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THE EFFECT OF BRITISH COLONIAL POLICY
ON PUBLIC EDUCATIONAL INSTITUTIONS
IN UPPER CANADA, 1784-1840

by Walter E. Downes

Thesis presented to the School of
Graduate Studies as partial fulfillment
of the requirements for the degree of
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CURRICULUM STUDIORUM

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INTRODUCTION

Between 1784 and 1840 Upper Canada was transformed from a forest wilderness into a bustling frontier dotted by numerous clearings and small towns. In little over half a century its population had grown from a mere handful to over four hundred thousand¹. Toward the end of the period under study there were six hundred fifty-one common schools² established under government auspices in ten districts as well as a grammar school in each of twelve districts of the province³. One university, King's College at York, had been granted a charter while three others, Queen's College, Victoria and Regiopolis College, Kingston were in the course of being founded. Many private schools, Sunday Schools and academies were also in existence.

During the same period there was no chief-superintendent or minister of education in the province and except for a period in the 1820's, there was no centralized agency to administer or superintend educational developments. Nor did a viable form of local government exist to initiate or

1 A. Dunham, Political Unrest in Upper Canada 1815-1836, Toronto, McClelland and Stewart, 1963, p. 23. No official census was taken. Miss Dunham bases her figures on reports of the township officers contained in the annual blue-books.

2 "Report of the Common Schools in 1838", in Journal of the House of Assembly, Appendix B, 1840, p. 340.

3 "Report of the District Schools, 1838", ibid., p. 339.

control government action in the area of education. The colony was governed by a popularly elected Legislative Assembly but ultimate power remained in the hands of the British Government and in particular the Colonial Office and the lieutenant-governors of the province who were the agents of its policies.

With no effective intermediary agencies to superintend the nature and development of government-sponsored, educational institutions, the role of the agents of colonial policy becomes central to any discussion of educational development in Upper Canada before 1841. Generally this role is perceived to be negative and reactionary in effect. One historian, for example, wrote, concerning education before 1837,

The educational system continued to be weighted heavily in favour of the rich and well-placed. [. . .] It came to be felt generally in the province that a sensible educational policy, based on local needs and local knowledge rather than on the views of lieutenant-governors and irresponsible officials, could never be established until the government acquired a more popular base.⁴

Another scholar was non-judgemental but felt that "The views of the Lieutenant-Governors [. . .] were extremely significant in directing educational decision-making"⁵

⁴ G. M. Craig, "The American Impact on the Upper Canadian Reform Movement Before 1837" in The Canadian Historical Review, Vol. 29, No. 4, December, 1948, p. 337.

⁵ J. Donald Wilson, Foreign and Local Influences on Popular Education in Upper Canada 1815-1844, unpublished Ph. D. thesis, University of Western Ontario, 1970, p. 17.

while a third claimed that, "the reformers of Upper Canada had no complaint against the mother country on the score of educational policy"⁶ after 1828. The purpose of this study then is to determine the effect of British colonial policy as initiated and implemented by the governors of Quebec before 1791 and the lieutenant-governors of Upper Canada after 1791, and the British Colonial Office on the development of educational structures related to the government-sponsored university, grammar schools and common schools. The study attempts, therefore, to answer the following questions with reference to the period 1784-1840:

- 1 (a) What function did the lieutenant-governors intend educational institutions in Upper Canada to serve?
- (b) How did the lieutenant-governors' perceptions of these functions affect the nature and development of educational structures?
- 2 (a) In what ways did the Colonial Office support and aid the lieutenant-governors in their educational policies?
- (b) What effect did the policies of the Colonial Office itself have on the nature and development of educational structures?

The following definitions are used for the purposes of this study:

1. The term "lieutenant-governor", unless otherwise designated, will include the governors of Quebec from 1784-1791 who were at that time politically responsible for the affairs of Upper Canada. It will also be used to include the

6 Dunham, op. cit., p. 96.

administrators of the province who, by virtue of their office as president of the Executive Council, assumed the duties of the lieutenant-governor during his absence from the province or in the periods between administrations.

2. "Colonial Office" and "colonial secretary", unless otherwise designated, will be used to refer to the ministry of the Imperial Government and its chief functionary charged with the administration of the colonies. The "Home Office" and "home secretary" who were charged with this responsibility before 1801⁷ will be subsumed under these terms.

3. "The university" refers to King's College, York.

4. The term "grammar school" is used to denote schools sponsored by the government, which were intended to offer more advanced instruction than the common schools. The term "district school" was commonly used after legislation in 1807 which provided assistance to one grammar school in each district.

5. "Common schools" refer to government-sponsored schools which were intended to offer elementary instruction. Another designation for the same schools was by the term "township schools".

6. By "educational structures" is meant those dimensions of education essential for its formal description as a

⁷ Although a ministry for war and the colonies was created in 1794, the colonies continued to be administered by the Home Office until 1801.

social institution, namely, function, administration, financing, curriculum, selection of pupils, and selection of instructors.

7. The term "colonial policy" does not refer to a deliberate, consistent, premeditated line of action for the administration of the colonies but rather to something less fixed and more fluid. The writer has assumed that description of "colonial policy" which has found general acceptance and in the words of one historian is as follows:

At any given moment there is not so much policy as policy formation, an unsettled and changing set of responses by government to the continual interaction among men, forces, ideas and institutions. Policy in the present is a thing in flux [. . .] Policy-making is a perpetual adjustment between ends and means.⁸

The study will be concerned with only those institutions intended for the public and receiving some form of government support. Therefore Upper Canada College is included as a grammar school since it was supported by funds raised from the endowment set aside for public grammar schools and a university. For a similar reason, the National Schools of the 1820's, which drew on public funds and were intended

⁸ John Cell, British Colonial Administration in the Mid-Nineteenth Century: The Policy-Making Process, New Haven, Yale University Press, 1970, p. xi. For similar definitions see also Henry L. Hall, The Colonial Office, London, Longmans Green, 1937, p. 157; The Cambridge History of the British Empire, Vol. 1, Cambridge, University Press, 1960, p. 207; Hugh E. Egerton, A Short History of British Colonial Policy 1606-1909, London, Methuen, 1932, p. vii-viii.

to become part of a public education system, are included as common schools. On the other hand, the study will not be concerned with private schools, Sunday Schools, Indian education, teacher education or adult education except insofar as their affairs were related to development of the public institutions defined above or were a by-product of it.

It is hoped that this study will be a contribution to the understanding of the roots of Ontario's educational system. Egerton Ryerson is generally regarded as the founder of this province's educational system. While one can in no way detract from Ryerson's contribution, he did not become Assistant Superintendent of Education until 1843 and Superintendent until 1846. Ryerson did not discard what had gone on before but over the next thirty years built on and consolidated existing structures. It is also hoped that this study will complement others concerning educational development during the same period, particularly those of Purdy⁹ and Wilson¹⁰.

Purdy's study of the contribution of John Strachan to education laid to rest any notion that Strachan was a reactionary and retarded the progress of education in Upper Canada. Strachan's close association with the executive government

⁹ Judson Purdy, John Strachan and Education in Canada 1800-1851, unpublished Ph. D. thesis, University of Toronto, 1962, iv-434 p.

¹⁰ J. Donald Wilson, op. cit., xii-312 p.

makes him an important figure in the present study. Wilson's study of local and foreign influences on popular education indicated the resolution of selected outside influences with frontier conditions and personalities in the development of various forms of popular education, including adult education, Indian and Negro education, separate schools, public grammar and common schools.

Few other studies have concerned education in this early period of Upper Canada's history. An early published study by Coleman¹¹ was essentially a descriptive account of the development of elementary, secondary and university education based largely on Hodgin's Documentary History of Education in Upper Canada, 1791-1871¹². Bockus¹³ examined the common school system from 1786 to 1840 with respect to pupil enrolment, financial and administrative structures, curriculum, and qualifications of teachers. He concluded that the system was a failure due to the hostile political and social conditions of the age but gave only superficial treatment to this historical context. Althouse's¹⁴ published

11 H. T. J. Coleman, Public Education in Upper Canada, New York, Teachers College, Columbia University, 1907, 120 p.

12 J. G. Hodgins, op. cit., 28 vols., 1894-1910.

13 E. C. Bockus, The Common Schools of Upper Canada 1786-1840, unpublished M. A. thesis, McGill University, 1967, 193 p.

14 J. G. Althouse, The Ontario Teacher 1800-1910, D. Paed, thesis, University of Toronto, 1929, published by Gage, Toronto, 1967, viii-184 p.

study examined the progress of teacher-training and the status of the teaching profession from 1800 to 1910. Althouse was able to devote only fourteen pages to the period prior to 1840. Duncan¹⁵ concluded after a study of American influences on Ontario's elementary school legislation from 1836 to 1850 that most of the formative influences on that legislation came from New York and Massachusetts though Ryerson's Report of 1846¹⁶ does not seem to confirm this conclusion. Susan Houston¹⁷ examined the major education acts in the period from 1837 to 1846 with regard to administrative and financial provisions. She analysed the acts within the context of the historical climate of the period thus revealing more penetrating insights into their causes and effectiveness. Stewart's¹⁸ study of the role of the provincial government in the development of Ontario's universities analysed government policies for higher education and the

15 M. J. Duncan, American Influences on Ontario's Elementary School Legislation, 1836-1850, unpublished M. A. thesis, University of Rochester, 1964, 207 p.

16 Egerton Ryerson, "Report on a System of Public Elementary Instruction for Upper Canada," in Hodgins, op. cit., Vol. 6, p. 140-211.

17 Susan Houston, Politics, Schools and Social Change In Upper Canada, 1836-1846, unpublished M. A. thesis, University of Toronto, 1967, 69 p.

18 Edward E. Stewart, The Role of the Provincial Government in the Development of the Universities of Ontario 1791-1964, unpublished D. Ed. thesis, University of Toronto, 1970, 575 p.

reasons for change over a lengthy time period from 1791 to 1964. There has, however, been no comprehensive study of the effect of British colonial policy on education during the period concerned.

The study will be divided into three parts. Part I will concern the background of the study in terms of the historical context in Upper Canada and Britain within which educational institutions in Upper Canada developed and policy decisions were made. The part is divided into two chapters, one dealing with the Upper Canadian background and the other the British background. Part II will analyse in three chapters the effect of the policies of the lieutenant-governors in terms of the relevant dimensions mentioned earlier on the development of the university, the grammar schools and the common schools respectively. An attempt will also be made in each chapter to analyse the effect of these policies on the development of various alternative institutions to those intended for the public. Part III will include a similar analysis of the effect of the policies of the British Government as exercised through the Colonial Office on those dimensions related to the university, the grammar schools and the common schools with which it was concerned.

The main primary sources for the study include the State Papers of Upper Canada, principally the despatches and

correspondence of the governors of Quebec before 1791 and the lieutenant-governors of Upper Canada from 1791 to 1840 with the Colonial Office, as well as the instructions issued to those officials by the Colonial Office on their appointment. The Colborne Papers, Duncombe Papers and Haldimand Papers were also consulted. All the foregoing collections are found in the Public Archives of Canada. Collections known as Miscellaneous Records Relating to Education and Upper Canada Sundries, found in the same place, yielded many items of an important and relevant nature to the study. Minutes of the Executive Council and Minutes of the General Board of Education deposited at the Public Archives of Ontario were searched. John Strachan being an inveterate letter writer left copies of much of his correspondence, much to the advantage of the student of history. The Strachan Letter Books and Strachan Papers found in the Ontario Archives revealed much about Strachan's relationships with the lieutenant-governors with regard to matters of education. The Cartwright Family Papers, Macdonell Papers, Macaulay Papers, Merritt Papers and Robertson Papers also presented revealing insights concerned with the topic of this study. The Journals of the House of Assembly and the Journals of the Legislative Council, as many as are still available, and acts passed by the Legislature, were useful in determining the efforts made by the agents of colonial policy in the determination of educational

legislation and of their use of its provisions to effect their own designs. Hansard, Parliamentary Debates of the British House of Commons, contained occasional references affecting party policy formation. A number of published collections of documents were also consulted for relevant data. Newspapers, diaries and other miscellaneous records proved to be useful supporting data.

