the Presbyterians in 1830 presented to the House of Assembly by Mr. Morris and which called for separate Presbyterian Schools.

Although, for many years, a liberal provision has been made for the education of youth in this province, yet the benevolent designs of the Legislature have failed in effecting the object they had in view. The appointment of trustees from one communion alone, has occasioned a jealousy in the minds of the people, and destroyed that confidence, which should ever be placed in the public institutions of our country. ... Your petitioners with deep regret find that is not the case; and that the trustees of these institutions which ought to be impartially managed for the benefit of all, have been almost exclusively appointed from one denomination of christians, and consequently, your petitioners and their congregations, as well as others in similar circumstances have been deprived of that benefit which they had a right to expect would have arisen from them.

Your petitioners having numerous and large congregations under their superintendence, in which there are thousands of young people growing up in want of education, feel anxious that they should be provided with the means of instruction which would render them intelligent Christians and useful members of society. As these institutions are now managed, your petitioners have no alternative left, but to apply to your Honourable House to afford them provision for other schools, to be placed under their superintendence, since they are not permitted to have any share in the appointment of teachers, or in the management of the schools now in existence.<sup>20</sup>

---

<sup>20</sup>E. P. U. C., R. G. 5, B. 11, V. 4, No. 298 and U. C. Journals of House of Assembly, 1829, p. 80.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 10

In commenting upon this Church of England monopoly of education in grammar schools, Egerton Ryerson, editor of the *Christian Guardian* remarked,

This strong political bias being originally created by an ecclesiastical dominancy, and a dignitary of a certain communion, being *ex-officio* President of these Boards of Trustees, the public schools intended by the Legislature to be national both in their character and benefits, become comparatively circumscribed in their advantages and engines (sic) of an influence not the most favourable to the moral and civil interests of the country.

But, in the present circumstances of this Province, it would, perhaps, be best to have these national schools taken from under the control of ecclesiastics of every description (or supersede them by other arrangements) and, as they are designed for the benefit of the people generally, without distinction let them be altogether controlled by the representatives of the people.<sup>21</sup>

Although Strachan reported the grammar schools as effectively possessing the confidence of the public he was prepared in 1830 to have the lieutenant-governor appoint Roman Catholic and Presbyterian clergy among the trustees and members of the different boards of education as a measure of expediency to secure a maximum interest of these groups.<sup>22</sup>

---

<sup>21</sup> Editorial in *Christian Guardian*, York, V. 1, No. 11 issue of Jan. 30, 1830, p. 86, col. 1

<sup>22</sup> *E. P. U. C.* (1829-1832) R. G. 5. B 11, V. 4, No. 253.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 11

Agitation for Catholic schools began early in the nineteenth century shortly after the arrival of a considerable body of Catholic immigrants led by Bishop Macdonell. In 1817 Macdonell wrote directly to Lord Bathurst petitioning for Catholic schools for Catholic pioneers.

To administer to the spiritual want of all these settlers and to afford the necessary instructions to their youth would require at least six clergymen and eight or ten schoolmasters who ought to be selected from their own countrymen professing the same religion and speaking the same (Gaelic) language with themselves. Of all the methods that can be devised to preserve to the children the loyal principles of their fathers, it is obvious that none can prove so effectual as implanting on their minds those principles, and conveying moral and religious instruction to them at an early age, in the emphatic language of their ancestors ... <sup>23</sup>

Lord Bathurst granted a decree of support which was £300 for the maintenance of three Catholic schoolmasters whom the Bishop recruited from Scotland.<sup>24</sup> Local officials apparently deadlocked payment however and he was able to collect only nine hundred pounds from 1817 until 1824. In that year the Bishop went to England and obtained, through the intercession of Lord Glenelg, the arrears of these salaries (£3,400)<sup>25</sup> which however were not continued. His letters contained many references to attempts which he had

---

<sup>23</sup> Series Q, V. 323, p. 177.

<sup>24</sup> R. G. 7, Series G1, V. 60, Bathurst to Maitland, Oct. 12, 1822, p. 76-77.

<sup>25</sup> Series Q, 1824, V. 337 II, p. 269-271.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 12

made to establish efficient schools in Glengarry, York, Amherstburg and Sandwich. In a letter to Major Hillier, Provincial Secretary, he informed him that he had given his sanction to a couple of religious women from one of the convents in Montreal to go to Amherstburgh in 1828 to teach the female children of the Indians.<sup>26</sup>

Macdonell constantly stormed governmental portals for aid in establishing Catholic schools, and for adequate provision from the Clergy Reserves for the support of their religion in lieu of tithes which he was willing to relinquish forever, provided such adequate provision be secured to him and to the Catholic laity.<sup>27</sup> This was his only reason for accepting a position in the Legislative Council in 1830.

#### 4. Royal Commission Reports and Petitions

Social forces induced the Assembly to appoint between 1830 and 1840 several commissions to report upon the education of the masses. Bills based upon these reports, proposed in the Assembly before 1834, were not proceeded with because the members of the Assembly could not agree on a workable scheme. One such bill of an enlightened cha-

---

<sup>26</sup> E. P. U. C. 1828 R. G. 5, B 11, V. 3, No. 124.

<sup>27</sup> Macdonell Papers, V. 5, p. 653 and J. G. Hodgins, D. H. E. V. 2, p. 148-149.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 13

racter, Mahlon Burwell's bill of 1833<sup>28</sup> recommending the establishment of a common school fund to be raised by local assessment, suffered this fate.

Among the several gentlemen of the Assembly who continually pressed for remedial legislation for schools was Dr. Charles Duncombe. His Report on Education in 1836<sup>29</sup> was a lengthy and interesting document, several suggestions of which were embodied in a draft bill that played an important part in later educational legislation. He pointed out the need in a changing world for changes in the modes and means of instruction, and also the need of centralized direction with respect to courses of study. He particularly remarked that all denominations who opposed the educational monopoly of one church might not agree on a common religious training. He thought that the principal Biblical truths could be taught in common without offence to any Christian while the doctrines peculiar to each sect could be taught at home. But if any religious body could not consent to this proposition, it would be better to allow separate schools; so important was religious training.<sup>30</sup>

In 1839 Lieutenant Governor Arthur instituted a

---

28 J. G. Hodgins, D. H. E., V. 2, p. 148-149.

29 U. C. Journals of House of Assembly, 1836, Appendix, V. 1, "Report No. 35, Doctor Charles Duncombe's Report on Education", 90 p.

30 U. C. Journals of House Assembly, 1836, Appendix.

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 14

general commission of inquiry into public affairs and appointed three members to form a special committee having education as its subject of inquiry. From this report<sup>31</sup> there appeared the general persuasion of the inadequacy of the system adopted, and the inefficiency of schools and of teachers. Annual reports of District and Common Schools showed that there were little more than three hundred pupils in thirteen District Schools but an estimated twenty-four thousand in approximately eight hundred common schools. Since the population of Upper Canada totalled four hundred and fifty thousand, the average of Education by public funds was only one in eighteen.<sup>32</sup>

From a consideration of reports presented, there was a total absence of controversy regarding the place of religion in elementary education. P. B. De Blacquiere, a prominent member of the Legislative Council in 1839, stated that any course of education which omitted religion would become a curse rather than a blessing to the community.<sup>33</sup> Robert Murray suggested that a chapter of the scriptures be read every day.<sup>34</sup>

Just as leading Protestants stressed religious

---

31 U. C. Journals of House of Assembly 1839-40, Appendix B, V. 2, 5th Report on Education, p. 329-380.

32 Ibid, p. 331

33 Ibid, p. 367

34 Ibid, p. 372

## EARLY NINETEENTH CENTURY EDUCATION IN UPPER CANADA 15

education, Roman Catholics realized that all the teaching as well as the whole organization of the school should be regulated by the Christian spirit. Right Rev. A. Macdonell wrote a letter to Lord Durham, Her Majesty's High Commissioner to Canada, informing him of the causes of discontent among all denominations in Upper Canada.<sup>35</sup> He mentioned the disappointment of the Scots Highlanders and Irish immigrants at being excluded from their share of the clergy reserves and at not receiving assistance from the Government for the education of their children. Details of this letter will be found in Appendix 1, p. 122.

Lord Durham painted a gloomy picture of state education in Upper Canada in his famous Report on the Affairs of British North America.

A very considerable portion of the province has neither roads, post-offices, mills, schools nor churches. The people may raise enough for their own subsistence, and may even have a rude and comfortless plenty but they can seldom acquire wealth; nor can even wealthy land-owners prevent their children from growing up ignorant and boorish, and from occupying a far lower mental, moral and social position than they themselves fill ... There is no adequate system of local assessment to improve the means of communication ... Of the lands which were originally appropriated for the support of schools throughout the country, by far the most valuable portion has been diverted to the endowment of the University from which those only derive any

---

<sup>35</sup> Lucas, C. P. ed., Imperial Blue Books on affairs relating to Canada, V. 10, Part II, Appendix (A) to Lord Durham's Report, p. 54-56.

benefit who reside in Toronto, or those who, having a large assured income, are enabled to maintain their children in that town at an expense which has been estimated at £50 per annum for each child. Even in the most thickly peopled districts there are but few schools, and those of a very inferior character; while the more remote settlements are almost entirely without any.<sup>36</sup>

Since this report synchronized with the report of the Commissioners, it monopolized the public mind. Yet, a Common School Bill introduced in 1838 was vetoed by the Legislative Council because they considered rate bills for building gaols and court-houses and for the construction of macadamized roads more expedient for the present, than schools.<sup>37</sup> As a result, the recommendations of the Commission were not given immediate legislative effect.

Having analysed the problems of this period in the history of Upper Canada prior to 1841, we learn that it was marked by the awakening of social and educational ideas which were frequently hampered by the antagonism of two political and social forces represented by Rev. Dr. Strachan and by Rev. Dr. Ryerson. The former was a Tory and first church of England Bishop of Toronto. Dr. Strachan was the undoubted representative of the English and Scotch views who favoured church-statism in educational matters. They

---

<sup>36</sup> Lucas, C. P. ed., Imperial Blue Books on affairs relating to Canada, V. 10, Part II, p. 66.

<sup>37</sup> U. C. Journals of House Assembly, 1837-8, p.373.

united their forces and formed a powerful party, many of whom held dominant positions in the Legislative Council. On the other hand, Dr. Egerton Ryerson, the trusted leader of members of the Methodist church in the Province was the equally true and faithful exponent of the British Colonial, or United Empire Loyalist views on the same subject. Thus, there was no unity of purpose for a vigorous contest was maintained between the House of Assembly and the Legislative Council on the subject of education. Bills passed by the Assembly were thrown out by the Council. One sapped the strength of the other through newspaper controversies or recriminating discussion of state church, clergy reserves, endowments and grants. Leaders of the people were straining every nerve to overthrow a corrupt oligarchy. Finally, this dilemma ended in the Rebellion of 1837-8. After the rebellion, men's minds turned again to education. The Report of the Commission of 1839 embodied recommendations which clearly indicated a trend in education away from isolated efforts and towards system and supervision. Even though private enterprise and religious zeal had rendered invaluable educational service, there was a general acceptance of a close relationship between religion and education.

## CHAPTER 2

## LEGISLATION CREATING SEPARATE SCHOOLS

Religion was uppermost in the mind of Lord Sydenham, the then Governor General who called upon the first legislature to attack the problems of education. On the union of the provinces of Upper and Lower Canada in 1841,<sup>1</sup> the Legislative Councils of these separate provinces ceased to exist. Sydenham constituted the Legislative Council of the newly united Provinces by calling to it twenty-four members of which seven were members of the former Legislative Council of Upper Canada. He also summoned and called together a Legislative Assembly represented by an equal number of representatives from both provinces. Since this Act had created a new framework of government, it had brought new hope and resolution to the people of Canada West because any general educational measure would have to receive the approval of the Catholics of Canada East as well as the Protestants of Canada West. Any government to survive had to pay respect to the wishes of the Protestant minority in Canada East and to the Catholic minority in Canada West, for the minority in one province could always combine with the majority in the other. This was also the theme of the instruction addressed to Lord Sydenham's successor, Sir Charles

---

<sup>1</sup> Great Britain, Statutes, 1840, An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, in the Statutes of Canada, 1841, p.iii - XXIV.

## LEGISLATION CREATING SEPARATE SCHOOLS

19

Bagot in a letter dated Oct. 8, 1841, from Lord Stanley, Secretary of State.<sup>2</sup>

On July 20, 1841 Solicitor General Day introduced in Parliament a Bill to make provision for the establishment and maintenance of Common Schools throughout the Province.<sup>3</sup> This Act created a fund for this purpose, part of the fund to be provided by sale and rent of lands and part by a fifty thousand dollar annual grant. The Bill created the office of Superintendent of Education and each local District Council was to become a Board of Education with the power to assess the inhabitants of each school district the sum of fifty pounds for a school house where none existed. This power was given to them by the Municipal Act of 1841<sup>4</sup> which supplied the local machinery working in harmony and close connection with the Provincial Government.

That part of the school legislation of 1841 which had most interest for Canada West was the introduction of a provision in the School Bill for Separate Schools.<sup>5</sup> It originated in this manner. Even during the drafting of the bill and before its introduction, there was strong suspicion

---

<sup>2</sup> Series G. 5, 1841, V. 31 A., Stanley to Bagot.

<sup>3</sup> Canada West, Journals of Legislative Assembly, 1841, p. 210

<sup>4</sup> Canada Statutes, 4 & 5 Victoriae 1841, Cap.10, p.45-67

<sup>5</sup> Canada (Prov.) Statutes, 1841, Cap. 18, Section XI, p. 108-109.

## LEGISLATION CREATING SEPARATE SCHOOLS

20

throughout Canada West, particularly among churchmen, that secular instruction alone was contemplated. Accordingly, petitions began to come in urging that the English Bible be made a text book in these schools. Out of a total of forty-one petitions presented to the Legislature asking for the right to establish a system of religious instruction in the school, thirty-nine came from Protestant bodies and two from Bishops of the Catholic Church.<sup>6</sup> Apparently, there was unanimity in the view that religion must be the foundation of all educational effort but unfortunately the old differences as to the methods to be adopted, persisted.

A petition of the Ministers and Elders of the Synod of the Presbyterian Church of Canada, in connection with the Church of Scotland, was presented

... praying that provision may be made for the use of the Holy Scriptures in all the Schools of the Province admitted to a participation of any grant of public money.<sup>7</sup>

The objections of the Catholic people to the petitions referred to, were voiced very mildly by the Right Reverend Catholic Bishop of Quebec and Right Reverend the Bishop of Sidyme, his coadjutor, stating

---

6 Canada West, Journals of Legislative Assembly, 1841 Index XV.

7 Canada West, Journals of Legislative Assembly, 1841 p. 47.

## LEGISLATION CREATING SEPARATE SCHOOLS

21

that they entertain a hope that when the House will adopt a Law for the encouragement of education in this province, they will watch carefully that it shall contain no enactment which can prejudice the interests of Her Majesty's Catholic subjects, also that it will be based on principles of justice.<sup>8</sup>

The principle of separate schools was clearly laid down in the petition of the Reverend Doctor John Strachan and his clergy who prayed

that the Education of the children of their own church may be entrusted to their own pastors; and that an annual grant from the assessments may be awarded for their instruction.<sup>9</sup>

Two other notable petitions were presented on this subject. One was from the Right Reverend Remegius Gaulin, Roman Catholic Bishop of Kingston and of Reverend Manseau and H. Hudon, administrators of the Diocese of Montreal. They stated objections against the principles of the Bill for the establishment of common schools and hoped that it would not become law before the opinions of Catholics and other religious denominations were made known.<sup>10</sup> The memorial<sup>11</sup> addressed to the late Lord Sydenham by these reverend clergy is very respectful but pertinent and may be found as Appendix 2, p.124 In Appendix A of the memorial, Mr. Harrison,

---

8 Canada West, Journals of Leg. Assembly, 1841, p.413-414.

9 Ibid, p. 387.

10 Canada West, Journals of Leg. Assembly, 1841, p.388.

11 P. S. O. 1841, R. G. 5, C. 1, V. 72, No. 1727.

## LEGISLATION CREATING SEPARATE SCHOOLS

22

provincial secretary, replied to the above informing the Bishop, vicars general and administrators of the Diocese of Montreal that the measures in question had already received the Royal assent and became the law of the province previous to the receipt of their application.<sup>12</sup>

The Church, official organ of the Anglicans, expressed great concern and remonstrated against any system of education in which the Bible should not be adopted as a class book. Members of the Church of England were dubious as to the effect this petition would have upon Lord Sydenham, who as a public man had ever shown hostility to their church and would attach as much weight to this petition as His Lordship wished to assign to it. Moreover, they were alarmed to learn that the Government had secured to itself the appointment of the Superintendent who would in fact be the Minister of Education possessing extensive powers; for he was invested with authority to appoint in each district five persons (of whom at least two should be resident Clergymen) as a Board of Examiners whose duties were to make written rules regulating the course of study and the books to be used.<sup>13</sup>

---

<sup>12</sup> Ibid, No. 57.

<sup>13</sup> Editorial in The Church, Toronto, V. 5, No. 7 issue of Aug. 21, 1841, p. 26, col. 1 and 2.

## LEGISLATION CREATING SEPARATE SCHOOLS

23

Against this propaganda, there was naturally opposition on the part of members from Canada East and the Government found itself in embarrassment. After futile attempts to have petitions referred to a separate Select Committee, they were finally presented for consideration to a mixed general committee made up of twenty-two members.<sup>14</sup> It happened that fourteen members were from Canada East, though only five were French Canadians. Out of the deliberations of this Committee came the first legislation providing for Separate Schools. It was in the form of amendments<sup>15</sup> which were adopted without much opposition establishing the principle of separate denominational schools within the framework of the Common School System. Section XI of this Act will be found in Appendix 3, p. 128. The striking fact remains to be noted that while at this very time, the Separate School principle in the form of denominational control was in obedience to the popular demand, it was being eliminated from our system of higher education only to be transferred practically to our elementary school system. The biographer of Archbishop Lynch said that Separate Schools were embodied in the Act of 1841 chiefly because the Protestants of Lower

---

14 J. G. Hodgins, D. H. E., V. 4, p. 20.

15 Canada (Prov.) Statutes, 4 & 5 Victoriae, 1841, cap. 18, Section XI, p. 108-109.

## LEGISLATION CREATING SEPARATE SCHOOLS

24

Canada objected to sending their children to the Common Schools as these schools would of course be composed mainly of Catholic children and presided over by Catholic teachers.<sup>16</sup>

The Bill also provided that the Governor of the Province was to appoint in each city or corporate town, a board of examiners - one half Protestants and one half Catholics - not less than six and not more than fourteen, with the Mayor as chairman ex-officio, and this Board was to examine teachers, regulate courses of study and text books and establish general rules of conduct for the schools: the Protestant members to handle schools entirely Protestant; and Catholic members to handle Catholic schools, and the whole Board to handle schools attended by Protestant and Catholic children.<sup>17</sup>

In fulfillment of the terms of the Act, a Superintendent of Education had to be appointed. Many recommendations similar to that of Rev. Wm. MacDonald, v. g. arrived expressing the desire that Rev. Robt. Murray of Oakville be chosen.<sup>18</sup> He was named and accepted the office of Deputy Superintendent of Education on April 4, 1842.<sup>19</sup>

---

<sup>16</sup> H. C. McKeown, Life and Labours of Most. Rev. John Lynch, p. 237.

<sup>17</sup> Canada, (Prov.) Statutes, 4 & 5 Victoriae, 1841, Cap. 18, Section XVI, p. 110-111.

<sup>18</sup> P. S. O. 1842, R. G. 5, V. 81, No. 2713.

<sup>19</sup> Ibid, 1842, No. 3352.

