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THE FIRST FORTY YEARS OF EDUCATIONAL LEGISLATION
IN NEWFOUNDLAND

by Sister Mary Teresina

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CURRICULUM STUDIORUM

The writer was born at Grand River, Newfoundland, on December 22, 1902. She received the degree of Bachelor of Arts from Mount Saint Vincent College, Halifax, Nova Scotia in 1940, and the degree of Bachelor of Science from Catholic University, Washington, D.C. in 1941.

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INTRODUCTION

The following study is an attempt to examine the course of the first forty years of educational legislation in Newfoundland, in order to trace in the information available some of the factors which led to the establishment of the denominational system of education in this island.

During the past decades, those who have made a study of the history of education in the province have recognized that the century of educational activity which preceded the earliest legislation was, in great part, responsible for the pattern which this legislation followed. Burke, who has spoken and written much on the subject, emphasized the part played by the various Church agencies in providing some form of instruction for the youth of the colony long before any government aid had been granted. Rowe¹, whose History of Education in Newfoundland is the most comprehensive study to date, has devoted four chapters out of a total of fifteen to discussion of the pre-legislative period of education. Blackall,² writing in the Diocesan Magazine of July-August, in 1939, has stressed the work of the clergy, and of such

¹ Fred W. Rowe, History of Education in Newfoundland, Toronto, The Ryerson Press, 1952, x-147 p.

² W.W. Blackall, "A Brief Survey of Education in Newfoundland", in the Diocesan Magazine, July-August, 1939, p. 250-261.

societies as the Society for the Propagation of the Gospel, and the Newfoundland and British North America School Society. These authors have been quoted occasionally in the course of this study.

In investigating the agencies which were active in education during the pre-legislative period, and which continued their educational work during the decades following the earliest legislation, one source used was the Colonial Records, a number of manuscripts preserved in the Legislative Library at the Colonial Building in St. John's. These records furnish statistics giving the places in which schools had been opened by one or other of the societies, they note the cost of operating the schools, and the source of the funds to cover these costs, they give the names of the masters and mistresses, and the methods in use at various times. From these records it can be seen that prior to 1836, and for some years thereafter, a goodly share of the responsibility for education devolved upon organizations sponsored by or under the direction of the churches.

The first legislation, as Blackall notes, did not undertake to inaugurate a system of education, but rather to assist, with a monetary grant, the voluntary agencies already at work. Dissatisfaction with the administrative policies of the first boards led to revision of the clauses

of the first legislation, and when the amendment, made in 1838, proved no more satisfactory, the demands of the people were recognized by the several acts and amendments that mark the course of the years from 1836 to 1876.

All the education acts are to be found in the Statute Books in the Law Library at the Courthouse, St. John's. With the exception of the first act, they are also available in the bound copies of the Royal Gazette, which may be examined in The Gosling Memorial Library, St. John's, Newfoundland.

There was no regular system of reporting during the early years of representative government, so the course of the debates on bills has been followed as well as may be in the newspapers of 1843-52. The Journals were more complete after the mid-century, and reports of committees, and of the school inspectors have been examined in the Journal of the Assembly, and the Journal of the Council.

The newspapers that have been consulted in connection with this study are listed below. They are available in the Gosling Memorial Library, St. John's.

The Royal Gazette, first printed in 1806 by Mr. John Ryan, an American loyalist, attempted to be, and generally succeeded in being objective in its materials. The Gazette published the acts, but it does not report the debates in the House.

The Newfoundlander, under the editorship of the Shea family, in general represented the Catholic point of view. We find certain periods of the sessions in the House adequately covered in this organ, the discussions on the Act of 1858 for instance. The Newfoundland Patriot, a weekly publication, edited by R.J. Parsons, expressed now the feeling of the Church of England, now that of the Catholic group. It would appear that this paper was not averse to correspondence of a controversial nature. Not infrequently it publishes strong criticism of government policy. This is notable in the controversy following the convening of the first boards of education in Conception Bay.

The Public Ledger, a bi-weekly paper, was published by H.W. Winton, and later by his son Henry. This publication was decidedly anti-Catholic in tone, and is strongly critical of the policy followed by the Catholic bishop and the clergy. Dr. Fleming noted that its criticism spared no phase of church activity. Periods of the sessions which initiated legislation of interest to the editor were given full coverage, and have been useful in this report. The Ledger and the Patriot would appear to have been more personal and aggressive in their attacks than the other papers.

The Times, under the editorship of Ward was in existence for only a few decades, it had a limited circulation,

and apparently did not exert any great influence. In certain definite periods of the time its reporting of the sessions and its reprints from other organs have been useful.

The reports of the school inspectors, especially in the 1860's and 70's are published in the Journal of the Council. These reports give us an idea of the extent to which the legislation was being functional in the schools, and sometimes the inspectors outline their views on the provisions of some of the acts. Haddon, the Inspector of Protestant Schools in the 1860's and 70's presented reports that covered practically every phase of the system of schools under his supervision. Frequently he makes recommendations that were later incorporated into the legislation, either wholly or in part. In his reports in the early 70's Haddon outlined his objections to the proposed subdivision of the Protestant grant for Education, but he included also constructive ideas for a method of procedure in case the subdivision should take place.

The Journal of the Council for the year 1873 includes the Report of the Select Committee, which had been appointed to investigate the desirability of legislating for the subdivision of the Protestant grant, which subdivision took place by the Education Act of 1874.

Several texts and pamphlets were consulted in an attempt to clarify concepts of the social, political, and economic background against which to view the legislation of the nineteenth century. Of the many histories of the colony published during the nineteenth century, those found most useful were the following.

Prowse's History of Newfoundland is considered the standard history of the colony. While the author does not furnish us with details of the educational life of the early colonists, he does give us the overall picture of political events in the mid and late nineteenth century which have a bearing on the course of the legislation.

Howley's Ecclesiastical History of Newfoundland gives us the Catholic side of the picture. The author quotes at some length from the correspondence of Bishop Fleming, especially concerning the formative years of the Orphan Asylum School, founded by the Benevolent Irish Society in 1824. The bishop's correspondence gives us also new light on the legislation of the 1840's, and shows the Catholic position with respect to the Two Colleges Bill of 1843.

In the Book of Newfoundland, a recent collection edited by Mr. Smallwood, are included Perlin's Outline of Newfoundland History and E.B. Foran's Newfoundland Statesmen of the Past, which furnish interesting details concerning the men who controlled Newfoundland's destinies during the

nineteenth century. No study of this period can be adequate without an appreciation of the part played in the political and social life of the colony by such men as Patrick Morris and Dr. William Carson in the first quarter of the century, and the work of legislators such as Philip Francis Little, John Kent, Richard Barnes, Bryan Robinson, and Sir Hugh Hoyles after the mid-century.

During the period we are considering, the Catholic Church was fortunate in having the leadership of the intrepid and far-seeing Bishop Fleming, with a group of clergy no less able and devoted. The Church of England had the guidance and inspiration of the learned and zealous Bishop Field, who came to the colony in 1844. The letters of Bishop Fleming, as we noted, are found in Howley's History, and those of Bishop Field in Tucker's Life and Episcopate of Edward Field. The latter give insight into the factors involved in the division of the St. John's Academy in 1850.

During the first quarter of the nineteenth century, when the agitation for some form of representative government was in progress, one of the most active leaders was Patrick Morris, a native of Waterford, Ireland, who had made Newfoundland his home. Morris wrote a number of pamphlets in connection with the affairs of Newfoundland, one of which is entitled Remarks on the State of Society, Religion, Morals,

and Education at Newfoundland. Morris' fellow-countryman, Thomas Talbot wrote in 1882 a letter to encourage emigration from Ireland. In this letter he described the progress of the island from his arrival in 1837. As Talbot had been a member of the Assembly, a master at the St. John's Academy, and professor at St. Bonaventure's College, before being appointed to the Legislative Council, his experiences cover a considerable part of the life of the colony in the nineteenth century. Talbot, is however, so careful to keep his characters anonymous, and to water down events of a controversial nature, that his letter is less valuable source material than it might have been.

In connection with the work of the Churches in establishing and maintaining schools, we find some information in Buffet's The Story of the Church in Newfoundland, a brief but very readable account of the Church of England in the island; and in the Centenary Volume of the Benevolent Irish Society which gives a detailed account of the early years of the Orphan Asylum School, and of other Catholic educational activities at St. John's.

The following study considers the periods of the early legislation chronologically. The first chapter reviews briefly the century of educational activity under Church leadership for the most part, from 1726 to 1836. This includes

the work of such organizations as The Society for the Propagation of the Faith, The Newfoundland Church and School Society, the Benevolent Irish Society, and the Presentation Sisters brought out by Bishop Fleming.

The second chapter deals with the provisions of the Education Act of 1836, reviews its failure to satisfy the people, as shown by the controversy over the Bible Reading in the schools, and notes the unsuccessful attempt to remedy the situation by the Amendment passed in 1838.

Chapter III outlines the events of the year 1843, which appears to have been one of the decisive years in the history of educational legislation in the colony. The topics discussed in this chapter include the General Education Act of 1843, which first made a division of the education grant between Roman Catholic and Protestant boards of education; then, there is an account of the unsuccessful attempt to pass legislation for the establishment of two colleges, one for the Protestant and one for the Catholic population; there is brief reference to the appointment in this year of the first school inspectors.

Chapter IV follows the readjustments and developments that followed upon the division of the grant in 1843, and outlines the beginning of the struggle for the division of the Protestant grant among the several Protestant denominations.

This chapter notes the setting up of the non-denominational academy in 1844, and the subsequent division of the institution into three separate academies in 1850, the separate sections being for the Church of England, the Roman Catholics, and the General Protestant groups respectively.

The final chapter outlines the provisions of the Education Act of 1858, which initiated legislation for teacher training, made further amendments to the Academy Act, and appointed a second inspector, thus giving separate inspection to Catholic and Protestant schools. Finally, this chapter considers the Act of 1874 which legislated for the division of the Education grant among the several denominations in proportion to their numerical strengths, which is the principle that obtains today.

While this report does not pretend to be an exhaustive treatment of the factors which eventually led to the establishment of the denominational system of education in Newfoundland, it is fairly obvious from the legislation outlined that the system, as it exists, is the expression of the will of the majority of the people, democratically expressed in petitions to the Assembly, and in the results of political elections. The first acts were in the way of an experiment, the government was anxious to give the public what it demanded, and so we have the many changes made in the legislation during these

first forty years. References from writers of a more recent date would seem to indicate that the system has continued to exist because it is generally acceptable to the majority of the people.

In the Appendix may be found the complete text of the Education Act of 1836, the earliest educational legislation in the island. From this brief act there has developed through the years the system that now exists. The second Appendix is an abstract of Forty Years of Educational Legislation in Newfoundland.

CHAPTER I

THE PRE-LEGISLATIVE PERIOD

Before considering the factors involved in the development of the denominational system of Education in Newfoundland, it may be advisable to clarify some notions of just what the system is as it exists at present. Therefore we shall begin this chapter with a few ideas as to what the system is and how it operates.

Following this we shall give a brief review of the early years of colonization and the circumstances which retarded settlement and development in the first two centuries of settlement; and finally we shall outline the educational activities of the century preceding the earliest educational legislation.

1. The Denominational System of Education.

The public school system of Newfoundland is denominational in character. The religious denominations which are recognized by the state for educational purposes are the Church of England, the Roman Catholic Church, the United Church of Canada, the Salvation Army, the Presbyterian Church, the Congregational Church, and the Seventh Day Adventists. The four large groups, mentioned first in order, operate the

bulk of the schools. There is provision made by the state for the support of a group of interdenominational schools, the "Amalgamated Schools", and for a small number of community schools.

It must be emphasized that there are not several school systems in Newfoundland. There is but one system. Policy regarding curriculum, teacher training, teacher certification, textbooks, public examinations, and audio-visual education are determined by the Council of Education, which is representative of the four major religious denominations. In the 295 educational districts throughout the island the day by day management of the schools, as well as the distribution of grants for each district are in the hands of local boards. These local boards are composed of members of which the school population is in the main composed. The chairman is in practically every instance the local clergyman.

This is, in brief, the organization of Newfoundland's denominational system, which has been the subject of so much criticism, adverse and otherwise, both within the province and on the Canadian Mainland. It is a system unique within the North American Continent at least. Its merits or demerits, its probability of survival in a changing milieu, its past successes or inadequacies will

not be discussed in this report. What is proposed is an investigation of the development of the system throughout the first forty years of educational legislation in the then British Colony of Newfoundland.

It is the conviction of this writer that the system, in its general pattern at least, may be traced in great part to the more than a century of educational effort that preceded the state's earliest effort to provide schooling for its youth. During these years it was to the Church that the colonists looked for what educational opportunities their children could count upon. This trend, the looking to Church leaders for organization and administration of educational facilities, became so much part of the outlook of the early settlers, that when the state finally assumed some responsibility, and voted a meagre sum to encourage education in the colony, it was natural that by popular demand, exerted upon a democratically elected legislature, the Church should be given its traditional place as leader in matters educational.

In order to show how this tradition influenced the course of early legislation we shall first glance briefly at the early years of settlement, and note who were the colonists who first made homes for themselves on the Avalon Peninsula, and northwards on the shores of Trinity and Bonavista Bays.

2. Early Colonization.

Newfoundland was discovered by John Cabot in 1497. It was considered a British possession by right of discovery. Its first white settlers were the winter crews left behind to erect and protect fishing premises, and to build and repair boats for the fishermen who had returned to Europe to spend the winter. We gather from correspondence of the period that from the very first the West Country fishing fleets, under the influence of the merchants, did all they could to prevent permanent settlement in the island. The merchants feared lest a resident population might contest their claim to the best fishing berths, and they accordingly saw to it that settlement was made difficult if not altogether impossible.