Numerous secondary sources were consulted, particularly for background and supplementary material. Only reputable authors and standard works were employed for these purposes.

PART I

BACKGROUND

Educational events in Upper Canada took place within the context of the historical forces of the period. Upper Canada was connected politically and economically with Great Britain, geographically with the United States, and demographically and socially with both. Upper Canadians, at the same time, had to form a new society molding their institutions not only in response to these circumstances but also to unique conditions imposed upon them by a frontier existence. An overview, therefore, of the background in terms of the significant historical forces in Britain and Upper Canada is necessary for a fuller understanding of the policies adopted by the agents charged by the Imperial Government with the administration of the colonies, namely, the lieutenant-governors and the Colonial Office.

Both the lieutenant-governors and the Colonial Office determined policy within parameters both officially imposed and understood through common usage. Comprehension of the instruments of authority and of the limitations imposed on the decisions and actions of the agents of policy should provide a basis for an analysis of the effectiveness of that policy on educational institutions in

Upper Canada.

This part is divided into two chapters, the first dealing with the Upper Canadian background and the second with the British background. The first section of each chapter presents an overview of the major historical forces of the period; the second section attempts to identify the relative position of authority of the lieutenant-governors and the Colonial Office respectively in the determination of colonial affairs.

CHAPTER I

THE UPPER CANADIAN BACKGROUND 1784-1840

This chapter will examine the background in Upper Canada in order to describe the milieu in which policy was determined concerning educational matters. This will be done by an identification and description of forces in Upper Canadian society and of the position of the lieutenant-governor in colonial affairs.

The first section will consider the demographic, economic, social, religious and political forces in Upper Canada which formed the context within which educational decisions and actions had to be taken. The second section deals particularly with the position of the lieutenant-governor in relation to the office of governor-in-chief, the Home Government, the Executive and Legislative Councils, the Legislative Assembly and to the control of finances in the colony. This section will provide an understanding of the nature of the lieutenant-governor's authority in determining policy for the colony.

1. Demographic, Economic, Social, Religious, and Political Forces in Upper Canadian Society, 1784-1840.

Upper Canada in 1784 was little more than a formidable wilderness. A few farmers and traders had settled across the river from the fort at Detroit and military garrisons there and at Niagara, at Fort Frontenac and at Michilimackinac were the only breaks in the endless forest. Politically the land was now British-ruled from London through offices in Quebec but within eight years of the coming of the first waves of settlers, Upper Canada was a separate political entity with a governor and Legislature of its own.

After the Revolutionary War in the Thirteen Colonies, a number of citizens, who for one reason or another decided to leave the republic and live under the British flag in the colonies to the north, made their way to Upper Canada. Before the war had ended a group of Loyalists, as they preferred to be known, came into Niagara in the winter of 1778-1779 but the largest groups came in 1784 by way of Quebec and settled in a long line along the shores of the St. Lawrence River, Lake Ontario and Lake Erie. No official figures of the numbers of Loyalists who came after the war exist but Governor Hope¹

¹ Public Archives of Canada [hereafter P. A. C.], Colonial Office Papers, Series 42 [hereafter C. O. 42], Vol. 49, Henry Hope to Commissioners of American Claims, Quebec, January 29, 1786, p. 106.

estimated there were three hundred heads of families near Niagara and Detroit in 1786 and eighteen hundred heads of families residing in an area from Johnstown to Cataraqui.

The Loyalists who came to Upper Canada were mainly of humble origin. Governor Hope wrote:

The Loyalists in this Province, with a few exceptions do not consist of Persons of great Property or Consequence. They are chiefly Landholders, Farmers and others from the Inland parts of the Continent.²

Another correspondent described the Loyalists as "mostly farmers from the back parts of New York Province"³. Occupied at first with the overwhelming tasks of making clearings, building homes and sowing the first crops, the settlers had little time for education. They had been given free supplies and land by the British Government and so it was to government they turned when they wanted schools.

Free land continued to attract American immigrants until the War of 1812 and to some degree for many years afterward. Michael Smith⁴ estimated in 1813 that two out of ten residents of the province were from England, Ireland and Scotland, one-sixth Loyalists and the rest or approximately

2 Ibid., p. 105.

3 Colonel Dundas to Lord Cornwallis, Montreal, October 3, 1787, in Ontario Bureau of Archives Report, 1904, Toronto, Warwick, 1905, p. 22.

4 Michael Smith, A Geographical View of the Province of Upper Canada, Hartford, Hale & Hosmer, 1813, p. 69.

two-thirds were Americans. The government throughout the period distrusted the American population, fearful that the democratic, equalitarian ideals of the American Revolution would be implanted in Upper Canada, nourished and ripened into rebellion and another break from Britain. Governor Gore wrote in 1807 that the immigrants from the United States "retain [ed] those ideas of equality and insubordination much to the prejudice of this government, so prevalent in that country"⁵.

After the war the government took definite steps to curb emigration from the United States and thus embroiled itself in a long and bitter controversy with the elected lower house of the Legislature. Disputation centred around the right of Americans to assume the privileges of British citizenship, such as holding land, voting, and serving in the Legislature simply by taking the oath of allegiance without a seven-year residency imposed by an old law⁶. By the mid-1820's the government and popular reform forces had become deadlocked on the issue and the interposition of the British Government was finally sought⁷. At the suggestion of the colonial secretary

⁵ E. Cruikshank, "Immigration from the United States Into Upper Canada, 1784-1812 - Its Character and Results" in Proceedings of the Thirty-Ninth Annual Convention of the Ontario Educational Association, Toronto, 1900, p. 276.

⁶ Gerald M. Craig, Upper Canada: The Formative Years, 1784-1841, Toronto, McClelland and Stewart, 1967, p. 114.

⁷ Ibid., p. 121-122.

an act was forced through the Upper Canada Legislature in 1827 acknowledging the Americans as aliens until completion of the seven year residency requirement. Opposing reform forces, however, succeeded in having the act disallowed in Britain and a new milder act passed naturalizing anyone who had received land, held public office or had come into the province before 1820. As will be seen this victory for the reformers encouraged active opposition to other measures of an educational nature which were considered insufficiently liberal to suit the needs of the province. The seeds of anti-Americanism remained to crop up periodically whenever Upper Canadian institutions appeared to be becoming too democratic or irreligious.

The end of the War of 1812 in North America also marked the end of the Napoleonic Wars in Europe. Distress and unemployment in Britain caused by the aftermath of the war and the economic disorientations in the wake of the Industrial Revolution induced more and more people to emigrate from the British Isles to the colonies. The trickle soon became a flood. In both 1831 and 1832 over fifty thousand people arrived at the Port of Quebec⁸. While some of these stayed in Lower Canada and others went on to the United States, a large majority settled in Upper Canada. By 1840 the population had

⁸ Helen I. Cowan, British Emigration to British North America, The First Hundred Years, Toronto, University of Toronto, 1961, p. 289.

become a mixture, composed mainly of Americans and Britishers. Again official figures are lacking but one unofficial report⁹ shows the total population in 1840 to be 400,346 but there is no indication of the proportion of this figure originating from the United States.

The political upheavals of the first half century of Upper Canada's existence have often overshadowed the serious economic problems. The Loyalists were given free land and implements and free rations for a year. Land continued to be given away until 1826 when, with certain exceptions, lands were to be sold. The policy of giving land away, of course, meant that no adequate sale price could be upheld and no reliable income realized. In 1826 the Crown sanctioned the formation of a land company to be known as the Canada Company and transferred to it all the Crown Reserves of land. In return the Company was to make annual payments to the provincial government for sixteen years to meet stipulated expenses, including an annual grant toward the building of a college¹⁰. In addition a portion of the money paid for the reserves was

9 P. A. C., C. O. 42, Vol. 462, "General Numerical Return of the Several Religious Bodies in Upper Canada, founded on the Returns of the Clerks of the Peace, so far as they have been made for the Year 1839", p. 312; Vide also p. i.

10 Vide, p. 308.

to be withheld for the purpose of public improvements¹¹, a convenient little fund for the use of the executive government.

The Industrial Revolution did not catch up with Upper Canada during the period under study. Agricultural products and timber were the main staples so that most people worked off the land. One estimate¹² places five-sixths of the inhabitants in 1840 engaged in agriculture or forestry. Prosperity depended not only on markets but also on location. Those living near the garrisons at Kingston, York and Newark could sell surplus agricultural produce to the garrisons. In addition some wheat, salt pork and timber were exported to Britain. In spite of the British Corn Laws and the high costs of shipping, poor crop yields in Britain in the first decade of the nineteenth century led to a demand for colonial wheat. But because of an almost complete absence of roads in Upper Canada and consequent dependence on water transportation, only those farmers living close to the ports could share in the trade. One economic historian analyses the effect of transportation on profits as follows:

11 Gerald M. Craig, op. cit., p. 136.

12 J. Spelt, The Urban Development in South-Central Ontario, Assen, The Netherlands, Van Gorcum, 1955, p. 63.

If we could chart on a map of Upper Canada the prices offered for wheat at any point of time, the prices would be highest at lake ports and near navigable rivers, and would become progressively lower at places farther away from water transportation, finally reaching zero in the back areas where, because of high transport costs, wheat had literally no commercial value.¹³

Farmers in the backwoods often lived barely above subsistence level. A few settlers, however, became successful merchants or "forwarders" importing goods from Britain by way of Montreal and exporting agricultural products in return. While a risky business at times, some such as Richard Cartwright of Kingston and Robert Hamilton of Queenston became prosperous and formed the nucleus of a small, commercial middle class in the colony.

Upper Canada enjoyed a period of economic prosperity after the War of 1812. Demands for agricultural products to supply the military garrisons increased as the war proceeded. The British Corn Law of 1815 allowed Canadian wheat to enter Britain free after the price for British wheat rose above sixty-seven shillings a quarter¹⁴. A substantial preference was given to Canadian exporters in 1815 and 1816 by the exclusion of foreign wheat until the price reached eighty shillings.

¹³ W. T. Easterbrook and H. G. J. Aitken, Canadian Economic History, Toronto, Macmillan, 1961, p. 280.

¹⁴ Ibid., p. 181.

Government revenue also increased during this period from duties on increasing volume of imports. It was during this period of prosperity that the first government aid to elementary education was effected¹⁵.

Unfortunately the economic boom did not continue. Good harvests in Britain after 1817 reduced Canadian exports of grain thus aggravating a depression from 1819 to 1821. The 1820's were generally more prosperous but with some years more stringent than others. The 1830's, on the other hand, were more difficult years. The combination of partial crop failures in Upper Canada and excellent harvests in Britain caused sharp reductions in exports. Prices for wheat by 1834 had fallen to a level which "even for settlers with easy access to lake transportation, did not cover costs, while for those in the back areas they meant, if not starvation, at least acute hardship"¹⁶. In 1831 the tariff protection on imports of agricultural products from the United States was removed, adding to the farmers' difficulties. By 1835 Upper Canada was experiencing a serious economic depression. Crop failures in the late 1830's prolonged the difficulties.