## LEGISLATION CREATING SEPARATE SCHOOLS

25

School Commissioners were also required. Thus, the Civil Secretary, on the recommendation of Rev. J. H. McDonagh, Perth, who mentioned the fact that no Roman Catholic had any official office in the government of schools,<sup>20</sup> asked Bishop Gaulin to recommend certain persons as school commissioners in Toronto and in Kingston. He recommended Bishop Power and John Elmsley for Toronto.<sup>21</sup> In his zeal to afford the young females of his community the opportunity of acquiring an excellent education based on virtuous and religious principles, Bishop Gaulin had prevailed upon three Congregation nuns from Montreal to teach in Kingston.<sup>22</sup>

It was soon found that the general Education Law framed in 1841 for the whole province was not acceptable, in practice, to Upper Canada or suitable to its needs or condition. It had been drawn up by an unskilled hand and altogether on the crude lines of such theoretical writers as Doctor Charles Duncombe and Messieurs Dunkin and Charles Mondelet. Neither the author, Hon. Solicitor Day, nor the above writers, had any experimental knowledge of the educational wants of a rural community and few of the exigencies of local management and administration were provided for in the Bill.

---

<sup>20</sup> Ibid, 1841, V. 72, No. 1715.

<sup>21</sup> Ibid, 1842, V. 86, No. 3213.

<sup>22</sup> Editorial in The Catholic, V. 2, No. 11 issue of Nov. 24, 1841, p. 86, col. 2

## LEGISLATION CREATING SEPARATE SCHOOLS

26

A query<sup>23</sup> as to the operation of the new School Act with respect to the payment of teachers was forwarded to the Hon. Mr. Harrison, Provincial Secretary. Several councillors from Brock county were not sure about the formation of school districts and the clerk from London District Council presented an address recommending alterations in the Common School Act.<sup>24</sup>

The provision for separate schools brought little controversy but differences of opinion arose regarding the import of the words, "religious faith"<sup>25</sup> in Section XI of the Common School Bill. Rev. Robert Murray, when consulted interpreted the above words as marking the distinction between Roman Catholics and Protestants, but having referred the problem to the Attorney General, Mr. Baldwin, the latter replied that such a construction would not be consistent with the letter of enactment against the spirit of it.<sup>26</sup>

The question of Biblical instruction caused more debate. The Examiner maintained that since the theology of the particular teacher usually accompanied her scriptural lessons, the Bible should not be used in common schools. Consequently, it favoured a national, uniform educational

---

<sup>23</sup> P. S. O., 1842, R. G. 5, V. 82, No. 2826.

<sup>24</sup> Ibid, V. 91, No. 4013.

<sup>25</sup> P. S. O., 1842, V. 95, No. 4452 and Ed. Dept. Records, Letter Book A. Murray to Aylesworth, Sept. 14, 1842.

<sup>26</sup> P. S. O., 1842, V. 95, No. 4452.

## LEGISLATION CREATING SEPARATE SCHOOLS

27

system free from Religious division.<sup>27</sup> The Church attacked the bill as inefficient and a whimsical and impracticable anomaly, draining the peoples' pockets as well as driving from the schools the whole Bible to accommodate the Catholics. They inferred that the school commissioners spent the largest share of their time discussing the meaning of the various clauses and reconciling, if possible, its contradiction. They went on to say

The projectors of the Common School Bill enacted that Superintendents of Schools should in all cities and corporate towns be divided equally among Roman Catholics and Protestants... The practical application has been that, in Protestant towns in the Upper Province, in order to eke out the legal proportion of Roman Catholic Commissioners, they have been compelled to have recourse to the labouring class of the population, and select for that office individuals who have not a solitary qualification for the duty... We see neither justice nor decency in delegating to Roman Catholics, in equal ratio with Protestants, the direction of education in towns in which Roman Catholics are to the Protestants as 1 to 15.<sup>28</sup>

When the Deputy Superintendent, Mr. Daly, presented his Annual Report<sup>29</sup> to Parliament, in 1843, he confirmed the truth of the deficiencies in the administration of the Act. While visiting municipal districts in Canada West, he ob-

---

<sup>27</sup> Editorial in The Examiner, V. 4, No. 185 issue of Jan. 12, 1842, col. 2.

<sup>28</sup> Editorial in The Church, V. 7, No. 3 issue of July 28, 1843, p. 10, col. 3.

<sup>29</sup> Education, Deputy Supt. of Ed., "Annual Report on Common Schools throughout Canada West", Appendix Z, 1843, in Canada, (Prov.), Legislative Council Journal, Appendix 1843.

## LEGISLATION CREATING SEPARATE SCHOOLS

28

served a great ignorance among commissioners and teachers regarding provisions of the bill. Teachers receiving inadequate emoluments and being unimpressed by the responsibility of their station in society held confused ideas about texts and courses of study. Districts were unsatisfactorily divided and their school officials tried in vain to procure sufficient teachers.

No action was taken on the matter of elementary education in the second session of the First Parliament but during the third session in the autumn of 1843 some changes had become a crying necessity. The Bill entitled, "An Act for the Establishment and Maintenance of Common Schools in Upper Canada" was brought in by Francis Hincks. A Petition of the Lord Bishop of Toronto for amendments to the Common Schools Bill was laid upon the table.<sup>30</sup> No action was taken and the bill became law on December 9, 1843.<sup>31</sup> In that Act, the principle of the Act of 1841 with regard to denominational schools was retained but in a modified form. The establishment of a separate school under this new statute depended not on the dissent of a minority of the inhabitants of a township or parish who professed a religious faith

---

<sup>30</sup> Legislative Assembly Proceedings, 1843, R. G. 14, c. 3, V. 3, Nov. 29, 1843.

<sup>31</sup> Canada, Statutes, An Act for the Establishment and Maintenance of Common Schools in Upper Canada, 7 Victoriae, 1843, Cap. 29, p. 217-236.

## LEGISLATION CREATING SEPARATE SCHOOLS

29

different from that of the majority but on the religious faith of the teacher of the common school. Further, the wording of the provision was changed from "Inhabitants of any Township or Parish", to "Freeholders or Householdors of any School District, or within the limits assigned to any Town or City School".<sup>32</sup> This was a radical departure from the limitless provisions for denominational schools of any church stated in the 1841 School Act.

On approval, by the local superintendent, of applications for a separate school signed by ten or more freeholders, the separate school was entitled to receive its share of public grants according to the number of children in attendance. Separate schools, however, were to be subject to the same inspection as common schools, and the course of study to the approval of the school superintendent of the district.<sup>33</sup>

A conscience clause in Section 54 made it unlawful in any common school to compel the child to read from any religious book or join in any religious exercise to which his parents or guardians objected. The Catholic hierarchy was interested in this measure for on November 7, 1843,

---

<sup>32</sup> Canada, Statutes, 7 Victoriae, 1843, Cap. 29, Section 55, p. 232.

<sup>33</sup> Ibid, Section 56, p. 232.

## LEGISLATION CREATING SEPARATE SCHOOLS

30

Bishop Michael Power in the newly-formed diocese of Toronto, wrote to Hon. Dominic Daly, provincial secretary: "I have the honour of sending you enclosed one or two remarks on the School-bill; I am convinced that this is the time for obtaining all reasonable concessions on the part of those who seem opposed to us" ...<sup>34</sup>

Under this Education Act of 1843, the Provincial Secretary was de facto the Chief Superintendent of Education for that portion of the Province, having an assistant who, under his direction, was bound to do everything which the law required of the Superintendent. Now, the office of the Provincial Secretary was necessarily a political one and thus a political character and influence were in effect given to Upper Canada Department of Public Instruction. This was pleasing enough, it was true, to the Ministerial Party but was repudiated by the Opposition. The consequence was that the Assistant had to encounter a strong resistance from the opposite party.

Rev. John Strachan strongly opposed Separate School provisions in this School Act. He frequently petitioned the Legislature to grant "that monies appropriated for Common School purposes be placed at the disposal of several

---

<sup>34</sup> Power Papers, Letter Book 1842-1865, V. 2, p.101.

## LEGISLATION CREATING SEPARATE SCHOOLS

31

denominations of Christians in proportion to their number".<sup>35</sup>  
 In a letter to the House of Assembly dated Jan. 10, 1845,  
 he disapproved of double assessment and requested a fa-  
 vourable solution. He pointedly stated his case:

... Your petitioners are placed in a position of peculiar hardship because altho convinced that religion is the very groundwork of sound Education, they are virtually prevented from training children as Members of the Church of England being, by these School Acts, compelled to contribute to the maintenance of Common Schools which have no religious character, and from which it happens, that in the City of Toronto, where the members of the Church of England constitute nearly one half of the population and pay more than a half of the whole assessment for the Education tax, they yet have not the control of a single School, nor can they have, under the present Common School Act, so that if your petitioners wish to afford their children a sound Religious and Secular Education, they must assess themselves a second time ...

Wherefore your petitioners pray that the Common School Act of 1843, now in force, be wholly repealed, and either that the inhabitants of U. Canada be left to educate their children by voluntary exertion without being compelled to contribute to schools founded on principles of which no sincerely religious man can approve, or that a committee be appointed to distribute any appropriation of money made by the Legislature for the benefit of Education.<sup>36</sup>

Doctor Ryerson was invariably opposed to this proposal of John Strachan as it involved the principle of church endowment. He held that to do so would be practically to

---

35 J. G. Hodgins, D. H. E., 1843, V. 4, p. 242.

36 J. G. Hodgins, D. H. E., V. 5, p. 156-157.

## LEGISLATION CREATING SEPARATE SCHOOLS

32

endow churches, as such--professedly for school purposes-- in their corporate capacity, to a share of the public funds for the promotion of Sectarian Education.<sup>37</sup> So no notion was taken of this application.<sup>38</sup>

The Catholic ratepayers of Toronto met with similar difficulties in their desire to have two or three separate schools within the limits of the city and to have allotted to those separate schools, an apportionment of the Common School Fund, in proportion either to the number of children attending such separate schools or to the aggregate Roman Catholic population of the city. They felt that by adhering to the letter of the law which stated that funds from the Legislature would be apportioned in proportion to the number of Catholic children attending the separate school in that particular district, the grant would be too small, and a separate maintenance for both schools would be impracticable. This was the content of a letter dated August 8, 1844, from J. Elmsley, S. G. Lynn, and Chas. Robinson, three prominent Roman Catholic Toronto ratepayers, to G. Barber, City Superintendent of Schools.<sup>39</sup> The latter forwarded this letter to Charles Daly, Clerk of the City

---

<sup>37</sup> Ibid, The Legislation and History of Separate Schools in Upper Canada, Toronto, Briggs, 1897, p. 28.

<sup>38</sup> Strachan Papers, "Bishop Strachan's Charge to His Clergy", Jan. 1844, p. 39.

<sup>39</sup> Common Schools, Editorial in The Globe, V. No. issue of Sept. 3, 1844, p. 3, col. 3 & 4.

## LEGISLATION CREATING SEPARATE SCHOOLS

33

Council, and supported the views of the Roman Catholic population of the city as expressed by the Committee in their communication with Barber. However the Toronto Council did not accede to the Catholic request, which was that the basis of apportioning the school fund be the aggregate Catholic population of the city.<sup>40</sup> Leading Catholic ratepayers must have submitted their case to the provincial government as was revealed in a letter, dated Sept. 26, 1844 from Robert Murray, Assistant Superintendent of Education, Kingston, to James Hopkirk, Assistant Provincial Secretary.

Kingston, 26 Sept. 1844.

Sir,

I have the honour to acquaint you that there are several complaints from the trustees of Separate Schools for Roman Catholic children regarding the division of the School Fund for this year, which I cannot settle until I know how the Executive have disposed of the case from Toronto.

May I therefore beg that you would inform me at your earliest convenience if the Toronto case has been decided and if decided, in what manner. I have the honour to be

James Hopkirk, Esq.,  
Montreal

Robert Murray<sup>41</sup>

This letter was also prompted by three complaints-- one a letter of inquiry<sup>42</sup> from Roman Catholic trustees,

---

40 Ibid

41 P. S. O., 1844, R. G. 5, C. 1, V. 137, No. 8600 and Dept. of Ed. Records, Letter Book B, Murray to Hopkirk Sept. 26, 1844.

42 Dept. of Ed. Records, Letter Book B, Brockville Trustees to Murray, Aug. 8, 1844 and P. S. O. 1844, R. G. 5, V. 137, No. 8600.

## LEGISLATION CREATING SEPARATE SCHOOLS

34

G. Northgroves and W. Manley, Brockville, to Rev. R. Murray regarding the appropriation of money to Separate Schools; another similar request<sup>43</sup> from Thomas Tracy, Kitley, and the third petition<sup>44</sup> was written by Vicar General Angus Macdonell of Kingston who attempted to secure an amendment to the school law which would benefit separate schools. This letter will be found as Appendix 4, p. 130.

The outcome of subsequent petitions and correspondence was a letter dated Feb. 2, 1846 from Egerton Ryerson to Mr. Thomas Tracy, Kitley in which he clearly states the rule of distribution of government funds.

Education Office West,  
Cobourg, 2nd Feb. 1846

Sir,

I have the honour to acknowledge receipt of your letter of 28 ult. proposing certain questions relative to separate schools.

In answer to your first question, "whether when separate schools have been once established, they must afterwards be annually established?", I would remark that according to 56 Section of the Act, separate schools are subject to the same rules and obligations provided for with reference to common schools.

The establishment of the same separate schools cannot of course be annual, but the election of Trustees for said school in continuation, the transmission of their names as well as the Report of the School to the Town or Township Superintendent and the application for a share of the

---

<sup>43</sup> Dept. of Ed. Records, Thomas Tracy to Rev. Murray, Sept. 20, 1844.

<sup>44</sup> P. S. O. R. G. 5, C. 1, V. 72, No. 1721.

## LEGISLATION CREATING SEPARATE SCHOOLS

35

school fund must be annual.

In respect to your second question the same section of the Act provides that such (separate) school shall be entitled to receive its share of the public appropriation according to the number of the children of the religious persuasion who shall attend such separate school.

The children of the religious persuasion under whose auspices the separate school is established can alone be considered in appropriating the share of the school funds how many soever children of other religious persuasions may attend such school.

It is also to be observed that the number of children of the religious persuasion in a school district in which a separate school is established is not the rule of distribution; but only the number of such religious persuasion actually attending such separate school.

The School Act throughout was constructed with a view to mixed schools. To the establishment of separate schools the framers of the Act were evidently opposed, but to meet extreme cases, they provided for the establishment of such schools as an exception to the general rule but in a manner rather to discourage than to encourage the erection and continuation of them.

To

Mr. Thomas Tracy,  
Kitley.

I have the honour, etc.  
signed  
Egerton Ryerson 45

When these ardent Toronto Catholics, undaunted by a refusal from the Legislature to accede to their wishes regarding apportionment of funds, countered with a petition<sup>46</sup> from Mr. M. T. O'Brien and others, dated Dec. 19, 1844, to the Legislature to amend the School Act, they were strongly

---

45 Dept. of Ed. Records, Letter Book C, Ryerson to Tracy, Feb. 2, 1846.

46 Canada West, Journals of Legislative Assembly, 1844-5, p. 81.

## LEGISLATION CREATING SEPARATE SCHOOLS

36

supported by Bishop Power.<sup>47</sup> In a letter dated December 11, 1844 to Rev. Angus Macdonell, Kingston Vicar General, he said:

The Catholics of Toronto are sending down a petition to request the Legislature to amend the School Act so they may be benefitted by its enactments. I believe they intend sending it to members of the City of Toronto. Mr. Baldwin has promised me to support the prayer of the Petition.<sup>48</sup>

Bishop Power was ever zealous in promoting Catholic elementary education and insisted that wherever possible, Catholics should operate their own schools and that no Catholic child be taught from the Protestant Bible. In a letter dated June 28, 1844, Power wrote Rev. S. Sanderl, Wilmot, Waterloo County:

By the 50th and 51st clauses, Catholics have a right to a School of their own and this ought to be the case in every school district when practicable. The trustees must be, in every case, Catholics chosen according to Law and the School Master, a member of the Catholic Church.<sup>49</sup>

On July 8, 1845 he told Rev. N. R. Mills, pastor at St. Thomas that

You ought to know that the Bible cannot be made use of as a mere class book and that no Catholic child can attend the reading of a chapter from the protestant version of the Holy Scriptures.<sup>50</sup>

---

<sup>47</sup>The Examiner, Rt. Rev. Dr. Power was born at Halifax, N. S. on Oct. 17, 1804. In his twelfth year he came to Upper Canada. He was consecrated first Bishop of Toronto in 1842 and died on Oct. 1, 1847.

<sup>48</sup> Power Papers, Power to Macdonell, Dec. 11, 1844, Box 1, Folder G, Document 23.

<sup>49</sup> Letter Book 1842-1865, V. 2, p. 163.

<sup>50</sup> Ibid, p. 220.

## LEGISLATION CREATING SEPARATE SCHOOLS

37

His zeal to have religion and morality taught by good moral and Catholic masters was expressed in a mandate to the inhabitants of Belle Riviere, on Sept. 19, 1845.<sup>51</sup>

In response to the requests of Father Telmon, O.M.I., first oblate to be sent to Bytown (Ottawa), on Jan. 25, 1844, and with the co-operation of Bishop Phelan and Bishop Bourget, the Grey Nuns came to Bytown on February 20, 1845, to open a bilingual school for girls.<sup>52</sup> The parents in this vicinity were very eager to have their children attend class:

Mère Bruyère est assiégée par les parents qui désirent placer leurs filles à l'école. Le samedi, 22 février, elle en a déjà enregistré quatre-vingt cinq, petites et grandes. De celles qui en ont les moyens, elle demande un écu par mois, comme il est convenu avec le Père Telmon.<sup>53</sup>

Within a short time there was a thriving school in which 160 children were taught--one hundred French-speaking and sixty English-speaking. These devoted Sisters taught Protestant children as well as Catholic, and although fees supported the school, children of the poor were educated without charge. From that date, bilingual schools spread across the province. In 1848 Monsignor Guigues, first Bishop of

---

51 Ibid, V. 1, p. 152

52 Rev. P. Alexis, Histoire de la Province ecclésiastique d'Ottawa, Ottawa, La Cie d'Imprimerie d'Ottawa, 1897, V. 1, p. 228.

53 Soeur Paul-Emile, Mère Elisabeth Bruyère et son Oeuvre, Ottawa, Maison Mère des Soeurs Grises de la Croix, 1945, p. 59.

## LEGISLATION CREATING SEPARATE SCHOOLS

38

Ottawa, founded in Bytown a bilingual college.<sup>54</sup> On April 5, 1851 a memorial addressed to the Board of Public Instruction of the County of Essex, and signed by seventeen French inhabitants of School Section 6 in the Township of Sandwich, petitioned consideration of and relief for a Mr. Gigon, a Frenchman newly arrived, an alien utterly unacquainted with the principles of the English language. Accordingly, a certificate was granted to him.<sup>55</sup> Six years later, Dr. E. Ryerson, Chief Superintendent of Education in Canada West, accorded greater privileges to the French people. On August 24, 1857 he wrote to the school officials of No. 3 Charlottenburg, Glengarry County:

J'ai l'honneur de vous informer ... que, vu que le français est langue officielle en ce pays, à l'égal de l'anglais, il est absolument licite et légal que les syndics permettent l'enseignement des deux langues aux enfants qui fréquentent leurs écoles, conformément aux désirs des parents à cet égard.<sup>56</sup>

Bishop Power was tireless in his efforts to bring religious into his own city. He invited the Loretto Sisters who opened a girls' school in Toronto on September 29,

---

54 Rev. P. Alexis, op. cit., p. 305.

55 Lionel Groulx, L'enseignement français au Canada Montreal, Libr. d'Action can.-fr., V. 2, p. 198.

56 Ibid

1847.<sup>57</sup> The Jesuits were called in 1842 to aid in education in his diocese<sup>58</sup> and Christian Brothers were summoned to conduct elementary schools.<sup>59</sup> In July, 1843, Father Peter Point and Father John Peter Chone arrived and were established at Sandwich, where they remained until 1859. The College of L'Assomption was organized by them in 1857, but was continued by the Basilian Fathers, the Jesuits being sent to undertake the pastoral care of the Parish of Guelph and to resume missionary work at Penetanguishene and the Huron Country.<sup>60</sup>

The Bishops from their earliest days had done their utmost to establish a system of Catholic schools, despite glaring defects in the central authority and in the Administrative machinery of the Acts. Local authorities were the essence of incompetency, whereas local superintendents were only part-time employees and lacked the training. There was no uniform system of certification and trustees made their own rules regarding subjects and text books. Schools were

---

<sup>57</sup> Francis, J. Boland, Analysis of the Problems and Difficulties of the Basilian Fathers in Toronto, 1850-1860, unpublished Ph. D. thesis, Ottawa, 1955, p.