Perlin tells us that the best documented of the early voyages is that of Sir Humphrey Gilbert, and that the most reliable account of this voyage and other incidents of the period are to be found in the manuscript of Richard Hakluyt¹.

Gilbert entered St. John's Harbour in August 1583, with 250 followers from Devonshire, and took possession of the island in the name of Queen Elizabeth I. He proclaimed

¹ Albert Perlin, "Outline of Newfoundland History", in The Book of Newfoundland, St. John's, Newfoundland, Newfoundland Book Publishers, 1937, Vol. 1, p. 163.

three laws, the first of which established the Church of England as the official religion of the colony².

In the years that followed there were several attempts at colonization. We find such names among leaders of expeditions to the island as John Guy of Bristol, Vaughn and Faulkner, Richard Whitbourne, and Calvert who spent one winter in Ferryland on the Southern shore of Avalon Peninsula, before seeking a more hospitable climate for his group of Catholic colonists on the American Mainland³.

These early settlements did not prosper. Besides the dangers and the hardships of wind and weather on a still uncharted coast, there were raids on the settlements and on the ships by the notorious pirate, Peter Easton. Added to this were the ever present hostility of the West England merchants and later the harsh and unjust laws of the "fishing admirals"⁴.

Perlin tells us that by 1710 there were 3400 settlers in the island. Considering the extent of coast over which these settlers were scattered, the prospects of missionary

2 The Hakluyt Manuscript, in the British Museum, cited by Hatton and Harvey, in The History of Newfoundland, Boston, Doyle and Whittle, 1885, p. 15.

3 Perlin, in The Book of Newfoundland, Op. cit., p. 172.

4 Title given to the captain of the first fishing vessel to reach the island each spring. This official was given complete control over settlers and crews for the whole season.

effort do not seem to be promising. Yet we learn that in June 1701 a royal charter was granted to the Society for the Propagation of the Gospel in Foreign Parts to establish itself in Newfoundland⁵.

3. The Earliest Schools in Newfoundland.

As far as can be ascertained the first attempt at organized teaching in Newfoundland was made by this society, familiarly known as the S.P.G. One of its clergymen, the Reverend H. Jones, opened with aid from the Society the first school in the island at Bonavista. Blackall notes this, but adds that it is probable that a French Convent in Placentia included a school at an earlier date⁶.

During the century that followed this earliest attempt at instruction, the Society established a number of other schools in various parts of the island; and, as Rowe notes, the influence of its educational work was multiplied many fold by the men who, having received some instruction in these schools, moved to other communities, where they taught to their own families and to the children of their neighbours the rudiments of learning.

⁵ Lewis Anspach, A History of the Island of Newfoundland, London, Sherwood, Gilbert and Piper, 1827, p. 478.

⁶ W.W. Blackall, "A Brief Survey of Education in Newfoundland", in The Diocesan Magazine, July-August 1939, p. 250-261.

It is generally agreed then that the earliest attempt at organized teaching was made by a society under the auspices of the Church of England, which it has been noted was the "official religion" established by Gilbert for the colony. The Society's schools were under the direct supervision of churchmen. The names of many zealous clergymen of the Society are remembered in the remote harbours of this island. Blackall mentions especially the Reverend Benjamin Fleet, a member of the S.P.G., who with two other teachers did much pioneer work in Foxtrap, Conception Bay, in the years following 1824; this gentleman later moved to Trinity, where he continued his labours for Religion and Education⁷.

The S.P.G. declined toward the middle of the nineteenth century, but another Church society was active in the island for many years, namely the Colonial and Continental Church Society, which was founded in England in 1823. This society numbered among its first members Samuel Codner, a successful Newfoundland merchant, who contributed generously to the funds of the Society, and who likewise, according to Burke, "travelled up and Down England and Scotland enlisting the sympathy of the influential and the wealthy towards the establishment of a society for educating the people of Newfoundland"⁸.

⁷ Blackall, A Brief Survey of Education in Newfoundland, Op. cit., p. 478-9.

⁸ Vincent P. Burke, Historical Summary of Education in Newfoundland, manuscript found among Dr. Burke's papers, written circa. 1930.

The above mentioned society established schools in many settlements in Newfoundland, and contributed greatly to the promotion of education up to the early decades of the present century. After the Act of 1874 the School Society, as it is sometimes called, was financed in part from the grant for Education for the Church of England.

The Benevolent Irish Society, founded in 1806 by "a number of Irish gentlemen actuated by a spirit of Christian charity characteristic of their race", turned its attention to educational needs in 1823, and established "an asylum for the support and education of orphan children", which was opened in 1826. By 1828 there were six hundred pupils of both sexes in attendance. Though the "Orphan Asylum" began as a non-denominational institution, it soon developed into a Catholic school, and was in fact taken over by the Irish Christian Brothers in 1875. The Orphan Asylum School was one of those specified in the first Education Act as one of the number to be allotted a share in the government grant, and Rowe notes that:

. . . the fact that a grant was made to a school recognized de facto as a Roman Catholic institution, created a precedent which obviously strengthened the hands of those who later advocated full denominational control over education.⁹

⁹ Fred W. Rowe, History of Education in Newfoundland, Toronto, The Ryerson Press, 1952, p. 37.

In 1833 Bishop Fleming introduced a community of Presentation Nuns from Ireland, and the sisters at once began teaching the girls who had formerly attended the Orphan Asylum School. These sisters later opened schools in the Harbour Grace Diocese, and later extended their influence into the most distant parts of the island¹⁰.

We find some interesting statistics concerning the schools mentioned in the previous pages in the Colonial Records, manuscripts preserved in the Legislative Library of the House of Assembly. The writer examined in particular the record of educational work for the year 1835, that is the year before the first act was passed for aid to education. The record shows the names of the parishes and districts wherein free schools were established, gives the names of the masters and mistresses in each case and lists the expenses for the year. The teaching method in use is also noted.

We find that at this time the British North America School Society (one of the names for the former Continental Church and School Society), had schools in eleven settlements, in St. John's, and around the shores of Conception, Trinity,

¹⁰ Presentation Convent, Cathedral Square, St. John's, Newfoundland, Archives.

and Bonavista Bays. The method in use was the Bell System, the manuscript notes that:

No accounts of these schools are kept in the colony, the contributions being for the most part made in England, where also the management of the affairs of the schools is entirely conducted. . . The salaries of the Masters and Mistresses of these schools are paid out of the funds of the Society, the £100 heretofore paid towards them by the Government has been withdrawn.¹¹

In 1835 the Orphan Asylum School was under the direction of John Grace. His salary was £100 a year. The method in use was the Lancastrian, which method was also in use in the St. Patrick's Free School in Harbour Grace, which school was in charge of John Fennel. The record of the Presentation Convent School notes that the school is:

conducted by five Sisters of the nuns of that order, without any remuneration. The Superior, Mrs. M. Kerwan superintends under the Catholic Bishop for the time being. The school has been supported hitherto by Dr. Fleming, the present Bishop, but application has been made by him to the present legislature for assistance, which it is probable will be granted.¹²

Under the heading "Private Schools" the records read "Except at St. John's, where there are about ten or twelve, there are scarcely any institutions in the colony that deserve the name of schools besides those mentioned in this section"¹³.

¹¹ Colony of Newfoundland, Record, 1835, manuscript found in the Legislative Library, Colonial Building, St. John's, Newfoundland, p. 121-124.

¹² Idem.

¹³ Idem.

The records for the years following the first legislation add little information to what is given above. The amounts granted to the district board schools are noted, but it can be seen that the schools of the Church groups listed in the earlier records are still providing the major part of the education being given. In 1844 the Orphan Asylum School had an enrolment of 170 males, the expenses for the year amounted to £350, the government grant was £150, and the remainder came from voluntary contributions. The Presentation Convent was teaching six hundred female children, the government grant was £200, the expenses were rated at £300. The Newfoundland School Society still operated schools in twenty different localities, and the contributions were still "for the most part made in England"¹⁴.

The same manuscript notes that elementary schools are established in all the districts of the Colony under the Education Act 7 Vic., Cap. 6. There are about thirty-three board schools at this time, 1844, but the returns are very imperfectly made, says the record, and so it is not possible to give much information concerning them¹⁵.

By 1850 we learn from the Records that in addition to the schools mentioned above that the Wesleyan Methodist

¹⁴ Colonial Records, 1844, p. 141-144.

¹⁵ Idem.

group have established eight schools, with an enrolment of 481 pupils, towards which the government appropriates £250 per year, and the Wesleyan Society contributes £200¹⁶.

In 1850 the records show that the St. John's Orphan Asylum School was under the direction of a community of four monks of the Order of St. Francis, it had an enrolment of 750, the yearly expenses amounted to £350, of which the Government grant furnished £200¹⁷.

In 1862 John Haddon, Protestant Inspector of Schools writes in his report that of the £5112 granted by the government for elementary education:

£500 is granted to the Colonial Church and School Society which maintains twenty large efficient schools under thirty-one teachers, so that for this amount it will be admitted the Colony receives much more than an adequate return in education services - not to speak of the missionary services they render.¹⁸

The facts given in the preceding pages are noted in order to show that long after the government had assumed some responsibility for supporting education in the colony, the major burden of financing schools, as well as organizing and administering them, was borne by the various churches. The part played by Church leaders in the early educational

16 Colonial Records, 1850, p. 157.

17 Idem.

18 John Haddon, "Report Upon the Inspection of Protestant Schools for the Year 1862", in the Journal of the Council, p. 487.

life of the island must be appreciated in order to understand the influence that the Churches have exerted upon the form which the school system of this province was to assume.

Speaking to the Kiwanis Club in the spring of 1955, the Minister for Education, Mr. J.R. Chalker, sums up the situation to this effect:

To give our people adequate educational services and facilities in such circumstances was obviously beyond the power of any government, and had it not been for the churches, with whatever assistance the governments could give, the situation would in time have become too deplorable to describe. The clergy of all denominations kept close to the people, and with their help built schools, maintained them, and organized the means of education.¹⁹

The influence which the denominations and the Church leaders still exert upon the educational life of this island is the natural result of more than a century of sharing with the people the responsibility and the financial burden of erecting, and maintaining school buildings, organizing and supervising school personnel, and directing the secular as well as the religious training of the youth of the various communities.

Dr. Blackall commenting upon the earliest boards of education in the districts, in each of which only the senior

¹⁹ J.R. Chalker, "Education Address to Kiwanis Club", in the Department of Education Newsletter, issue of April 1955, St. John's, Newfoundland, Vol. 6, No. 8, p. 1, 2, 3.

clergyman of each district was included, writes:

It was surely a mistake to exclude the clergy from membership on the Boards of Education, for at least two reasons; first because they were probably the only persons qualified educationally to be of service; and second, it was an ungracious failure to recognize the fact that up to that time it was to the Churches that the country had been indebted in the main for such efforts as had been made in the cause of education.²⁰

The facts outlined in this chapter, and particularly the statistics copied from the Records and School Reports indicate that educational foundations in Newfoundland were well established before the state took any interest in the need of its youth for systematized schooling. In fact when the first local legislature made provision in its budget for educational needs, the several religious bodies had definitely established themselves as the leaders in the field of education. As Burke writes:

Educational beginnings in Newfoundland were made under the auspices of the Church, and for over a hundred years it was the clergy, the Society for the Propagation of the Gospel in Foreign Parts, the Colonial and Continental Church Society, and other religious agencies which supplied education to the people.²¹

The following chapters will consider the early acts, in an attempt to show how the "educational beginnings" spoken

²⁰ W.W. Blackall, "A Brief Survey of Education in Newfoundland", in the Diocesan Magazine, St. John's, Newfoundland, issue of July-August 1939, p. 250-261.

²¹ Vincent P. Burke, Two Centuries of Education in Newfoundland, Address given over Stations VONF and VONG at St. John's, Newfoundland, October 12, 1940.

of by Burke influenced the course of legislation and how the people, bred to the tradition of looking to Church leadership, consistently demanded that education be still under the guidance of religious leaders. The clergy of the eighteenth and early nineteenth century had built a strong tradition by their zeal and their perseverance, in their efforts to bring some training to the youth of this small colony of Britain. The century that followed was influenced by the foundations they had so strongly built.

CHAPTER II

EARLY LEGISLATION

We have outlined the work of Church organizations during the first century of Newfoundland's educational history. We have seen that the tradition of Church leadership in education had been built up through the first difficult years of settlement. It is proposed to review in this chapter the provisions of the first education act, to note how unsatisfactory were some of these provisions in the actual working out of the management of the schools, and to study the implications of the amending act passed in 1838.

It may be well to recall here that the settlers up to this period were, in the main, families from the West of England, and a number of colonists from Ireland. An additional group of Irish immigrants had arrived at the beginning of the nineteenth century. The bulk of the Irish settlers had made their homes either on what is known as the "Southern Shore", that is the Eastern Coast of the Avalon Peninsula south of St. John's, or in particular localities on the shores of Conception Bay. The English had established themselves in still other areas in Conception Bay, and as has been indicated in Chapter I, many of them had made homes farther north, along the shores of Trinity and Bonavista Bays.

In each small settlement along the shores of the bays then the community was in the main of the same religious denomination. This condition of things remains even to the present, except in the industrial areas.

When the first educational legislation was passed, the island was divided into nine electoral districts, scattered along the shores of the bays; and these electoral districts became the educational districts, for each of which a board was to be nominated by the Governor. One of the largest districts was Conception Bay. Along this bay the several settlements represented the three denominations then making up the bulk of the population, Catholic, Church of England, and Wesleyan Methodist.

The early legislators did not reckon with the strength of religious conviction and sentiment in these settlements when they framed the provisions of the Education Act of 1836. We shall now examine this act, and note how the newly appointed boards, which were not intended to represent any particular denomination, found it impossible to work out a plan for the school that would give satisfaction to all denominations.