¹⁵ Vide, p. 209.

¹⁶ W. T. Easterbrook and H. G. J. Aitken, loc. cit., p. 284.

Industry was of only secondary importance before 1840. It was confined mainly to service industries supplying the economic and business needs of local communities and consisting mainly of saw and grist mills¹⁷, distilleries and breweries. One effect of the prominence of service industries was that "they contributed to an urban pattern of small central places"¹⁸, rather than large cities. In 1830 in south-central Ontario, an area bounded by Kingston on the east and Guelph on the west, there were only three centres, York (Toronto), Kingston and Cobourg with a population of two thousand or more¹⁹ and none over four thousand.

Economic problems were further aggravated throughout the period by a lack of currency. Not only British coins but Spanish, French, Portuguese and American coins were accepted as legal tender²⁰. The result was that considerable trade within the province was carried on by barter. Teachers were often paid in kind and tuition fees could at times be paid in firewood. Public improvements were often seriously hampered

17 Surveyor-General Joseph Bouchette reported five hundred saw and grist mills in the province in 1832. Joseph Bouchette, The British Dominions in North America, Vol. 1, London, Longman, Rees, Orme, Brown, Green and Longman, 1832, p. 111.

18 J. Spelt, op. cit., p. 72.

19 Ibid., p. 83.

20 Robert Gourlay, Statistical Account of Upper Canada, Vol. 1, London, Simpkins and Marshall, 1822, p. 215.

by lack of money. In 1821 the Bank of Upper Canada was chartered with most of its directors government office-holders²¹, John Strachan heading the list. The close connection of the bank with the government and the monopoly it held in the field led to considerable resentment and distrust of the dealings of its directors.

The social effect of frontier life depends in large part whether the settlers came and settled in groups or as individuals. Members of immigrant groups did not suffer as much from the effects of social and cultural isolation and disorientation. They tended to revive as much as possible the same kinds of social institutions and value patterns as in their homeland. The availability of old associations reduced the effects of isolation. Those who came as individuals or who were virtually isolated by distance and lack of roads tended to gravitate to new social orientations to suit their needs. Although often living barely above subsistence level, they were largely self-sufficient and independent in spirit. The fact that children were needed to work at home and could learn there most of the skills needed to carry them through a similar existence as their

21 G. M. Craig, op. cit., p. 162. Nine of the fifteen directors were members of the appointed Executive and Legislative Councils of the province.

parents meant that schools were not valued among the labouring population. One contemporary account stated:

The great mass of people are at present completely ignorant even of the rudiments of the most common learning. Very few can either read or write; and parents who are ignorant themselves, possess so slight a relish for literature, and are so little acquainted with its advantages, that they feel scarcely any anxiety to have the minds of their children cultivated

.
When the parent is sufficiently comfortable to dispense with the constant labour of his son, schools are perhaps too remote from his house to render them of any value to his children.²²

The immigrants who came from Britain after 1815 were drawn mostly from the lower classes while those with professional training or special technical skill preferred to go to the United States. The immigrant to Canada had had enough of social and economic oppression and had no desire to see a type of British class structure imposed on Upper Canada. While inherently conservative and unsympathetic to republicanism, the lower class immigrant was nevertheless sympathetic to democratic institutions. For the middle and upper class immigrant, Upper Canada had little to offer socially. Professor Craig, who has made an exhaustive study of travellers' accounts, concludes:

22 E. A. Talbot, Five Years' Residence in the Canadas, Vol. 2, London, Longman, Hurst, Rees, Orme, Brown and Green, 1824, pp. 116, 119.

Perhaps the leading drawback of life in Upper Canada, as seen by the travellers, was one inseparable from its very nature in these years, namely, that it was a new country, in a pioneer stage of development. [. . .] Some of the most elementary comforts of the old country were lacking, the roads were deplorable, housing was usually primitive, and worst of all there was little decent society. [. . .] manners were crude and the 'finer things of life' were few and far between. One observer, who had lived for some time in the province warned that only those members of the 'better classes' who would be 'content with plain comfortable mediocrity' should come to Canada; the life there was 'rude and rough [. . .] mental improvement is lost sight of'.²³

In matters of religion it had clearly been the intention of the British Government after 1763 to establish the Church of England in British North America²⁴. Provision for the Church of England was made by the controversial clause of the Constitutional Act of 1791 which made an appropriation of lands equal in value to one-seventh of the Crown grants "for the Support and Maintenance of a Protestant Clergy"²⁵. This provision for Clergy Reserves was claimed

²³ G. M. Craig, "British Travellers in Upper Canada, 1815-1837" in Ontario History, Vol. 43, No. 4, 1951, p. 182.

²⁴ See J. J. Talman, "The Position of the Church of England in Upper Canada, 1791-1841" in The Canadian Historical Review, Vol. 15, No. 4, December 1934, p. 361-375 and A. H. Young, "The Church of England in Upper Canada, 1791-1841" in Queen's Quarterly, Vol. 37, No. 1, 1930, p. 145-166.

²⁵ "The Constitutional Act of 1791" in Adam Shortt and Arthur G. Doughty, Documents Relating to the Constitutional History of Canada 1759-1791, Part II, Ottawa, J. de L. Taché, 1918, p. 1044.

by the Church of England as its exclusive right. The folly of such a claim was evident to some such as Richard Cartwright who was himself an Anglican and supporter of the government. Cartwright exclaimed:

Where a new government is to be formed among a people composed of every religious denomination, and nineteen-twentieths of whom are of persuasions different from the Church of England, to attempt to give to that Church the same exclusive political advantages that it possesses in Great Britain appears to me to be as impolitic as it is unjust.²⁶

While the Clergy Reserves were objected to because they complicated development by breaking orderly patterns of settlement and appeared to be a waste of a productive source of revenue by lying vacant, it was the claim of the Church of England to their revenue which aroused the most resentment. Actually it was not until after 1819 when the Reserves started to become valuable that strong opposition began to be voiced. The strongest claim for a share in the Reserves came from the Church of Scotland in 1819 on the grounds that it was also an established church in Britain, a point of view supported by the law officers of the Crown. Anglicans and Presbyterians together did not make a majority of the population in Upper Canada and the other Protestant denominations soon clamoured for a share. These claims were vigorously opposed by the executive government. Lieutenant-Governor Sir Peregrine Maitland

²⁶ Richard Cartwright to Isaac Todd, Kingston, October 14, 1793, in C. E. Cartwright, editor, Life and Letters of the Late Hon. Richard Cartwright, Toronto, Belford, 1876, p. 53.

wrote to Colonial Secretary Huskisson,

It was only necessary to establish the position that a Protestant Clergy meant two Protestant Clergy [underlining Maitland's], and then the reasoning which had failed to oppose that construction successfully, must have as little force in disputing that it meant a dozen, or indeed as many Protestant Clergies as the Province might contain.²⁷

The local executive government was also opposed to the proposal put forward in 1826 and supported thereafter by reformers and dissenters that the Reserves be sold and the revenue used for general education. The intensity of Maitland's reaction to the support of the Church of Scotland to this proposal can be felt in the same letter as quoted above. Maitland went on:

Despairing of establishing the legal claim of the Scots Church to share the Reserves, the advocates of the cause have since resolved to Address His Majesty praying that the whole Provision thus providently made for religious instruction shall be diverted from its object and appropriated to the general purpose of education.

In this too, of course, they have had the still more hearty assent of the several dissenting sects, and nothing could be more acceptable to them than that by this sacrifice of her hopes by the Scots Church, in order to pull down the existing establishment, the National Church should be degraded to a sect, and all denominations placed on a level.²⁸

27 P. A. C., C. O. 42, Vol. 381, Maitland to Huskisson, "Private and Confidential", York, December 15, 1827, p. 416.

28 Ibid., p. 417.

The controversy dragged on and was not finally settled until 1854. The Methodist Church, although not the only dissenting sect in the colony, was the most numerous, and became under the leadership of Egerton Ryerson the main antagonist of the Church of England.

The Church of England failed to adapt its organization, form of worship and clergy to frontier conditions. The educated, more refined clergyman was as little suited to the rough and crude conditions of the backwoods of Upper Canada as was his liturgy and theology to the people. John Strachan, the leading Church of England clergyman in the province, recognized the unsuitability of clergymen from England. He wrote that

as the people have little conception of religious order and are not accustomed to the forms so long known and established in every parish in England a clergyman from that Country will have many difficulties to encounter. His learning may be more profound and extensive but his manners and habits will not easily accommodate themselves to those of his Parishoners. He will feel Uncomfortable and consequently less useful.²⁹

Strachan continually pressed for local recruitment and education of clergy. During the period under study, however, the Church of England was most strongly associated

²⁹ P. A. C., Record Group [hereafter R. G.] 5 A1, Vol. 91, J. Strachan, "Report on the State of Religion in Upper Canada", undated ["The internal evidence afforded by the list of clergymen seems to indicate 1818 as the date of this document. Perhaps it was connected with Dr. Strachan's Petition to the Legislature of Mar. 4th, 1818", p. 50347], p. 50350.

with the upper and middle classes while the nonconformist churches attracted the lower classes and the American population. The identification of religion with social class has been analysed by Hofstadter as follows:

The possessing classes have usually shown much interest in rationalizing religion and in observing highly developed liturgical forms. The disinherited classes, especially when unlettered, have been more moved by emotional religion, and emotional religion is at times animated by a revolt against the religious style, the liturgy, and the clergy of the upper-class church, which is at the same time a revolt against aristocratic manners and morals.³⁰

The Methodist circuit rider often barely literate himself, the emphasis of Methodism on emotionalism, personal commitment and social equality offered the backwoods settler a social orientation otherwise lacking. The Methodist camp meeting and class meeting became concrete manifestations of the communion of believers. One upper class English woman in Upper Canada recognized the need Methodism was filling:

³⁰ Richard Hofstadter, Anti-Intellectualism in American Life, New York, Alfred Knopf, 1969, p. 56.

Here without means of instruction, of social amusement, of healthy and innocent excitements, can we wonder that whiskey and camp-meetings assume their place, and 'season toil' which is unseasoned by anything better? Nothing, believe me, that you have heard or read of the frontier disorders of these Methodist love-feasts and camp-meetings in Upper Canada can exceed the truth; and yet it is no less a truth that the Methodists are in most parts the only religious teachers, and that without them the people were utterly abandoned.³¹

In the period before the War of 1812 the Canadian Methodists were under the jurisdiction of the Genesee Conference in the United States. The American leaders did promote the growth of schools and colleges in the heavily populated areas of the United States but the Upper Canadian clergy were mainly circuit riders more interested in simple truths and conversions. Part of their unpopularity with the ruling class was due to their American connection and the fact that many circuit riders were Americans. It was feared that they were using their popularity with the lower classes to sow the seeds of discontent and republicanism. This fear was intensified after 1820 when by an agreement between the British Wesleyan Methodists and the American Episcopal Methodists, the British Methodists withdrew their

³¹ Anna Jameson, Winter Studies and Summer Rambles in Canada, 1838, edited by J. J. Talman and E. L. Murray, Toronto, Thos. Nelson and Sons, 1943, p. 123.

clergy to Lower Canada, leaving Upper Canada to the Americans. While little reliance can be placed on exact figures, a survey³² in 1828 indicated the zeal with which the Methodists entered the field. There were reported to be one hundred and seventeen Methodist preachers in the province, forty-five Baptist, thirty-one Episcopalian, sixteen Presbyterian, six Kirk of Scotland, twenty Menonist and Dunker and one Wesleyan Methodist.