<sup>58</sup> Power Papers, Letter Book, V. 1, p. 68, Power to Roothan, Nov. 12, 1842.

<sup>59</sup> Power Papers, Letter Book 1842-1865, Power to Reisache, May 8, 1847.

<sup>60</sup> "The Roman Catholic Church" in The Province of Ontario, a History, 1615-1927, V. 2, cap. 19, p. 883.

## LEGISLATION CREATING SEPARATE SCHOOLS

40

allowed for those who were willing to pay for them and there was no thought of compulsory education. It had been estimated that there were 198,434 children of school age--but only fifty-five percent were in attendance at school. Thus the executive machinery had to be recast. Cabinet Ministers, Members of Parliament, and Municipal Councils had to be indoctrinated, the press had to be directed, so as to enlighten whole communities to receive with favour a new school system. There was great need for an educator of indomitable courage and determination to build the structure of a free, common school education.

## CHAPTER 3

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION

A great figure equipped to build the structure of a common system of free education in Canada West was Reverend Egerton Ryerson, a Methodist Minister.<sup>1</sup> Born in 1803, the son of United Empire Loyalists, he received most of his early education at the London District Grammar School. At the age of twenty-two he became an itinerant Methodist preacher in the district around York. In 1829 he became the first editor of the *Christian Guardian*, the newly established official newspaper of the Methodist Churches of Upper Canada. As head of Victoria College in 1842, he frequently discussed educational policies with Bishop Strachan, educational champion of the rights of the Anglicans. The former denounced the policies of Strachan who spearheaded proposals to make the Church of England an established church in Upper Canada and to give it official control of educational policies.

Ryerson was also a political controversialist. After he had vindicated Governor Metcalfe in a political campaign, he was acquainted of his appointment as Assistant Superintendent of Education on September 28, 1844.<sup>2</sup>

---

1 C. B. Sissons, *Egerton Ryerson, His Life and Letters*, Toronto, Clarke, Irwin & Co., 1937, V. 1, p. 1-76.

2 P. S. O. R. G. 5, C.1, V. 137, No. 8641 and Dept. Ed. Records, Letter Book B, Ryerson to Daly, Oct. 2, 1844.

Feeling himself unable to fulfill the high expectations which His Excellency expressed, he begged a year's leave of absence, at his own expense, to familiarize himself with the educational systems of the most enlightened sections of Europe from the primary schools up to the universities. He visited schools in England, Ireland, Scotland, France, Holland, Switzerland, New York and the North Eastern States.<sup>3</sup>

On his return he prepared a complete report on his projected scheme of public instruction for Upper Canada. In it he attempted to give a clear exposition of all the existing defects along with his recommendations. This report contained comparatively little of what is original, being made up of ninety percent quotes from Horace Mann's Report<sup>4</sup> and from reports of eminent European statesmen and educators. Yet he took what he found useful and recast it into a plan that suited the needs of Upper Canada.

On March 27, 1846 Ryerson forwarded to the Hon. Dominic Daly, Secretary of the Province of Canada, his completed Report<sup>5</sup> on a System of Public Elementary Instruction for Upper Canada. He at once challenged opposition by

---

<sup>3</sup> C. B. Sissons, op. cit. p. 76-104, v. 2.

<sup>4</sup> Horace Mann, Lectures and Annual Reports on Education, Boston, Lee Shepard et al, 1872, p. 493-561.

<sup>5</sup> Rev. E. Ryerson, Report on a System of Public Elementary Instruction for Upper Canada, 1846, Montreal, 1847, XII-191 p.

laying down two principles: first, that a universal and compulsory system of primary and industrial education was justified by considerations of economy as well as of humanity; secondly, that religion and morality, though not sectarianism, must have a central place in any system of education. He qualified his second principle by saying that, by religion and morality he did not mean sectarianism in any form but the general system of truth and morals taught in the Holy Scriptures. To be zealous for a sect and to be conscientious in morals were widely different. He insinuated that, "Indeed schools could be named in which there was the most rigorous inculcation of an exclusive sectarianism, where there was a deplorable absence of the fruits of both religion and morality ... " He continued his assertion that such teaching produced an army of pugilists and persecutors--a far flung cry from the hoped-for community of Christians. He maintained that the pyramid was inverted and the order of Nature reversed if the child were taught the dogmas and spirit of a sect before the essential principles of religion. In fact it was feeding the child with the bones of controversy instead of with the nourishing milk of truth and charity.<sup>6</sup>

---

<sup>6</sup> Ibid p. 22-23.

At a period when both Protestant and Catholic clerics controlled so many schools, such language could be offensive. Ryerson hastened to assure his readers that

In these remarks I mean no objection to Schools in connection with a particular religious community--wholly controlled by such community, and where its worship is observed, and its creed taught. Nor would I intimate that such establishments may not in many instances be more efficient and more desirable than any other differently constituted; nor that the exertions to establish and maintain them are not most praiseworthy and ought not to be countenanced and supported.<sup>7</sup>

Here, for the first time we learn that he regarded Separate Schools as unnecessary when he said,

In School Districts where the whole population is either Protestant or Roman Catholic and where consequently the schools come under the character of SEPARATE, there, the principle of religious instruction can be carried out into as minute detail as may accord with the views and wishes of either class of the population; though I am persuaded that all that is essential to the moral interest of youth may be taught in what are termed mixed schools.<sup>8</sup>

He tried to show by reference to the schools in Ireland, France and Germany that extensive Biblical instruction could be given satisfactorily in mixed schools. It was very important that this instruction be offered, for most deplorable were the fruits of "godless" schools, he insisted, citing

---

<sup>7</sup> Ibid, p. 23.

<sup>8</sup> Ibid, p. 51.

authorities in France and in the United States.<sup>9</sup> Even Canadian schools in the past had neglected religious education. If this neglect continued, Canada would cease to be a Christian nation:

The practical indifference which has existed in respect to the Christian character of our own system of popular education is truly lamentable. The omission of Christianity in respect both to Schools and the character and qualifications of Teachers, has prevailed to an extent fearful to contemplate. The country is too young yet to witness the full effects of such an omission--such an abuse of that which should be the primary element of education, without which there can be no Christian Education; and without a Christian Education, there will not long be a Christian Country.<sup>10</sup>

Since the Canadian people as a whole were Christian, the government was obliged to foster Christian teaching in its schools, although this Christian teaching did not involve sectarianism, he held. He contended that that general principle admitted of considerable variety in its application here in Canada where the population consisted of both Protestants and Roman Catholics.<sup>11</sup>

In any event religious differences and divisions should rather be healed than inflamed; and the points of agreement and the means of mutual co-operation on the part of different religious persuasions, should doubtless be studied and promoted by a wise and beneficent Government while it sacrifices neither to religious bigotry nor infidelity the cardinal and catholic principles of the Christian religion.<sup>12</sup>

---

9 Ibid., p. 24-30.

10 Ibid., p. 31.

11 Ibid., p. 51.

12 Ibid., p. 51-52.

As soon as this report appeared in the press, strong opposition came from religious groups and from old political opponents who feared central control over education. He was mercilessly criticized by chagrined Reformers in hundreds of columns of their official newspaper, The Globe. They dubbed him as incompetent and palpably ignorant of the duties of his office.<sup>13</sup> His report was interpreted by these same critics as baseless and seething with a despotic Prussian flavour. They considered it a base and treasonable conspiracy against the rising generation and suggested "that the whole people of Upper Canada should address the Government requesting them to hurl from his place the arch conspirator who has dared to propose such a system of education among a free people".<sup>14</sup>

He was attacked also by Church of England officials in their official organ, The Church. They were aware that the coming burst of educational activity might endanger their position in regard to the training of Anglican children. They disapproved of that expensive official known as the "Chief Superintendent". They objected in principle to direct taxation for education and protested to the Legislature against every system of godless education.<sup>15</sup>

---

<sup>13</sup> Editorial, "Ryerson's Report" in The Globe, V. 4, No. 2, issue of Jan. 6, 1847, p. 2, col. 1 and 2.

<sup>14</sup> "What is Ryerson's School", editorial in The Globe, V. 3, No. 2, issue of Dec. 19, 1846, p. 2, col. 1.

<sup>15</sup> Editorial in The Church, V. 9, No. 37, issue of March 20, 1846, p. 146, col. 3.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION

47

George Brown's Banner, representing the independent free church Presbyterians, demanded that Biblical instruction be compulsory for all. The paper was more concerned with possible Church of England demands for denominational schools than with the present separate school sections of the law.<sup>16</sup>

Despite the vile epithets from press and opponents hurled at both Ryerson and his report, Government officials received this document with great enthusiasm and asked him to draft a new School Bill embodying the suggestions contained in it. In obedience to the command of the late Governor-General, Earl Cathcart, the original draft of the present Common School Act was submitted to His Excellency-in-Council on March 3, 1846. Hon. William Henry Draper, Attorney General, but virtually Prime Minister at that time gave notice of the new bill on March 24, 1846 and had it introduced into the Lower House on March 31 of that year. Three weeks later, he reported to Ryerson that he got the School Bill through the Committee of the whole but was forced to submit to changes.<sup>17</sup>

He was referring to the proposed sixth division of the twenty-seventh section of the Bill stating that trustees impose a rate bill and fix the rate-bill per quarter causing

---

<sup>16</sup> Editorial in The Banner, V. 4, No. 18 issue of May 1, 1846, p. 146, col. 3.

<sup>17</sup> Hodgins Papers, Draper to Ryerson, April 22, 1846.

it to be made upon all the inhabitants of each school section according to the valuation of property.<sup>18</sup> This clause was lost in the House of Assembly when the Committee of the whole rejected it and substituted for it a school fee. As a consequence of this, there was a want of clearness and precision in the new clause as to the manner of imposing rate bills. The new clause read as follows:

To prepare and determine a rate bill quarterly, containing the name of each person liable to pay for the instruction of children sent by them to such Schools, and the amount for which he is liable, and by themselves, or any one of them, or by their collector, to collect from every person named in such rate bill, the amount therein charged against him, and in case they employ a collector, five per centum on each amount for the cost of collection, and to pay the amount so collected to the Teacher or Teachers entitled to receive the same; Provided that every person sending a child or children to any Common School shall be rated for a period of not less than two thirds of the current quarter.<sup>19</sup>

Finally on May 23, 1846, the Legislature of Ontario repealed the Act of 1843 and substituted for it a new Act called, "An Act for the Better Establishment and Maintenance of Common Schools in Upper Canada".<sup>20</sup> This was very important because it gave the common school system that form and sub-

---

<sup>18</sup> Hodgins Papers, Draft of a Bill for the Better Establishment and Maintenance of Common Schools in Upper Canada, March, 1846.

<sup>19</sup> Canada West, Journals of Legislative Assembly, 1846, V. 5, p. 147.

<sup>20</sup> Canada, (Prov.) Statutes, 9 Victoriae, 1846, cap. 20, p. 727-741.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 49

stance which it retains with slight alterations to this day.

Its terms were:

1. The Provincial Secretary was no longer to be Chief Superintendent of Education but his duties were to be discharged by a person appointed by the Governor of the Province. The appointee was to have executive supervisory powers over all common school education.
2. A Board of Education of which the new Superintendent was to be an ex-officio member, was to be appointed. Its functions were to assist the superintendent in an advisory capacity.
3. Money was appropriated for the erection and maintenance of a Normal School.
4. The positions of District and County Superintendents were continued.
5. Clergymen of all denominations were constituted statutory visitors at schools in their respective parishes.
6. School trustees and monthly fees were continued.
7. The three clauses concerning separate schools and religion in the Act of 1843 were re-enacted verbatim and listed as clauses 31, 32, 33.
8. Teachers' certificates were classified as first, second, or third.

In conformity with Clause III of the Common Schools Act, 1846, Ryerson and Draper undertook the formation of a

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 50

Board of Education to assist Ryerson in his departmental work. Ryerson preferred a Board composed of clergy.<sup>21</sup> Since Draper doubted the propriety of making the Board entirely clerical, Ryerson admitted that there would be a cry that it was a Clerical Board unless some lay representatives were included. When Ryerson approached Strachan regarding his participation on the Board, Strachan refused because his presence would rather impede than promote the objects Ryerson had in view on the work since "the opposition would then say everything was concocted and done by Ryerson and himself." Instead he suggested the name of Reverend Henry Grasett. Ryerson reported with satisfaction that His Lordship highly approved of the appointment of Bishop Power.<sup>22</sup> The Board as finally constituted was a nice balance between the claims of the various denominations and between lay and clerical representation. Its members besides Ryerson were Rev. H. Grasett, Anglican; Hon. S. B. Harrison, Church of England; J. C. Morrison, Free Church; J. S. Howard, Congregationalist; Hugh Scobie, Church of Scotland; Rev. Michael Power, Roman Catholic.<sup>23</sup>

---

<sup>21</sup> Hodgins Papers, Ryerson to Draper, Apr. 30, 1846.

<sup>22</sup> Ibid, Ryerson to Draper, May 14, 1846.

<sup>23</sup> Ibid.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 51

At the first meeting on July 21, 1846, Bishop Power was elected chairman and faithfully fulfilled that office until his lamentable death from emigrant fever on October 1, 1847.<sup>24</sup> He acted with other members of the Board in the friendliest and most harmonious manner.

Among the first duties of the new Provincial Board of Education was the establishment of a Normal School to standardize the provincial system of elementary education, the authorization of a series of text books, and the preparation of regulations for the government of Common Schools. The most important and delicate of these regulations was the one relating to religious exercises and instruction in the schools. Ryerson drafted regulations which permitted trustees to devote one day a week to religious instruction by responsible ministers.

One day in each week, or part of a day (independently of Sunday) is to be set apart for the Religious Instruction of the children, on which day, such Pastors, or other persons, as are approved of by the parents and guardians of the children, shall have access to them for that purpose.<sup>25</sup>

Before submitting it to the Board for adoption, Dr. Ryerson consulted various representative persons on the subject. In a private letter<sup>26</sup> to Hon. Attorney-General

---

<sup>24</sup> T. A. A. Extract from the Minutes of the Board of Education for Upper Canada, Oct. 2, 1847, Box 1, Folder J. Document 16.

<sup>25</sup> J. G. Hodgins, D. H. E. V. 8. p. 239

<sup>26</sup> Hodgins Papers, Ryerson to Draper, Dec. 17, 1846.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION

52

Draper, dated December 17, 1846, Dr. Ryerson thus explained his proceedings in regard to the preparation of the clause in the new regulations relating to religious instruction in the schools. He said:

I submitted the clause first to Rev. Mr. Grasett. He quite approved of it, as he felt exceedingly anxious that there should be such an explicit recognition of Christianity in our system.

I then submitted it to the late Roman Catholic Bishop Power, chairman of our Board, who after examining it, said that he would not object to it, as Roman Catholics were fully protected in their rights and views, and as he did not wish to interfere with Protestants in the fullest exercise of their rights and views.

Bishop Strachan was also consulted. After he had read the Section, he said he believed I had done all that could be done on that subject and that ... he would write a Circular to his clergy, recommending them to act as School Visitors and to do all in their power to promote the efficiency and usefulness of Common Schools.

The Hon. W. H. Draper in a private note<sup>27</sup> to Dr. Ryerson, in reply, dated Jan. 1, 1847, said:

I am more gratified than I can express that you have so successfully met the difficulty about the Religious Instruction of children in Common Schools. You (to whom I expressed myself about three years ago on the subject of the importance of not dividing religion from secular instruction) will readily understand the pleasure I feel that, in Common Schools at least, the principle and proposed application of it, for mixed schools has been approved by the Bishop of my own church, and by the Roman Catholic Prelate.

Montreal, 1st Jan. 1847

W. H. Draper

---

<sup>27</sup> Ibid, Draper to Ryerson, Jan. 1, 1847.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION

53

The first and last paragraphs of these Regulations on Religious Instructions in the Schools were as follows:

As Christianity is the basis of our whole system of elementary education, that principle should pervade it throughout. Where it cannot be carried out in mixed schools to the satisfaction of both Roman Catholic and Protestants, the law provides for the establishment of Separate Schools. And the Common School Act, securing individual liberty, as well as recognizing Christianity, provides:

"That in any Model or Common School, established under this Act, no child shall be required to read or study in or from any religious book or to join in any exercises of devotion or religion which shall be objected to by his parents or guardians."

With this limitation, the peculiar religious exercises of each School must be a matter of understanding between the Teacher and his employers. This must be the case in regard both to Separate and Mixed Schools.<sup>28</sup>

Dr. Ryerson sought in every practical way to overcome the educational apathy and inertia on the part of teachers, local superintendents and of the people at large. He adopted three special agencies in order to educate public opinion and to remove prejudice. He prepared and sent circulars to Municipal Councils, Deputy Superintendent, County Councils, Trustees and to Wardens of Districts. Another agency he established was a departmental Journal of Education to be devoted to the exposition of every part of our school system. It was published from 1848 to 1876. A third agency used was that of personally holding county school conventions.

---

<sup>28</sup> J. G. Hodgins, The Legislation and History of Separate Schools in Upper Canada, Toronto, Briggs, 1897, p. 32.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 54

He hoped this would create unanimity of views and feelings, and excite a general interest in the cause of popular education.<sup>29</sup>

In his Circular<sup>30</sup> to Trustees of Common Schools in Upper Canada, dated February, 1848, Ryerson clarified the present law concerning their means of providing funds for the teachers' salary, and the legal means at their disposal to assure continuity of their corporate life. He proceeded to discuss the constitution and government of schools in respect to religious instruction:

I beg to refer you to the book of forms, regulations of Chapter VI, Section 6. The law carefully guards against any interference with the rights of conscience by expressly providing that no child shall be compelled to read any religious book or to join in any exercise of devotion to which his or her parents or guardians shall object. But by this restriction, the law assumes that which has been considered by many as above civil authority to enact--which has been enjoined by Divine authority--the provision for religious exercises and instruction in the schools. The government does not assume the function of religious instructor; it confines itself to the more appropriate sphere of securing the facilities of religious instruction by those whose proper office is to provide for and communicate it. The extent and manner in which this shall be introduced and maintained in each school is left with the trustees of each school--the chosen guardians of the Christian educational interests of the youth in each school section.<sup>31</sup>

---

<sup>29</sup> J. G. Hodgins, Ryerson Memorial Volume, op. cit. p. 81-82.

<sup>30</sup> "Circular to Trustees of Common Schools in Upper", by the Chief Superintendent, Appendix F, Part II, No. 5, of Appendix to Journals of Leg. Assembly, V. 8, 1849.

<sup>31</sup> Ibid.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 55

It was not to be expected that so comprehensive a scheme of education as that proposed by Dr. Ryerson in 1846 would meet with general acceptance. Administrative difficulties had appeared at almost every level and soon cried out for redress. Ryerson blamed this failure on amendments which had been made by the Legislature. The District Councils seemed divided in opinions on the efficacy of the whole educational policy and machinery.<sup>32</sup>

Ryerson then set to work on a suggested amendment to the school bill which would grant urban school boards the right to establish "denominational schools." An old opponent of his, John Strachan, belligerent Church of England Bishop of Toronto, vigorously protested mixed schools and renewed his demand for Church of England schools for Anglican children. In a letter dated March 29, 1847 to Hon. W. Draper, Ryerson mentioned Strachan's objections and the means taken by the superintendent to convince the Bishop to moderate his views. A fortnight later Ryerson wrote to Draper to acquaint him of the compromise agreed to by Strachan.<sup>33</sup>

In 1847 the united Canadian Legislature, following Ryerson's suggestions, passed "An Act for Amending the

---

<sup>32</sup> J. G. Hodgins, D. H. E. op. cit. V. 7, p. 109-124.