1. The Education Act 1836.

The first education act, passed by the first local Assembly in 1836, was in effect just what its title indicated, "An Act for the Encouragement of Education in the Colony". This act granted, "for the support and establishment of Elementary Schools", annually for five years, the sum of £2100, to be allocated in great part to schools already in operation. The select committee appointed to investigate the educational outlook submitted a report, in which they suggested:

Your committee consider that the voluntary system works advantageously, and therefore they would recommend that assistance be given by the Legislature by immediate grants of money, to be placed at the disposal of the several Societies and individuals who direct and govern, for the gratuitous education of the poorer classes, schools of such importance as to claim the attention of the Legislature.¹

The schools already in existence to which assistance was to be given were specified as follows:

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|--|------|
| Newfoundland and British North America School Society | £300 |
| Orphan Asylum School at St. John's | £100 |
| Presentation Convent School at St. John's | £100 |
| St. Patrick's Free School at Harbour Grace | £100 |

The remainder of the grant of £2100 was to be allocated through boards of education to be established in the

¹ W. Pilot, in appendix to the London Board of Education, Special Reports on Newfoundland, 1901.

several districts, these being the nine electoral districts of the island².

The Act of 1836, besides providing funds, legislated for the management of schools in the nine districts by boards. Each board was to consist of thirteen persons, including the senior clergyman for each religious district. Besides being authorized to requisition and apply funds to the establishment and maintenance of schools in the districts, it was enacted that:

Such boards of education shall respectively have full power and authority, so soon after their appointment as may be, from time to time to meet and assemble together in their districts, for the purpose of making By-Laws, Rules, and Regulations for the establishment and management of the schools within their respective districts, and the apportionment and distribution of the respective sums of money hereby granted for the purpose of Education.³

The annual meeting of the boards was to be held on the first Wednesday of July, and a report of the proceedings was to be sent to the Governor. The place of meeting of the boards was specified for each of the nine districts.

The question of religious differences made itself felt in both the appointment of the earliest boards, and in the actual working out of rules and regulations in the schools.

² Statutes of Newfoundland, An Act for the Encouragement of Education in this Colony, Anno Sexto Gulielmi IV Regis, Cap. XIII, Sec. 1.

³ Idem.

We shall find that in the case of the St. John's Board, the difficulty lay in the appointment of the senior clergyman. It was, however, in the Conception Bay District that the most difficulty was encountered, as we shall see from the following paragraphs.

2. Problems of the First Boards.

The Education Act of 1836 had provided that the senior clergyman for each religious denomination in the district was to be a member of the board of Education for the district. When the warrants were delivered for the St. John's board, the Catholic clergyman named to the board was the Reverend Edward Troy. A meeting was called for June 27, "for the purpose of carrying the lately passed Act of the Local Legislature into full operation". At this first meeting the question of the term "senior clergyman" was raised. Father Troy refused to accept his nomination on the ground that (1) Bishop Fleming should have been appointed, as being the senior resident clergyman, and (2) he himself should have received the governor's warrant.

To Father Troy's objections the Governor's secretary replied as follows: To the second objection the answer was that the warrants refer to the nine districts, and not to the individual members of boards. To the first objection

the Secretary's reply stated that:

The Act of the Colonial Legislature directs the Senior Resident Clergyman of all denominations shall be included in the warrants for their respective districts; . . . the Roman Catholic Bishop and the Protestant Archdeacon may be considered as General Superintendents over the Church, and have not therefore been named for this or any other district.⁴

The Newfoundland Patriot, which gives an account of the meeting, added that the entire board came to the decision that the body was illegally constituted in the absence of Bishop Fleming, and that the Legislature contemplated his appointment in that provision which appointed the senior clergyman as a member of the district board.

The situation created by this incident led to a consistent opposition on the part of the Catholic population to the whole educational set-up. The Patriot goes on to enumerate other grievances:

Amongst the one hundred and seventeen members of the several Boards of Education appointed on the seventeenth of May, 1836, by His Excellency Governor Prescott, no fewer than eight of these clergymen beside the bishop were insultingly flung aside.⁵

The article mentions by name some of these clergymen, who, in districts predominantly Catholic, should have been appointed to the boards of education. There is special

⁴ "Board of Education", article in The Newfoundland Patriot, St. John's, Newfoundland, issue of July 9, 1836, p. 3, cols. 2, 3, 4.

⁵ Idem.

mention made of the district of Ferryland, which then was almost entirely Catholic, as in fact it is still today. These remarks bring to mind Dr. Blackall's comment on the failure of the first legislators to recognize the educational contribution of the clergy in the century preceding legislation⁶.

In the Conception Bay District was found the strongest criticism of the act. It has been noted that in this district some settlements were predominantly Catholic, while others were Protestant, and there were settlements in which members of more than one creed had settled. Here then was a fertile source of disagreement. The board appointed for the district convened during the early summer of 1836, and met with many problems. At the first meeting it was suggested that the sum of money granted for the Bay be divided equally among Protestants, Methodists, and Roman Catholics. This suggestion was rejected by a large majority.

Then arose the problem of selecting textbooks. One member of the board produced some samples of the texts used in Ireland in the national schools; the claim was made that these books had the approval of the Roman Catholic bishops, the Protestant bishops and the Dissenters⁷.

⁶ W.W. Blackall, quoted in Ch. I, p. 6.

⁷ "Boards of Education", in the Patriot, issue of August 13, 1836, p. 134, col. 4, p. 133, col. 1, 2.

When the question of the books had been disposed of one member proposed that the reading of the Scriptures for one-half hour every day in every school be made compulsory. This suggestion was the initiation of the disagreement in the Conception Bay District that eventually led to the division of the grant for education between Catholic and Protestant.

The Patriot notes that Catholics objected to the reading of the Bible in the schools, on the score of the version in use, and on the interpretation of the Scriptures by Masters of different creeds. There were some Protestants who maintained that making the Scriptures a part of the school day was a want of respect for the sacred books.

There were letters sent to the Governor protesting against the rules and regulations made by the board. Later in 1843, when Mr. Barnes was initiating legislation for the division of the education grant, these letters were cited as instances of the impossibility of education for Catholic and Protestant in the same schools⁸.

The details of the Conception Bay situation were set forth succinctly by the member for Trinity on this occasion, and it is from that source that we have obtained the information given below⁹.

⁸ "Reports on the General Assembly", in the Public Ledger, issue of March 17, 1843, p. 2, col. 1.

⁹ Idem.

The board, according to the powers given to them by the Act of 1836 had met to make Regulations and By-Laws for the management of the schools. One of these rules directed that a period of each school day be devoted to reading the authorized version of the Bible, "without notes or comments however". When the Board adopted its rules, the Catholic members petitioned the Governor asking him to withdraw his approval of the rules, so as to prevent this rule becoming a By-Law. The four Catholic members added that, if His Excellency could not do so, they would ask him to accept their resignation. The Governor addressed the Board, and recommended that the Protestant members give up the disputed point and rescind the rule. They refused, and the Governor refused to draw warrants for the money required by the Board, unless the members relinquished their positions.

These four Catholic members, Denis Makin, Charles Dalton, Peter Brown, and James Power contended that they could not "conscientiously remain members of the Board of Education, whose object is to direct public monies granted for Elementary Education into Religious or Sectarian purposes".

The outcome of this controversy was that the monies granted for the use of the Conception Bay board remained unexpended, since the board was not functioning.

In November 1838 the Protestant members of the same board when tendering their resignation suggested that:

a division of the colonial grants of money according to the population, to be appropriated for the purpose of Education, with due regard to the respective privileges of each, without the dictation of interference of one part of the community over the other.¹⁰

The Trinity Bay Board and the Bonavista Boards met with similar difficulties in the management of the schools. In the case of the Trinity Bay Board, the Governor approved the rules and regulations for the district, with the exception of the last clause of the eighth rule, which had to do with Bible Reading in the schools of the District. The Board protested that in many settlements there was no resident clergyman, visits of the clergy were infrequent, and there was great need for this daily reading of the Scriptures. The Report emphasized the fact that as regards Protestants, there is nothing sectarian in the introduction of the Bible in the authorized version into the schools. They protested that only a few Roman Catholics were to be found in the District, and it did not seem fitting to keep "these sacred deposits of truth and knowledge out of sight in twelve schools because a few Roman Catholic children may attend them"¹¹.

¹⁰ "Address on Second Reading of the Education Bill", in the Report of the Assembly, published in the Newfoundlander, issue of March 16, 1843, p. 2, cols. 1, 2, 3.

¹¹ Idem.

After one or two further communications with the Governor, the Board declined to act any further under a prohibition of the Holy Scriptures, and for two years everything was at a standstill, until the passing of the amending act in 1838, when the controversy was renewed. This time the Board carried its point and placed the Bible in the schools.

Finally there was the situation created in the Bonavista Board. This board protested to the Governor, and concluded with these words:

If His Excellency will not allow the Scripture to be read, the Board must respectfully but firmly state it to be their conscientious determination not to lend themselves to a system of education which would exclude the pure word of God.¹²

The difficulties experienced by these three boards in the management of the schools made it clear that the Act of 1836 in its original form was unacceptable to the bulk of the population. In fact one district in which the boards were no longer functioning the Conception Bay District was the one in which, according to one member, there were more than one-third of the population of the island.

Criticism in the press was not wanting to remind the legislators of their mistakes in the framing of the act. The Patriot, which appears to have been the most vocal organ of criticism and which frequently attacked the government's

¹² Report of the Assembly, in the Newfoundlander, issue of March 16, 1843, p. 2, col. 1, 2, 3, 4.

policy published a letter from a correspondent in Harbour Grace, which accused the Boards of having "overstepped their duty and far exceeded the powers given them by the Act", and adds that the Legislature, which had passed this act "without information as to the number of the schools in the Island, had legislated in the dark". The Patriot endorses the views of its correspondent, and objects to the fact that the act had been passed "for five years", adding that it had been passed at the very last session of a worn-out House of Assembly, that it was "most uncalled for and most injudicious". And the Patriot further maintains that the Act of 1836 had been founded upon the report of the Education Committee, which had reported at a season when it was impossible to communicate with distant places¹³.

It was obvious that some modifications of the act was called for, and so we have the amending act of 1838, which sought, though unsuccessfully to correct the weaknesses of the 1836 Act.

¹³ Letter and editorial in the Patriot, issue of July 23, 1836, p. 2, col. 2.

3. Amendments to the Education Act of 1836.

When the House convened in July, 1837 the Act of 1836 came up immediately for discussion. In the opening speech on the meeting of the Legislature, Dr. William Carson remarked that the Act:

so benevolently conceived, and so honourable to the Legislature has, I regret to say, met with considerable impediments. . . One district is for the present entirely deprived of its benefits and in few places is its operation cordial and complete.¹⁴

Dr. Carson added that he would forward to the Legislature correspondence and documents relating to the situation, and he adds that he would readily give his assent to "any measure that may tend to assuage religious jealousies and apprehensions and promote the inestimable blessings of universal education"¹⁵.

In September a bill was brought in to amend the original act. The member who brought in the bill explained that a large part of the sum granted, £2100, remained unappropriated, and he added that this fact was due to the differences which had arisen on the subject of the introduction of the Bible into the schools. The member maintained that the

¹⁴ Report of the Opening of the Legislature, in the Newfoundland Patriot, issue of July 8, 1837, p. 2, col. 2.

¹⁵ Idem.

Bill then before the House excluded all sectarian books. It would appear that he felt that this provision would remove causes of contention¹⁶.

There were members who saw in the new bill seeds of further disagreement. Mr. Winsor felt the bill would be open to criticism on the score of sectarian books, for it contains a clause to provide free books. But the reply to this objection was that the books are to be placed in the schools only with the consent of the Board of Education of each district.

The bill went through without any notable opposition. On October 25, 1838, it received its final approval and was placed on the Statute Books.

The Education Act of 1838 is prefaced by the statement that this amendment has been made necessary by the fact that the Education Act of 1836 "has not been carried into effect in several districts of this colony". The Act of 1838 contained five sections: the first provides for appointment of members to replace "any member or members thereof dying, resigning, or being prevented in any way from taking his place on the Board". The right to make this replacement was that of the Governor or Acting Governor for the time being.

¹⁶ Journal of the House of Assembly of Newfoundland, 1838, p. 130.

The second section empowered ministers of Religion to visit schools under the control of the Board of Education, but added "provided nevertheless that no Minister shall be permitted to impart any religious instruction in the school, nor in any way to interfere in the proceedings or management thereof".

Section 2 was presumably inserted in the amendment to prevent further dissatisfaction in settlements wherein the community was composed of more than one religious denomination, such differences as had arisen over the question of Bible Reading. The right to visit the schools given to the clergy might have appeared to be a gesture that would placate all concerned, since the clergy could keep themselves informed of what was going on in the schools, while at the same time the prohibition against imparting any religious instruction would prevent the different denominations from having any grievance on the ground of possible proselytizing.

But the provision satisfied nobody. One may cite here Bishop Field's reaction to this section, for it sums up what most of the clergy must have felt concerning this prohibition. "How", he asks, "could I, or any other clergyman in such circumstances, have sustained or discharged the obligations of a minister of the Church of England"¹⁷?

¹⁷ E. Tucker, "Life and Episcopate of Edward Field", cited in Rowe, History of Education in Newfoundland, p. 45.

The third section of the 1838 amendment dealt with the books to be used in the board schools. This section was very specific in placing the responsibility of book selection on the boards. It reads:

And be it further enacted that no book or books shall be used in any school or schools established or to be established, supported, or to be supported by any Boards of Education appointed or to be appointed under this Act or under any Act passed in the sixth year of His Late Majesty's reign entitled "An Act for the Encouragement of Education in this Colony", but such as shall be chosen and selected by the Board or Boards of Education aforesaid, having the superintendence or management of the said school or schools, or any book or books of a character or having a tendency to teach or inculcate the doctrines of any particular or exclusive church or religious society whatever.¹⁸

The fourth section of this act specified the free books to be placed in the schools. The fifth left the actual placing of the books in the schools to the discretion of the several boards. The 1838 Act therefore added nothing to the act of 1836 except to provide for replacement of board members, to authorize ministers of religion to visit the schools without permitting them to impart any religious teaching, and it provided for free books to be placed in the schools at the option of the respective boards.