The alliance of religion and politics was inevitable. The identification of the Church of England with the colonial upper class was a result not only of its more orthodox theology and form of worship but also of its interest in church establishment. As Professor Clark points out, the strength of the claim of the Church of England to the privileges of an established church in Upper Canada depended on strong British imperial ties. The effect was that the Church of England

32 P. A. C., C. O. 42, Vol. 395, "Extract from the Journals of the House of Assembly of Upper Canada in 1828, of the Number of Protestant Clergymen of each Sect at that time known in the Province, as reported to the House by a Select Committee. The Lutherans, Quakers and Roman Catholics are not included, but the latter Sects are numerous", p. 498.

could not become a Canadian church without becoming a 'free' church. Vested interests of ecclesiastical Establishment, therefore, led inevitably to the identification of the Church with the tory cause in the colony. [. . .] The interests of state and the interests of church became closely allied in maintaining ecclesiastical privileges and in discouraging the development of nonconformist religious denominations.³³

Much of the educational controversy in the period under study was the result of the extension of these church privileges to the field of public education.

Conversely the American and equalitarian orientation of the Methodists in Upper Canada led to their association with the reform movement. In 1824 the reformers in the Legislature supported a bill to allow Methodists to solemnize marriage. The bill was rejected by the Tories in the upper house thus solidifying a reform and Methodist alliance. In the following year, John Strachan's famous denunciation of dissenters in his sermon on the death of Bishop Mountain and Egerton Ryerson's equally famous reply further united religion and politics.

Ryerson's pamphlet made Methodism a political force, a powerful wing of reform [. . .] if the Anglicans possessed influence and many of the educated, the Methodists had numbers, for by 1825 they were the largest denomination in the province.³⁴

³³ S. D. Clark, Church and Sect in Canada, Toronto, University of Toronto, 1948, p. 129.

³⁴ A. R. M. Lower, Colony to Nation, Toronto, Longmans, 1961, p. 236-237.

During the 1830's Methodism underwent a gradual change in its political and social orientation. Politically the change appeared to be sudden. The alignment of Methodism with the reform movement inevitably led to its identification with the more radical elements of that movement led by William Lyon Mackenzie. The forces of disloyalty and republicanism with which radicalism was associated did not appeal to the Methodist leadership, particularly Egerton Ryerson and his brother John. Reared in a patriotic and Loyalist home, they had no desire to see the ties with Britain severed. Egerton Ryerson made the break in 1833 after publishing a pamphlet³⁵ analysing the political parties of Great Britain. He came out strongly on the side of the moderate Whigs and severely criticized the British radical group with whom Mackenzie was associated. Mackenzie replied in typical, vitriolic fashion in a special edition of his newspaper, the Colonial Advocate. The Christian Guardian, Methodism's official organ, he raged, "has gone over to the enemy, press, types & all, & hoisted the colours of a cruel

35 E. Ryerson, "Impressions made by our late visit to England", editorial in Christian Guardian of York, October 30, 1833, quoted in E. Ryerson, The Story of My Life, Toronto, William Briggs, 1883, p. 122-124.

vindictive tory priesthood"³⁶. Nevertheless Ryerson was not accepted by the executive government until after 1840.

The change in Methodism's social orientation after 1830 was more gradual. Due to the growth of towns, changes in social behaviour, the gradual "deterioration of the moral virtues of pioneer society, and the increasing urgency of moral problems"³⁷, Methodism needed to broaden its appeal in order to survive. The union of the Canadian Methodists with British Wesleyans and their better educated clergy, the trend to established town churches rather than heavy reliance on an itinerant ministry, the waning popularity of the camp meeting and the class meeting and the espousing of social causes such as temperance and universal education were all indications of the efforts of the Methodists to gain respectability and the support of the upper and middle classes. The Christian Guardian summed up Methodism's new stand with regard to education:

³⁶ W. Mackenzie, news article in Colonial Advocate of York, Year 10, No. 492, October 26, 1833, second edition, p. 3, col. 1.

³⁷ S. D. Clark, op. cit., p. 266.

The time was when the Methodist Episcopal Church was called to direct her attention chiefly to the means immediately necessary for the promotion of the doctrines and spirit of Christianity, now she is as clearly required to connect with these the means of promoting education [. . .] We have done miracles with an uneducated ministry but let's not think education is unnecessary. [. . .] The time to prove the utility of education is past. [. . .] It is the obligation of the Methodist Episcopal Church to promote the cause of education both common and liberal.³⁸

It was shortly afterward that the Methodists began to look for the means of educating their youth³⁹.

After the division of the province of Quebec in 1791, the system of provincial and local government established by Lieutenant-Governor Simcoe in Upper Canada resulted in a conservative ruling clique sustained by a network of patronage. There was virtually no cohesive opposition to this state of affairs until the 1820's. The result was a government which perpetuated the religious and class views and policies of Simcoe and resisted the advance of democratic and equalitarian ideas and institutions. The constitutional provisions of the act of 1791 will be discussed in more detail in the following section of this paper but it is sufficient to state here that even the popularly elected Assembly granted by that

³⁸ T. Merritt, "The Great Duty of the Methodist Episcopal Church In regard to the promotion of Education", article in Christian Guardian of York, Vol. 4, No. 19, March 20, 1833, p. 73, col. 3-4.

³⁹ Vide p. 188.

act was sufficiently influenced and thwarted to render it ineffectual in resisting the authority of the executive government.

Before the 1820's individuals, such as Judge Thorpe and Joseph Willcocks before 1810, and Robert Gourlay from 1817 to 1819, stand out in their spirited and acrimonious opposition to the government but they were generally dismissed as demagogues and nuisance peddlers by the ruling clique. After 1820, while individuals such as Mackenzie, Bidwell and Duncombe stand out, the reformers' cause swelled into a movement fed by a succession of unfortunate incidents of government arbitrariness and bungling.

While political parties did not exist in the province in the modern institutional sense, alternatives of political persuasion, Tory and reform were not difficult to identify after 1820, with varying shades of opinion from the ultra Toryism of John Strachan to the radicalism of Mackenzie.

The Assemblies of 1828-1830 and 1835-1836 were definitely reform in character while those of 1831 to 1834 and 1836 to 1840 were Tory. In the Assembly the radical wing of the reform party squeezed out the more moderate reformers led by Robert Baldwin after 1830. The turbulence of the Assemblies of 1832 and 1833 leading to the expulsions and re-elections of William Lyon Mackenzie are well known. After the uprising of 1837 the radicals lost popularity and

influence and leading members, including Mackenzie and Charles Duncombe, fled to the United States. During the remainder of the decade, invasion from the United States was hourly expected and, indeed, two skirmishes⁴⁰ did take place led by disaffected Canadians and American sympathizers. These were quickly and rather cruelly repulsed but served to intensify anti-American feeling in the province.

The Tories drew their greatest support from the professions, the military, some farmers and artisans, merchants, ship-owners, and the Anglican, Presbyterian and Roman Catholic churches⁴¹. They were strongest in the towns particularly in the older Loyalist settlements. People who voted Tory tended to continue to vote Tory with the result that the Tories were more daring in their programmes and more provincial in outlook. The reformers, on the other hand, drew their support from the poorer settlers and farmers with little knowledge of finance or business⁴² and who were notoriously fickle at the polls voting for the candidate, Tory or reform, who promised the most that would be of immediate

⁴⁰ G. M. Craig, Upper Canada: The Formative Years 1784-1841, p. 258.

⁴¹ S. F. Wise, "Upper Canada and the Conservative Tradition" in Profiles of a Province, Toronto, Ontario Historical Society, 1967, p. 24.

⁴² Aileen Dunham, op. cit., p. 136.

personal benefit. Improvement, then, to many reformers meant roads and bridges for their own constituencies⁴³. The Tory Assemblies of the 1830's were generally more supportive of grandiose schemes involving large appropriations of Crown lands and taxation on rateable property to support a general system of education whereas the reformers spoke out more strongly for the sale of the Clergy Reserves for this purpose and somewhat guardedly for a voluntary tax on property. It must be stated, however, that the absence of a definitive party platform meant that on many issues there was often a complete lack of concurrence among members of the same party.

In the area of local government some local functionaries had been appointed and courts of quarter session given extensive powers before 1791. An attempt was made during the first session of the Upper Canada Legislature to procure the election of township officers through legislation, which Simcoe successfully frustrated. He boasted to the colonial secretary:

They [the House of Assembly] seemed rather to have a stronger attachment to the Elective principle for all Town affairs, than may be thought altogether adviseable; and a Bill for that Purpose was allowed to be postponed without much difficulty.⁴⁴

⁴³ Ibid., p. 29.

⁴⁴ Simcoe to Henry Dundas, Navy Hall, Niagara, November 4, 1792 in E. A. Cruikshank, The Correspondence of Lieut. Governor John Graves Simcoe With Allied Documents Relating to His Administration of the Government of Upper Canada, Vol. 1, Toronto, Ontario Historical Society, 1923, p. 250.

Eventually, however, the freeholders of townships were permitted to assemble together to elect minor office holders such as assessors, collectors and poundkeepers. The most important powers of local government were given to justices of the peace in quarter session⁴⁵. The justices were appointed by the lieutenant-governor and were themselves sources of patronage. While a few towns gained incorporation, York, for example, incorporated as the city of Toronto in 1834, municipal government by justices of the peace responsible to the lieutenant-governor, and through the quarter session remained the essential basis of local government until 1841. There was, then, no machinery at the level of local government to effectively initiate, implement and regulate educational structures.

An endeavour has been made in this section to outline the economic, social, religious and political background of the period under study. While there is danger of oversimplification, it is hoped that the attempt to identify the major trends and incidents will provide a meaningful context and perspective for the study of the effect of British colonial policy on educational development during the period.

⁴⁵ A. Dunham, op. cit., p. 34.

2. The Position of the Lieutenant-Governor in the Determination of Colonial Affairs.

The position of the lieutenant-governor in Upper Canada's affairs has been given scant attention by historians. Outside of veiled tributes to Simcoe as Upper Canada's first holder of the office and reference to somewhat nefarious political associations with the Family Compact by later incumbents, the office is generally given little importance and its possessors ignored. With the exception of Simcoe, few biographies of these men have been written. Historian Gerald Craig sums up the treatment:

Simcoe inevitably has a distinctive place in Upper Canada's history but [. . .] Those who came after him, with the calamitous exception of Sir Francis Bond Head, were for the most part orthodox, correct, rather frozen-faced individuals who did not come very much alive, either for their contemporaries or for posterity.⁴⁶

Quealey's⁴⁷ new look at Sir Peregrine Maitland, however, is an attempt to show the crucial role played by one lieutenant-governor during the embryo stage of many of Upper Canada's institutions and as such is an important contribution to filling the gap.

⁴⁶ Gerald M. Craig, Upper Canada: The Formative Years, 1784-1841, p. 20.

⁴⁷ Francis M. Quealey, The Administration of Sir Peregrine Maitland Lieutenant-Governor of Upper Canada 1818-1828, unpublished Ph.D. thesis, University of Toronto, 1968, xi-635 p.

Before the Constitutional Act, Quebec along with the other British North American colonies was ruled by a governor-in-chief resident in Quebec City. The governor was the representative of the sovereign, by whom he was appointed, and exercised many of the prerogatives of the Crown. He held the right to nominate the regular appointments to the Council which assisted him in the government of the province. This right gave the governor some control over the policies of the Council.