<sup>33</sup> Hodgins Papers, Letter from Ryerson to Draper, April 12, 1847. This letter dated April 12, 1847 appears as Appendix 5, p.132.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 56

Common Schools Act of Upper Canada".<sup>34</sup> This school Act for cities and towns was a literal transcript of School Acts for the principal cities and towns in the State of New York and the New England States. At least, this was what Strachan thought. At any rate, this measure, as explained by the Chief Superintendent, in a letter dated March, 1847 to Mr. Daly, Provincial Secretary,<sup>35</sup> was designed to vest control of urban schools in municipalities, rather than District Councils, so far as the raising of money for the support of common schools was concerned. The density of population in cities and towns justified the centralizing of educational powers in municipal hands rather than leaving it entirely in control of each ward or school district authority. Thus a single Board of Education for the entire City, or Town, Municipality was empowered with new and important duties.<sup>36</sup>

This Board of Trustees appointed by the Council of each city must

determine the Number, Sites and Descriptions of Schools, which shall be Established and Maintained in such City and Town aforesaid, and whether such "School, or Schools shall be Denominational, or Mixed; the Teacher, or Teachers who shall be employed, the terms of employing them, the amount of their remuneration and the duties which they are

---

<sup>34</sup> Canada, (Prov.) Statutes, An Act for Amending the Common School Act of Upper Canada, 10 & 11 Victoriae, 1847, Cap. 19, 3 p.

<sup>35</sup> J. G. Hodgins, D. H. E. op. cit. V.7, p. 188-195.

<sup>36</sup> Ibid, p. 213-214.

to perform; to prepare, from time to time, and lay before the Corporation of such City, or Town, an estimate of the sums, which they may (judge) deem expedient for paying the salaries of School Teachers, for furnishing the School, or Schools, under their charge with suitable Apparatus and Books, and for repairing and warming and keeping in order the School House, or School Houses in their possession.<sup>37</sup>

The amendment of 1847 also gave the principle of free schools a boost in clarifying the powers of municipalities to impose a general tax for educational purposes. For the first time all ratepayers were taxed for education.<sup>38</sup> Ryerson wanted to see each municipality take advantage of this. He explained the section to the editor of The Globe on May 5, 1848.

Education Office,  
Toronto, May 5, 1848.

The estimated expense of the City Schools for the current year is the recommendation of the Board of Trustees appointed by the Council ...

But your statement of the fact itself is calculated to make an erroneous and injurious impression in respect to the school interests of the most needy portion of our fellow citizens ...

But the difference between the present and former School Act is not in the expense of the Schools--the fact sought to be impressed by you--but in that which is kept as much as possible out of sight--namely the principle on which it is proposed to provide for that expense. Under the former law, each parent, however poor was rated for his children, however numerous, or else beg to send them as paupers. One consequence was that in 1846, out of 4450 children in this city of school age the names of only 1221 were on the Common School Lists, and only 1000

---

<sup>37</sup> Canada, Statutes, op. cit. Section V, division 3.

<sup>38</sup> Ibid, Section VIII.

were on the average attending the schools. Allowing that 1000 were attending other schools, still we have the startling and melancholy fact of upwards of 2000 children in this city of legal school age not attending any school ... But the present School Act places the poor man and his children upon equal footing with his rich neighbour ... It requires each man in the city to support the Common Schools, not according to the number of his children, but according to his property; and then every child in the city of school age has a right to attend school ...<sup>39</sup>

Ryerson also addressed official circulars to the heads of the municipal councils of districts, town and cities in Upper Canada, on the provisions of the Common Schools Act of 1847 applicable to these Municipalities respectively.<sup>40</sup> He also toured twenty-one Districts of the Province in the interests of Education.

As the new Amended Act for cities and towns went into operation, a spirit of hostility pervaded certain councils. Some of the leading ones--such as the Home, Gore, and Newcastle District Councils took active official steps and memorialized the Legislature in opposition to the Act. They were opposed to compulsory taxation on the property of all residents of that district but did not go so far as to place obstacles in the way of its operation.

---

<sup>39</sup> Dept. Ed. Records, Letter Book D, Ryerson to Editor of the Globe, May 5, 1848.

<sup>40</sup> J. G. Hodgins, D. H. E. V. 7, p. 214-218.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 59

The press assailed both Ryerson and his Amendment Act of 1847. The Mirror attacked Ryerson's Bill for having given too much power to the central authority, and for granting municipalities the right to tax everyone for education.

What then ... is the case of Canada analogous to that of the New England States? ... This phrase--the children of the State sounds rather grating to our ears. Suppose the State to decide on a form of education repugnant to the wishes or judgment of the parents of the children--what then? Can the State assume the moral responsibility, resting upon the parents, to have their children educated in accordance with the dictates of their consciences? We rather think not. We rather think the children are not the chattels of the state.<sup>41</sup>

A correspondent of The Globe, Dr. John Jarron, Dunnville, anti-Catholic in views and willing to cite an alleged Catholic grievance in his opposition to free schools boldly raised the point that just as Catholics in the United States refused to accept mixed schools, so too would they reject them in Upper Canada:

---

<sup>41</sup> "Education", editorial in The Mirror, V. 11, No. 38, issue of April 21, 1848, p. 2, col. 4.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION

60

The case of the Irish Roman Catholics is too well known to every one at all cognizant of the school affairs in the States; that they are obliged to pay according to their property, and can get no advantage from the schools without doing violence to their religious creed in a manner that would be scouted at even in England or Ireland with a dominant Church in operation. Our School Bill pretends to give them relief by "separate schools" but the cloven foot appears in the details, as they cannot draw half the money they are really entitled to, while the remainder goes to the Protestant, or, as Dr. Ryerson would say, "Christian" institution in the neighbourhood.<sup>42</sup>

On June 14, 1848, George Brown's Globe reported that Catholics and members of the Church of England had asked the Toronto Board of Trustees for permission to open separate and denominational schools in the city. The board had unanimously rejected the proposal, much to the joy of The Globe, which maintained that admission of the denominational principle would replace one sectarian school by twenty sectarian schools and thus let its baneful influence pervade the whole system. The paper asserted that the whole scheme of educating by denominations was as impracticable as it was unsound in principle and was endorsed only by foolish people who could maintain them from their own purse.<sup>43</sup>

The Banner, the other mouthpiece of George Brown, carried on Dec. 10, 1847 an interesting debate on separate

---

<sup>42</sup> John Jarron, news feature in The Globe, V. 5, No. 104, issue of Dec. 30, 1848, p. 2, col. 4.

<sup>43</sup> "Proposed Sectarian Schools in Toronto", editorial in The Globe, V. 5, No. 48, issue of June 14, 1848, p. 2, col. 5 and 6.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 61

schools when Ryerson discussed the School Act in Toronto on December sixth. A certain Mr. Shaw rose to express his disapproval of sectarian schools. Hon. Mr. Elmsley rose to defend the Catholic situation by saying that Catholics could not accept the Bible as a class book in a mixed school owing to private interpretation attached thereto.<sup>44</sup>

One of the Municipal Councils, the City of Toronto Council, refused to raise the funds necessary for the maintenance of the Schools of their City, as requested by the Board of School Trustees. Consequently, it closed the schools from July first to the following winter. The peculiar circumstances connected with this singular and unusual episode are very interesting.

The position taken by the Toronto City Council in 1848 was, that it was unjust to the ratepayers to compel them to pay taxes for the support of schools, of which they did not avail themselves, and thus have to "pay for the education of other peoples' children." This view was strongly endorsed by the Honourable Robert Spence, a prominent public man, and others.

---

<sup>44</sup> Editorial in The Banner, V. 5, No. 50, issue of Dec. 10, 1847, p. 4, col. 4.

After the passage, in 1847, of the Common School Act for Cities and Towns in Upper Canada, the Board of Trustees for the City of Toronto sent in to the Council of that City an Estimate for the sum of £2,009.17.7 required by the Board to maintain the Schools of the City, for the year 1848 ... This Estimate, having been referred to the Subcommittee brought in a report recommending a refusal to levy the amount required ... The School Board submitted to the Council a second and reduced Estimate--of £868.0.9d. This reduced Estimate of Board of School Trustees, submitted to the City Council, was referred as before, to the Standing Committee of the Council on Education ... The City Council, having declined to levy the rate proposed in their Second Estimate of the Board of School Trustees, that Board issued the following notice to the Public ... 45

The schools in Toronto were closed from July 1st to the following winter. Various other District Municipal Councils, with a few exceptions, practically endorsed the action of the Toronto City Council. Such an active agitation against the principle of general taxation for Common Schools took place that Ryerson, to disabuse the public mind on the subject, published an explanatory statement.

Although details are not available, it is evident that during the late winter of 1847, Bishop Michael Phelan and leading Catholics in Kingston attacked the school bill and demanded greater facility in the establishing of separate schools. One of their representatives in the Legislative Assembly at that time, John A. Macdonald, took a sympathetic

---

45 J. G. Hodgins, D. H. E. op. cit. V. 8, p. 68-74.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION

63

view of their petition, asserting that the legislature intended to be just towards those wishing to establish separate schools:

Kingston, 10th December, 1845.

Gentlemen,

If I were an independent candidate, and not connected with the Government, I would feel no difficulty in answering the questions contained in your favour of yesterday ...

In my answers therefore to your enquiries, You must consider me as only expressing my individual opinions, and not in any way as binding on the Government or the present Administration. At the same time, I may be permitted to say, that the previous course of the Government has been such as to prove to the Roman Catholics of Canada its anxious desire to secure, to that large and influential body, equal rights and privileges with any other denomination ...

Your question respecting the Common School Bill is too vague in its terms to admit of a precise answer. You do not point out in what manner the present law prevents Roman Catholics from having separate schools in corporate Towns and Villages, nor do you suggest any mode by which the School Bill can be altered so as to remove the disability you complain of. It was the evident intention of the Legislature in passing the School Act to enable both Catholics and Protestants to have separate schools, if they desired it, and to give such separate schools a share of the public appropriation, according to the number of children of each persuasion. Should the present School Bill, from some defect, not carry out this fair and equitable intention of the Legislature, I shall be ready to support any act amending it in this respect. I am strongly in favour of affording children of the earliest age the means of religious as well as secular education, and such was the design of the Legislature in establishing Separate Schools.<sup>46</sup>

---

46 P. A. C. Macdonald Papers, M. G. 26, V. 336, Letter No. 105.

## RYERSON, CHAMPION OF COMMON SCHOOL EDUCATION 64

Supporters of Catholic Schools in the different districts were expressing disappointment with their share of school funds. Mr. Patrick Finn and others, Trustees of the Roman Catholic Separate School of the town of Niagara, petitioned the House of Assembly on January 22, 1849, "that the Common School Act may be amended, by providing for a more equitable apportionment of the School Fund."<sup>47</sup>

Bishop Guigues of Ottawa also strove to make known Catholic rights and needs. On March 27, 1849 he wrote a letter to the Chief Superintendent asking for funds.

"Nous avons à Bytown une population aux deux tiers catholique et pour un tiers canadienne-française. Or, des trois instituteurs de la ville, deux sont protestants et pas un ne parle français. Nous avons des écoles de soeurs et au collège un cours primaire. Je demande au gouvernement une allocation pour ces écoles."<sup>48</sup>

Ryerson's attitude expressed in March, 1849, was an omen for a future struggle, when he explained to Rev. Wm. Fraser, Eastern District, that separate schools were not intended to be on a par with the remainder of the school system:

---

<sup>47</sup> J. G. Hodgins, op. cit. V. 8, p. 110.

<sup>48</sup> R. P. Alexis, Histoire ecclésiastique d'Ottawa, 1897, V. 1, p. 313, and Guigues Papers, Guigues to Ryerson, March 27, 1849.

It was not intended to place separate schools upon the same footing with mixed or public schools. By the 31st Section of the Act, equal advantages and protection are secured to all religious persuasion in the public schools. And if, after that, the members of any religious persuasion in a School Section wish for a sectarian school or a school subservient to the peculiar interests of their own church, they cannot expect the public money to be given in the same ratio to build up a sectarian interest as to support a school free from sectarian influence and equally open to all religious persuasions. Such is the principle of the law, and such is the principle on which it has been administered in all my decisions in respect to both Protestant and Roman Catholic separate schools.<sup>49</sup>

Catholic schools were on a shaky foundation in the late forties. The Legislature had admitted the principle of separate schools, but it was not yet clear how easy it would be to open such schools on request, nor how tax funds would be distributed. The Catholic population was composed largely of the servant class in the cities and poor farmers in back-country areas. There were far too few priests and too few religious. Bishop Michael Power, the leading Roman Catholic ecclesiastic who died in 1847, was not replaced until 1850. Rev. Egerton Ryerson, Chief Superintendent of Education, doubted the need for separate schools and faced the formidable opposition of

---

<sup>49</sup> Dept. of Ed. Records, Letter Book D, Ryerson to Wm. Fraser, March 31, 1849.

## RYERSON, CHAMPION OF COMMON SCHOOL, EDUCATION 66

George Brown and other forceful Upper Canadian Protestants for not trying to abolish them altogether. Catholics in this province had demonstrated from place to place a desire for Catholic schools. But how were such impoverished schools to keep pace with the coming development in free education?<sup>50</sup>

---

50 F. A. Walker, Catholic Education and Politics in Upper Canada, Toronto, Dent and Sons, 1955, p. 74-75.

## CHAPTER 4

## THE GREAT CHARTER--BEFORE AND AFTER

## 1. Before

For the year following its enactment, the remedial Common School Act functioned more or less successfully. Finances and teacher-trustee relations were the major problems arising out of this Act. In his report to the Government on the School Laws of 1846 and 1847, Ryerson mentioned four groups of persons who always have been or who would always be opposed to the provisions of any general School Law. "There is a third class of persons who are opposed to any other than Denominational Schools."<sup>1</sup> To this class he offered a few words of explanation as the nature and object of the Act had been misapprehended. He referred to the power which it gave to the School Authorities of each City and Town to establish denominational or mixed schools, as they judged expedient.

He said that it had been maintained that all Religious Persuasions should be placed upon an equal footing before the law. This was the case under the provisions of the City and Town School Act, and consequently no petitions or opposition from Authorities of any Religious Persuasion reached his attention. In comparison with the former, he

---

1 J. G. Hodgins, D. H. E. 8, p. 86.

stated that the present City and Town Common School Act of 1847 did not give the power to any Religious Persuasion, much less to any ten householders of it, to demand a Separate School; that power was taken from all Religious Persuasions and given to the Public School Authorities appointed by the elected representatives of each Town or City.

He was convinced that under this Act, the efficiency of an existing Common School could not be destroyed because the Authorities responsible for all the Schools in each City or Town, and for the means necessary to support them, were to judge the expediency of such Denominational Schools. Besides, every teacher of such School had to be approved of by the Town or City, School Authorities. Thus there were guards and restrictions connected with the establishment of Denominational Schools in Cities and Towns which did not previously exist and which tended to lessen their number. This restrictive policy adopted by him would, he hoped, eliminate any plausible ground for complaint, by his enemies.<sup>2</sup> He distinctly stated:

---

<sup>2</sup> *ibid*, v. 7, p. 178.

My Report on a System of Public Elementary Instruction for Upper Canada ... amply shows that I am far from advocating the establishment of Denominational Schools; but I was not prepared to condemn what had been unanimously sanctioned by two Successive Parliaments (vide licet in 1841, 1843 and 1846) and in adapting that provision to the present system of schools in cities and Towns, I know not how it can be placed upon a more equitable and less exceptional footing.<sup>3</sup>

Nevertheless, this confession of his policy regarding denominational schools did not abate the assaults of the press against him. The Examiner dated April 19, 1848 reported Mr. Ryerson as morally disqualified for his office and regarded his present elevation as a public scandal and a national disgrace. The Globe<sup>4</sup> declared "the unanimous opinion of the Reformers of Upper Canada that he should have been out long ago."

He also felt himself to be in a more precarious position since the Baldwin-Lafontaine Ministry took over the reins of power in 1848 because he had come out most lustily in print during the controversy in 1844 on behalf of Lord Metcalfe. In so doing, he overthrew the Reform partners who threatened to retaliate if they ever again came into power. Now their hour of retribution had come. It was partially tempered by the influence wielded by a just, loyal friend in the person of the Governor, Lord Elgin. Having realized that

---

<sup>3</sup> Ibid, V. 7, p. 178

<sup>4</sup> Editorial in The Globe, V. 5, No. 47, issue of June 10, 1848, p. 2, col. 3.

his executive ministers were tottering on the brink of dissolution and fearing that the new Government would deal harshly with subordinate officials,<sup>5</sup> Elgin came out forcefully in Mr. Ryerson's favour. He caused to be printed in Canada, Grey's Despatch of March 31, 1847 which stated that the tenure of the office of public servants depended upon good behaviour and knowledge of public affairs.<sup>6</sup> It also remarked that the transfer of power from one political party to another was followed by no change in the holders of any but a few of the highest officers. Later on, when introducing Ryerson, by letter, to Grey, Colonial Secretary, Elgin assured Grey that he had to do some battle for him when the Baldwin-Lafontaine Ministry took over the administration but "as Cameron is now out, the Ministry have acted with him very cordially on education."<sup>7</sup>

As Ryerson wishes to prevent a recurrence of a "deadlock" in his Educational System,<sup>8</sup> the Chief Superintendent busied himself in drafting a new bill for the improvement of school law and in preparing for the Government a carefully reasoned statement in support of it.<sup>9</sup>

---

5 Elgin Grey Papers, Elgin to Grey, Jan. 22, 1848.

6 Ibid, Feb. 5, 1848.

7 Ibid, Elgin to Grey, Oct. 11, 1850.

8 A detailed account is given in chapter 3 of this text, p. 61-62.

9 J. G. Hodgins, D. H. E. 8, p. 87-95.

## THE GREAT CHARTER--BEFORE AND AFTER

71

The real difficulty which had to be met so as to prevent the repetition of retrogressive action on the part of the Toronto City Council was that the Legislature was averse to giving freedom of action either to the School Trustees or to the Councils whereby a small school rate on taxpayers might be levied or a rate bill upon parents might be imposed. A combination of both plans might be considered desirable if either of the other modes of raising money for schools was not agreed to. He submitted these plans in the form of a Draft of a School Bill, to the Government in October, 1848.

This draft contained the principle of free schools by investing the School Trustees of Cities and Towns with the option of raising money for teachers' salaries by a levy upon local assessment or by rate bills or by voluntary subscription. For some reason which Ryerson's biographer does not explain, Baldwin turned over the preparation of the bill to the Honourable Malcolm Cameron. Failing to receive a satisfactory acknowledgment of his own draft submitted in October to the Provincial Secretary, Ryerson wrote to Merritt only to learn that the amendments had been in Cameron's hands since January. Cameron undertook the compilation of "An Act for the Better Establishment and Maintenance of Public Schools in Upper Canada, and for repealing

the Present School Act."<sup>10</sup>

The Bill was introduced in the memorable session of 1849 amid the tensions of the Rebellion Losses Bill and of Annexation. It received a perfunctory second and third reading all in one day and was unanimously passed on the thirtieth of May. But it never went into operation because the circumstances which led to the unprecedented act of suspending the operation of a School Law were unique in their character.

Cameron had taken advantage of the assumption of Ryerson and lovers of education that the Cameron Bill was identical with his (Ryerson's) two drafts--the first one to the Provincial Secretary on October 14, 1848, the second on February 23, 1849, to substitute a Bill prepared by one of his friends hostile to the Chief Superintendent. It had been conceived with the view of dispensing with the office of Provincial Superintendent and of destroying his whole scheme for a provincial system of elementary education. On learning of its terms for the first time during first reading Ryerson submitted to the Government his objections to this Bill and then proceeded to Montreal to press them in detail. There his eyes met disturbances of a nature not conducive to business and he left with the assurance that the Bill would

---

<sup>10</sup> Statutes, (Prov.), An Act for the Better Establishment and Maintenance of Public Schools in Upper Canada, 12 Victoriae, 1849, Cap. 83, p. 563-587.

be either dropped or mended. Instead, it was quickly rushed through the Assembly by Cameron, was carried through the Council without amendment and received the Governor's signature.<sup>11</sup>

Within three hours of learning that the Bill was law, Ryerson submitted his resignation to the Government, together with a lengthy exposition of his objections written by Honourable Attorney General Baldwin. Toward the end of this letter dated July 14, 1849, he protested against the last feature of the Bill which excluded clergy as school visitors and which proscribed from the schools all books containing controverted Theological Doctrine.<sup>12</sup> The section for Separate Schools was omitted. At this time the Catholics were busy obtaining an act of incorporation for Bytown College and petitioning the Legislature for financial aid for Regiopolis.<sup>13</sup>

He then concluded his remarks by quoting a paragraph from Hon. Horace Mann's last and twelfth Report as Secretary of Massachusetts's Board of Education. The sentiment expressed in the concluding sentence of that quotation was dear to Ryerson's heart and purpose.