¹⁸ An Act to Amend an Act Passed in the Sixth Session of the First General Assembly intituled "An Act for the Encouragement of Education in this Colony". (25 October, 1838)

Sections 2 and 3 were considered, it would seem, a safeguard against further opposition from religious groups. One wonders if the legislators of the time were so naïve as to believe that such measures would give general satisfaction. Rather does it seem that the amendment was but a stop-gap to show some well-meaning interest in the problem until it could be taken up in greater detail, and means found to make the state aid functional in the schools.

These years of the early Representative period were in many ways a politically stormy period. The Assembly and the Legislature were observed closely, so that the tyrannical laws of the past century under British rule might not be re-enacted. The Catholics had in Bishop Fleming a far-seeing and energetic leader. The Anglicans were fortunate in their bishop, that great churchman and educator, Bishop Field.

The Assembly had every opportunity of realizing that as one Canadian writer of our own day puts it:

Sometimes governments may not accurately reflect the collective wishes by the manner in which their budgets are distributed; but by and large, I think, they do, or they do not remain long in power.¹⁹

The colonists realized fully the power of the ballot, and, since the first two acts could not possibly satisfy an

¹⁹ Andrew Stewart, "Financing Education", in Canadian Education, Vol. 9, Sept. 1954, p. 76-85.

alert and determined electorate, it was obvious that some more radical changes must be made in the acts.

We shall see, in the following chapter, how the demands of the colonists made inevitable the division of the Education Grant between Catholic and Protestant in the Act of 1843.

CHAPTER III

DIVISION OF THE EDUCATION GRANT

The year 1843 witnessed a renewal of interest in education generally, and it was inevitable that the problems raised by the district boards would be once again the subject of discussion in the local parliament.

Perlin remarks that during this period in our history, "despite political squabbles", the island was developing into "an organized colony, in which social and economic improvements were being gradually effected"¹.

Beginning about 1837 there was lack of agreement in the local parliament between the Assembly and the Legislative Council, and again quoting Perlin, "there were not wanting elements of sectarianism". Between 1841 and 1849 the government was carried on by a General Assembly, in which members of the House of Assembly sat side by side with the members of the Council. It was during this period that the General Education Act of 1843 was passed.

When the Assembly met in January, 1843, the Governor in an eloquent address to the newly-constituted Assembly,

¹ Albert B. Perlin, "An Outline of Newfoundland History," in The Book of Newfoundland, St. John's, Newfoundland Book Publishers, 1937, p. 186.

intimated that he hoped they would give a "well-merited precedence to the important subject of Education", adding that he is confident they will vote the sums necessary to provide adequate educational facilities to the colony.

During the winter of 1843 three main problems regarding education were brought before the General Assembly, and into each of them there entered the problem of denominational differences. In this chapter we shall examine these three questions, to note how the insistence on separate schools for Protestant and Catholic affected every phases of the educational life of the period.

The bills brought before the General Assembly in 1843 dealt with (1) education for elementary grades throughout the island, which was the subject of Mr. Barnes' General Education Bill, (2) the need for providing some form of secondary education, which need was the reason for Mr. Bryan Robinson's Two Colleges Bill, (3) supervision and inspection of schools.

The bill which seems to have been directed to the most pressing need of the time, and the one which achieved complete success in the Assembly was the General Education Bill. We shall review some of the reasons given by the sponsor of the bill for having introduced it into the House; we shall note the attitude towards the bill of both the

House and the public, as seen in the debates and in the press comments of the time; and finally, we shall review its main clauses.

1. The General Education Bill of 1843.

The General Education Bill of 1843, framed and brought in, and successfully put through the House by Mr. Richard Barnes, the member for Trinity, was one of the most important milestones in the history of educational legislation in this island, as it is the first of the acts which provided for a recognition of the two major religious bodies of the colony, Catholic and General Protestant.

Rowe notes that at the time the first education act was passed, the Catholics made up approximately half the population of the colony. He observes that it is difficult to see why, with their advantages of numbers, and with the capable leaders they could count upon in Church and State, they acquiesced so readily to the setting up of non-denominational boards in 1836². He concludes that the reason lies in the government's hesitancy to make any grant for education. Had they made too many or too great demands before the passing of the bill there might have been serious

² Rowe, in History of Education in Newfoundland, Op. cit., p. 78.

delays in the granting of the sums needed. Once the grant was made, however, the Catholics were not hesitant in demanding their rights, as we have noted in the protests made by the members of the Conception Bay Board.

Among the members of the Assembly, and also among the people generally, there were different views as to what course should be taken. Some felt that, given time, the non-denominational set-up could be made to work satisfactorily. And many of the members of the Assembly were opposed to the principle of separation as such. In the beginning of the controversy, apparently, this had been the conviction of Mr. Barnes. In his address on the moving of the second reading of the General Education Bill, Mr. Barnes states that at first he had been "decidedly averse" to any division of the grant between Catholic and Protestant. But he continues, when he had made a more careful study of the situation, he saw that division of the grant was the only possible solution to the colony's educational problems.

When, in fact, I looked into it as I think a legislator ought to do, and reasoned from the past to the present, and looked into the future, I saw plainly that the principle of the previous acts must be abandoned, and a new course must be taken, if we wished to pass a law for the encouragement of education, which would be satisfactory to the people at large, and secure the desired result.³

³ Report of the Proceedings of the Assembly, in the Newfoundlander, issue of March 16, 1843, p. 2, col. 1, 2, 3, 4.

The member concludes that the failure of the system as at present by law established, is due neither to the smallness of the grant nor to the lack of talent and experience of the masters; but that the system had failed "simply because the people had no confidence in it". This lack of confidence he attributes to the fact that the acts of 1836 and 1838 failed to take into account the strong religious convictions, and the consequent determination to stand upon their rights, on the part of both Protestants and Catholics. After reviewing the controversies occasioned by the action of the boards in the districts of Conception, Trinity, and Bonavista Bays, the member summed up the situation to the following effect:

The two great religious bodies of this country are now like two armies, who upon the subject of education have got within each other's lines, and for whom there is no neutral ground to stand upon.⁴

The only possible solution to the situation, then, is a division of the grant for educational purposes. In support of this view the member cites the following cases in other countries:

He reminds the Assembly that "as early as 1765 Prussia, who has led the van in Europe on the subject of national education, had her Protestant and her Catholic schools".

⁴ Report of the Proceedings of the Assembly, St. John's, Newfoundland, Op. cit., p. 2, col. 1, 2, 3, 4.

He cites the case of the state of New York, where at the time, the Catholics had claimed a separate grant in aid of schools under their own management, and their claim had been recognized. He remarks, concerning the system in favor on the Canadian Mainland, that:

It is true that the neighbouring colonies have not yet adopted this division, but they all complain of the evils which we have felt, and the general principle will soon be admitted everywhere, that elementary instruction to be safe, must be based upon religion, and if it be based upon religion, a separation becomes inevitable.⁵

For his last appeal to the experience of other countries, Mr. Barnes goes farther afield. He maintains that:

The leaders of the people in France at the time of French Revolution might have been an educated people, but their information had been obtained at the fountains of an atheistical and cold-blooded philosophy, and the great masses must have been without information properly so-called or so fearful a crash of atheism and crime could never have fallen upon them.⁶

The instances cited above may not seem to have had much bearing on the educational problems of a small and undeveloped British colony in the early nineteenth century. But we have quoted them to show how strongly convinced were some of the legislators of the time of the need for religion in the education of the youth of the colony.

5 Report of the Assembly, Op. cit., p. 1, 2, 3, 4.

6 Idem.

The member for Trinity then turned to the question of the sum to be voted for the encouragement of education. He asked for £4985 instead of the £2100 granted by the Act of 1836. The former grant was but seven pence per head, while the sum which the member suggested would amount to one shilling and four pence per head of the population, and even this, he reminds the Assembly, is far below what is applied by the Legislature in other countries to the purpose of education. He reminds them further that, according to the last census, there were 30,375 children under fourteen years of age, of whom not more than six or seven thousand at the very farthest could be present at school.

It was apparent from the beginning that Mr. Barnes' General Education Bill would eventually become law. Even those, in the Assembly and among the general population, who were opposed to division of the grant as a principle, had nothing but praise for the painstaking research which had gone into the framing of the bill, and the well-intentioned sincerity for the general good which actuated the member for Trinity. The Newfoundlander gives an editorial to the bill and comments on the address made on its second reading.

The Newfoundlander has this to say:

We cannot say that the principle of separation this measure embraces is one that we can look upon with satisfaction; but when we contemplate the working of the old amalgamation system, and the vast amount of opposition it encountered (as shown by the evidence so elaborately brought out by Mr. Barnes) which made the bill inoperative as far as one-half of the population are concerned, we are obliged to confess that whatever our own views may be, such an expression of popular feeling cannot be disregarded.⁷

After attention had been given to the formalities of disposing of the property of the former boards, the bill was passed by the Assembly, and became law on May 22, 1843. The Act as placed on the Statute books comprised twenty-two sections. The first section provided that the sum granted for educational purposes should be annually distributed between the instruction of the children of members of the Protestant Churches and the instruction of the children of members of the Roman Catholic Church.

The sum voted for the year 1843 was \$5100, and the specific amounts for each board were given, and the limits of the districts were defined. The act provided for the nomination and appointment of Protestant and Roman Catholic boards, and, as in the former acts, empowered them to make by-laws, rules and regulations for the establishment and management of the schools within their respective districts.

⁷ House of Assembly, editorial in the Newfoundlander, issue of March 16, 1843, p. 3, col. 3.

The Education Act of 1843 recognized the principle of division of the grant for education between the two major religious bodies. Just seven years after the first government grant had been made, the conclusion had been forced upon the legislators that no other arrangement would be eventually acceptable to the people whom they represented. The foundation of the denominational system of education had been established.

2. The Two Colleges Bill.

We have seen that the element of religious difference was the principle upon which the General Education Bill of 1843 was founded, and that without too much opposition this bill received the approval of the Legislature. Very different was the outcome of another bill brought into the Assembly during the winter of 1843. This was the bill to provide for the establishment of two colleges, or collegiate institutions, one for the Protestant, the other for the Catholic members of the population.

We shall review briefly some of the debates and the correspondence on this bill, - which by the way had to be abandoned, - in order to note how strong still was the opposition to the principle of separation.

The Two Colleges Bill introduced into the House by Mr. Bryan Robinson, the member for Fortune Bay, during the winter of 1843, was not the first attempt to provide some form of higher education for the youth of the colony. The question of establishing a college in St. John's had been raised in the House as early as January, 1836, by Dr. William Carson. The motion had been rejected on the score that it was not fitting to establish an Academy "for the instruction of the opulent in the learned languages, in the richest town in the Island, whilst a common English school is denied the poor people in the outports"⁸.

Sums had been granted in each of two supply acts in 1838 for the establishment of a Grammar School at Carbonear, and another at Harbour Grace, but the sums remained unexpended until 1843, when special acts were passed providing for the establishment and support of such schools.

The bill which was introduced into the House by Mr. Bryan Robinson was referred to as The Two Colleges Bill, or simply, The College Bill, and the term was later changed to "collegiate institutions", these to be "conducted and managed respectively on the principle of the Protestant and Roman Catholic Religions"⁹.

⁸ Report of the Debates in the Assembly, in the Patriot, issue of January 19, 1836, p. 2, col. 1, 2, 3.

⁹ General Assembly, February 18, in the Public Ledger, issue of February 24, 1843, p. 1, col. 1.

In introducing the bill, Mr. Robinson made it clear that he considered that fairness demanded an equal division of the funds equally contributed by the two groups for the purpose of endowing separate collegiate establishments. He suggested that the principle upon which the Directors of the Protestant College should be constituted, should be by reference to the numerical condition of the several Protestant congregations, upon which principle, he added, the bill was founded. He was satisfied to leave the Directory of the Roman Catholic College to be decided by the Roman Catholic members; and he was ready to concede that the Roman Catholic bishop and six Catholics should compose the Board of Directors. One gathers from the tone of Mr. Robinson's address how keenly he is aware of the opposition that will be forthcoming to his bill on the score of religious differences.

It may be well to recall here that the Church of England was established by Gilbert's first proclamation as the official religion of the colony. It has been noted that the Catholic population had increased during the seventeenth century and especially at the end of the century, so that at the time of the first education act they made up half the population. At this period a third group was becoming increasingly large, and proportionately self-conscious. This was the group known at that time as the Wesleyan Methodists.

In fact the fifteenth section of the General Education Act of this year had specified the sums to be contributed by the Protestant boards to the Wesleyan Methodist schools in their districts. From this group came, in great part, the opposition to the College Bill.

That Mr. Robinson was very conscious of this opposition we may infer from his remarking that he hoped the principle upon which the Protestant College was to be conducted would "disarm the opposition and allay the fears of every Dissenter and Presbyterian", and by the pains he took to explain why it was to be provided that the headmaster of the Protestant College should be a graduate of Oxford, of Cambridge, or of Trinity College, Dublin¹⁰.

A review of the main points of opposition to the College Bill will indicate what were some of the difficulties in the way of legislation for educational establishments that would be acceptable to all three groups; it will make clearer too why the Academy Bill that was passed in 1844 had to be amended in 1850 to provide for the establishment and support of three separate academies under Church of England, Roman Catholic, and General Protestant boards.

The Ledger of February 17, 1843, reports a meeting, "numerous and highly respectable", held on February 15, to

¹⁰ Report of the Assembly, in the Ledger, Op. cit., p. 1, col. 1.

discuss the College Bill. The resolutions passed at this meeting seem to have been of considerable interest to the public, for both the Ledger and the Patriot report them in some detail.