After the creation of Upper Canada by the Constitutional Act⁴⁸ in 1791, government was vested in a lieutenant-governor, Executive Council, Legislative Council and an elected, representative Legislative Assembly in each of the provinces of Upper and Lower Canada. The authority of the governor-in-chief was restricted to military affairs while the lieutenant-governor retained control over the civil affairs of the province. Lord Dorchester, governor-in-chief at the time of the separation of the provinces, attempted to consolidate his control over each province rather than relinquish it. This brought him into direct conflict with Simcoe and both sides appealed to the secretary of state. The resulting communication from the Duke

⁴⁸ George III, Cap. XXXI in Adam Shortt and Arthur G. Doughty, Documents Relating to the Constitutional History of Canada 1759-1791, Part 2, p. 1031-1051.

of Portland affirmed the supremacy of the lieutenant-governor in civil affairs "as by His Majesty's Instructions the Lieutenant-Governor of each Province is vested, [. . .] it follows of course that each Lieut. Governor must receive his directions from hence"⁴⁹. Again this relationship between the governor-in-chief and the lieutenant-governor was reaffirmed by Secretary of State Lord Bathurst in 1821.

When writing to Lieutenant-Governor Maitland he stated that

so long as the Governor in Chief is not resident within the Province of Upper Canada, and does not take the oaths of office in Upper Canada, he has no Controul [sic] whatever over any part of the Civil Administration; nor are you bound to comply with his directions or to communicate with him on any act of your Civil Government. To His Majesty you are alone responsible for the conduct of the Civil Administration.⁵⁰

An exception to the above principle occurred after the rebellion in 1837 and the consequent suspension of the constitution when the governor-in-chief, Poulett Thomson, assumed the direction of affairs in both Upper and Lower Canada in order to effect the union of the two provinces which came about in 1841.

⁴⁹ P. A. C., R. G. 7 G1, Vol. 539, Portland to Dorchester, Whitehall, May 27, 1795, p. 121.

⁵⁰ P. A. C., R. G. 7 G2, Vol. 1, Bathurst to Maitland, Downing St., February 9, 1821.

On his appointment the governor was issued instructions from the Home Government. These instructions, which he was required to lay before the Council, concerned the important questions of state. They were "the formal expressions of the king's will as to the manner in which the powers granted in the commission [the more formal instrument conveying broad powers to the governor on his appointment] were to be executed"⁵¹ or as the Board of Trade, the committee of the Imperial Government charged with colonial affairs at the time, succinctly put it, they were to be "'the rule of your conduct in all matters relative to the powers given you by your commission'"⁵². They were lengthy rambling documents of a highly formal phraseology which eventually became stereotyped. The necessity of acting upon the advice of the Council on matters contained in the instructions was occasionally overcome by some governors, Carleton and Haldimand⁵³ being prime examples, by simply withholding the instructions from the Council.

⁵¹ L. W. Labaree, Royal Government in America a Study of the British Colonial System before 1783, New York, Frederick Ungar, 1930, p. 14.

⁵² Board of Trade to William Popple [Governor of Bermuda], Feb. 17, 1749, C. O. 38, Vol. 9, p. 4, quoted in L. W. Labaree, loc. cit.

⁵³ A. Shortt and A. G. Doughty, Canada and Its Provinces, Vol. 4, Toronto, Glasgow Brook, 1914, p. 431.

The governor's commission gave him supremacy in legislation and after 1774 he was given a veto power over the Council although it was seldom used. The Council assisted the governor in both his legislative and executive functions. While its legislative powers were limited by the constitution⁵⁴, its executive function grew more important with the expansion and development of the province. Nevertheless the governor's control of appointment to its membership, his circumscription of matters referred to it and his veto power somewhat curtailed its effectiveness. The governor was thus the supreme agent in the colony in determining civil affairs before 1791. This power is described by Shortt and Doughty as follows:

[. . .] the supremacy of the crown in the government of Britain found its counterpart in the supremacy of the governor in the administration of Canada. Extensive executive powers and an effective check on legislation, combined with the crown's control of the public revenue, made the governor-in-chief dictator in the administration of the province.⁵⁵

⁵⁴ The constitution of Quebec between 1763 and 1791 was not contained in a single document. Rather it was derived from proclamations and statutes of the Imperial Parliament, most notably the Proclamation Act of 1763 and the Quebec Act of 1774, orders-in-council, commissions to governors, ordinances and statutes of the colonial government as well as the judicial interpretation of such enactments by the courts. Custom, the influence of British practice and exigencies of its operation, played their part in its determination.

⁵⁵ A. Shortt and A. G. Doughty, loc. cit., p. 433.

The governor's actions were limited only by the Home Government with whom he was expected to be in regular contact. On matters not contained in the instructions the governor could take action with or without reference to the Council, accountable only to his superiors in London. An adviser to the secretary of state wrote in 1783 or 1784 that "he [the governor] should be a man of considerable weight and influence and possess all the authority that can be delegated to the King's representative and to [sic] be accountable for the Conduct of his Administration to His Majesty-in-Council."⁵⁶

Much of what has been written⁵⁷ about colonial administration, pictures the colonial governor as a mere creature of the Home Government subservient to every command of the officials in London. Studies of colonial policy tend to account for colonial events by examination of the deliberations in the offices on Downing Street. Helen Taft

⁵⁶ P. A. C., C. O. 217, Vol. 56, [unsigned, undated], p. 412-413. This memorandum to the secretary of state appears in the Colonial Office series of the original correspondence to the government officials of Nova Scotia and Cape Breton, 1781-1784. According to Manning internal evidence suggests it was written by William Knox, a Colonial Office official. See H. T. Manning, British Colonial Government After the American Revolution, New Haven, Yale University Press, 1933, p. 12 and 35-36.

⁵⁷ See for example H. E. Egerton, op. cit., p. 253.

Manning⁵⁸ made a major contribution toward a better understanding of imperial administration. While recognizing the authority and influence of the Colonial Office and the commitment lieutenant-governors usually felt to the policy of the Imperial Government, Manning also recognized the independence of action forced on governors and lieutenant-governors by the circumstances in which they found themselves.

Colonial governors applied their own theories of government, sometimes rather eccentric ones, and they were too far away and too much the source of all the official information reaching England to make any effective supervision of their actions or policies possible
. Governors were often forced to make their own decisions, which frequently had little to do with any general principles of imperial policy.⁵⁹

Such a statement places the lieutenant-governor in a position of considerably greater power than the mere tool of the British Government. He thereby is cast into the role of a formulator of policy as well as an implementer. Manning's reference to the effects of time and distance on the governors' authority is reinforced by the knowledge that despatches

58 See principally Helen Taft Manning, op. cit., 568 p.

59 H. T. Manning, "Who Ran the British Empire 1830-1850?" in The Journal of British Studies, Vol. 5, No. 1, November, 1965, p. 89.

took from four to seven months to come by way of Quebec or Halifax and at least two months by way of New York⁶⁰.

As was the case before 1791, the lieutenant-governors, always military officers from Great Britain⁶¹, were appointed by commission under the sign manual during pleasure. On their appointment detailed instructions were issued. These had become stereotyped, even out-of-date and an examination of the clauses dealing with education issued to different lieutenant-governors reveal almost identical wording⁶². The instructions were detailed and precise but after 1830 most of the articles disappeared except those of a constitutional nature⁶³. In theory, although not always in

⁶⁰ G. C. Paterson, Land Settlement in Upper Canada 1783-1840, Sixteenth Report of the Department of Archives for the Province of Ontario, 1920, Toronto, Clarkson W. James, 1921, p. 4.

⁶¹ A. Dunham, op. cit., p. 30.

⁶² P. A. C., Manuscript Group 11, Supplementary II No. 10, Transcripts of Colonial Office Records Upper Canada, Instructions to Governors 1791-1839, Instructions to Guy, Lord Dorchester, St. James's 16th September 1791, articles 50 and 51, p. 47-49 and Instructions to Gordon Drummond, Carlton House, 29th December 1814, articles 49 and 50, p. 115-116.

⁶³ J. C. Beaglehole, "The Royal Instructions to Colonial Governors 1783-1854: A Study in British Colonial Policy," in Bulletin of the Institute of Historical Research, Vol. 7, No. 21, 1930, p. 186.

practice, they were the private orders of the king. While the lieutenant-governor usually discussed their contents with the Executive Council, he was not encouraged to do so with the elected Assembly⁶⁴. Prime-Minister Lord Liverpool writing to one of his colleagues in 1820 assured him that "the Assembly have no right to know what instructions are given by His Majesty to his Governor, except as they are known by his Acts"⁶⁵.

The central question pertaining to the instructions, however, is their legal status. Was the governor bound by law to follow them and what penalties could he expect for failure to do so? One scholar⁶⁶ who attempted to answer just such a question found difficulty in doing so. He could find no legal basis upon which compliance could be forced and so they were more in the nature of "instruments of political control"⁶⁷ without the force of law. At the same time their

⁶⁴ Sir Francis Bond Head embarrassed the Colonial Office by publishing his instructions in 1836.

⁶⁵ P. A. C., C. O. 138, Vol. 44, Liverpool to the Duke of Manchester, Downing Street, March 19, 1820, p. 45.

⁶⁶ D. B. Swinfen, "The Legal Status of Royal Instructions to Colonial Governors" in The Juridical Review, 1968, p. 21-39.

⁶⁷ Ibid., p. 22.

issuance under the sign manual was not to be regarded lightly. Failure to comply with the instructions could and often did bring sharp rebuke and in extreme circumstances the governor might be recalled.

The ongoing, daily administration of the colony was maintained by a steady stream of correspondence, both official and unofficial, crossing the Atlantic Ocean between Government House in Newark or York and the Colonial Office in London. Despatches emanating from the Colonial Office were regarded as extensions of the instructions and as such were intended to control the lieutenant-governor's actions in the management of colonial affairs. Similar penalties as noted above for failure to comply occurred but the lieutenant-governor might avoid these strictures by withholding information, as Sir John Colborne was accused of doing in the 1830's. The despatches do, nevertheless, give a fairly complete indication of the official attitude and action taken in regard to colonial matters and provide an important source of information regarding the role of government officials both in Upper Canada and Britain with regard to educational development in the colony.

The governor's powers under his commission were extensive since he had been vested with most of the prerogative powers of the crown. He could summon, prorogue or dissolve the Legislature, urge legislation, withhold assent

to bills or reserve a bill for consideration by the Home Government, expend money from the public treasury by warrant, appoint public officials and members of the Executive and Legislative Councils, as well as assume other powers of no concern to this study. There were, however, some restrictions on his authority. As stated earlier in this section he was restricted by directions received in despatches from the Colonial Office. He was required by his instructions to consult the Executive Council on important matters of state. Since these men were the governor's appointees, although often inherited from previous administrations, they were usually, as a group, in sympathy with his decisions. Manning also suggests that "the necessity of consulting them [. . .] must even have been a source of strength by giving weight to his decisions and keeping him in touch with colonial opinion"⁶⁸. Finally he was restricted by the customs and laws extant in the colony when he arrived as well as the legislative powers of the elected Assembly.

The governor was assisted in his executive and legislative functions by the Executive and Legislative Councils. The Constitutional Act made no direct references

⁶⁸ H. T. Manning, British Colonial Government After the American Revolution 1782-1820, p. 107.

to the Executive Council but it was generally understood that it was intended to be an advisory body to the governor and not responsible to the Legislature. It was comprised of both official members, such as the receiver-general and the chief-justice, and non-official members. Clergymen might sit on the Executive Council but were prevented from election to the Assembly⁶⁹. Most of the members of the Executive Council were also appointed to the Legislative Council which gave them a voice in the legislative process. A major source of friction with the reformers in the province was the lack of responsibility of the Executive Council to the Assembly.