---

11 C. B. Sissons, op. cit., p. 177-181.

12 J. G. Hodgins, op. cit. V. 8, p. 239.

13 Journals of Legislative Assembly, 1850, p. 36.

## THE GREAT CHARTER--BEFORE AND AFTER

74

... for I do not believe they would have enabled me by their annual elections to carry forward any plan either for excluding the Bible, or Religious Instruction from the Schools; and had the Board required me to execute such a purpose, I certainly should have given them the earliest opportunity to appoint my successor.<sup>14</sup>

The upshot of these communications was that after having an interview with Baldwin in July, 1849, Ryerson was told to continue to administer the Department of Education as though the Cameron Act had never been passed. This was an unique experience in the history of Canada--that of a Government authorizing the non-enforcement of a law presented by itself and duly sanctioned.<sup>15</sup>

As the School Act was not to become operative until January, 1850 Ryerson left the Cabinet to resolve the problem during the autumn. On December 29, 1849, Ryerson wrote Hodgins to say:

... that the scandalous School Bill of last session is upset. The members of Govt. (even the Governor General personally) have examined my long paper of July last, & have come entirely into my views. Malcolm Cameron is also out of office ...<sup>16</sup>

During the framing of the Bill of 1850, and in its protection during the scrutiny to which it was subjected in the Legislature, Ryerson had the able assistance and full support of

---

14 J. G. Hodgins, op. cit. V. 8, p. 241.

15 Ibid, p. 247

16 C. B. Sissons, op. cit. V. 2, p. 185.

Francis Hincks, Inspector General. To ascertain the state of public opinion in regard to the proposed school legislation, Mr. Hincks issued a Circular on Jan. 9, 1850 on this subject to School Superintendents, Ministers, Teachers and other official persons asking for personal opinions on provisions of the School Acts of 1846, 1847 and of the discredited (Cameron) Act of 1849. He requested to be furnished with practical suggestions in regard to clauses of a new School Bill. On receiving replies to these Circulars, Mr. Hincks sent them to Dr. Ryerson for his information and as suggestions to aid him in preparation of the School Bill of 1850.

One of the replies stemmed from the knowledge of the omission of the separate school clause in the 1849 Act. Reverend John Flood, School Superintendent of the Dalhousie District, regretted this omission and disclosed applications from persons at Fitzroy Harbour for instructions on how to proceed in establishing such a Separate School. He hoped that this section would not be neglected in the 1850 Act.<sup>17</sup>

In addition to this information desired by the Inspector-General, he requested the Chief Superintendent to furnish him with particulars as to the nature and provisions for imparting religious instructions in the Schools.

---

17 J. G. Hodgins, D. H. E., V. 9, p. 63.

## THE GREAT CHARTER--BEFORE AND AFTER

76

On May 14, 1850 His Excellency, Lord Elgin, opened the Third Session of the Third Provincial Parliament. After preliminaries, petitions from Roman Catholics praying for the re-establishment of Separate Schools, were read. On June 14, Michael Rape and other Trustees of a Roman Catholic separate school of S. S. No. 10 in the Township of Kitley begged that provision be made for the said school for the year 1850 and that due regard be had to their rights.<sup>18</sup>

Apparently, some clergy present in the House of Assembly suspected a more restrictive policy underlying the 19th clause and asked for redress:

... of Very Rev. John Carroll, administrator of the Diocese of Toronto, and other Catholics of the City of Toronto and of Very Rev. Angus Macdonell, V.G. of all the Bishops composing the Ecclesiastical Province of Canada praying that the 19th clause now before the House may be so amended as to enable Catholics of Canada West to establish separate schools wherever they may deem it expedient.<sup>19</sup>

Apart from changes in phraseology, as well as alterations made in certain sections of the Common School Act of 1850 by Members, Hon. Francis Hincks who had charge of the Bill in the House, on behalf of the Government, was forced to accept, with Ryerson's concurrence, an effective amendment to Section nineteen. Dr. Ryerson in a letter published in 1851

---

18 Journals of Legislative Assembly, 1850, p. 69.

19 Ibid, p. 127.

to Hon. George Brown explained why this amendment was made by Mr. Hincks.<sup>20</sup> The context of the letter was as follows:

According to the original draft of the Nineteenth Section of the School Act of 1850, Ryerson proposed to place the authority for establishing Separate Schools upon the same footing as that on which it had been placed in Cities and Towns by the Act of 1847--namely, to leave it in the hands of the City, or Town, Board of Trustees. But the Roman Catholic Hierarchy who had their suspicions and fears excited by the unexpected and unnoticed omission of Separate School clauses from the Act of 1849, had representatives, both clerical and lay in attendance to zealously watch the nature and progress of the School Bill of 1850.

During the debate following the second reading, several Roman Catholic prelates asked for the amendment of the 19th clause, as was related in the previous page. Several leaders of the high Episcopalian party were also in attendance and profited by this opportunity to insert a clause providing for Church of England Separate Schools introduced into the Bill through co-operation with the Roman Catholic Church. An agreement by which any twelve members of either church could demand a Separate School in any School Section of Upper Canada was reached by these parties. It meant that

---

20 J. G. Hodgins, op. cit. V. 9, p. 25.

## THE GREAT CHARTER--BEFORE AND AFTER

78

a Protestant and a Roman Catholic Bishop, or other clergyman and eleven others of either church in Toronto could not only demand and establish a Separate School in Toronto, but in every City, Town, Village and School Section in Upper Canada-- not requiring the choice, or action, of the laity in any School Section out of Toronto for the establishment of a Separate School.

The Ministry learned of the plot and feared that the proposed amendment would destroy the School System. They promptly offered the Roman Catholics a compromise. They inserted the former arrangement of permitting Roman Catholic separate schools wherever the common school teacher was Protestant and vice versa. They also agreed to make it the duty of the Municipal Council of any Township, and of the Board of Trustees of any City, Town or incorporated Village, on the application in writing of twelve or more resident heads of families, to authorize the establishment of one or more separate schools for Protestants, Roman Catholics, or coloured people.<sup>21</sup>

This was acceptable to the authorities of the Roman Catholic Church who said that they did not wish to oppose the Government of Messieurs Baldwin and Lafontaine unless compelled to do so; they then advised all Roman

---

<sup>21</sup> Statutes, (Prov.) 13 Victoriae, 1850, cap. 48, p. 1263.

Catholic members of the House to vote for the Government Section of the Bill as amended.

Meanwhile the leaders of the Episcopalian party were very active and boasted that they would have a majority of fourteen or twenty votes against the Government on the 19th Section of the Bill and probably defeat the Government on this question.

When division was called, the leader of the Episcopalian party, who was not aware of the counter movement, rose to move the famous amendment but he was very surprised to find that not one of the Roman Catholic members supported it and only six or eight of his own persuasion. Their bewilderment at this unexpected event greatly amused the other Members who voted with the Ministry.<sup>22</sup>

On Mr. Hincks moving the Section, as amended, it was carried without a division, and it constituted the 19th Section of the Act of 1850.<sup>23</sup>

## 2. After

Dr. Ryerson prepared and forwarded a circular letter<sup>24</sup> to town reeves, dated August 12, 1850. In it, he explained the provision of the 19th Section as far as it

---

<sup>22</sup> J. G. Hodgins, op. cit. V. 9, p. 25

<sup>23</sup> 19th Section of the Act of 1850 appears as Appendix 6, p. 135.

<sup>24</sup> Journal of Education, 1850, v. 3, p. 110-117.

related to separate Protestant and Roman Catholic Separate Schools. He stated that the present Act imposed more effective restrictions and conditions in the establishment of such schools than either of the former Acts. Notwithstanding the existence of this provision of the law since 1843 there were last year but fifty-one separate schools in all Upper Canada--nearly as many of them being Protestant as Roman Catholic; so that this provision of the law was seldom acted upon, except in extreme cases. He regarded them as of little consequence for good or for evil and foresaw their decrease in the future on account of financial limitations. By the terms of this section, separate school supporters were entitled to no Government aid beyond the share of the school fund provided for a teacher's salary on the basis of enrolment in the separate school. The school house and all its appurtenances had to be supplied by the persons petitioning for such a school. Besides these, separate school supporters were not exempted from local assessment or rates for common school purposes.

He also prepared and published a circular<sup>25</sup> to City and Town Board of School Trustees, in regard to this 19th Section, dated the 8th of October, 1850. Its message was similar to the one transmitted to townreeves. Since, in

---

25 J. G. Hodgins, The Legislation and History of Separate Schools in Upper Canada, p. 53.

agreement with the 47th Section of the Act of 1850, the first election of school trustees in cities and towns was to take place on the first Tuesday in September, he made suggestions as to the composition of these common school corporations, to the taxable inhabitants of cities and towns. He suggested the election of one clergyman and one layman for each ward. In so doing, the laymen would be best able to attend to the financial affairs of the schools, and the clergy would be in the best position to attend to the character and discipline of these schools. He hoped that the union of the representatives of several religious persuasions in each Board would effectually prevent anything like mere sectarianism in the Schools, while they would be invested with a proper moral and Christian character.<sup>26</sup>

The machinery of the School Act was set in motion and Ryerson breathed more comfortably in the year 1850 than ever before or since during his long term of office. He felt free to plan a second trip to Europe on business connected with his Department. He left for England in October and after a detour to visit friends in the States, he arrived a few weeks later.

On his arrival there, he witnessed intense religious excitement caused by Lord John Russell's famous letter of November fourth to the Bishop of Durham denouncing the

---

<sup>26</sup> Egerton Ryerson, Election of School Trustees in Journal of Education, 1850, V. 3, p. 124.

Papal Bull of September twenty-ninth which had re-established the Roman Catholic hierarchy in England.<sup>27</sup> Pope Pius IX consecrated Cardinal Wiseman as Archbishop of Westminster. This papal document had stirred the spirit of England's people to its lowest depths and occasioned the theme of countless pamphlets. The subject of various caricatures was "Down with the Pope and up with the Queen". This bigoted, anti-Catholic sentiment crossed the ocean and lodged in Canada West Protestant thought. Toronto, in particular, was the nucleus of vile and slanderous language hurled through the press at Catholics and separate school supporters. The "Papal Aggression" of 1850 was regarded by many Protestant writers here as a dreadful symbol of Roman Catholic plans for world domination. Was not the Anglo-Catholic "Puseyite" Oxford movement a proof of this?--or the separate school agitation? They presented through their press an absurd picture of Catholic doctrine and practices and misrepresented Catholic theology. The Catholic priest was represented as the enemy of education and culture, the Catholic citizen as a bland, uneducated bigot.<sup>28</sup> Industrial, civil and intellectual progress belonged to Protestantism. Catholicism represented

---

<sup>27</sup> Elgin Grey Correspondence, (1846-1852), Grey to Elgin, Nov. 15, 1850. More detail is given in Ryerson, His Life and Letters, V. 2, p. 204-207.

<sup>28</sup> Editorials in The Mirror, V. 13, No. 25 issue of Jan. 17, 1845, p. 2, col. 5 and The Globe, V. 10, No. 49 issue of Apr. 24, 1852, p. 198, col. 5, 6, 7.

intolerance, persecution and the death of the spirit.

During this period of the 1850's, Toronto numbered some 25,000 souls of whom 8,000 were Catholics.<sup>29</sup> Priests in the two Catholic churches, St. Paul's and St. Michael's Cathedral, looked after their spiritual needs while the Sisters of Loretto, who came from Ireland in 1847 at the invitation of Bishop Power, taught the young girls in several schools. The political situation at this time was not very promising as the union of the two Canadas was increasingly becoming more unpopular. Canada West now exceeded the population of Canada East and the embers of the 1837 rebellion still smouldered. While Lord Elgin was stoned and the Parliament Buildings in Montreal were burned by English-speaking Tories in 1849, Toronto was the scene of frenzied demonstrations. Tory and Orange mobs attacked the homes of Baldwin and Blake and burned the reform chieftains in effigy. Brown admitted years later that he had taken such a prominent part in the agitation over separate schools as to separate the great mass of the Roman Catholics from Liberal ranks. He also brought about the disruption of the Reform party and became leader of the Ultra-Reformers known as "Clear Grits".

---

<sup>29</sup> Francis J. Boland, An Analysis of the Problems and Difficulties of the Basilian Fathers in Toronto, 1850-1860, unpublished Ph. D. Thesis, Ottawa, 1955, p. IX.

Into this turbulent maelstrom of political and economic strife with religious and racial animosity rife, stepped a gentle, pious, French aristocrat, Rev. Armand Francis Marie, Comte de Charbonnel, who became Bishop of Toronto in 1850. A zealous and indefatigable priest, de Charbonnel was ever active in his diocese or in Europe obtaining priests and financial support for the bottomless pit of West Canada Catholic needs. He became ardently engaged in the controversy over separate schools which was already smoldering when he arrived. It originated in the careless wording of the Act of 1850 which denied the right to create more than one separate school in each city, or town. This disability brought on a crisis in Toronto.

In the latter part of 1850 certain Roman Catholics applied for a second Separate School in the City of Toronto. The request was not unreasonable in view of the size of the city, but as the latest School Act had constituted the whole city as a single school section, the Board of School Trustees refused the application. Application was made to the courts for a mandamus. The court decided that the Board's refusal was justified by the letter of the law whatever might have been the intention of the Legislature.<sup>30</sup> On February 18,

---

30 J. G. Hodgins, D. H. E. op. cit. V. 9, p. 240.

1851, Hodgins, in a letter to Ryerson, related this case and recounted the Judges' opinion. It was to the effect that the Board of City Trustees must grant Separate Schools but it was with them to determine how MANY shall exist in a city or town.<sup>31</sup> Ryerson replied in a letter, dated March 13, 1851, which stated that he was pleased with the decision of the Judges. He said that the Roman Catholics had commenced to use the 19th clause of the School Act in a very different manner from what was intended. He supposed that the late proceedings of the Pope and Bishops in regard to Separate Education in Ireland had prompted this change. However the Court's decision, while affording them due protection, would prevent them from making undue use of this clause in Cities and Towns.<sup>32</sup>

The Roman Catholic supporters then sought Legislative remedy for a defect in the law. Mr. Hincks declined to take this complaint into consideration without consulting Ryerson who was abroad. Here the matter stood for months as the Chief Superintendent did not return until June, 1851.

Meanwhile, Bishop Strachan began anew his campaign for Church of England schools. He injected controversy into his letter to Lord John Russell which had been intended as a

---

<sup>31</sup> Hodgins Papers, Hodgins to Ryerson, Feb. 18, 1851.

<sup>32</sup> C. B. Sissons, op. cit. p. 220.

defence of his Church's share of Clergy Reserves. The Bishop complained of the injustice of permitting Roman Catholic separate schools while denying them to Anglicans. The votes of Romanists, he charged, had balked his efforts to provide that Christian education which the Provincial system ignored.<sup>33</sup>

Ryerson noted the double game which the Bishop was playing with the Roman Catholics in Canada and "Anti-Papal Aggression" in England. He witnessed a speech delivered by Strachan in the Legislative Council many years previously, advising the Roman Catholics to ask for assistance from the Government. This was to secure their political alliance and support against other Protestant denominations. He then appealed to Protestants in England against the Government of Canada because of the countenance given to the Church of Rome.<sup>34</sup> Once more Ryerson denied that his schools were infidel and as for separate Anglican schools they were legally permissible if people could be convinced of their necessity.<sup>35</sup>

---

<sup>33</sup> Elgin Grey Papers, Enclosure in Elgin to Grey, July 12, 1851.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

Petitions for separate Anglican schools were duly presented to both Houses of Parliament when its session opened on May 20, 1851.<sup>36</sup> Roman Catholic petitions from Mr. Michael Brennan and others of the town of Belleville also came in praying for the Amendment of the 19th Section of the Common School Act of 1850 so as to provide more effectually for Separate Schools in certain cases.<sup>37</sup> These voices did not go unchallenged. On June 24, 1851, the Warden of the United Counties of York and Peel deprecated provisions for Separate Schools as injurious and harmful to the extreme to the otherwise progressively harmonizing effects of generally diffused education.<sup>38</sup> They suggested that the logical sequence would be to legalize schools for every denomination. Thus the ultimate result would be prostration of the education of the people at the shrine of Religious "Sectarianism" with every evil attendant thereon.

Anxious to consult with his chief in the educational field, Hon. Francis Hincks promptly turned over all enquiries to the Chief Superintendent on his arrival in June, 1851.<sup>39</sup> Bishop Charbonnel and Vicar-General Macdonell also communicated with Ryerson on this issue.

---

<sup>36</sup> Journals of Legislative Assembly, 1851, p. 61.

<sup>37</sup> Ibid, p. 102

<sup>38</sup> J. G. Hodgins, D. H. E. op. cit. V. 10, p. 96.

<sup>39</sup> Ibid, V. 9, p. 240

Ryerson admitted that he had not planned to deprive them of any rights as to Separate Schools which had been conferred on them by the Act of 1846. He had not foreseen the construction put upon it by the Court of Queen's Bench. The Roman Catholic hierarchy agreed that they would be satisfied with a Separate School in each ward. Then Dr. Ryerson wrote a draft of an Act for that purpose.

In suggesting the remedial Bill to the Government, Ryerson explained that he felt it would be of no special advantage to the Roman Catholics, and that eventually separate schools would have to be discontinued as free common schools developed.<sup>40</sup> The Honourable John Ross brought into the Legislative Council the Bill, "An Act to Define and Restore Certain Rights to Parties Therein Mentioned." It passed and became law on August 30, 1851.<sup>41</sup>

The remedial bill substituted the wards of a city or town for the original sections. It was provided that Separate School supporters must be granted, if they duly petitioned the School Trustees of the City or Town, "a Separate School in each Ward, or in two, or more, wards united."<sup>42</sup>

---

<sup>40</sup> Hodgins Papers, Ryerson to Ross and Hincks, Aug. 1, 1851.

<sup>41</sup> Canada (Prov.) Statutes, 15 Victoriae, 1851, Cap. 61, p. 2128-2129.

<sup>42</sup> Statutes, Ibid, p. 2129. In 1851 there were 7 wards in Toronto.

Bishop de Charbonnel was satisfied--so happy indeed that he ventured on a bilingual pun: "If Canada East has for Superintendent a Doctor Meilleur, ow(n)ing to the sincere liberality of our Government, and its Superintendent for the West, our condition for the education of our dear children will become good and better".<sup>43</sup>

The opponents of sectarian schools were far from satisfied at the erection of what the Globe called "Sectarian" schools. What kept a feeling of distrust and uncertainty alive on the part of Roman Catholic authorities was the constant efforts of prominent members of the House of Assembly from 1851 on, to repeal the 19th Section of the School Act of 1850.

During the debate on the second reading of the nineteenth section on August 14, Wm. Lyon Mackenzie moved in amendment to repeal the 19th clause.<sup>44</sup> He gave his reasons for doing so in an elaborate preamble which embodied the educational ideals of the Clear Grits. The extract was interesting from the fact that it embodied the "popular objection" then urged against the existence of Roman Catholic separate schools in Upper Canada and gave specific reasons for their objections.<sup>45</sup>

---

43 C. B. Sissons, op. cit. V. 2, p. 243.

44 Journals of Legislative Assembly, 1851, p. 282.

45 Ibid, p. 351.

He insisted that sectarian or separate schools were a dangerous interference with the Common School System of Upper Canada, and if granted to Protestants and Roman Catholics, could not reasonably be refused to other sects such as Quakers, Tunkers, Baptists and others. Besides, if any number of religious sects should have separate schools it was only right for them to have separate Grammar Schools, Colleges and Professorships in the Universities. Injustice was shown to Protestants in taxing them to provide for the instruction of children in Roman Catholic doctrines or to tax Roman Catholics for religious education of youth in principles averse to the Church of Rome. He also figured that the early separation of children at school on account of the creeds of their parents would rear nurseries of strife and dissension and thus deprive the child of a moral, intellectual, and literary education. Finally he pointed out that the repeal of the Nineteenth Section would discourage Sectarian Education and be productive of peace, harmony and good will in Canada West.