The main points of opposition in these resolutions are summarized below:

1. The language in which the bill was framed was calculated to arouse resentment, in its use of such terms as "Dissenters", "Reformed Church", etc.
2. The bill did not do justice to the sentiments, nor adequately guard the interests of the various Christian denominations represented at the meeting.
3. The provision that the Bishop of Newfoundland should be the only director ex officio of the Protestant College implied supremacy of that section of the Church over which he presided.
4. It was not necessary in the state of the country to establish colleges to teach the principles of either the Reformed or the Roman Catholic Religion.
5. To ascertain the strength of the respective denominations by the test of communion was unfair, since the last census was only partial and in many cases erroneous.
6. The country could not support two collegiate institutions.

7. To enact that the Senior Professor should be a graduate of Oxford, of Cambridge, or of Trinity College, Dublin was being exclusive and would deprive the proposed institution of a choice of able professors.

8. The circumstances of the colony required a sound practical, secular education rather than that which would be given by the proposed establishment.¹¹

These objections were repeated and elaborated in the press, and in petitions addressed to the Assembly. An editorial in the Ledger, while emphasizing the fact that before there is any question of endowing a collegiate institute, the "groundwork should have been laid, and ample provision made for raising the moral and intellectual condition of the industrial classes", stresses still more emphatically that what the colony needs is "the endowment of one academy which will impart a liberal education, entirely secular".

This, and other arguments were renewed and repeated in other newspapers, and we read later in the session concerning this bill that petitions have "poured into the House against its adoption, while not a single one has been presented in its support"¹².

¹¹ The Two Colleges Bill, editorial in the Ledger, issue of February 17, 1843, p. 3, col. 1.

¹² General Assembly, editorial comment in the Newfoundlander, issue of March 23, 1843, p. 3, col. 1, 2, 3.

In the Assembly the debates were lengthy and vigorous. One member presented a petition which he claimed represented 18,000 Dissenters, who through their ministers, were making a protest against the bill. One of the few who supported the bill was Mr. Valentine Nugent, who became the first inspector. In a long and eloquent address he explained why he felt bound to give the bill his support. In the main, his reasons were that in 1841 a secular Academy Bill had unanimously passed the Assembly, and the Dissenters had been the ones who had opposed its provisions in the Legislature. In view of their inconsistency, said Mr. Nugent, there is no course for him but to give the bill his support. He suggested, as a compromise, two school buildings with a common recreation ground¹³.

Mr. Robinson, the sponsor of the bill made an eloquent plea for its adoption as the bill stood. He called upon "the experience of past ages", the experience of the Mother Country" to show that Catholic and Protestant cannot be educated together "without engendering dissension", while he further maintains that there can be no true education without religion. "He who refrains from inculcating religion upon the heart of a child, practically teaches him infidelity".

¹³ General Assembly, Two Colleges Bill, report of the debates in the Ledger, issue of February 24, 1843, p. 1, col. 4.

Answering the objection that the provision naming the Bishop of Newfoundland as a member, ex officio, of the Board of Directors of the Protestant College, Mr. Robinson reminded the Assembly that the Bishop is:

an ecclesiastical functionary who holds his office under the same authority as the highest individual in this Colony holds his - under the authority of the Queen of England.¹⁴

The Methodists, as Mr. Robinson went on to explain, are not a corporate body, and therefore have no claim to be represented especially on the Board of Directors as does the Church of England.

Mr. Robinson's most vigorous efforts are to convince the Assembly that "It is a matter of impossibility - I say impossibility - to give education to Protestant and Catholic together in one Academy".

The Two Colleges Bill did not become law, despite the eloquence of Mr. Robinson or of those who supported him. There was too much opposition from every quarter, and on March 23 the member for Fortune Bay announced that he had abandoned the Two Colleges Bill.

We have given this account of the controversy concerning the Two Colleges Bill, partly to indicate the strength of religious feeling existing at the time, but

¹⁴ General Assembly, Op. cit.

also to indicate the increasing strength of the body known as Wesleyan Methodists. The issue had, up to this, been between Protestant and Catholic; in the rising strength of the Methodists is the beginning of the struggle for subdivision of the Protestant grant, which will be considered in the next chapter, and likewise herein is the initiation of the agitation that led in 1874 to complete denominationalism.

3. Inspection of Schools.

There was one further point of educational legislation dealt with in this eventful year of 1843; the appointment of an inspector for the state-supported schools. It was Mr. Bryan Robinson who proposed this appointment, and he met with much opposition.

Many of the members of the Assembly felt it would be a "useless waste of funds", to vote £300 for an inspector's annual salary. However, the General Education Act of 1843 did provide for the appointment of one inspector to take up his duties after the newly appointed boards should be in operation for twelve months. The first school inspector was Mr. Valentine Nugent, a Catholic, who took up his duties in 1844, and who was to continue in this position for one year. As he was a Catholic his instructions were to inspect only those Protestant schools wherein the Board might desire him

to visit their schools. A year later the appointee was Mr. Bertram Jones, an Anglican clergyman, who was to observe the same restriction with regard to Catholic schools.

We note that in inspection, as in every other phase of school administration it was imperative that every precaution be taken against arousing old grievances and controversies. When the Reverend Jones' term as inspector expired in July 1846, no other appointment was made, and there was no official inspection of schools until 1858, when two inspectors, one a Protestant and the other a Catholic were appointed.

The year 1843 had seen the whole question of Protestant and Catholic demands in education brought out into the open, and frankly, if not always amicably discussed. The result had been the division of the grant for Elementary Schools between Protestant and Roman Catholic.

But as had been noted in the discussion of the College Bill, the Bissenters would not long be satisfied with a secondary position among the Protestant group. Having once recognized the principle of division between Protestant and Catholic, the government could not ignore similar demands for recognition on the part of a steadily growing body such as the Methodists.

The problem set by the multiplication of denominational boards within the Department of Education is one of the questions facing the Department and the government right to the present. We shall endeavour in the following chapter to follow the struggle for subdivision of the Protestant grant; these efforts finally resulted in the Act of 1874, which fully recognized the denominational system of education in state-supported schools in Newfoundland.

CHAPTER IV

ADJUSTMENTS AND DEVELOPMENTS

In the preceding chapter we have dealt at some length on the Two Colleges Bill, which was introduced into the House in the winter of 1843, but which had subsequently been abandoned. It has been noted that the Dissenters were in the forefront of those who opposed this bill, and that the Catholics, on the whole, did not seem too much concerned with its ultimate success or failure.

Both in the Assembly and among the population as a whole there was a feeling that at the moment the urgent need was for more aid to elementary schools, and some of the opposition to the Two Colleges Bill undoubtedly did arise from that feeling. A good deal of the opposition, however, stemmed from the fact that the bill provided for separate institutions for Catholics and Protestants.

The Dissenters, in the main Wesleyan Methodists, had been especially vigorous in their stand against the bill. In the first place they opposed denominational separation on principle. Secondly they saw in the application of the principle possibility of their interests being subordinated to those of the Catholics and the Church of England.

Their stand in this matter appears to have been effective, for the bill for two institutions had been abandoned.

The growing strength of the Wesleyan Methodist body in the decades that followed must be kept in mind as we study the development of the educational system in the mid-nineteenth century.

In this chapter it is proposed to consider three phases of development in the legislation: (1) The Academy Act of 1844 and the Amendment of the Academy Act in 1850, (2) the beginning of the agitation for subdivision of the Protestant grant for education, and (3) the short-lived experiment with Central Boards of Education in St. John's.

1. The Academy Act of 1844.

The Academy Bill of 1844 was introduced by Mr. John Kent in the session of 1844. Mr. Kent had supported the Two Colleges Bill in 1843, and apparently he felt the time had come when the colony needed an institution which would provide instruction beyond the elementary level. He therefore waived, for the time being, the question of having separate institutions for the denominations, and provided in his bill for one purely secular institution. One wonders whether he foresaw that, as had happened following the legislation of 1836, the people would demand the form the

academy would assume, once there was legislation providing for funds to support it.

The Academy Bill comprised ten sections. It made provision for the sums to be voted for the establishment and support of the establishment. It outlined the composition and the function of the Board of Directors; and it provided for the appointment and the salaries of the professors. In Section IV the bill specified that "no minister of Religion having any fixed pastoral charge" was to be appointed to the staff of the academy, and that "Religious instruction shall not form one of the branches of learning to be taught in the said academy"¹.

It will be noted that the Academy Bill provided that secondary education was to be on a purely secular basis. It is well to recall in this connection that the events we are following took place at the period when the policy of aiding denominationally administered schools was being abandoned in the American States and in the neighbouring colonies on the Mainland there was a trend in the same direction. A local paper of the year 1843 prints a list of resolutions

¹ Academy Bill, the text of the bill, printed in the Royal Gazette, St. John's, Newfoundland, issue of February 6, 1844, p. 1.

entitled Mr. Annaud's Resolutions, in which among other matters we read the following:

1. Resolved that the policy hitherto pursued of chartering and endowing collegiate Institutions of a sectarian or Denominational character, is unsound and ought to be abandoned.

- - -

11. That one good college, free from Sectarian control and open to all denominations, maintained by a common fund, and rallying round it the affections of the whole people would be adequate to the requirements of a population of 30,000 and sufficiently burthensome to the Revenue.²

The above quotation goes on to remark that at the time in Nova Scotia there are "four colleges, each of them drawing largely upon public resources", and "neither of them efficient"³.

The Academy Bill was published, and immediately the Church of England went on record as being opposed to its provisions. A meeting of clergy and laity was called to discuss the bill, and in particular to make a protest against its non-sectarian character. A remark was made at this meeting by the Reverend Charles Blackman, which sums up rather neatly the reason why the Church of England should oppose the set-up on the score of administration of the institution. He noted that of the ten directors of the Academy provided for by this bill five would be Roman

² Educational Debate, Halifax, March 7, 1843, Mr. Annaud's Resolutions, in the Patriot, issue of April 15, 1843, p. 2, col. 4.

³ Idem.

Catholics, since the Academy was to serve both groups, and the Catholics could claim half the number of the directors on the basis of numerical strength. He concludes that when any policy is to be decided upon:

The five Roman Catholics will, to a man, rally round their zealous and indefatigable overseer, the Right Reverend Dr. Fleming; the Protestant Directors will consist of members of the Church of England, Church of Scotland, and Dissenters. . . . hence . . . it is very easy to foresee on which side the majority of the votes will be registered.⁴

In spite of the opposition of the Church of England, the Academy Bill became law on April 29, 1844. According to Section X it was to remain in force for six years. At the end of that period it was apparent that the arrangement was not satisfactory, and so on April 30, 1850, there was passed the Amendment of the Academy Act.

The Amendment of the Academy Act of 1850 provided for the functions of "the present board", that is the Board comprising Catholics, members of the Church of England, and representatives of the other denominations, to cease; and provision was made for three boards to be nominated and appointed by the Governor, one each for the Roman Catholic, the Church of England, and the General Protestant groups. The boards were to have the power of appointing three or more competent persons to be Masters of the Academy, "that is

⁴ The Academy Bill, in the Gazette, issue of April 16, report reprinted from the Times, April 9, p. 1, col. 1.

to say a Roman Catholic Master, a Church of England Master, and one or more masters of other Protestant denominations".

The Amendment specified the sums voted for the salaries of the Masters, £250 for defraying the salary of the Roman Catholic Master, £200 for defraying the salary of the Church of England Master, and £150 for defraying the salary of the one or more masters of other Protestant denominations⁵.

It will be noted that the amounts voted for the salaries of the masters was in proportion to the numerical strength of the three denominational groups. This principle had been adopted by the Act of 1843, and has persisted to the present time, despite the multiplication of denominations. The Academy Amendment had gone further than the Act of 1843 which had recognized only Catholic and Protestant.

This amendment was one step further along the road to complete denominationalization of the school system of Newfoundland. Those who demanded subdivision of the Protestant grant during the fifties and sixties were not slow to remind the legislature that the principle of subdivision had already been adopted in the matter of secondary education.

5 13 Vic. Cap V. Section IV, Statutes of Newfoundland.

2. Agitation for Subdivision of the Protestant Grant.

There had apparently been, in the session of 1850, a bill for subdivision of the Protestant grant, for in his remarks concerning the bill of 1851, Mr. Hoyles spoke of the bill having been rejected during the last session on a second reading, "simply because it involved a division of the grant among the different denominations". The real struggle for subdivision of the Protestant grant appears to have begun with this bill in 1851, and it continued through the following two decades, and this despite the many urgent problems that were engaging the attention of the legislature. It will be remembered that the fifties marked the struggle for, and the initiation of responsible government.

During the fifties the Legislative Council and the Assembly numbered among them some of the finest of Newfoundland statesmen. Among these were Philip Francis Little, "the real leader of the Catholic and Liberal Party in the House", who was likewise one of the most influential in securing from Britain the right of self-government. There was Sir Ambrose Shea, who was active in the political life of the colony for forty-six years, and is recognized as one of the most able of our statesmen. And there was Hugh Hoyles, whom Foran describes as "a strong Conservative and staunch Protestant, whose judgments were masterpieces of critical

analysis". Sir Hugh who later was appointed to be Judge of the Supreme Court is said to have been one of the most skilled lawyers in America⁶.

Let us review briefly some of the opinions expressed in the House both in favour of and against the principle of subdivision of the Protestant grant:

At the second reading of the bill, Mr. Shea spoke in support of the bill. He cited the opinion of the Catholic bishops of Ireland against the Queen's Colleges in that country which were founded on the basis of mixed education. He added that:

In this colony the education of the Catholic Children is under the control of the Bishop and clergy; and no other plan would be admitted; and when a demand was made upon him (Mr. Shea) for rights similar to those enjoyed by members of his own church, on no grounds of justice or fair play could he refuse his assent.⁷

At the same time two members, Messrs. Job and Prendergast opposed the bill, and Mr. Faille described it as "subversive of Christian tolerance", and "ill calculated to carry out its object". He adds that it threatens the "disruption and estrangement of the Protestant communities".