The Legislative Council was to be comprised of at least seven members who would hold their seats for life unless they removed from the province or resigned their allegiance⁷⁰. The King was even authorized to attach hereditary titles to seats in the Legislative Council⁷¹ but this provision was never implemented. All public officials, except the attorney-general and solicitor-general, held seats⁷². The Legislative Council could initiate legislation

69 George III, Cap. XXXI, article XXI.

70 Ibid., article VIII.

71 Ibid., article VI.

72 A. Dunham, op. cit., p. 32.

and to it the governor often entrusted the initiation of his measures, but its chief responsibility was the consideration of bills passed up by the Assembly. Herein the governor was able to exert strong executive control over colonial legislation, while the Council became the object of the ire of the Assembly. One author's analysis of the position of the Legislative Council in the Canadian provinces is representative of historical opinion and bears quoting at some length.

The legislative council occupied a distinctly anomalous position in the government of the Canadian provinces. Normally, its function as a second chamber would have been to provide a check on hasty and unfair legislation and to extend its protecting care over interests not represented in the popular assembly. In the case of the Canadas there was in the creation of an appointed council the added motive of safeguarding the authority of the governor, the royal prerogative and British connection by assimilating, as far as possible, the constitution of the colonies to that of the motherland. [...] Their [the councillors'] appointment by a governor interested in a certain class of legislation destroyed their independence. The council gradually became simply the executive acting in its legislative capacity. [...] Its complete subjection to the dictates of the chief executive, who, with few exceptions, was compelled to assume the leadership of a political party, destroyed popular confidence in its integrity as a branch of the legislature.⁷³

The Assembly consisted of sixteen members⁷⁴ elected from the nineteen counties created in 1792. This

⁷³ A. Shortt and A. G. Doughty, Canada and Its Provinces Vol. 4, p. 467-468.

⁷⁴ George III, Cap. XXXI, article XVII.

membership increased in number over the years with revisions in the boundaries of districts, the rise of towns and the increase of population so that by 1841, there were eighty-one members⁷⁵. The attorney- and solicitor-generals were usually elected to the Assembly⁷⁶. At the opening of each Parliament the lieutenant-governor read a speech outlining the legislation he hoped the members would consider. At times these suggestions were dictated by the Colonial Office. They were not binding on the Assembly but were usually considered seriously⁷⁷. It was the practice of the British government after 1783 to entrust legislation concerning internal matters to the colonial Legislature but these matters were never specifically defined. Through influence and patronage the governor was able to exert a considerable degree of influence over the Assembly and its acts in the early decades⁷⁸.

The governor's independent action was strengthened also by the financial arrangement in the colony and this was also a source of friction. Revenue was derived from four sources. First, customs duties for goods coming into

75 G. C. Paterson, op. cit., p. 6.

76 A. Dunham, op. cit., p. 31.

77 H. T. Manning, op. cit., p. 133, and G. C. Paterson, op. cit., p. 6.

78 W. L. Morton, "The Local Executive in the British Empire 1763-1828" in The English Historical Review, Vol. 78, No. 306, July, 1963, p. 452.

Upper Canada were collected at Quebec. These were used to pay the expenses of civil government and were controlled by the governor. Second, the casual and territorial revenue was a large source of income including "rents from mills and ferries, fees for instruments under the great seal, and of the revenue from crown lands"⁷⁹ and over which the Assembly constantly tried to gain control. It too was controlled by the governor under the surveillance of the Home Government. Third, there was income derived from taxation, licences, militia fines and imports coming in from the United States by land. The unpopularity of taxation and the relative scarcity of currency made this source of income, the only one available to the Assembly, a limited one. The fourth source of revenue, grants from the Imperial Parliament, were controlled by that body or its functionaries. The Assembly then did not possess the financial weapons with which to force its will upon a governor with whom it disagreed.

79 A. Dunham, op. cit., p. 35.

3. Summary

The first section of this chapter has attempted to identify the major demographic, economic, social, religious and political forces in Upper Canadian society in the period under study. The first settlers to Upper Canada came in 1784 from the northern United States and large numbers continued to come from that source up to the War of 1812. After 1815 increasingly large numbers of people emigrated from the British Isles. Both the American and British immigrants were mainly of the lower classes, non-conformist in religion and democratic in political outlook although not necessarily republican. Most of the people farmed or worked in lumbering. Industry was essentially of the service variety so that towns remained small. Serious economic problems aggravated by a shortage of a circulating medium, poor roads and distance from markets dogged the colony throughout most of the period.

The social isolation of the frontier promoted independence and self-sufficiency. The settlers gravitated to the more emotional and evangelical forms of Protestantism particularly Methodism while the Church of England with its more educated clergy, orthodox theology and ritual became identified with the leaders in society and government. Since the Methodist preachers were usually Americans and the sect

was administered from the United States, Methodism became associated with democratic and republican ideologies. By the 1820's the Methodists had also become associated with the reform movement in politics. This alliance was fed by the attempts of the executive government to establish the Church of England. During the 1830's the Methodists underwent a gradual moderation in social orientation and weakened the ties with the more extreme reform position.

Fear of the infiltration of American democratic and republican ideas induced the executive government to resist concessions to popular demands. The result was a growing reform movement with a noisy radical fringe. The controversy culminated in rebellion in 1837 following which the more moderate elements of both positions predominated in government.

Local government was in the hands of functionaries appointed by the executive government with only minor officials elected to office.

The second section of the chapter has shown the extensive authority enjoyed by the lieutenant-governors in Upper Canada. Constitutionally the lieutenant-governor was expected to rule. He could be overridden by the governor-in-chief only when the latter was resident in the province. The lieutenant-governor could suggest legislation. He reviewed legislation, controlled patronage and expended money by warrant.

The lieutenant-governor was appointed by the Home Government through the Home Office and after 1801 the Colonial Office. On appointment the lieutenant-governor was issued formal instructions concerning his future conduct on questions of state. These were followed by frequent despatches dealing with the administration of the colony. Neither the instructions nor despatches were legally binding upon the lieutenant-governor but were intended to govern his actions.

The lieutenant-governor was required to seek the advice of the Executive Council on important matters of state but since he controlled appointment to its membership, the Council seldom acted contrary to his designs. Similarly the lieutenant-governor could exert strong control over legislation through appointments to the Legislative Council whose major responsibility was the review of legislation passed up by the elected Assembly. In the matter of finances the lieutenant-governor had recourse to several sources of revenue without the necessity of going through the Assembly.

The independent actions of the lieutenant-governor were restricted only by existing laws and customs, and his instructions from the Home Government. He was compelled by questions of time and distance from the Home Government to formulate policy as well as implement it but his position was by no means an easy one. He was expected to conduct the

government according to the wishes of the Imperial Government while at the same time the colonial establishment and the popular reform movement demanded he uphold their opposing positions. It was within the context of these difficulties that the lieutenant-governors dealt with the problems of education.

CHAPTER II

THE BRITISH BACKGROUND 1784-1840

The purpose of this chapter is to examine the background of the period from 1784 to 1840 in Great Britain, in order to determine the concurrent context of forces to those in Upper Canada in which policy decisions were made. This will be done through an identification and description of forces in Great Britain and of the position of the Colonial Office in the determination of colonial affairs.

The first section will examine the demographic, economic, social, religious, educational and political forces in Great Britain which impinged upon the decision-making processes in the Colonial Office. The second section analyses the position of the Colonial Office in relation to colonial affairs. To do this it is necessary to describe the evolution of the Office, its primary functions, and chief functionaries. The position of the chief functionary will then be analysed with regard to relations with the lieutenant-governor's office in the colony, the Imperial Cabinet and the Imperial Parliament. By so doing, it is hoped that a clear understanding may be gained of the relative position of the Colonial Office in the determination of colonial policy.

1. Demographic, Economic, Social, Religious, Educational and Political Forces in British Society, 1784-1840.

The 1780's marked the beginning of rapid economic changes in Britain. The Industrial Revolution with its new machinery, the introduction of steam power, and innovations in industry and agriculture resulted in remarkable increases in output in the major industries. Accompanying these developments were complex changes and problems associated with industrialization and urbanization. Towns expanded rapidly accompanied by appalling problems in overcrowding, health and sanitation. Population increased and in the years after 1815 the rate of growth was the highest in British history¹ with a more rapid increase in urban population than rural.

Smooth economic development was hampered by a number of factors. First, the long war with France from 1793 to 1815 placed a heavy drain on finances which in turn imposed a burden of mounting taxation on the British public. Second, bad harvests combined with high food prices and unemployment to intensify distress and in the particularly bad years of 1795, 1800-1801 and 1811 the working classes were driven to riot and disturbance. Discontent continued

¹ D. Beales, From Castlereagh to Gladstone 1815-1885, London, Thomas Nelson and Sons, 1969, p. 31.

after the war culminating in the infamous "Peterloo Massacre" in 1819 which fed the cause of agitators and reformers for years to come. Fluctuations in production, employment, wages and prices resulted in varying degrees of prosperity in the 1820's and 1830's but a series of bad harvests coupled with high prices and unemployment from 1837 to 1840 resulted in prolonged depression during those years.

One result of the economic hardships and resulting poverty was the migration of large numbers of people from the British Isles to the colonies. The pace of emigration increased during the 1820's and 1830's. In 1832 over sixty-six thousand immigrated to British North America² alone.

Perhaps the most striking feature of British society during the period was the contrast in extremes in class structure. The great hereditary landlords dominated society as well as possessed considerable political power particularly in the House of Lords³. Before 1834 the majority of members of the Imperial Cabinet were drawn from the House of Lords. Their concerns not unnaturally were to preserve the constitution as they perceived it and protect their own propertied interests. In contrast was the vast bulk of the

2 Helen I. Cowan, op. cit., p. 288.

3 D. Beales, op. cit., p. 46.

working class population. While there were wide variations in the picture, it can be stated that the living conditions of many were extremely low. Low wages, poor housing, long hours of work, child labour, overcrowding and the resulting moral and intellectual decay characterized many sections of the working classes. Between the working class and the gentry a rather amorphous middle class can be discerned. The middle class composed of shopkeepers and clerks was likely to be more respectable and more literate than the working class and their opinions came to be more politically important⁴.

Closely associated with the dominance of the landed gentry was the Church of England⁵, considered the established church and supported by large property holdings, tithes and annual grants from Parliament. The upper hierarchy consisting of twenty-six English and four Irish archbishops and bishops sat in the House of Lords⁶ forming at times a formidable pressure group. The Church of Scotland was also established and supported by endowment and government grants.

⁴ G. Kitson Clark, The Making of Victorian England, London, Methuen, 1962, p. 123.

⁵ The correct title after 1801 was "the United Church of England and Ireland".

⁶ D. Beales, op. cit., p. 59.

The nonconformist religious groups, however, suffered serious civil disabilities. By the Test and Corporation Acts they could not hold municipal offices. Nonconformists could not matriculate at Oxford, or take a degree at Cambridge and professors of both universities were required to sign the Thirty-nine Articles of faith. A licence to teach from the bishop of the diocese was required of masters of grammar schools⁷ although not always enforced. Similar civil disabilities were imposed on Roman Catholics who, in addition, were prevented from sitting in Parliament. Opposition to these discriminatory practices resulted in their removal through the repeal of the Test and Corporation Acts in 1828 and the signing of the Catholic Emancipation Act in 1829 after long, contentious discussion.