Yet he secured for his amendment only seven votes and Hincks carried the original bill by a vote of twenty-five.

This problem seemed to have been solved to the satisfaction of all except the extremists--the Clear Grits and the High Church of England. Brown in his attack upon "sectarian" schools accused the Government of granting pecu-

liar privileges to a class in the community on account of its religious opinions.<sup>46</sup> Ryerson protested and defended his policy in regard to separate schools.<sup>47</sup> The Mirror, undertook to convince him that the Catholic Church is not a "Sect" and that Catholics do not follow the Pope as their master. Consequently they do not come under the conditions which make up a sect. They begin by defining the term "sect"--

"Sect" derived from the Latin "secta" signifies the union of a body of men in the belief of certain tenets, which tenets they hold from a chief or master either living or dead, who in his time had advanced religious notions that were opposed to the established belief of his country and age. The followers of this Master constitute a sect according to diction and according to the accepted meaning of the term. Three things are necessary to call forth and constitute a sect:

1. an established or general belief,
2. a dissenter from that general belief,
3. followers in the tenets of that dissenter,

The Master, from whom the tenets which that Church teaches are derived, could not have been a dissenter from a general or established belief already in existence and hence his followers do not possess any of three essential attributes of a sect. Catholics do not follow the Pope as their Master. They yield obedience to the religious ordinances of the Pope for the time being as their spiritual sovereign, but they only obey him as the Executive promulgator of tenets already in existence, and not as the

---

46 "Sectarian Education in Canada West" - Editorial in The Globe,, V. 1, No. 48, issue of July 11, 1851, p. 4, col. 4.

47 Dept. of Ed. Records, Letter Book F, Ryerson to Brown. This letter of vindication of his policy regarding 19th clause of 1850 Act appears as Appendix 7, p. 137.

framer of new tenets. The Pope is to them in things spiritual what the Monarch for the time being is in things temporal. The Pope bears the same relation to the Catholic Church that the Queen does to the British Constitution; they have both certain definite duties to perform in their respective spheres; the Queen governs her subjects through laws framed within the limits of the Constitution; the Pope governs the Catholic Church through laws framed within the religious constitution of that church.<sup>48</sup>

Yet, The Examiner and The Globe heightened their attacks on all things Catholic and included separate school agitation as a part of "priestcraft's" evil doings. They predicted utter destruction of the common school system by allowing sectarian schools.

The common school system has been embarrassed by a re-enactment of the sectarian clause, which will make it more practically effective for evil. The monopoly of the surplice has widened its bounds and strengthened its embankments.<sup>49</sup>

In at least one county the issue of Roman Catholic separate schools became a rallying cry for party politicians during the elections of December, 1851. The constant and intense attacks by the Clear Grits and Orange Tories upon Separate School supporters effected in strengthening their bonds and in renewing their demands for public funds.

---

<sup>48</sup> Editorial in The Mirror, V. 14, No. 1 issue of Sept. 13, 1850, p. 2, col. 7 and 8.

<sup>49</sup> Demise of Parliament, article in The Examiner, V. 14, No. 11, issue of Sept. 3, 1851, p. 2, col. 6.

The Mirror, Toronto, and the Montreal True Witness and Catholic Chronicle, edited by George E. Clerk were rabid supporters and defenders of the Catholic Church.<sup>50</sup> The Mirror even threatened that Catholics would withdraw their support from Reformers of the Globe and Examiner stamp, pointing out that "Tory and Orange" newspapers were much more gentlemanly and tolerant than the Reform press.<sup>51</sup> On Nov. 24, 1851, Hon. John Elmsley appealed to Rev. P. Schneider for assistance in the coming elections:

The General Elections are close at hand, and the hour is fast approaching in which like a band of brothers we should stand firm ... and oppose by every allowable effort all candidates who are avowedly opposed to separate schools.

Elmsley reported to Father Schneider that the Bishop had spoken "some time ago" to the Catholic Institute in Toronto. Referring to education, Charbonnel had:

... exhorted us to be united in one compact body to endeavour to obtain by all constitutional means separate schools throughout the length and breadth of the land, or wheresoever it might be advisable to have them established.<sup>52</sup>

Another medium to show Catholic interest in education was the formation in 1851 of Catholic Institutes in communities throughout Upper Canada. The Toronto Catholic

---

<sup>50</sup> Editorial in The Mirror, V. 14, No. 20 issue of Jan. 24, 1851, p. 2, col. 5.

<sup>51</sup> Ibid, V. 14, No. 13 issue of Dec. 6, 1850, p. 2, col. 6.

<sup>52</sup> T. A. A., Miscellaneous Papers.

Institute was a lay organization formed with the approval of His Lordship Bishop Charbonnel and several of the clergy. Leading Catholic laymen met to listen to lectures on Catholic culture, education or to discuss the position of Catholics in contemporary society. Education was naturally their chief interest.<sup>53</sup> An outstanding and enthusiastic educationist was Rev. R. J. Tellier, S. J., who delivered an address to members of this Toronto Institute on Monday evening, December 1, 1851. He communicated to them a few of his ideas on the vital topic of schools and education.

Numbers of Roman Catholics in Canada West increased in one decade (1841-1851) by more than one hundred thousand. Much of this growth resulted from immigration from Ireland. These destitute Irish folk brought with them memories of injustice and persecution suffered in the cause of their religion. Settled in the urban centres of Toronto they were a voting power to be conjured with, to be wooed and won. The competent lay organization of that city extended a welcome and initiated them into the complex stormy religious and political issues then at stake. The Mirror reminded the Catholic electors of Canada West of their constitutional rights in the formation of a new Representative Assembly, soon approaching. They could not support candidates who

---

<sup>53</sup> F. A. Walker, op. cit. p. 106-107.

included a "no separate schools" clause in their platforms.<sup>54</sup> In the issue of October 31, 1851, the editor of this same paper remarked that Catholics were determined to have their separate schools even at the expense of breaking up the reform party.

The month of October, 1851, saw the break-up of the Great Ministry, of the Baldwin-Lafontaine Administration and its replacement by the government of Francis Hincks and Morin. The new Cabinet Ministers received the seals of office at Quebec on the 28th of October. As soon as Hincks became Premier, he was mercilessly assailed in The Globe by its editor, Brown, who blamed him for introducing the wedge into the national educational system. Brown stated:

A small minority of her Majesty's Upper Canada subjects raise a cry against the general school system because of a feared religious defection through a mixed common school training, and the Government considerately tells them that they may have schools of their own and draw means for their support from the general fund; thus far conceding a bigoted demand for exclusive rights; and, thus establishing a precedent which will be unquestionably followed by exclusive measures equally prejudicial to the general interests of the country.<sup>55</sup>

Brown was opposed to the introduction of the wedge on the strong ground that separate schools opened the way for the reception of sectarian claimants of every creed. He pre-

---

<sup>54</sup> Article in The Mirror, V. 15, No. 7 issue of Oct. 24, 1851, p. 2, col. 4, 5, 6.

<sup>55</sup> Editorial in The Globe, V. 8, No. 135 issue of No. 11, 1851.

ferred the disruption of the Reform party to the "damning evil of Sectarianism".

Newspapers through Upper Canada followed the lead of the Toronto papers in stressing the importance of the separate school agitation. The Niagara Mail maintained that common schools could teach religious morality without going into theological differences, and regretted the first admission of the separate school principle, which could so easily lead to the destruction of the common system:

Since the memorable address of Father Tellier in Toronto, we have noted many indications of a change in the current of sentiment in certain ones high in power and office among the Catholic community.

At first it was only separate schools that were wanted; but that point gained, they now claim an independent Board of Education for their own purposes at the public expense ... The maintenance of our schools is a matter of too sacred obligation to be yielded to either threats or flattery; and not for the political support of any party will we consent to go one step further than we have done in derogation of the unity of our present system ... 56

The new Administration was sustained at the polls but it was to enter a stormy era in the field of elementary education, for the press poured out a steady stream of outrageous abuse against Catholic institutions and theology. The public mind must have had a strange picture indeed of

---

56 Enclosure, "Sectarian Common Schools" from the Niagara Mail in The Globe, V. 8. No. 135, issue of Nov. 11, 1851, in Letters of Lord Elgin.

that belief when it was constantly fed an erroneous diet of Catholicism representing intolerance, persecution, and death of the spirit. It was little wonder that Toronto's intrepid, ardent Roman Catholic Bishop contested the lack of equal proportionment of public funds for education and the inability to establish more separate schools. It was an uphill fight for their extension and a controversy that frequently jars the modern reader.

## CHAPTER 5

## THE FIERY FIFTIES

The rapid growth of common schools in the fifties was matched by the intensity of the separate school controversy. Up until this time Catholic authorities laboured perseveringly and quietly for separate schools, but from the advent of French-speaking Bishop de Charbonnel on the educational rostrum, the struggle was carried to the press. At first the Bishop corresponded privately with the Superintendent of Education as he gave countenance to urgent appeals from Catholic authorities in Canada West for increased educational facilities.

An appeal of Reverend John Carroll, Administrator of Toronto diocese, written at his request by the Hon. John Elmsley to Bishop de Charbonnel on June 21, 1850, urged the new Bishop, on his arrival, to give energetic attention to Catholic education. Carroll declared:

But whenever you come we all feel convinced that your arrival will be the commencement of a new era; that religion and religious education will soon be placed upon the best possible footing; that religious orders will not be long in planting flourishing colonies in our midst; that the good Fathers of the illustrious Society of Jesus will soon place themselves under your protection; that the Brothers of the Christian Schools will be emboldened to come and take charge of our elementary schools; that the devoted Ladies of Loretto, who are already labouring with the utmost assiduity, to form the minds and hearts of the female youth of this City will be encouraged to persevere in

## THE FIERY FIFTIES

99

their Heavenly calling.<sup>1</sup>

In one of his first pastoral addresses, Oct. 19, 1850, Charbonnel wished for an increase in the number of Catholic elementary and secondary schools. He hoped for a betterment in diocesan finances so that:

We will be able to increase the number of our elementary schools, as it is much needed. When shall we see the venerable Ladies of Loretto ... embrace all the City of Toronto and the other important places of the Diocese, with their invaluable education? When shall we see in Toronto a High School directed by the Fathers of the Society of Jesus?<sup>2</sup>

The narrow interpretation of separate school legislation gave cause for Charbonnel's first major complaint in 1850 to have three separate schools.<sup>3</sup> The obduracy of the Toronto trustees in this matter was corrected in 1851 by the Legislature, acting on Ryerson's advice.<sup>4</sup> This was Charbonnel's first experience with local hindrances to separate schools, and his success in obtaining relief through legislative action was a lesson he did not forget.

Charbonnel, having won the first battle, that of new Separate schools in Toronto, began the second round of a long war in the autumn of 1851, when he complained against

1 T. A. A. Miscellaneous Papers.

2 Charbonnel Papers, Charbonnel to the Archbishop of Dublin, Nov. 14, 1850.

3 Ibid, Charbonnel to "City Superintendent of Common Schools of Ontario", Oct. 14, 1850.

4 Canada, (Prov.) Statutes, 14 & 15 Victoriae, 1851, Cap. 3.

## THE FIERY FIFTIES

100

the apportionment of school taxes. In a letter dated Nov. 1, 1851, to Inspector General, Francis Hincks, he combined a request for the adjustment of common school grants with a suggestion for help to educate priests. The Bishop told Hincks that attempts to obtain justice from the Toronto trustees were "of a very sad description for a true liberal mind". Specifying his objection, he continued:

I have been told that, if out of the £2500 that the board will have had to dispose of within twelve months on behalf of the City of Toronto, I can get £200 for my Catholic children who are the fourth part of the children of that city, and the half of the poor ones, I will be very successful and ought to be quite satisfied.

The Bishop felt that only political action could ameliorate this situation:

I have no doubt that our legislature on its next session will put an end to such an injustice and give us a law worthy of our government with regard to the education of our Catholic children ... I ask only two things: Common Catholic separate schools on a quite liberal footing; and a noble share in the public funds for education, for the fundamental purpose of endowing the Garden Land of Upper Canada with the most excellent gardeners who would sow the grains and reap the fruit of morality and prosperity. For controlling Catholic schools I would ask public examinations, and for the funds put at the disposal of the R. C. Episcopal Corporation for Clerical Education, I would provide public accounts for their employments to the last penny.<sup>5</sup>

On March 3, 1852, a group of Bytown Catholics joined with the Toronto Catholics in petitioning aid for

---

<sup>5</sup> Charbonnel Papers, Charbonnel's Letter to Hincks, Nov. 1, 1851.

separate schools. They felt that an education whether purely secular or "mixed" was incomplete and often "most dangerous" for families and for society.<sup>6</sup> In the same month Bishop Phelan, Administrator of the Kingston diocese, in a pastoral letter complained that:

... education, the source of intellectual life, by which the mind of man is formed, his feelings regulated, and his judgments fixed, has been almost entirely dissevered from every connexion with the ministers of our religion, and made the vehicle of that cold scepticism and heartless indifferentism, which have seduced and corrupted the minds of youth.<sup>7</sup>

It was a petition from the Chatham R. C. trustees to Hon. S. B. Harrison, Chairman of the Council of Public Instruction which initiated a long bitter controversy between Bishop Charbonnel and Ryerson. In this letter, dated January fifteenth, Charbonnel complained of the apparent injustice over provincial grants despite the heavy tax levied upon each R. C. citizen. Although money was collected from both common and separate school supporters, all the funds went to a new free school.<sup>8</sup>

Replying on Feb. 23 instead of Harrison, Ryerson forwarded to Chatham a copy of a letter he had sent on the

---

6 Charbonnel Papers

7 T. A. A. Miscellaneous Papers

8 Canada West, Journals of Legislative Assembly, 1852, Appendix E E to V. 11, p. 31.

## THE FIERY FIFTIES

102

same subject to the separate school trustees at Belleville. He clearly indicated that since the new school in Chatham was illegally established, its trustees could not share in the school fund for that year. Nor was the municipality obliged to share with the separate school trustees any portion of local taxes: the municipality was the sole authority in its decision as to how to apportion its tax renewals. They were also reminded that the Board of School Trustees was the only authority constituted in each City, Town and incorporated Village to authorize the raising and expenditure of school moneys in that municipality. He added:

The School law provides for the equal protection of the peculiar religious rights and scruples of all religious persuasions; but if the members of any religious denomination in a Municipality are not satisfied with the enjoyment of equal privileges with the members of other religious persuasions of their fellow-citizens, but insist upon a School exclusively devoted to their own denominational interest, they cannot ask, upon any ground of constitutional right or justice between man and man, that public money, Municipal authority and property, shall be employed to the same extent to build up denominational interest as to promote interests which are common to all classes of citizens without regard to sect or party.

Such is the principle on which our successive School Acts have been framed; ... nor have I ever before heard of a demand being preferred upon a Municipality to make the same provision for the salary of a denominational School as for that of a Teacher of a Public School.<sup>9</sup>

---

<sup>9</sup> Ed. Dept. Records, Letter Book F, Ryerson to Mr. O'Hare, Feb. 18, 1852.

## THE FIERY FIFTIES

103

Before Ryerson's reply had been received, Bishop de Charbonnel had made an extensive tour of his diocese. In many localities he sensed a spirit of intolerance towards Catholic schools. This he remarked to the chief superintendent in his letter of February 20, as well as the case of the Chatham Catholics.<sup>10</sup> When the Bishop finally read Ryerson's answer to the Chatham trustees, he angrily wrote to the Chief Superintendent on March 7, 1852:

... I hear from Chatham, subsequently to my appeal to your equity and to your answer, that there the negroes are incomparably better treated than the Catholics; that the latter have received for their Separate School attended on an average by 46 pupils, only 4 pounds 10 shillings Government money, and are offered so little out of about 300 pounds taxes raised for the payment of teachers, to which the Catholics have much contributed as well as to the high sum levied for the building of a new School-house; that in another mixed School the anti-Catholic history of England by Goldsmith is perused as a text book.

Again, Rev. dear Doctor, where is the equity of such a management? Where that liberal spirit professed in pamphlets, public speeches, reports, etc.? And am I not right to call our most deplorable system of education a regular disguised persecution? And still I have at hand facts of a worse character.<sup>11</sup>

In his reply to the foregoing, the Chief Superintendent informed the Bishop that Goldsmith's text was not sanctioned by the Council of Public Instruction, nor had any

---

<sup>10</sup> Charbonnel Papers, Charbonnel to Ryerson, Feb. 20, 1852.

<sup>11</sup> Ibid, Charbonnel to Ryerson, March 7, 1852.

elementary history other than the series prepared and published by the National Board of Education for Ireland. Ryerson regretted the recent demands for exemptions and advantages made by Separate School advocates and regarded such occurrences as ominous of evil. He repeated his conviction that the people of Canada West would never suffer themselves to be taxed or the machinery of their Government to be employed for the building and support of denominational school houses any more than for denominational places of worship and clergy. Since public schools were equally the property of all classes of the School Municipality, the people had the assurance of their perpetuity in contrast to the life of a Separate School. They had the legal right to send their children to the Public School, and would do so as soon as they found out that their children could be so safely and more cheaply educated in the Public School than in the Separate one.<sup>12</sup>

Judging from a table showing the number of Protestant and Roman Catholic Separate Schools in Canada West after ten years of operation, the Chief Superintendent felt that these separate schools would eventually die out owing to financial difficulties.

---

<sup>12</sup> Ed. Dept. Records, Ryerson to Charbonnel, March 13, 1852.

## THE FIERY FIFTIES

105

Table I. - Number of Protestant and Catholic Separate Schools, U. C., 1850-1851.<sup>13</sup>

County	Township	Pro- testant	Roman Catholic	Pro- testant	Roman Catholic
Prescott	W. Hawkesbury	1	0	0	0
Leeds	Kitley (Rear Leeds and Lansdown	0	1	0	1
Renfrew	Packenham	1	0	0	0
Addington	Ernestown	1	0	0	0
Frontenac	Kingston	0	1	0	1
Hastings	Rawdon	0	1	0	0
do	Thurlow	0	1	0	1
do	Tyendinaga	1	1	0	0
Prince Edward	Athol	1	1	0	0
Northumber- land	Cramahe	2	0	0	0
do	Murray	2	1	0	0
Durham	Cavan	2	0	0	0
York	Etobicoke	0	1	0	1
Simcoe	Medonte	1	0	0	0
Wentworth	Ancaster	1	0	0	0
do	Glandford	1	1	0	0
Lincoln	Clinton	1	0	0	0
do	Grimsby	1	1	0	0
Norfolk	Walsingham	1	0	0	0
Oxford	Burford	1	0	0	0
do	Norwich	1	0	0	0
do	East Oxford	1	0	0	0
Waterloo	Nichol	0	1	0	1
do	Waterloo	0	1	0	1
do	Wellesly	1	1	1	2
Middlesex	Malohide	1	0	0	0

## THE FIERY FIFTIES

106

Table I. - Number of Protestant and Catholic Separate Schools, U. E., 1850-1851.

County	Township	1850		1851	
		pro- testant	Roman Catholic	Pro- testant	Roman Catholic
Middlesex	Southwold	1	0	0	0
	Westminster	1	0	1	0
	Yarmouth	0	1	0	1
Perth	South Easthope	0	1	0	1
Essex	Maedstone	0	0	0	1
	Sandwich	1	0	1	0
City of Toronto		0	2	0	2
City of Kingston		0	2	0	0
City of Hamilton		0	0	0	1
Town of Picton		0	1	0	1
Total		25	21	4	16

13 Canada, (Prov.), Journals of Legislative Assembly, 1852-3, Appendix E. E., p. 62-63.

14 The Roman Catholic Separate Schools in Chatham and Belleville are not reported in this table, as they did not go into operation until the 25th December, 1851.