⁶ Edward B. Foran, "Newfoundland Statesmen of the Past," in The Book of Newfoundland, Op. cit., p. 248-268.

⁷ House of Assembly, Report of the Proceedings, in the Newfoundlander, issue of February 13, 1851, p. 2, col. 3.

Mr. Little, though he approved of a second reading, was emphatic in his refusal to give the bill his support:

Under all the circumstances of this question - the opposition of the honorable members for Conception Bay to a division, the opposition of the Wesleyans generally, and the disagreement of the Church of England among themselves, he confessed he could not, consistently with a proper regard for the interests of his constituency, support the principle of subdivision.⁸

Apparently opinions were pretty equally divided, for we find a week later some of the members who had opposed the bill at first are suggesting some form of compromise. They suggest that:

The Governor and Council approve monies granted Protestant Churches for any of the districts herein-after mentioned, where in their opinion the same may be practicable and advisable, amongst members of the Church of England and other Protestant Churches respectively in such proportions as they may be entitled to, to be expended in such districts under separate boards, to be composed of members of their respective churches: provided always that no such division shall take place unless the amount to be appropriated to each shall be sufficient for the establishment of a competent school.⁹

Mr. Hoyles consented to this compromise, and the House seemed to be favorably disposed, but when the bill came up for discussion again, there was "much conflicting discussion", and when the session closed we read that the grant was not to be subdivided.

⁸ House of Assembly, Report of Proceedings, Op. cit., Newfoundlander, Feb. 13, 1851, p. 2, col. 3.

⁹ Idem.

The same problem came up in the 1852 session, and after much debate the compromise suggested in 1851 was made. Section XIII of the Education Act of 1852 made it lawful for the Governor in Council, on the recommendation of the major part of the members of the Central Protestant Board to divide and separate the Protestant Board Schools in the Electoral Districts of St. John's and Conception Bay, in such localities where the salary of the teacher in any school may not by such division be reduced to less than thirty pounds sterling¹⁰.

This question of subdivision appears to have come up for discussion in practically every session of the House during the early fifties, and this notwithstanding the many adjustments made necessary by the coming of Responsible Government. In February 1854 we find Mr. Shea referring to the rejection of such a bill during the last session, and asserting that since the obstacles which had existed at the time had since been removed, he was "prepared to redeem the pledge he had given".

But the debates went on indefinitely, and when a new act was passed in 1858, the question remained unsettled. However it was obvious to those who studied the situation that the division of the grant would eventually come. The principle

¹⁰ Statutes of Newfoundland, 15 Vic. Cap. 2, Sec. XII.

of subdivision had been recognized in the Academy Amendment Act of 1850, as those who supported division repeatedly called to the attention of the Assembly. And, as already stated, the Church of England was strongly in favour of subdividing the grant. As early as February 14, 1851, when the bill had been introduced into the House by Mr. Hoyles, a meeting of the members of the Church of England had convened for the purpose of presenting a petition to the House praying it to pass the bill. A report of this meeting was published in the local press, and the subject proved to be of such interest that a special edition of the Times was printed carrying a report of the meeting. We read that Mr. C.F. Bennett explained the situation as it existed, as follows:

As to the principle that religious instruction should be the basis of Education, there was no need for him to say much - it was sufficient that such principle had been affirmed by law, and there are abundant grounds to vindicate the wisdom of the legislature in the adoption of such a principle.¹¹

Mr. Bennett reminded the meeting that the amalgamated system of 1836-1843 had proved "an extensive failure". He cited as a precedent the case of the Academy in St. John's, in which it had been necessary to amend the Academy Act so

¹¹ The Education Bill, Report of Meeting of Members of the Church of England, in the Times, St. John's, Newfoundland, issue of February 15, 1851, p. 2, cols. 1, 2, 3, 4; p. 3, cols. 1, 2; also in special reprint by the Times, February 19, p. 1, 2.

as to provide three establishments. In the resolution proposed by Bryan Robinson, and adopted by the meeting, it was stated:

That the legislature of Newfoundland having recognized the principle of distinctive education by having in 1843 approved half of the Education vote to the use of the Roman Catholic Church for the support of her schools, and having in 1850 affirmed and extended the same principle, by establishing in St. John's three academies. . . this meeting confidently relies upon the justice of the local legislature. . .

The meeting petitioned the House of Assembly reaffirming their conviction of the necessity of distinct grants for the several denominations, and praying the House to pass Mr. Hoyles' bill, which provided for division of the grant for education among the religious denominations according to their numerical standing in the public census.

When the meeting mentioned above was held, Bishop Field was absent from the colony. On his return to St. John's the report of the meeting was submitted for his comments. In his reply, the Bishop commended the stand taken by his flock, and added:

Education cannot be carried on without religion, and religion can never be truly and honestly taught without frequent recurrence to and inculcation of those distinctive matters of faith which each Church recognizes as the groundwork of its system.¹²

¹² Address to the Lord Bishop of Newfoundland, in the Times, St. John's, Newfoundland, issue of May 7, 1851, p. 1, col. 1, 2.

The bill for subdivision was not however passed in this session. The full realization of the denominational principle in the school system had still to wait two decades before it became an accomplished fact, but the struggle for subdivision had been initiated, and it was carried on consistently until the desired legislation was passed.

3. Central Boards in St. John's.

The year 1851 saw the first attempt at setting up Central Boards of Education in St. John's. The opposition to this measure came, as was to be expected, from the representatives of the outports. Since, however the Legislature as a whole considered the arrangement "most essential to the efficiency of the system"¹³, the Central Boards were established by law. It was, however, provided that the power of the Central Boards should be limited to the apportionment of the monies of the several outport boards, "not reaching their internal economy".

¹³ House of Assembly, Report of Proceedings, in the Newfoundlander, issue of May 29, col. 2, p. 2.

Regarding the setting up of the Central Boards in St. John's, the Times commented at the outset of the discussion:

From the tone of public feeling, as far as we can comprehend it, there will be a strong opposition to some of its clauses. The formation of a Central Board of Education, and the appointment of a School Inspector for the Island generally are not favorably regarded.¹⁴

The clause for the establishment of Central Boards was approved on a trial basis. Legislation for the appointment of permanent systematic inspection of schools was not passed until 1858.

However, the experiment with the Central Boards was tried out for two successive years; we find the provisions for establishing central boards in the Acts of 1851 and 1852. There does not appear to have been a great deal of discussion concerning the matter in the debates in the House; but apparently the outport members had been opposed to placing so much power in the hands of a small group of men in St. John's, as these could not be expected to be aware of all the angles of the school system in the outports.

In the Act of 1853 we find the list of the school districts, and the sums for Protestant and Catholic boards in each district. There is the provision that, immediately

¹⁴ (No title), editorial comment in the Times, St. John's, Newfoundland, issue of February 5, 1851, p. 2, col. 1.

after the passing of the Act the Governor would appoint Roman Catholic and Protestant boards for the districts¹⁵.

In connection with the powers of boards in the school districts, it is interesting to note the provision whereby settlements were to provide by subscription or contribution from among themselves towards the erection or repair of the schoolhouse and towards the maintenance of the schoolmaster, and that boards might in their discretion exclude from participation in public moneys settlements which failed to do so. This legislation is the origin of Section II (V) of the Education Act of 1927, which provides for a contribution for the erection of schoolhouses in at least an equal amount in money or kind to that appropriated by boards from Government grants, the provisions having been carried through the legislation of the century following the Education Act of 1853¹⁶.

We are frequently reminded that in Newfoundland there is no local tax for education, and it is sometimes assumed that all expenses come from government grants. It is true that the cost of teacher training and teachers' salaries are generally speaking met from government grants, and that grants for building and maintenance are made each year by

15 Statutes of Newfoundland, 16 Vic. Cap. 2, Sec. VII.

16 Statutes of Newfoundland, 15 Vic., Sec. XI.

the provincial government. But this is only part of the picture. The sums that come from "voluntary contributions", as they are designated, are an important part of the building and maintenance funds for every parish and community.

We have, earlier in this report, mentioned the part played by the clergy in building and maintaining schools during the pre-legislative period of our educational history. It is not an exaggeration to state that in most districts, including St. John's as well as the outports, it is still the clergy who organize parish activities of one kind or another, by which funds are raised for the erection and repair of school buildings.

Students of our educational history have noted that the legislation of three successive years, 1851, 1852, and 1853, were necessary to modify preceding legislations so as to give the colonists of that period a system of education in which they could have confidence¹⁷.

This fact does not so much argue lack of confidence on consistency on the part of either the people or their representatives as it does indicate the determination of the people as a whole to establish a system of education in which they could be assured that their convictions would be respected. Let it be recalled that the population in the

17 V.P. Burke, Two Centuries of Education, Op. cit., p. 14.

nineteenth century in Newfoundland was made up in the main of settlers from England and from Ireland. The former had suffered long and bitterly at the hands of the English merchants and the "fishing admirals". The latter had emigrated from Ireland in great measure to escape the penal laws against their religion. For both groups it was a persistent struggle to establish a way of life that would prevent repetition of the tyranny from which they had so recently escaped. In the education of their children it was of paramount importance that they should have the rights they demanded.

CHAPTER V

THE ESTABLISHMENT OF THE DENOMINATIONAL SYSTEM

We have seen how during the first two decades of educational legislation, there had grown up the system of giving separate grants for Protestant and Catholic School Boards, and that separate boards had been appointed to organize and manage schools in each district for the two groups. We have noted that, from the Academy which had been established as a non-denominational institution, there had evolved, within the space of six years, three separate denominational academies.

Following the setting up of these three academies under separate boards there had arisen a demand for further division of the grant for elementary education, so as to have distinct boards for each Protestant denomination.

In this chapter we shall endeavour to review briefly the course of events in educational development from 1853 to the Education Act of 1874, which act established the denominational system. The main topics to be treated of are:

(1) The Education Act of 1858, with special mention of the changes made at this time in the appropriations made for the Academies, (2) Some reports and recommendations of the school inspectors of the period, (3) The provisions of the Education Act of 1874.

1. The Education Act of 1858.

A new act was passed in 1858. This act is lengthy and detailed, comprising thirty-one clauses, and outlining in greater detail many of the provisions of the earlier acts. Two main points of interest may be found in the legislation of this year. The Academy Act was again amended, and provision was made for the training of teachers.

The issues of the Newfoundlander during May 1858 carry a rather full account of the discussions of the Committee on the Academy Amendment Bill. The question had arisen in the House of reorganizing the Academy; the Attorney General objected to its reorganization upon a permanent basis, since as he said it was a "formerly undivided institution". He recalled that in the beginning the Academy had had two masters, one a member of the Church of England, the other a Roman Catholic. He referred to the reorganization of the Academy in 1850, when the three groups, Roman Catholic, Church of England, and General Protestant had been authorized to establish separate institutions; and, he declared, the Wesleyans had been in agreement. At this time, continued the Attorney General, the Wesleyans had become discontented with the working of the arrangement, and felt that they had not an influence upon the institution proportionate to their

numbers. They wished now to be placed upon an equality with the Roman Catholic and the Episcopalian groups¹.

Apparently the Wesleyans were sufficiently strong in this instance to carry their point, for we find the Committee discussing the possible allocation of the grant for the Academy. From the discussion that follows one can gather that the legislators were convinced that the denominations were standing firmly on the principle that appropriations were to be made in proportion to the population of each group. It is also evident that at the time the Catholics had a definite majority in number to any other one group. A summary of the discussion will make this apparent.

The Attorney General took pains to show the House that if the Wesleyans were given £150, the Church of England £250, and the General Protestant Academy £150, making a total for the combined Protestant groups of £550, this would necessitate fixing the Catholic appropriation at £475 to give them a sum in proportion to their numbers.

Mr. Hoyles, who seems to have been the spokesman for the Church of England, replied to this that, while the principle of population had been taken when estimating appropriations for general education, it would not be either

¹ House of Assembly, Committee on Academy Amendment Bill, report of the debates in the House, in the Newfoundlander, issue of May 6, 1858, p. 1, col. 2.

reasonable nor fair to apply this principle in the case of higher education.

Mr. Hoyles added, however, that he would insist upon the Church of England receiving its due proportion of the Academy grant. Mr. Hoyles' explanation of his objecting to the Catholic population receiving its proportional share of the grant is that this group "would get more than they need"².

This reasoning seems somewhat difficult to follow. As there appears not to have been any objection to the statement, one can only surmise that, judging from the economic state at the period, the Catholic population were not in a position to take advantage of the education offered by the Academy. One can only surmise that the bulk of the Catholic population, being as they were recent emigrants from Ireland, victims of persecution and famine in the 1790's, had not yet sufficiently established themselves to be able to afford higher education for their sons. Yet it was but a short time before St. Bonaventure's College had been established, and this institution offered a classical as well as a theological training for some years in the 1800's.

Rowe writes of the extreme poverty of the Irish settlers, who formed the bulk of the Catholic population,

² H. Hoyles, House of Assembly, Committee on Academy Amendment, report of the Assembly, in the Newfoundlander, issue of May 6, 1858, p. 1, col. 1, 2, 3, 4.

and who were resented by the more prosperous English settlers³. It is understandable that the children of these early Irish colonists were not in a position to come to the capital for education. They would have to be content with the elementary training offered by the district schools. At the same time the Catholics had representation in both houses of government sufficient to insist upon their receiving their due share of the educational grant; and they had leaders both in Church and state far-seeing and alert enough to provide for future years when their position, both financial and social should have improved.