Education was in a poor state throughout the period and illiteracy widespread. Dame schools, Sunday Schools and charity schools sponsored mainly by Church societies and individuals offered a modicum of elementary instruction although education of the lower classes was not generally encouraged particularly in the early decades. It was thought that education would make the lower classes discontented with their lot in life and rebellious as a result. The excesses of the Paris mob reinforced this belief. One writer theorized:

7 H. C. Barnard, A Short History of English Education, London, University of London, 1947, p. 16.

The laborious occupations of life must be performed by those who have been born in the lowest stations [. . .] The man whose mind is not illuminated by one ray of science, can discharge his duty in the most sordid employment without the smallest views of raising himself to a higher station. His ignorance is a balm that soothes his mind into stupidity and repose, and excludes every emotion of discontent, pride and ambition. A man of no literature will seldom attempt to form insurrections, or plan an idle scheme for the reformation of the State.⁸

The major representative of the Church of England in the education of the poor, the Society for Promoting Christian Knowledge, had as one of its aims the training of the poor in proper habits of humility toward the ruling class⁹. The Church itself was ambivalent in its attitude toward the education of the poor, concerned that the poor were denied the opportunity to read the scriptures for themselves yet fearful for the reasons mentioned above to encourage it. The resolution of the argument was to provide only enough instruction to the poor that they might be enabled to read. One Sunday School tract of 1806 bluntly put it, "'The learning we are to communicate is only intended to enable you to read the scriptures and to see that it is the will of God that you should be contented with

⁸ Eusebius, "On Sunday Schools - A little learning very dangerous", article in The Gentleman's Magazine, Vol. 67, Part the Second, October, 1797, p. 820.

⁹ Nicholas Hans, Comparative Education, A Study of Educational Factors and Traditions, London, Routledge and Kegan Paul, 1949, p. 132.

your station,"¹⁰.

The problem of bringing literacy to the masses quickly and cheaply was tackled by Joseph Lancaster and Andrew Bell, the leading nonconformist and Anglican advocates of the monitorial system. The British and Foreign School Society and the National Society for Promoting the Education of the Poor in the Principles of the Established Church founded in 1808 and 1811 respectively to propagate the Lancaster and Bell systems, rivalled one another for dominance in the field. Both were supported by subscription. While the former enjoyed the patronage of the monarch, the latter benefited from financial appeals from the Crown through the established clergy¹¹. Both were given direct subsidies from the government in 1833, the first such assistance to education in Britain. There was no central supervising body until the Committee of the Privy Council on Education was formed in 1839 which concerned itself mainly with the allocation of grants.

The great public schools and most grammar schools were dominated by the Church of England. A narrow classical curriculum, low moral tone, low intellectual standards and

¹⁰ Quoted in L. Stone, "Literacy and Education in England 1640-1900" in Past & Present, No. 42, February, 1969, p. 91.

¹¹ J. Hurt, Education in Evolution, Church, State, Society and Popular Education, 1800-1870, London, Rupert Hart-Davis, 1971, p. 26.

appalling housing were common characteristics. It was the age of the infamous flogging headmaster of Eton, John Keate, 1809 to 1834, and riot in the schools was not uncommon. Thomas Arnold, an acknowledged leader in grammar school reform, did not take up his first headmastership at Rugby until 1828.

The insistence of the grammar schools on classical curriculum was due to the belief that it provided the best preparation for life for a gentleman and thus assisted in preserving the distinctions of social class. Stone describes its function as follows:

The ostensible function of studying the classics was - and is - to preserve and foster the humanistic values of the ancient world [. . .] the latent functions of the classics [grew] in importance, namely the reservation of higher culture as the distinctive monopoly of a social élite.¹²

The only universities in England before 1825 were Oxford and Cambridge whose control by the Anglican Church has already been mentioned. These, too, were at a low ebb. In 1825 the University of London was founded at the instigation of radical politicians, particularly Joseph Hume, and supported by the nonconformist communions. It differed in almost every way from the two ancient universities, open to all rather than exclusive, secular not religious, and professionally oriented rather than classical. It was the

¹² L. Stone, loc. cit., p. 71.

first crack in the domination of higher education by the Church of England.

The Scottish system of education was generally better than the English. An integrated system of parish schools, good secondary schools and the Universities of Edinburgh, Glasgow and St. Andrew's offered a more liberal and better quality education than could be procured in England.

As in Upper Canada there were no political parties at the time in Britain in the modern institutional sense. Yet opinion generally ranged itself on most questions on at least two sides on the basis of commonly held principles. "'The spirit of party influences every man's opinion'"¹³ wrote one contemporary in reference to parliamentary designations of "Whig" and "Tory" although party loyalties were often quite fluid and even less distinguishable in the eighteenth century. Policy lines were often determined in the coffee houses of the aristocracy and at dinner parties¹⁴. The few party meetings held were generally used for disseminating rather than arriving at policy decisions¹⁵.

¹³ L. Strachey, R. Fulford, The Greville Memoirs, 1814-1860, London, 1938, p. 76.

¹⁴ A. Aspinall, "English Party Organization in the Early Nineteenth Century" in The English Historical Review, Vol. 41, July, 1926, p. 396.

¹⁵ Ibid., p. 393.

The central notions of Toryism were "'degree' and 'order'"¹⁶, beliefs that society was necessarily arranged in a hierarchy of value and authority and therefore the high had a duty to govern the low for the good of the whole. The Tory party was aristocratic, held a strong respect for the Church of England and a conviction that Church and State were inseparable, and responsible positions, therefore, were the preserve of Anglicans. The Tories were dedicated to preserving the forms of a hierarchical society and the Church but at the same time were conscientious in introducing humanitarian reforms for the benefit of all levels of society. The two ideas were not incompatible. Before 1812 it is easier to identify factions, coalitions and representative interests in the government than political parties¹⁷. After 1812, however, Prime-Minister Lord Liverpool succeeded in coalescing a Tory ministry which held power until 1827 and again under the Duke of Wellington from 1828 to 1830 and briefly in 1834.

The Whigs were no less aristocratic than the Tories. They accepted the hierarchical structure of society on the basis that rule of the masses by those provided with the

¹⁶ Samuel Beer, British Politics in the Collectivist Age, New York, Alfred A. Knopf, 1965, p. 3.

¹⁷ Asa Briggs, The Age of Improvement 1783-1867, London, Longmans, Green, 1959, p. 107-108.

means, intelligence and expertise provided stable government¹⁸. The Whigs were dedicated to reform and economy in government. They dominated the government in 1827 and from 1830 to 1841 except for a brief period in 1834.

A third political group known as the "Philosophical Radicals" grew out of the political activities of the middle class¹⁹. The Radicals based their stand on the doctrine of utilitarianism. They worked to bring about the greatest happiness for the greatest number by promoting more efficient government, universal education, parliamentary reform and removal of government restrictions on individual freedoms²⁰. Their voice was increasingly heard in the Parliaments of the 1820's and they were loosely allied with the Whigs in the early 1830's²¹.

In the matter of policy towards the administration of the colonies before 1815 it is possible to discern two guiding principles relevant to social institutions, first

18 S. Beer, loc. cit., p. 12.

19 D. Beales, op. cit., p. 67-69.

20 Anthony Wood, Nineteenth Century Britain 1815-1914, London, Longmans, Green, 1960, p. 43.

21 Ibid., p. 42.

that Canada should remain British²² and second that the Church of England should be established in the colony²³.

In 1782 when Britain was bemoaning her losses in the Revolutionary War, reorganizing colonial administration and adjusting her imperial policies, the shadow of the American loss hung over all her deliberations. A grim determination to hang on to all that was left because Britain's future remained inexorably bound up with that of the Empire, coloured all decisions. The result was not so much a subservience to the whims and wants of the colonies as a determination not to antagonize them and become embroiled in another conflict with colonial Legislatures. Manning concludes that,

With one or two honorable exceptions, British statesmen between 1783 and 1815 acted on the assumption that the still waters of colonial administration, no matter what pestilence they might be breeding for the future, were better left absolutely undisturbed.²⁴

This was the principle which guided the thoughts of those who reorganized the British North American possessions after the war and became the key to most ministerial decision-making for at least thirty years. A memoranda drawn up

22 H. Manning, op. cit., p. 12.

23 Peter Burroughs, The Canadian Crisis and British Colonial Policy 1828-1841, Toronto, Macmillan, 1972, p. 10.

24 H. Manning, op. cit., p. 12-13.

shortly after the war for the secretary of state's consideration illustrates it very clearly.

The British Dominions on the Continent of North America being now reduced to Nova Scotia and a Slip of Canada, it is matter of the most serious consideration how the Country we now possess may be rendered most advantageous to this Nation and retained as an appendage of it. The permanency of their Connexions with this Country should therefore be the Ground for every Measure respecting our Colonies; The advantages to be derived from them should be the second object of our attention and their prosperity to be encouraged, only in so far as it may consist with these two, for it would be much better to have no Colonies at all, than to have them in competition with this Country, or Revolt from it.²⁵

After the conquest the Imperial Government was faced with the problem of what to do with a colony which was not only French but also predominantly Roman Catholic. Rather than a policy of repression, the Government adopted a course of action to encourage and strengthen the Church of England in Quebec as the most likely method of successfully resisting the influence of the Roman Catholic Church. The appointment of bishops to Nova Scotia in 1787 and Quebec in 1793 and the endowment by Clergy Reserves under the Constitutional Act of 1791 were practical steps in this policy.

After 1815 the Tory administration attempted to uphold the supremacy of the executive government in Upper Canada and the claims of the Church of England to the

²⁵ P. A. C., C. O. 217, Vol. 56, Colonial Office Memorandum, [unsigned, undated, - probably 1783 or 1784, see p. 35 of this paper].

privileges of an establishment. Rising opposition to the colonial governments, the resulting investigations and report of the Canada Committee of the House of Commons in 1828 marked the beginning of a change in policy. It was also the time of the removal of restrictions on nonconformists and Roman Catholics and acceleration of the first reform movement in Parliament. Late in the 1820's and throughout the 1830's the Whig policies of economy and reform in terms of redress of grievances and conciliation to popular demands²⁶ in the colony characterized colonial policy. It was bolstered by incessant insistence of the Radicals that the colonists be allowed to determine their own institutions and that the expenses of colonial administration be reduced²⁷.

In this brief analysis of forces in a society as ancient and complex as that of Great Britain, there is a risk of over-simplification and over-generalization. This risk, however, must be taken in order to establish a meaningful context for the discussion of relevant evidence in the chapters to follow.

26 H. Manning, "The Colonial Policy of the Whig Ministers, 1830-37" in The Canadian Historical Review, Vol. 33, No. 3, September, 1952, p. 203-204.

27 P. Burroughs, "Parliamentary Radicals and the Reduction of Imperial Expenditure in British North America" in The Historical Journal, Vol. 11, No. 3, 1968, p. 448.

2. The Position of the Colonial Office in the Determination of Colonial Affairs.

The Colonial Office has been the subject of considerable study and unfortunately of much misunderstanding. The traditional picture²⁸ of the Colonial Office has been of a rather stuffy, insensitive department of the British Government wielding the authority of that government in its overseas possessions and remaining relatively impervious to change and reform. Beaglehole²⁹, who has made a scholarly study of the Colonial Office, attributes this impression to parliamentarians Edward Gibbon Wakefield, Charles Buller and William Molesworth, all members of the political group of Philosophical Radicals who agitated for extensive and rapid reforms. When reform was too slow and too little to their liking they accused the Colonial Office and particularly Permanent Undersecretary James Stephen of obstructionism and of wielding an arbitrary authority over the affairs of the British colonies. These accusations were largely unsubstantiated but widely quoted and contributed to the perpetuation of a Colonial Office legend concerning its

²⁸ See for example, Charles H. Currey, British Colonial Policy 1783-1915, London, Oxford University Press, 1916, pp. 5, 19 and 26.