Bishop de Charbonnel retorted with bitter denunciation of mixed schools as they existed in Canada West. He belittled the term "protected" used by Ryerson for the children of all religious persuasions. He maintained that the mere protection of Catholic students from being forced to use such books was not enough to recommend the new school system. He continues ironically:

O beautiful protection! beautiful harmony!  
O admirable means of teaching God and his ordinances!  
admirable way of making children improve in religion,  
faith, piety, unity, charity, and in reading into the  
bargain! And you are astonished, Rev. Doctor, at our  
demand of having nothing to do with such a chimera,  
such a mixture, such a regular School of Pyrrhonism,  
of indifferentism, of infidelity, and consequently  
of all vices and crimes!

He concluded with the assertion that:

We must have and we will have the full management of our schools, as well as Protestants in Lower Canada; so that the world of the 19th century will know that here as elsewhere, Catholics, against the constitution of the country, against its best and most sacred interests, are persecuted by the most cruel and hypocritical persecution.<sup>15</sup>

Ryerson in his reply, one month later, denied that there was any persecution in the common school system and declared that he had always, and would always administer the law in the strictest justice. He passionately defended the

---

<sup>15</sup> Charbonnel Papers, Charbonnel to Ryerson, March 24, 1852.

## THE FIERY FIFTIES

108

common school system which had been in operation for ten years. This system, he claimed:

... cordially approved of and supported by the late lamented Roman Catholic Bishop Power, which was never objected to, as far as I know, by a single Roman Catholic in Upper Canada, during the life of that excellent prelate and patriot, nor until a recent period. If your Lordship had thought proper, during the last twelve months to adopt a different course, and to introduce from the continent of Europe a new class of ideas and feelings among the Roman Catholics of Upper Canada, in regard to schools and our whole school system, I must still adhere to my frequent unqualified expressions of admiration at the opposite course pursued by your honoured and devoted predecessor, Bishop Power.<sup>16</sup>

From the above letters one can clearly perceive the issues at stake. This prompt exchange of opinions between two great educators came to a temporary end when Charbonnel declined to answer Ryerson's statements and closed the controversy:

The conclusion of our Correspondence must be that our opinions on Separate Schools are quite different.

But I hope that by making use of all constitutional means, in order to obtain our right, I will not upset the Government of Canada nor its institutions.<sup>17</sup>

Although Ryerson endeavoured to protect his common school system against possible disintegration into denominational schools, he yielded to Catholic agitation and drafted

---

<sup>16</sup> Ed. Dept. Records, Ryerson to Charbonnel, April 24, 1852.

<sup>17</sup> Charbonnel Papers, Charbonnel to Ryerson, May 22, 1852.

an amendment in August 1852, which became "An Act supplementary to the Common School Act for Upper Canada."<sup>18</sup>

This Act freed separate school supporters from paying public school rates and also authorized them to elect their own trustees. Separate school trustees were obliged to collect their own taxes and to give notification of those who were to be exempted from common school taxes.

Bishop Charbonnel was jubilant over the measure. In a pastoral letter he commended the Act and at the same time said that in districts where separate schools were impracticable, common schools could be attended by Catholic children providing their faith were protected. He welcomed the choosing of trustees by the parents. These trustees would represent the parents in the "most sacred" of their duties, and would choose the teachers of their children, direct and discipline their schools, and promote their religious, intellectual and temporal welfare.<sup>19</sup>

Thus, after months of ceaseless petitioning and quarrelling, the people of Canada West witnessed a temporary lull, at least, in the countless problems connected with separate schools.

---

<sup>18</sup> Canada, (Prov.) Statutes, 16 Victoriae, 1853, Cap. 185.

<sup>19</sup> Charbonnel Papers.

## CONCLUSION

A decade of struggling for the rights of separate school advocates in the public school elementary system of education has been recorded in the preceding pages. Roman Catholic and Anglican supporters initiated legislation favourable to the principle of separate schools but numerous restrictions blocked the operation of these acts, so that only forty-six separate schools functioned in 1850, (21 R.C. and 25 Protestant). Rev. Dr. Strachan and members of his creed seemed to have discontinued their efforts on behalf of these schools after the 1850 Charter Bill which obliged separate school supporters to pay for the support of common schools. Yet, Roman Catholics, led by Bishop Charbonnel pressed, with increased insistence and urgency for justice and further advantages in setting up these schools aided by Government grants. As educational systems are essentially progressive in their character and purpose, so have they kept pace with the changing and tumultuous period before Confederation. The Separate School Bill of 1863 became the basis of the legislation in the British North America Act of 1866 which secured to Roman Catholics of Canada West the right to have separate schools under the Constitution of the new Dominion.

Having weathered many a rough storm, this system was safely moored in the scheme of confederation and has steered its course 'mid storms and shoals down through the

## CONCLUSION

111

years to the present day when it emerges numerically stronger (in 1947 there were 863 separate schools in Ontario with 111,413 pupils), and more readily accepted by tolerant and broad-minded educationists. Its successes have ebbed and flowed. Today Catholic supporters deplore the unfair treatment meted out in the realm of taxes. They plead for the enactment of favourable legislation and equitable distribution of school assessments on Corporations and Public Utilities which the Government controls for the benefit of all citizens.

Thus, as an educational issue, the separate school problem, in the immediate future, is logically insoluble. The Roman Catholic concept of the purpose of education and of the function of schools is not the concept which produced the public school system. It remains for the clergy and Roman Catholic laymen who light their lamps at the fount of all Wisdom to keep eternal vigilance at the Legislative threshold in order to guard the sacred rights of thousands of God's children, in the field of education.

BIBLIOGRAPHY

Primary Sources

A. Manuscript:

PUBLIC ARCHIVES OF CANADA

Series G., 1, 5.

Series Q. (1841-1852).

Record Group 5 C. P. S. O.

Educational Papers of Upper Canada

Elgin Grey Papers

Macdonald Papers

Neilson Papers

Record Group 14 Legislative Assembly

Canadian Miscellaneous Records (1841-1852) 5 V.

B. Printed:

Canada: Upper

Journals of House of Assembly 1829, 1836, 1837-8,  
1839-40 with appendices.

Canada, West

Journals of Legislative Assembly 1841, 1844-5,  
1846, 1849, 1850, 1851, 1852 with appendices.

Journals of Legislative Council, 1841, 1843.

Statutes:

Doughty, Sir Arthur, ed., Elgin-Grey Correspondence  
(1846-1852) 4 V. Ottawa, 1937.

## BIBLIOGRAPHY

113

## Newspapers:

Cobourg, The Church, 1843, 1846.

Hamilton, The Catholic, 1841.

Montreal, The Gazette, 1842.

Ottawa, The Journal, 1960

Toronto, The Banner, 1846, 1847

The Church, 1841

The Christian Guardian, 1830

The Examiner, 1842, 1847, 1851

The Globe, 1844-1852

The Mirror, 1845, 1848-1851

Ryerson, Egerton, Rev., Report on a System of Public Elementary Instruction for Upper Canada, 1846, Montreal, VI - 191 p.

This pamphlet served as a basis of administration for local superintendents, councillors, reeves and trustees. It clarified the newly established school law, 1846.

Ryerson, Egerton, Rev., Journals of Education for Canada, 1848-1852.

To minimize misunderstanding of various sections of the 1847 Act of Amendment and of the 1850, 1851 Acts, Ryerson circulated the informative and practical journals which further facilitated their administration.

## ONTARIO PROVINCIAL ARCHIVES

Canada West, Department of Education Records, Letter Books A - F (1842-1852)

## Letter Book A

Murray to Aylesworth, Sept. 14, 1842

## BIBLIOGRAPHY

114

## Letter Book B

Brockville Trustees to Murray, Aug. 8, 1844  
 Tracy to Rev. Murray, Sept. 20, 1844  
 Rev. Murray to Hopkirk, Sept. 26, 1844  
 Ryerson to Daly, Oct. 2, 1844

## Letter Book C

Ryerson to Tracy, Feb. 2, 1846

## Letter Book D

Ryerson to Editor of Globe, May 5, 1848  
 Ryerson to Fraser, March 31, 1849

## Letter Book F

Ryerson to Brown, July 22, 1851  
 Ryerson to Mr. O'Hare, Feb. 18, 1852  
 Ryerson to Charbonnel, March 13, 1852  
 Ryerson to Charbonnel, April 24, 1852

## Hodgins Papers

Draper to Ryerson, April 22, 1846  
 Ryerson to Draper, April 30, 1846  
 Ryerson to Draper, May 14, 1846; Dec. 17, 1846;  
 Jan. 1, 1847; Apr. 12, 1847  
 Hodgins to Ryerson, Feb. 18, 1851  
 Ryerson to Hon. J. Ross, Aug. 1, 1851

## Macdonell Papers

V. 5, p. 653  
 V. 8, p. 1155-1156

## Strachan Papers

Strachan's Charge to His Clergy, Jan. 1844

## TORONTO ARCHDIOCESAN ARCHIVES

## Charbonnel Papers

Charbonnel to Archbishop of Dublin, Nov. 14, 1850  
 Charbonnel to Hincks, Nov. 1, 1851  
 Charbonnel to Ryerson, Feb. 20, 1852  
 Charbonnel to Ryerson, March 7, 1852  
 Charbonnel to Ryerson, March 24, 1852  
 Charbonnel to Ryerson, May 22, 1852

## BIBLIOGRAPHY

115

## Power Papers

- Power to Rev. Roothaan, Nov. 12, 1842
- Power to Daly, Nov. 7, 1843
- Power to Rev. Sanderl, June 28, 1844
- Power to Rev. Macdonell, Dec. 11, 1844
- Power to Rev. Mills, July 8, 1845
- Power to Inhabitants of Belle Riviere,  
Sept. 19, 1845
- Power to Msgr. Reisache, May 8, 1847

## OTTAWA ARCHDIOCESAN ARCHIVES

## Guigues Papers

- Guigues to Ryerson, March 27, 1849

## SECONDARY SOURCES

## Books:

## General:

Alexis, de Barbezieux, Histoire de la Province ecclésiastique d'Ottawa, Ottawa, La Cie d'Imprimerie d'Ottawa, 2<sup>e</sup> V. 1897

These books give an excellent account of colonization and establishment of separate schools built in the Ottawa Valley in the mid nineteenth century.

Alfred, Brother, Catholic Pioneers in Upper Canada, Toronto, Macmillan, V. 251 p.

Biographical sketches of many pioneers who helped shape the destiny of Upper Canada. Prominent among them was Honourable John Elmsley whose moral and financial support as legislative councillor aided in the enactment of school laws favourable to Catholics.

Clark, S. D., Church and Sect in Canada, Toronto, University of Toronto Press, 1948, XIII, 458 p.

Emphasis is upon the sociological significance of general movements of religion in Canadian social development. Of particular value to this thesis was the political affiliations professed by the Baptists and Methodists in the mid nineteenth century.

## BIBLIOGRAPHY

116

Cote, J. O. ed., Political Appointments and Elections in the Province of Canada from 1841-1865, Ottawa Desbarats (printers), 1866, 130 p.

Offices and officers of Legislative Council and Assembly in addition to duration of their terms. The writer used this statistical survey which neatly dovetailed into the political and religious period 1841-1851.

Hinsdale, B. A., Horace Mann and Common School Revival in the United States, Toronto, Copp Clark, 1902, VII, 326 p.

Provides detailed study of the work achieved by Horace Mann in his reports as Secretary of the Massachusetts Board of Education. Doctor Ryerson based his 1846 report on Mann's findings.

Hodgins, J. G., Documentary History of Education in Upper Canada, 1894-1911, 28 V., Toronto, Warwick (1-10).

This is a monumental work containing documents, enactments, letters, and reports compiled by Mr. Hodgins while clerk and deputy superintendent of education. Ten of these volumes were of great value to the writer in providing sequence of thought and of events in educational development.

Hodgins, J. G., Ryerson Memorial Volume, Toronto, Warwick, 1889, V. 131 p.

Tribute to a great educationist. Ryerson's educational policy was revealed to the writer.

Hodgins, J. G., The Legislation and History of Separate Schools in Upper Canada, (1841-1876) Toronto, Briggs, 1897, XI, 225 p.

This select account of separate schools made known Ryerson's attitude towards them. Thus the writer was prepared for the consequent "verbal battle", which followed in 1851 and 1852.

Hodgins, J. G., ed. Doctor Ryerson, Story of My Life, (1824-1881), Toronto, Briggs, 1883, XVI, 612 p.

A detailed account of Ryerson's life told by himself, with emphasis on problems confronted and solved. His great contribution to education stemmed from his tenacity of purpose.

## BIBLIOGRAPHY

117

Lucas, C. P., ed. Lord Durham's Report on the Affairs of British North America, 3 V., Oxford, 1912.

Durham's keen analytical mind grasped the cause of discontent in both provinces. His short report on education in Upper Canada (V. 2) interested the writer as it confirmed the findings of other men sincerely interested in developing education.

Mann, Horace. Lectures and Annual Reports on Education, Boston, Lee, Shepard et al, 1872, IX, 571 p.

Fourth, seventh and twelfth reports served Ryerson as a model for his educational reports.

McCutcheon, J. M., Public Education in Ontario, Toronto, Macmillan, 1941, 275 p. (IV).

Traced the evolution of public education and the challenging problems in connection with its development.

Middleton, Jesse E. and Fred Landon, The Province of Ontario, A History, 5 V., Toronto, Dominion Publishing, 1927.

Volume two included a chapter on the Roman Catholic Church which served this thesis as a background showing the determination and tact of R. C. clergy in establishing schools.

Moir, J. S., Church and State in Canada West, Three Studies in the Relation of Denominationalism and Nationalism 1841-1867, Toronto, University of Toronto Press, 1959, XV, 223 p.

A colossal enterprise in the social, political, and religious development of Canada West during its most controversial years. Chapter six treated of separate schools and attributed R. C. success in obtaining these schools to Strachan's early agitation.

Ontario, Royal Commission on Education Report, 1950, Toronto, King's Printer, 1950, 933 p.

Findings and recommendations contained in the Majority Report were not all accepted by the four commissioners of the Minority Report. The writer realizes that even in this supposedly unbiassed age, conflict over separate schools is still smoldering.

## BIBLIOGRAPHY

118

Philipps, C. E. The Development of Education in Canada, Toronto, Gage, 1957, XIV, 626 p.

A vast work on the twelve independent systems of public education in Canada. His coverage of separate schools in present day Ontario proved helpful as it revealed the expansion of these schools in Ontario as and in Quebec.

Ross, G. W., The School System of Ontario, New York, Appleton, 1896, XIV, 203 p.

This book is one of the International Education Series and gives the history of Ontario schools and some of their distinctive features. Of interest to the writer are the chapters devoted to the professional training of teachers, the inspection of schools and the organization of Roman Catholic Separate Schools from 1872 to 1908.

Walker, Franklin A., Catholic Education and Politics in Upper Canada, Toronto, Dent, 1955, XII, 331 p.

An excellent account of the origin and establishment of Catholic schools in Upper Canada from early pioneer days to 1875. The author impressed the writer that concessions made to Catholics in regard to separate schools were a right, not a privilege.

## Select:

Bethune, A. N. Memoir of the Right Reverend John Strachan, D. D., L. L. D., First Bishop of Toronto, Toronto, Rowsell, 1870, VIII, 385 p.

Tribute to a great Anglican educationist. Bishop Strachan is a prominent figure in this thesis as he took a leading share in the controversy over separate schools.

Bull, William Perkins, From Macdonell to McGuigan, The History of the Growth of the Roman Catholic Church in Upper Canada, Toronto, Perkins Bull Foundation (C. 1939) 501 p. (A-E)

Problems confronted by R. C. clergy in the establishment of churches and schools. The writer was especially interested in the active part taken by John Elmsley in the field of education.

Careless, J. M. S., Brown of the Globe, V. 1, The Voice of Upper Canada, 1818-1859, Toronto, Macmillan, 1959, VIII, 353 p.

Brown's political activities interwoven with the separate school question in the late forties.

## BIBLIOGRAPHY

119

Carrière, R. P., Histoire documentaires des A.R.P.P. Oblats, Ottawa, University Press, 2 V. 1957, 1959.

Educational establishments by the Oblate Fathers testify to the rapid extension of Catholic schools and colleges which have arisen from the nucleus 1841-1851.

Groulx, Lionel Adolphe, L'enseignement français au Canada, 2 V., Montreal, Libr. d'Action, can-fr., 1933 v.2

Establishment of bilingual schools. Of particular interest to the writer was the official recognition accorded to these schools in the mid nineteenth century.

Henderson, E. F., Arthur Kelly et al, Historical Sketch of the Separate Schools of Ontario and the Catholic Separate School Minority Report, Toronto, The English Catholic Education Association of Ontario, 1950, 115 p.

A well-documented account of separate schools. The basis of disagreement of Minority Report Commissioners was of particular interest to the writer as it proves that Catholic attitude towards the need for separate schools is the same today as it was in 1841.

Hincks, Francis, Reminiscences of His Public Life, Montreal, William Drysdale & Co., 1884, II, 450 p.

The ebb and flow of the political fortunes of this parliamentarian and editor were of value as a political background for this thesis.

McKeown, H. G., The Life and Labours of Most Rev. John Joseph Lynch, D. D., Cong. Miss. First Archbishop of Toronto, Montreal, James A. Sadlier, 1886, X, 343 p.

Toronto Archdiocese was capably administered by Rev. Lynch. Of value to the writer was his enthusiasm in furthering the expansion of separate schools in Toronto and vicinity from 1860 to 1870.

New, G. A., Lord Durham, Oxford, Clarendon Press 1929, II, 612 p.

A detailed account of his zeal in investigating causes of discontent, his antipathies, his misunderstandings, his report. He ushered in a decade of strife in advocating responsible government which was finally achieved by Lord Elgin's signature to the Rebellion Losses Bill, 1849.

## BIBLIOGRAPHY

120

Paul-Emile, Soeur, s. g. c., Mère Elisabeth Bruyère et son Oeuvre, Ottawa, Maison Mère des Soeurs Grises de la Croix, 1945, 409 p.

A documented account of their work as teachers and nurses. Of interest to the writer was the establishment of the first bilingual school for girls in Bytown.

Plante, Albert, s. j., Les Ecoles séparées d'Ontario Montreal, Collection "Relations" 1952, 103 p. Establishment of separate schools especially of bilingual schools in Canada West in the vicinities of Windsor and Hawkesbury.

Sissons, C. B., Egerton Ryerson, His Life and Letters, 2 V., Toronto, Clarke, Irwin, 1937 and 1947.

A detailed account of Ryerson's correspondence which served to compile the various letters, reports and mandates.

Somers, H. J., The Life and Times of the Honourable and Right Reverend Alexander Macdonell, Washington, D.C. 1931, IX, 232 p.

A complete account of Bishop Macdonell's activities in the cause of Catholic education. His life work serves as proof that Catholic policy did not change with the arrival of Bishop Charbonnel.

Periodical Articles:

Alfred, Brother, "The Honourable John Elmsley, Legislative and Executive Councillor of Upper Canada", (1801-1863) in the Report of the Canadian Catholic Historical Association, issue of Oct. 1936-1937, p. 23-40.

The writer had a clearer understanding of Elmsley's contribution to separate school advocates after reading this article.

Spragge, George W., "Elementary Education in Upper Canada, (1820-1840)" in O. H. S. Ontario History, V. 43, No. 3 issue of July, 1951.

An excellent study on primary education in early times. Of special interest to the writer was the division of the country into districts for the setting up of elementary schools.

## BIBLIOGRAPHY

121

Walker, Franklin A., "Protestant Reaction in Upper Canada to the Popish Threat" in Report of Canadian Catholic Historical Association, issue of Sept. 1950, 1. p. 91-107.  
 Reaction in Canada West of the establishment of Papal Hierarchy in England. The intensity of the controversy over separate schools was the result of this reaction.

## Theses:

Boland, Francis, J. C. S. B. An Analysis of the Problems and Difficulties of the Basilian Fathers in Toronto, 1850-1860. Unpublished Ph. D. thesis, Ottawa, 1955, XVI, 250 p.

Vivid picture of the political, social and religious issues at stake in Toronto on the arrival of Bishop Charbonnel and of the Basilian Fathers.

Catherine, Sister Mary, C. S. C., The Genesis of Catholic Education in Renfrew, unpublished M. A. thesis, Ottawa, 1958, 102 p.

A detailed account of Catholic elementary and high school education in Renfrew. The same Catholic philosophy which created these schools, and denied by Ryerson was paramount in the minds of Separate school advocates in Renfrew.