The Committee on Academy Amendment continued the discussion of allotment of funds on another day, and one, Mr. Bemister suggested that it would be best to divide the grant of £1100 among the three large denominations in proportion to their populations, and to make the grant for the General Protestant Academy a distinct vote. He was careful to add that, as the Roman Catholics should be contributing to that vote, he would suggest an amount similar to their contribution to be added to the £500 appropriated for the Catholic Academy, according to the population principle. He added that as many of the children of the Episcopalians would be receiving their education in the General Protestant

³ Rowe, History of Education in Newfoundland, Op. cit., p. 130.

Academy, he considered some slight reduction in their allotment by population would not be out of order. His estimate, then, of the sums to be appropriated to each group were: To the Roman Catholics £570, the Episcopalians £400, the Wesleyans £200, the General Protestant £150⁴.

In the Academy Amendment of 1858, as actually passed by the session, the actual appropriations were: to the Roman Catholics £600, to the Church of England £400, to the Wesleyan group £250, and to the General Protestant £150⁵.

In the Supply Act of 1858 there is an appropriation of £300 towards the erection and establishment of normal schools in St. John's, and the appropriation is divided as follows: £1145 to the Board of the Church of England Academy, £1485 to the Board of the Roman Catholic Academy, and £570 to the Board of the Wesleyan Academy⁶. In this first grant for the training of teachers we see the continuation of the denominational principle.

It will be noted that the grant made for teacher training is made to the three denominational academies. It will be readily understood that in these early days of Newfoundland's existence it would not be feasible to set up another educational institution. The establishments already

⁴ House of Assembly, Committee on Academy Amendment, in the Newfoundlander, issue of May 10, 1858, p. 1, col. 2, 3, 4.

⁵ Statutes of Newfoundland, 21 Vic. Cap. 7, Sec. 3.

⁶ Government of Newfoundland, Supply Acts, 21 Vic. Cap. 24.

in operation were called upon to assume the task of training the teachers of the island, as well as furnishing an opportunity for secondary education. For more than half a century the academies were to a great extent the source of teacher supply for the colony. The Normal School was not set up until the 1920's, and apart from the Wesleyan Training School, there was no other training offered teachers in the island. The teachers of the Newfoundland School Society were in the main, trained in England, and some few among the other teachers could go abroad for their normal training.

In the Education Act of 1858 it is specified that teachers in training are to be lodged in one of the three academies, according to the denomination of the board from which the student teachers have been recommended. From the beginning the academies were equipped to serve as boarding schools, since they were intended to serve the outports as well as St. John's. Even up to the present this state of things continues. In these denominations which do not have separate hostels for teachers in training, the academies provide lodging for students attending classes in teacher training at the Memorial University.

The Education Act of 1858 is very specific with respect to the aid to be given to prospective teachers, and directs just where they are to be lodged. The sum of £25 is

to be paid annually for board, lodging, and training of any student while being trained, and "no more than two scholars from any one electoral district shall be paid for at the same time". The selection of the students is to be made by the respective Protestant or Catholic Board of Education for the district, according to such regulations as they shall adopt. It is directed that:

Protestant scholars selected and recommended for training may be instructed, boarded, and lodged in the Church of England Academy, the principal school of the Newfoundland School Society in this island, or in the Wesleyan Training School in St. John's, as the Boards appointing and selecting such scholars shall decide; any Roman Catholic student shall be boarded and lodged in any Roman Catholic Academy at St. John's, and the sum hereafter granted to be paid to the Superior, Principal, or Secretary of any such school on certificate of regular attendance and instruction.⁷

From the above quotation from the Education Act of 1858 it is apparent that the first legislation for aid to teachers in training placed the selection of the student teachers very decidedly under the auspices of the denominational boards, and since the teachers were to be trained in the denominational academies, this act still further strengthened the position of those who stood for the principle of denominational appropriation of the education grant.

⁷ Statutes of Newfoundland, 21 Vic., Cap. 7, Sec. 25.

The Education Act of 1858 made provision for two inspectors of schools. It will be recalled that the Education Act of 1843 provided for the appointment of one inspector for the whole island. The first inspector to be appointed was John Valentine Nugent, a Catholic, who was inspector for the island from July, 1844 to July, 1845. The inspector appointed for the following year was the Reverend Bertram Jones, whose term of inspection expired in July, 1846. From that time until 1855 there was no appointment, and no official inspection of schools. There appears to have been some feeling among the members from the outports that money spent on a salary and travelling expenses for a school inspector would be needless expenditure. One gentleman did remark in the Assembly that "Gentlemen in the outports feel sufficient interest in the management of the schools in their respective localities to take an unpaid supervision of them"⁸.

By the Education Act of 1858 there were nevertheless provisions for the appointment of "two competent inspectors, one a Roman Catholic, the other a Protestant", who were to be sworn before a Justice of the Peace to fulfill faithfully and well the duties of their respective offices⁹.

⁸ Education Bill, editorial in the Times, St. John's Newfoundland, issue of February 5, 1851, p. 2, col. 1.

⁹ Statutes of Newfoundland, 21 Vic., Cap. 7, Sec. 27.

2. Reports and Recommendations of Inspectors.

We have outlined the provisions of the Act of 1858, in so far as these provisions confirmed or strengthened the principle of denominational separation, as initiated by the General Education Act of 1843, and further strengthened by the Academy Amendment of 1850.

It may be of interest to cite one example of the views of an inspector of the board schools, both as to what success these schools had achieved under the system as established by the General Education Act of 1843, and the suggestions he had to offer as to the possibility of improving the schools or the system.

One of the most able and zealous of the early school inspectors was the Inspector of Protestant Schools, John Haddon, whose reports for the two years 1871 and 1872 we shall consider. Mr. Haddon remarks in his report that his Roman Catholic colleague in the field, Michael John Kelly, has expressed agreement with Mr. Haddon's recommendations¹⁰.

Haddon admits first of all that there remains still a great deal of work to be done, and that "the agency now employed is not equal to the task set before it". Regarding

¹⁰ John Haddon, Report Upon the Inspection of Protestant Schools for the Year 1873, in the Journal of the Assembly, 1874, p. 559.

the district boards he notes that: "It has been said that they (the Boards) are worthless. . . this is a most untrue statement, and can only be made or received by those who have never entered our Board Schools". The Inspector adds that with the government grant placed at the disposal of the Protestant boards, "a great amount of good has been accomplished under many difficulties". The main difficulty, he noted, arose from want of cordial assistance on the part of parents.

In January 1874 the Journal carried a lengthy report from the same John Haddon. This report covers the inspection of Protestant Schools for the year 1873; and coming as it does just prior to the legislation for denominational subdivision it is of interest to note what the inspector has to say¹¹. After reaffirming his conviction that much good has been accomplished under the present system of boards, Haddon adds that during the past five years, that is since the Education Act of 1858, there has been a growing conviction that the system needs to be reorganized. His recommendation is that there should be a central administration and superintendence; and he feels convinced that the local boards would welcome such a change.

¹¹ John Haddon, Report Upon the Inspection of Protestant Schools for the Year 1873, in the Journal of the Council, 1874, p. 99.

Haddon refers to the select committee of the Legislative Council on Education which had recently produced a report in which certain conclusions seemed to be unavoidable: among others that central control should be established, having discretionary powers to grant to certain localities aid according to their needs rather than by the strict letter of the law. He repeats his former suggestion that a Normal School should be established, and he suggests that someone be authorized to visit the neighbouring colonies, where such person would have an opportunity to study the school systems in use there, in order to find means for improving our own system.

Mr. Haddon's views on the denominational aspect of the system are then set forth. He is convinced, he says, that there is no need for subdivision of the Protestant grant, and that it would be "a great waste of educational means". He feels convinced that:

The history and experience of all countries prove that Education is far safer, more justly and satisfactorily administered and more progressive in the hands of the Government than in the hands of the Churches, which means the Ecclesiastics only.¹²

¹² John Haddon, Report Upon the Inspection of Protestant Schools for the Year 1873, Op. cit., p. 100.

However, Haddon does not wish to change the existing arrangement of having separate boards for Catholic and Protestant schools.

I am satisfied that it is best to allow undisturbed the division that now exists for Educational purposes between Protestant and Roman Catholic. Although this may not be strictly correct in principle, in practice it is quite satisfactory to both parties.¹³

3. The Education Act of 1874.

We now come to the culmination of the struggle for complete denominational control, the Education Act of 1874, in which act the Legislature, convinced that no other solution of the problem would be satisfactory to the people as a whole, made this system an accomplished fact by the act passed on April 29, 1874.

It is of interest to notice that in legislating for denominational control of Education, Newfoundland was charting a course for herself different from that taken by her sister colonies in the Maritimes. It has been noted that Nova Scotia had been moving towards a withdrawal of government aid to the denominational colleges as early as 1843. In August 1874 the Royal Gazette reprinted from the Sackville Post of New Brunswick an item that shows how diametrically opposed were

¹³ John Haddon, Op. cit.

the courses of legislation being followed in these provinces from that followed at the same time in Newfoundland.

The Gazette prints the item without comment. It is entitled "The School Act, Its Constitutionality Confirmed", and after remarking that the Judicial Committee of the Privy Council has pronounced that "our non-sectarian Free School Law is constitutional", the Post comments:

The result is gratifying to those who believe that free non-sectarian schools are best calculated to educate all classes of Society, irrespective of sect, and elevate the people to a common standard of intelligence. The Wesleyans of England . . . have resolved that "all future legislation for primary education at public cost should provide for such education only upon the principle of unsectarian schools under school boards."¹⁴

We note, then, that in the year in which New Brunswick had completed the foundations of its non-sectarian school system, Newfoundland had reached the point where the legislature could no longer refuse the demands of the people for complete denominational separation.

Yet it must not be concluded that the principle of denominational separation in the schools was unanimously desired in the colony. The Dissenters, generally speaking, did not favor subdivision of the grant as has been noted. These had sufficient strength in the Legislature to block

¹⁴ The School Act, Its Constitutionality Confirmed, from the Sackville Post, reprinted in the Royal Gazette, St. John's, Newfoundland, issue of August 18, 1874, p. 2, col. 1.

legislation for subdivision throughout the fifties and sixties. On the other hand the demands of those who favored subdivision were so insistent that in the early seventies a select committee of the Legislative Council was appointed to study the question in all its aspects.

The committee began its study by preparing a circular letter which was sent to all clergymen, magistrates, schoolmasters, Chairmen of Boards of Education, and other persons who might be in a position to ascertain the wishes of the people in the matter, and to make a judgment as to what was for the best interests of the colony.

The Journal of the Council, 1874, notes that besides direct replies to this circular thirty-five petitions on the specific question of subdivision of the Protestant grant were received. The Journal adds that this question of subdivision was the central point of interest in all replies and "indeed the only one dealt with by popular petition". It is added that upon this matter "the ministers of the Church of England on the one hand, and those of other Protestant bodies on the other, are nearly without exception, diametrically opposed".

The number of voters who petitioned the Legislature upon the question of subdivision was 2,740, many of whom were unable to sign their names, of those 1,508 were in favor of subdivision of the Protestant grant, and 1,232 were

opposed to the division. Those who forwarded specific replies including recommendations were unfavorable to the subdivision¹⁵.

It can be seen that the group in favor of subdivision had not a very large majority, but apparently the Legislature decided it was sufficient to decide the question. The "oft-mooted and troublesome question" was finally settled by the Act of 1874, the provisions of which we shall now review.

The Education Act of 1874 is entitled in its complete descriptive title as An Act to Amend the Acts for the Encouragement of Education and to Provide for the Denominational Sub-division of the Monies Appropriated for Protestant Educational Purposes. It was not to come into operation until July, 1875, after a census had been taken upon which the appropriations were to be based, and these appropriations were to be readjusted on the basis of each subsequent decennial census.

The act comprises twenty-one sections, in the first three of which are set out the application of the denominational principle of division. Section I, for example,

¹⁵ Journal of the Council, 1873, Appendix No. 39, p. 287.

provides for:

annual appropriation for Protestant Educational purposes equal in proportion, according to population, to the sums by said Act, appropriated for Roman Catholic Educational purposes, other than Roman Catholic Commercial Schools and the training of Roman Catholic Teachers. The said sum to be apportioned among the several Protestant denominations according to the population by several Boards of Education hereafter to be appointed in the Protestant Districts mentioned in the said Acts, as hereafter altered.¹⁶

The following two sections make the same provision with regard to the grants for Commercial Schools and for Teacher Training. Section 4 directs that the same arrangement be made for division of grants for repairs of school-houses and other purposes of a similar nature. The sections following provide for the assessment of the value of school property already existing, to facilitate the transfer to other boards where this should be necessary.

Schools under the Newfoundland School Society, and those under the Wesleyan Society were to be provided for out of the grants respectively of the Church of England and those for Wesleyan boards. There were to be three inspectors instead of two as formerly, one a Roman Catholic, one a member of the Church of England, and the third a Wesleyan. These were the three major denominations recognized by the act; but provision was made for two districts for the Protestants of the Free Kirk of Scotland and the Congregationalists,

¹⁶ Statutes of Newfoundland, 37 Vic., Cap. 5, Sec. I.

though the Presbyterians too received some recognition by a continuation of the existing grant for a Commercial School for the Presbyterians at St. John's.

The Education Act of 1874 contained a clause which made it lawful for any Board of Education to establish secondary schools in their district, "Provided always that the establishment of such higher grade shall not interfere with the ordinary elementary system of education in such school".

Two years later the Act of 1876 amended and consolidated all legislation on Education to that date, but though this act is lengthy and detailed, it adds nothing essentially new to the denominational system as established by the Act of 1874. Dr. Blackall describes the legislation of that year as "the climax of contention for the principle that religion must not only be the foundation on which education must rest, but also, like a leaven, it must season the whole educational process"¹⁷.