McDonald, F. J., Egerton Ryerson, unpublished Ph. D. thesis, Ottawa, 1937, 274 p.

Ryerson as a writer in his official organ, The Christian Guardian. The writer is impressed with his upright, convincing personality as revealed by the author of this thesis.

Stewart, William J., Bishop Alexander Macdonell and Education in Upper Canada, unpublished M. A. thesis, Ottawa, 1942, 66 p.

The establishment of schools in the county of Glengarry. The writer was interested in the author's detailed explanation of the rental of private homes for schools, hiring and payment of teachers in these early times.

## APPENDIX I

Right Rev. A. Macdonell, Kingston, to Lord Durham.<sup>1</sup>

Quebec, 22 June, 1838.

My Lord,

... The population of Upper Canada is composed of Protestants of the Church of England, Methodists, Presbyterians, and Scots Highlanders, who joined the royal standard during the revolutionary war with the United States, and are called U. E. Loyalists, and their descendants, ... French Canadians who inhabit the Western districts, and Irish emigrants who have been pouring annually in great numbers into the province ever since the conclusion of the last war.

The Catholics, who compose a great proportion of the population of Upper Canada, are either Irish emigrants, Scots Highlanders, or French Canadians. All those, although not disaffected to the Government, are far from being satisfied. ... Unable to build places of worship for themselves, or educate their children, they as well as the Scots Highlanders, feel greatly disappointed at being excluded from their share of the clergy reserves, and at not receiving any assistance from Government for the education of their children, although the Methodists obtained this very year a grant of £4,100 towards their seminary at Cobourgh.

---

<sup>1</sup> Macdonell Papers, Macdonell to Durham, June 22, 1838.

## APPENDIX I

123

There are abundant funds for education in the province, if the school lands were disposed of, and the proceeds applied to the support of district and common schools. The withholding of those funds, and of the clergy reserves, from the purposes for which they are intended, and the spread of the Orange system, are the principal, if not the only, grounds of discontent among all denominations in Upper Canada ...

I have, etc.,

Alexander Macdonell,

Bishop of Kingston,  
Upper Canada.

APPENDIX 2

MEMORIAL FROM BISHOP GAULIN ADDRESSED TO LORD SYDENHAM<sup>1</sup>

A Son Excellence le Baron  
Sydenham, de Sydenham et de  
Toronto, et Gouverneur Général  
de l'Amérique Britannique  
Septentrionale.

Qu'il plaise à Votre Seigneurie,

L'humble protestation de R. Gaulin, Evêque de  
Kingston, de A. Manseau et de H. Hudon, Vicaires Généraux  
et Administrateurs du Diocèse de Montréal.

Lesquels osent représenter à Votre Seigneurie qu'ils  
n'ont lu qu'avec étonnement et chagrin un Bill intitulé:  
"Bill pour abroger certains" Actes y mentionnés et pourvoir  
à l'établissement et "au maintien des Ecoles Élémentaires en  
cette province", que Monsieur le Solliciteur-Général Day  
vient de proposer à l'approbation de la Législature dans  
l'intention qu'il devienne la loi du pays. C'est leur ferme  
conviction que ce Bill est grandement injurieux aux Catho-  
liques en général, dans la Province, au Clergé Catholique en  
particulier. En effet, ce Bill permet au Gouverneur d'éta-  
blir un Surintendant général de toutes les Ecoles de la  
Province; lequel Surintendant nommera, arbitrairement, un

---

<sup>1</sup> P. S. O., 1841, R. G. 5, C. 1, V. 72, No. 1727.

Bureau d'examineurs, composé de cinq personnes pour chaque District municipal. Ce Surintendant, et ces Examineurs, pourront être tous étrangers, hostiles même au Catholicisme. Nous sommes loin de croire que de pareilles appréhensions puissent se réaliser sous l'Administration de Votre Seigneurie. Mais Votre Seigneurie apercevra la légitimité de ces mêmes appréhensions dans le cas où un Exécutif moins libéral et moins tolérant, concourrait à certaines démarches pour décatholiciser le Canada. Supposant que cette occurrence advienne, n'est-il pas légitime de croire que le Surintendant et par suite, les Examineurs seront hostiles aux Catholiques. Cependant ce sont ces Examineurs qui décideront quelles matières seront étudiées dans les Ecoles, dans quels livres elles y seront étudiées, et qui établiront les règles générales pour la conduite de ces mêmes Ecoles. Il ne pourrait donc exister une loi, qui offrirait aux Canadiens moins de garanties au sujet des principes religieux qu'ils professent? Il ne pourrait donc, par conséquent, exister une loi plus propre à exciter le mécontentement universel des Catholiques et de raviver de funestes antipathies. Permettez-nous de le dire à Votre Seigneurie, il y a un moyen plus expédient et plus naturel d'avancer le progrès si désirable, et l'instruction primaire en cette Province. Ce serait, ce nous semble, de la part du gouvernement, de se contenter de favoriser par des moyens

pécuniaires des Ecoles Catholiques distinctes et séparées de celles des autres dénominations religieuses, sans préjudice des secours que la loi pourra accorder à celles-ci. Au reste, les Maîtres ainsi que les livres en usage dans les Ecoles Catholiques devraient être sous le contrôle de leur Eglise, conformément à d'anciennes lois du pays, qui n'ont pas été abrogées. Nous ne pouvons nous empêcher d'exprimer à Votre Seigneurie que nous voyons avec peine que malgré le témoignage si souvent rendu au Clergé Catholique, d'avoir bien mérité sous le rapport de l'éducation de la jeunesse, le Bill qui fait le sujet de cette réclamation, l'exclut de toute influence et participation pour l'avenir dans cet important objet. Il est bien vrai que ce Bill fait mention quelquefois d'Ecclésiastiques (clergymen); mais il n'est pas moins vrai qu'il sera toujours facile de faire en sorte que ces Ecclésiastiques ne soient ni des Evêques, ni des Prêtres Catholiques. Permettez-nous, My lord, de ne pas finir sans exprimer de plus à Votre Seigneurie qu'il ne nous paraîtrait qu'équitable que les Biens des Jésuites, vu les intentions indubitables des premiers donateurs, fussent employés au soutien des Ecoles Catholiques, ou à doter les Collèges Catholiques légalement établis depuis quelques années dans le Province. Telles sont, My Lord, les humbles représentations que notre conscience nous ordonne de faire, contre le Bill en question, en attendant que tout le Clergé Catholique

de l'opinion duquel nous sommes certains, puisse, si on le désire, faire connaître explicitement ses sentiments. La nécessité de nous hâter ne nous permet pas d'entrer dans plus de détails, sur d'autres clauses du Bill. Mais nous avons la ferme espérance que Votre Seigneurie ne permettra pas qu'il devienne la Loi du pays, avant que l'opinion des Catholiques, et des autres dénominations religieuses, dont les droits pourraient être également lésés, ait eu le temps de se manifester.

Et nous ne cesserons de prier.

Montréal, le 10 août, 1841.

R. Gaulin, Ev. de Kingston,

Ant. Manseau, ptre v. g.

Administrator

H. Hudon, Ptre v.g. administrator.

## APPENDIX 3

SECTION XI OF THE BILL TO MAKE PROVISION FOR THE ESTABLISHMENT AND MAINTENANCE OF COMMON SCHOOLS THROUGHOUT THE PROVINCE<sup>1</sup>

Provided always, and be it enacted that whenever any number of the Inhabitants of any Township or Parish professing a religious faith different from that of the majority of the Inhabitants of such Township or Parish shall dissent from the regulations, arrangements, or proceedings of the Common School Commissioners, with reference to any Common School in such Township or Parish, it shall be lawful for the Inhabitants so dissenting, collectively to signify such dissent in writing to the Clerk of the District Council, with the name or names of one or more persons elected by them as their Trustee, or Trustees, for the purpose of this Act; and the said District Clerk shall forthwith furnish a certified copy thereof to the District Treasurer; and it shall be lawful for such dissenting Inhabitants, by and through such Trustee or Trustees, who for that purpose shall hold and exercise all the rights, powers and authorities, and be subject to the obligations and liabilities, herein-before assigned to and imposed upon the Common School Commissioners to establish and maintain one or more Common Schools in the manner, and subject to the visitation, conditions, rules and obligations, in this Act provided with reference to other Common Schools, and to receive from the District Treasurer their due proportion, according to their number, of the

monies appropriated by Law, and raised by assessment for the support of Common Schools, in the School District or Districts in which the said Inhabitants reside in the same manner as if the Common Schools so to be established and maintained under such Trustee or Trustees, were established and maintained under the said Common School Commissioners, such monies to be paid by the District Treasurer upon the warrant of the said Trustee or Trustees.

---

1 Canada, (Prov.) Statutes, 4 and 5 Victoriae, 1841, Cap. 18, Section XI, p. 108-109.

## APPENDIX 4

Rev. Angus Macdonell, Vicar General, to Neilson.<sup>1</sup>

Montreal, April the 29th, 1846.

Honourable and dear Sir-

Will you have the kindness to endeavour to get the following alteration made to the 32 Clause of the School Bill. By the present mode Masters of Separate Schools are to be paid solely in proportion to the number of children attending the Separate School from the particular School District in which the Separate School is established. The consequence is that in large Towns divided in Several Common School Districts and which can afford to have but one or two Separate Schools part of the Inhabitants are taxed to pay Schoolmasters to whose Schools many of the Inhabitants from religious motives cannot send their children. For instance, Kingston, last year had seven School Districts and only two Separate Schools for the Catholics of the town, and nevertheless the Catholics of five Districts were taxed to pay School Masters altho' they never sent one of their children to those schools. The change desired by the Catholics and as far as I could ascertain is that in future, Masters of Separate Schools should be paid in proportion to the whole number of children attending the Separate School

---

<sup>1</sup> P. S. O., R. G. 5, C. 1, V. 72, No. 1721.

## APPENDIX 4

131

whether they live in the particular Common School District in which the Separate School is established or from any other District. Could you succeed in introducing such an amendment, you would confer a lasting obligation upon the Catholics of Upper Canada and upon your

Most Humble Servant,

Angus Macdonell, Vicar General

The Honourable

John Neilson

## APPENDIX 5

REV. EGERTON RYERSON TO DRAPER<sup>1</sup>

Toronto 12 April, 1847.

My dear Sir,

... In compliance with the request of Dr. Strachan, Lord Bishop of Toronto, I furnished him with a copy of the draft of a bill above referred to. I thought it not improper to do so from his Lordship's high station. I had some further conversation with him on the subject of separate (Church of England) Schools. I found him much more moderate than I had expected in regard to the kind of clause he would be satisfied with in the proposed bill. I had been led to suppose that he would yield to nothing short of requiring such separate schools in any place where a denomination should demand it. I intimated to him that I thought no objections would be made to a provision limited to Cities and Towns, authorizing the Board of Trustees for any City or incorporated Town to establish any kind of School--denominational or otherwise; but that the decision in such cases should be with the Board not with anyone religious denomination. I was glad to find that his Lordship readily acceded to this, and said he would be satisfied, at least for the present, if the Boards of Trustees for Cities and

---

<sup>1</sup> Hodgins Papers, Ryerson to Draper, Apr. 12, 1847.

incorporated Towns were invested with such authority. Thus far I think you can safely go; and with this view I have prepared the third clause of the fifth Section of the draft of the bill above mentioned. If you think it is not sufficiently general and comprehensive, you can easily make it so. In Cities and Towns Church of England and other classes of the population are more distinct than they are in the country--in Towns and Cities there are also more poor who are wholly depending upon the school for the religious as well as secular instruction of their children and if the Roman Catholics, or Church of England, or one or more other religious persuasions, desire a Separate School, I see no reason against leaving it to a City Board of Trustees to grant their request or not according to circumstances. Barring a City English high school, I see no objection to having each of the other city common schools in connexion with one or more religious denomination. The authority of the Government in respect to them will be the same as in regard to all other common schools; and if they should not do well, the City Board of Trustees can modify them at pleasure. By a provision of this kind, the opposition of the Lord Bishop and his friends will be prevented, their wishes in regard to Cities and Towns will be consulted--the general school system will not be affected; and such a provision may, I think, be passed through the Legislature

## APPENDIX 5

134

without opposition or obligation from any quarter.

Though it would, I am persuaded, be impossible to carry out his Lordship's views in any public system of popular education in the rural parts of the province, I am anxious to meet his wishes as far as possible, as I know you are also.

Yours most truly

Eger Ryerson.

## APPENDIX 6

NINETEENTH SECTION OF THE COMMON SCHOOL ACT OF 1850<sup>1</sup>

And be it enacted, that it shall be the duty of the Municipal Council of any Township, and of the Board of School Trustees of any City, Town or incorporated Village, on the application in writing of twelve or more resident heads of families, to authorize the establishment of one or more separate schools for Protestants, Roman Catholics, or coloured people, and, in such case, it shall prescribe the limits of the divisions or sections of such schools, and shall make the same provision for the holding of the first meeting for the election of Trustees of each such separate school or schools, as is provided in the fourth section of this Act for holding the first school meeting in a new school section: Provided always, that each such separate school shall go into operation at the same time with alterations in school sections, and shall be under the same regulations in respect to the persons for whom such school is permitted to be established, as are Common Schools generally; Provided secondly, that none but coloured people shall be allowed to vote for the election of Trustees of the separate school for their children, and none but the parties petitioning

---

<sup>1</sup> Canada, (Prov.) Statutes, 13 Victoriae, 1850, Cap. 48, section 19.

for the establishment of, or sending children to a separate Protestant or Roman Catholic school, shall vote at the election of trustees of such school: Provided thirdly, that each such separate Protestant or Roman Catholic, or coloured school, shall be entitled to share in the school fund according to the average attendance of pupils attending each such separate school, (the mean attendance of pupils for both summer and winter being taken) as compared with the whole average attendance of pupils attending the Common Schools in such City, Town, Village or Township: Provided fourthly, that no Protestant separate school shall be allowed in any school division except when the Teacher of the Common School is a Roman Catholic, nor shall any Roman Catholic separate school be allowed except when the Teacher of the Common School is a Protestant: Provided fifthly, that the Trustees of the Common School sections within the limits of which such separate school section or sections shall have been formed, shall not include the children attending such separate school or schools, in their return of children of school age residing in their school sections.

## APPENDIX 7

REV. E. RYERSON TO BROWN<sup>1</sup>

Toronto, July 22, 1851

I observed erroneous statements respecting what you term the "sectarian" clause of the Common School Bill. Brown had said in the Globe that the present administration introduced the "wedge" which threatens to destroy the whole fabric. The difference between the provision of the School Acts of 1841, 1843, 1846 and the present Act is this--under those Acts, Cities and Towns as well as townships were divided into school sections in each of which, on the requisition of ten householders, a separate school could be demanded. As the city of Toronto was then divided into sixteen school sections, there could of course have been as many separate schools, had parties chosen to claim them. You are aware that Cities and Towns constitute each but one school municipality under the present law. If certain parties therefore have desired the privilege of having separate schools in certain circumstances, they desire no more than they have enjoyed to a greater extent during the last ten years and that by the aid of the party of which The Globe has been a zealous supporter as well as by the Conservative party.

---

<sup>1</sup> Dept. of Ed. Records, Letter Book F, Ryerson to Brown, July 22, 1851.

I have on more than one occasion expressed my opinion as to a system of separate schools; but I have at the same time thought it the right of each municipality (rather than the Legislature or Government) to decide for itself on this matter, according to its own wishes and circumstances. It would as ill become me, as it is strange to see The Globe seek to deprive R. C. or Protestants of a privilege which has been secured to them by successive Acts the Canadian Legislature passed under the auspices and by the entire support of both political parties. Though there are upwards of 3,000 schools and might therefore be nearly as many separate schools, there are but 45 in all Upper Canada and of those there are as many Protestant as Roman Catholic Separate schools ... The feeling which gives rise in most cases to a separate school like that arising from difference of colour cannot be relinquished by Act of Parliament, but by other influences--influences which I am happy to know led to the gradual decline of this description of schools, until the recent policy of certain newspapers to revive feelings of hostility between the R. Catholics and Protestants. Though separate schools are permitted, they are not placed in the same position as mixed schools and can only be sustained by special exertions and sacrifices on the part of their supporters who are equally taxed with all other classes of their neighbours for the erection, furnishing and

all other expenses of the mixed school or schools, and who in addition have to provide their own school house and all incidental expenses of their school and the balance of the Teacher's salary, by voluntary subscription among themselves, and only receive a portion of the School fund according to the average attendance of pupils towards the making up in part of their Teacher's salary. But though I have no apprehensions from the spread of separate schools, I am unwilling that the statement of their having commenced with the present School Act should go forth uncontradicted.

Your attack on the appointment of one R. C. in a Council of Public Instruction of nine<sup>1</sup> --the other eight being Protestants--seems to accord strangely with your advocacy of a mixed system of schools and of equal rights and privileges amongst all religious persuasions. The Roman Catholic Church could not be more appropriately represented in the Council of Public Instruction than by their Chief Pastor, the successor in the Council of Bishop Power who was a most active and efficient Member until he suddenly feel a sacrifice to his labours among the poor and diseased emigrants of his church ... I am sure I speak the sentiments

---

<sup>1</sup> The Provincial Board of Education merged into the Council of Public Instruction of U. C. Its members were appointed on July 27, 1850. Rt. Rev. F. Charbonnel was the only Catholic member.

## APPENDIX 7

140

of all parties concerned when I say that there has been the most perfect harmony and kindly feeling between the two R. C. Bishops in succession and all the other members of the Council of Public Instruction.

## ABSTRACT OF THESIS

THE PROBLEMS CONNECTED WITH THE ORIGIN AND ESTABLISHMENT OF  
SEPARATE SCHOOLS IN CANADA WEST, 1841-1852

In the early nineteenth century the promotion of religion was an important aspect of what little interest an apathetic government did take in education. Legislative action established grammar schools in 1807 and common schools in 1816. It was the policy of the government in the early 1820's to support the hand of the Church of England in educational matters. Thus when the executive government set up Church of England "national schools" there was widespread annoyance which led to protestations from Presbyterians and Roman Catholics who asked for other schools to be placed under their superintendence. Several reports and a governmental commission on education report gave an impetus to the following educational Acts.

The Educational Act of 1841 recognized the principle of separate schools occasioned by the pressure of Protestant bodies. As this act was unworkable, a second Act of 1843 placed the basis of dissent for a separate school on the religion of the teacher. Restrictions to the clause permitting separate schools limited their number and caused great discontent among Catholic hierarchy and other denominational officials.

Enthusiasm on the part of the Roman Catholic hierarchy for increased educational facilities was shared

## ABSTRACT OF THESIS

by Catholic, Protestant, and secularist alike.

This spirit was to be channelled and directed by an outstanding educationist, Reverend Egerton Ryerson. After touring Europe he drew up a report which formed the basis for a new school law of 1846. The three clauses concerning separate schools were re-enacted verbatim and contained the wedge which limited their extension. Consequently petitions poured into his office and to the government asking for an amendment which would provide for a more equitable apportionment of the school fund. The 1847 Amendment did not satisfy their demands.

Finally in 1850, after Cameron's abortive School Bill of 1849 was not acted upon, Ryerson prepared a School Bill known as the "Great Charter". He advocated compulsory attendance in universally free schools, for the support of which all property was liable for taxation. Educational uniformity in the province was to be reconciled with a large degree of local control. For thirty years the public was to be treated to an unending stream from Ryerson's pen. In his annual reports, in pamphlets, and in newspaper controversies Ryerson appealed his case.

Yet he could not become reconciled with the second Roman Catholic Bishop of Toronto, Bishop Charbonnel, who insisted upon equal apportionment of grants and greater facility in the establishment of more separate schools.

ABSTRACT OF THESIS

Ryerson's spirited attack on Catholic demands was the result not of Ryerson's distaste for Catholic religious teaching in their own schools but because of fear for the subversion of his provincial public school system.

Were Dr. Ryerson to come back to-day, he would be astounded at the amazing growth of separate schools made possible only by the united co-operation of Catholic laity and clergy inflamed with the faith of a Macdonell, a Power, and a Charbonnel. This achievement is all the more admirable since it is being accomplished in spite of official distaste and Catholic poverty.