So we come to the end of the fourth decade of educational legislation in Newfoundland. We have seen that the first education act, passed in 1836, was not denominational in principle. The opposition to that set-up was so vigorous

¹⁷ W.W. Blackall, quoted in Rowe, History of Education in Newfoundland, p. 92.

and so consistent that within seven years the Catholics had secured the separate grant and separate management of the schools, which they had demanded. The coming of the complete denominational set-up took somewhat longer, but once achieved it has endured for more than three quarters of a century. During that period developments and adjustments have given to the system that flexibility which Dr. Frecker has described as "the element of uniformity within diversity"¹⁸.

Parker, writing as recently as 1950, has this to say of the system:

Not only does it reflect the strong religious feelings possessed by the majority of Newfoundlanders, but from the central government's point of view it has the advantage of raising a large part of the capital expenditure required for building and enlarging schools from local sources. This can be raised by the Churches when it would be very difficult to raise anything like similar sums of money from local rates or taxation. Being itself part of the national tradition denominationalism has been worked into a comprehensive national educational system.¹⁹

There are not wanting those who doubt whether the system can be maintained under our present rapidly changing social milieu, and there have been movements at one time or another to reduce the school system to a non-sectarian basis.

¹⁸ G.A. Frecker, Address given before a Convention of the Newfoundland Teachers' Association, July 23, 1943.

¹⁹ Parker, John, Newfoundland, Tenth Province of Canada, London, Lincoln-Prager, 1950, 157 p.

Undoubtedly, the multiplication of denominations within recent years is the greatest complicating factor in the present set-up. However, the system with its strengths and its weaknesses is undeniably the system which has arisen out of the demand of the majority of the people, and so may be looked upon as Burke²⁰ terms it "Newfoundland's democratically evolved system".

Burke, unpublished correspondence ca. 1944.

SUMMARY AND CONCLUSIONS

The denominational system of Education in Newfoundland which, to many outside the province, appears as a unique experiment in educational administration, was established by law after a period of forty years of trial and error legislation, beginning with the first Education Act in 1836, and concluding with the Act of 1874 and the Consolidation of 1876.

Those who framed the earliest act in 1836 had in mind only a system of elementary education which would furnish the rudiments of instruction to the children of the poorer colonists. Because the Legislature had neither abundant funds at its disposal, nor previous experience in legislating for Education, it allotted part of the first grant to schools already in operation. These comprised the schools under the direction of the Newfoundland School Society, the Orphan Asylum School, and the Presentation Convent School, and the St. Patrick's Free School in Harbour Grace.

It will be noted that these schools were all under the auspices of the Churches, so that by the act these Church schools were recognized as having a claim on state aid to education.

The remainder of the grant, after these special grants had been deducted, was to be appropriated by school boards

to be set up in the nine electoral districts, and it was provided that the senior resident clergyman "of each of the several Religious Denominations", should be included in the boards to be nominated for these districts.

It is worth recalling that the early colonists of Newfoundland were deeply religious, and were strongly attached to their respective denominations. The members of the Church of England were conscious of the fact that they were members of the "official religion" of the colony established as such by Gilbert's Laws in 1583. The Catholics comprised those who had fled from persecution in England and Ireland, and their ranks had been strengthened by the arrival of several thousands of emigrants from Ireland after the Irish troubles of 1798.

Attempts to introduce Bible Reading into the board schools in 1836 precipitated the Conception Bay controversy, which was soon followed by similar discord in the districts of Trinity and Bonavista.

The amendment of 1838 was no more acceptable than the original act had been, and a new act in 1843 made the first denominational division of the grant, which was to be divided between Protestant and Roman Catholic school boards.

There were those among the Anglican group who felt that their interests had not been sufficiently protected by

the Act of 1843, and their position was strengthened by the coming of Bishop Field in 1844. The first subdivision was the Academy Amendment in 1850, which provided for three separate academies, in place of the one non-sectarian institution of 1844. The ensuing two decades saw the consistent progress of the movement towards subdivision of the grant for elementary schools, which culminated in the denominational act of 1874.

The number of amendments and new acts passed during this early period of the Legislation seem to indicate that the Legislature was seeking to find a solution to the problems arising from the denominational question in particular. During these early years of government, the members of both houses were especially sensitive to political pressure, particularly at election times.

As far as the Catholic population were concerned, they had obtained their demands by the Act of 1843, and as they had numerical strength, they could count upon maintaining their position. Generally speaking, the Wesleyan Methodists were not favorable to any further division of the Protestant grant. However, the pressure brought to bear by groups favoring the subdivision was strong enough to achieve the desired legislation.

In general the factors that were influential in bringing about denominationalism of the education system were the following:

1. Originally the population was settled denominationally along the shores of the bays.
2. By the time the first Education Act was passed in 1836 the various Churches had established schools for their own people so that the State came into the educational set-up when a pattern of Church control had been fairly definitely established.
3. The strength of the opposition of the Catholic population of Conception Bay to the reading of the authorized version of the Bible in the board schools, and the equally strong determination of the Protestants to preserve this modicum of religious teaching therein resulted in the division of the grant between Protestant and Catholic schools, thus recognizing the principle of division.
4. The early eighteenth century was a time of strong religious feeling in the Colony, both as regards the Irish Catholics and the members of the Church of England.
5. The growing strength of the Wesleyan Methodist group was a challenge to the more conservative High Church group among the members of the Church of England.

6. Both the Catholics and the Anglicans had in the early and mid-nineteenth century outstanding leaders, and Churchmen of vision in Bishop Fleming and Bishop Field.

7. The denominational Act of 1874 which finally established the denominational system followed upon a Report of a Select Committee of the Legislature upon Education. Their report was based upon the replies to a circular letter addressed to "all clergymen, magistrates, schoolmasters, chairmen of Boards of Education and other persons", as well as upon petitions presented to the Legislature.

8. The system of public education within a denominational framework is therefore according to the expressed demand of the majority of the population, and so may be described as "democratically evolved".

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Revived and continued the provisions of the Act of 1843. Provided for Central Catholic and Protestant boards at St. John's.

-----, An Act for the Encouragement of Education, 15 Vic., Cap. II, 14 June, 1852.

Continued the provision for Central Boards in St. John's. Made some provision for subdivision of Protestant grant in specified districts, and under specified conditions. Shows the influence of the demands for subdivision of the Protestant grant.

-----, An Act for the Encouragement of Education, 16 Vic., Cap. 2, 29 April, 1853.

Discontinued provision for Central Boards. Provided that boards might exclude from participation in public monies settlements which did not contribute to costs of education.

-----, An Act for the Encouragement of Education, 21 Vic., Cap. 7, 10 May, 1858.

This act gathered together all provisions of former acts. Provision made for annual returns, and scale of fees. Grant for Teacher Training, directions where student teachers were to lodge. Conscience clause.

-----, Supply Act, 21 Vic., Cap. 24, 1858.

Special grants to each of the three academies for Teachers in Training. Vote for erection and establishment of normal school.

-----, Amendment to the Academy Act, 21 Vic., Cap. 8,

Established a Wesleyan Academy at St. John's, revised grants to several academies. An indication of the growing strength and power of the Wesleyan Methodists.

-----, An Act to Amend the Acts for the Encouragement of Education, and to Provide for the Denominational Subdivision of the Monies Appropriated for Protestant Educational Purposes, 37 Vic., Cap. 5, 29 April, 1874.

This act established by law the denominational system of Education in Newfoundland. It is lengthy and detailed and specifies each grant and that it is to be divided in the ratio of numerical strength. Permits boards to establish secondary schools if these do not interfere with the ordinary system of Elementary Education.

Statutes of Newfoundland, An Act to Amend and Consolidate the Acts for the Encouragement of Education, 39 Vic., Cap. 3, 26 April, 1876.

This act increased the grant, and made special grants for various purposes. The grant made in 1866 for destitute localities re-enacted. The consolidation merely confirmed the legislation of 1874.

Talbot, Thomas, Newfoundland, London, Low, Marston Searle & Rivington, 1882, 67 p.

A review of events and developments in the colony from 1837 to 1882. Useful for understanding the social and political background of the legislation of the period.

Tucker, H.W., Life and Episcopate of Edward Field, London, Gardner, 1877, xii-312 p.

Contains letters on the founding and division of the St. John's Academy. Notes the bishop's concern for the education of boys for the ministry. The influence of Bishop Field cannot be overlooked in assessing the events that led to the denominational system.

APPENDIX I
TEXT OF THE FIRST EDUCATION ACT, 1836

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6TH WILLIAM IV

CAP. XIII

AN ACT FOR THE ENCOURAGEMENT OF EDUCATION IN THIS COLONY

(6th May, 1836)

Preamble:-

WHEREAS, for the encouragement of Education it is expedient that the following sums of Money should be granted for the establishment and support of Elementary Schools throughout this Island, and that Regulations should be made concerning the same:-

Sum of £2100 (annually)
appropriated for purposes of this Act.

1.- Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, that, for the purposes of this Act, from and out of such Monies as shall from time to time be and remain the hands of the Treasurer of this Island, and not appropriated, there shall be granted and paid to His Majesty, his Heirs and Successors, annually for the period of Five Years from and after the passing of this Act, the sum of Two Thousand and One Hundred Pounds Sterling; which said sum of Money shall be annually distributed and applied in the following manner and proportions, that is to say- Towards the support of the Schools established in this Island by the Newfoundland and British North America School Society, the sum of Three Hundred Pounds, in aid of the Orphan Asylum School or St. John's, the sum of One Hundred Pounds; in aid of the Presentation Convent School at Saint John's, the sum of One Hundred Pounds; and in aid of the Saint Patrick's Free School at Harbour Grace, the sum of One Hundred Pounds;- which said sums of Money shall be paid to and applied under the directions of the Superintendent for the time being, of the Newfoundland and British North America School Society, and of the respective Trustees or Committees of management for the time being, of the said other Schools:- And towards the establishment and support of Elementary Schools throughout the Island, to be applied and expended under the superintendence

of Boards of Education, to be appointed in the several Electoral Districts in the manner hereinafter provided, the sums following, respectively, that is to say- For the District of Saint John's, Two Hundred Pounds; the District of Conception Bay, Four Hundred Pounds; the District of Ferryland, One Hundred and Twenty-five Pounds; the District of Placentia and Saint Mary's, Two Hundred Pounds; the District of Burin, One Hundred Pounds; the District of Fortune Bay One Hundred and Twenty-five Pounds; the District of Bonavista One Hundred Pounds, the District of Trinity, One Hundred Pounds, the District of Fogo, One Hundred and Twenty-five Pounds.

2.- And be it further enacted, That it shall and may be lawful for the Governor or Administrator of the Government for the time being, immediately upon the passing of this Act, by Warrants under his Hand and Seal, to nominate and appoint, in each of the Nine Electoral Districts of this Island, Thirteen Persons, who shall be a Board of Education for every such District; in which Boards shall be included the senior or superior Clergyman of each of the several Religious Denominations, being actually resident within the District; and such Boards of Education shall, respectively, have full power and authority, so soon after their appointments as may be, from time to time to meet and assemble together, in their respective Districts, for the purpose of making By-Laws, Rules, and Regulations for the establishment and management of the Schools within their respective Districts, and the apportionment and distribution of the respective sums of Money hereby granted for the purposes of Education in their respective Districts, and of such further sums as may from time to time be granted towards the maintenance of such Schools. Provided always, that Seven at least of such Persons shall be present at such meetings, and that Five at least of the Members of each Board shall consent and agree to such By-Laws, Rules and Regulations, which shall be forthwith transmitted to His Excellency the Governor for approval.

3.- And be it further enacted, That an annual meeting of each respective Board shall be holden on the first Wednesday in July in each year, for the purpose of choosing Chairmen and other officers, auditing Accounts, and transacting all other business connected with their respective Institutions, and that the Chairmen of the said Boards of Education respectively shall, as soon thereafter as may be, transmit to His Excellency the Governor, or the Administrator of the Government for the time being, for the information of the Legislature,

a Report of their proceedings and a detailed account of the number of Schools and Scholars, and the cost and expenditure attending the same.

4.- And be it further enacted, That the annual and general meetings of the said Boards of Education shall be holden at the following places, that is to say - at the Town of Saint John's, for the District of Saint John's, at Harbor Grace, for the District of Conception Bay; at Trinity, for the District of Trinity; at Bonavista for the District of Bonavista; at Twillingate, for the District of Fogo; at Ferryland for the District of Ferryland; at Great Placentia for the District of Placentia and St. Mary's; at Burin, for the District of Burin; and at Harbor Britain for the District of Fortune Bay; and that general Meetings of the said Boards of Education may be held at any time on the requisition of Three or more Members of the respective Board.

5.- And be it further enacted, That the sum of Money hereby granted shall be paid by the Treasurer of the Colony in discharge of such Warrant or Warrants as shall from time to time be issued by the Governor or Administrator of the Government, in favour of any person or persons to be applied to the purposes of this Act.

APPENDIX II

ABSTRACT OF

The First Forty Years of Educational Legislation
in Newfoundland

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The First Forty Years of Educational Legislation in Newfoundland

This thesis attempted to trace, in the first forty years of educational legislation in Newfoundland, the factors which were mainly responsible for the evolution of the denominational system of education in that province.

The documents available were the Statutes of Newfoundland, which may be examined in the Law Library of the Court House, St. John's, Newfoundland; the Colonial Records, in the Legislative Library, the Colonial Building, St. John's; the Journal of the Assembly, and the Journal of the Council, in the Gosling Memorial Library at St. John's, and in the same library are the newspapers of the period being investigated.

The main impression from this study is that the schools organized and administered during the eighteenth and early nineteenth centuries, under the auspices of the churches, established in the island a tradition of education under the supervision of church leaders. The people, as a whole, were determined to preserve this tradition in their educational institutions; therefore, by insistent demands for modification of the legislation passed from time to time during the first

four decades of state supported schools, the colonists kept the legislature aware of their duty to respect the will of the governed; finally, in 1874, legislation provided for public education within a denominational framework.