²⁹ J. C. Beaglehole, "The Colonial Office, 1782-1854" in Historical Studies Australia and New Zealand, Vol. 1, No. 3, April 1941, p. 170.

bureaucracy and its control over the internal affairs of the colonies. In addition to Beaglehole, the works of Manning, Paul Knaplund and more recently Peter Burroughs have contributed to a "revisionist interpretation" of the administration of the Colonial Office and its control over colonial affairs. Other recent studies such as those by D. B. Swinfen, John Cell and Donald Young have made significant contributions towards an understanding of the development and internal administration of the Office. It is on the works of these students of the Colonial Office that the following description is principally based.

After the War of Independence in America was lost, a reorganization³⁰ of the administration of colonial affairs took place. The office of Colonial Secretary, which had been created in 1768, was abolished in 1782 along with the old Board of Trade and Plantations whose services in collecting information and giving advice had not been invaluable. The responsibilities of the Board of Trade and Plantations were assumed by a Committee of the Privy Council for Trade and Plantations while the executive duties of the colonial secretary were taken over principally by the secretary of state for the Home Department who was responsible also for

³⁰ The changes were incorporated into an act of the British Parliament, 22 George III., Chapter 82., popularly known as "Burke's Act".

the affairs of war. The Privy Council Committee, however, concerned itself mainly with the subject of trade and unlike the old Board of Trade rarely communicated with the colonial governors³¹. The home secretary was therefore its major source of information. The responsibilities of the home secretary with regard to colonial affairs are efficiently summarized by Beaglehole as follows:

With the secretary of state (the home secretary, in effect) rested the general supervision of government in the colonies, advice on the sanction or disallowance of colonial legislation, the framing of bills to be recommended to colonial legislatures and the drafting of commissions and royal instructions for governors, the consideration of plantation commerce, 'the preparing of the estimates for the civil establishments of the colonies to be laid before Parliament', and correspondence on the foregoing with the Privy Council, the Treasury, other public boards and colonial governors.³²

The Committee of the Privy Council or the Board of Trade as it became familiarly known was also concerned with the preparation of instructions and despatches, the review of colonial legislation, the superintendence of land grants and other responsibilities not the concern of this study.

Those duties enumerated in both lists above which had particular relevance to educational affairs in the colonies will be described in more detail later in this section.

³¹ Helen Taft Manning, British Colonial Government After the American Revolution, 1782-1820, p. 76.

³² J. C. Beaglehole, op. cit., p. 172.

In 1794 the work of the home secretary was divided and an additional secretary appointed to take charge of war and the colonies. The new Secretary of State for War and the Colonies, however, was so occupied with the war against France that the home secretary maintained responsibility for the colonies until 1801. From 1801 to 1854 when a separate Secretary of State for the Colonies was appointed, the administration of the colonies was directed by the Secretary of State for War and the Colonies although the office during that period is generally referred to as the "Colonial Office" and its chief functionary as the "colonial secretary".

One important function of the colonial secretary and the Committee of the Privy Council was the review of colonial laws. The colonial governor was required to forward copies of all colonial acts, his reasons for their acceptance, reservation or rejection³³, and copies of the journals of the Legislature. The acts were reviewed by the legal counsel to the colonial department on "point of law". According to Manning this phrase came to be interpreted as "(1) whether consistent with the governors' instructions and commission; (2) whether repugnant to the law of England; (3) whether act

³³ In practice, the lieutenant-governors of Upper Canada usually commented on only the two latter courses of action.

will have the effect intended"³⁴. The laws were also reviewed by the Privy Council and the Board of Trade. Following this process acts were either confirmed, disallowed or "left to their operation"³⁵, an administrative device which obviated the necessity of an order-in-council. On occasion when constitutional points were involved, the colonial secretary might also refer to the law officers of the Crown.

The preparation of commissions and instructions to newly-appointed governors was the responsibility of the secretary of state with the concurrence of the Board of Trade and Privy Council a formality. Instructions dealing with imperial land policy were, however, deliberated seriously by the Board and its suggestions incorporated in the instructions. It must be stated here, however, that instructions on land policy between 1784 and 1825 placed it virtually at the disposal of the governors³⁶. By the 1820's the instructions were being composed by the Colonial Office

³⁴ Manning, loc. cit., p. 77, footnote 5.

³⁵ D. B. Swinfen, Imperial Control of Colonial Legislation 1813-1865, A Study of British Policy towards Colonial Legislative Powers, Oxford, Clarendon Press, 1970, p. 12.

³⁶ R. G. Riddell, "A Study in the Land Policy of the Colonial Office, 1763-1855" in The Canadian Historical Review, Vol. 17, No. 4, December 1937, p. 388.

and the necessity for the approval of the Board of Trade had disappeared.

The legal status of the instructions has been discussed in a previous chapter of this paper³⁷. While they became stereotyped and were considerably revised after 1830, they were intended to be

first creative, then regulative [. . .] they generally indicate the ideal of colonial government as envisaged by the British government, and that, taken in conjunction with supplementary evidence, they give a fairly accurate reflex of the movement of colonial policy.³⁸

Reference has already been made³⁹ to Sir Francis Bond Head's instructions in 1836 which, in the revised form after 1830, outlined the approach it was intended should be taken to the basic problems of Upper Canada and which he mistakenly publicized. The instructions to the lieutenant-governors of Upper Canada which concerned education will be examined in succeeding sections.

The regular and more frequent contact carried on by the Colonial Office with the lieutenant-governors through despatches shows the effectiveness of the system in practice.

37 Vide p. 38.

38 J. C. Beaglehole, "The Royal Instructions to Colonial Governors, 1783-1854: A Study in British Colonial Policy", op. cit., p. 186.

39 Vide p. 38, footnote 64

Requests and questions from lieutenant-governors often went unanswered and points raised for consideration unmentioned. Nevertheless the despatches give a comprehensive picture of the attitudes, opinions and since they were largely the responsibility of the colonial secretary, the personal abilities of the colonial secretary. Labaree⁴⁰ points out that the despatches from the colonial secretary were almost equivalent to a letter from the king himself.

This fact is illustrated by the very language used. Expressions such as 'I am commanded by his Majesty to signify to you his Majesty's pleasure,' or 'His Majesty has thought fit to direct,' are common preliminaries to orders from the secretary of state, but almost never occur in letters of other officers. Diplomatically and constitutionally, the secretary's letter to the governor was, of course, inferior in rank to any document bearing the sign manual or one of the royal seals. On the other hand, it was more authoritative than a letter from any other official or department in England.⁴¹

In spite of the fact that the Board of Trade and other boards and committees such as the Treasury and the Ecclesiastical Board carried on separate business with the colonies, the central and key role in the administration of the colonies was that of the secretary of state. The secretary of state might discuss colonial business with the cabinet but the day-by-day conduct of that business was his responsibility. Manning states:

⁴⁰ L. W. Labaree, op. cit., p. 28.

⁴¹ Ibid.

From other members of the government they received comparatively little assistance. Colonial business was not infrequently discussed by the cabinet but, as far as we can judge, the other ministers looked to the home secretary [and later the colonial secretary] to settle debatable points of policy. The personal abilities of that minister were therefore an important factor in colonial government.⁴²

The secretary of state was assisted by a parliamentary undersecretary whose function was to read and draft despatches and often to act as a go-between for a governor and the secretary of state⁴³ when the governor found the strictures imposed by official communications too confining. Sir John Colborne wrote frequently to Undersecretary Hay for this reason. Similarly the undersecretary might communicate unofficially to a governor any information the secretary of state wished to keep out of the records. Manning⁴⁴ points out, however, that this does not mean that the undersecretary had any particular influence over colonial affairs particularly before 1812.

From 1804 to 1812 the attentions of the Secretary of State for War and the Colonies were again devoted to the conduct of the war with France. During these years few

⁴² Manning, op. cit., p. 89-90.

⁴³ J. C. Beaglehole, "The Colonial Office, 1782-1854", op. cit., p. 175.

⁴⁴ Manning, op. cit., p. 89.

despatches concerning colonial affairs were written⁴⁵. In 1812 Lord Bathurst began a fifteen-year tenure as colonial secretary. During this same period Henry Goulburn and Robert Wilmot Horton served nine years and six years respectively and consecutively as parliamentary undersecretaries and in 1813 James Stephen commenced a thirty-seven year association with the Colonial Office. These long terms resulted in a more consistent and continuous approach to the affairs of the colonies and consolidation of the administration of the business of the Colonial Office. The volume of correspondence with the colonies increased and Goulburn assumed a greater share in decision-making than previous undersecretaries. Bathurst made reforms in the administration of the Colonial Office and instituted the practice of "Blue Books", an accounting of colonial finances to Parliament. On the contribution of Bathurst and Goulburn to colonial administration, Manning concludes that "[they] unquestionably created a Colonial Office where none existed before, and in so doing they performed a task which was essential if the British Empire was to survive"⁴⁶.

⁴⁵ Donald M. Young, The Colonial Office in the Early Nineteenth Century, Imperial Studies, No. 22, London, Longmans, 1961, p. 12.

⁴⁶ Manning, op. cit., p. 483.

By 1815 the Committee for Trade was no longer taking an active role in colonial administration. It concerned itself only with those laws dealing with trade leaving the responsibility for accepting or rejecting colonial acts increasingly with James Stephen, to whom Beaglehole refers as "one of the greatest of nineteenth century public servants"⁴⁷. In the fall of 1813 Stephen began working for the Colonial Office as a part-time legal counsellor. He very soon, however, became involved in a variety of areas dealing with the legal business of the colonies and his advice occasionally extended to policy⁴⁸. In 1825 Stephen resigned his law practice to become full-time counsel to both the Colonial Office and the Board of Trade. He became assistant undersecretary in 1834 and from 1836 to 1847 served as permanent undersecretary. Considerable controversy has surrounded the role of James Stephen in the Colonial Office. Buller and Wakefield accused him of an inordinate amount of power in the decision-making process in the Colonial Office and of actually formulating imperial policy. The legend of "Mr. Mother Country" persisted. Manning⁴⁹ feels that Stephen did

⁴⁷ J. C. Beaglehole, op. cit., p. 178.

⁴⁸ D. B. Swinfen, op. cit., p. 15.

⁴⁹ Manning, "Who Ran the British Empire 1830-1850?", op. cit., p. 88.

very little governing except during Glenelg's administration from 1835 to 1839. The extent of Stephen's influence in the Colonial Office is beyond the scope of this paper but his long association with that department must have made him an invaluable source of information particularly during the numerous short administrations of the 1830's and thereby an indirect influence at least, in the formulation of policy. His marginal notes on the despatches of the lieutenant-governors of Upper Canada are an important source of information concerning official attitudes and reactions in the Colonial Office. Manning assesses Stephen's contribution to colonial administration as follows:

James Stephen played an indispensable role in gathering information, explaining past procedures and legal precedents, and calling the attention of his chief to matters needing immediate attention. Since he was a man of strong beliefs, his memoranda express very decided opinions. He insisted on upholding the rights of elected assemblies [...]. Nevertheless, Stephen often lacked insight into colonial conditions and colonial psychology, and it was fortunate that he was never as all powerful as his enemies considered him.⁵⁰

The colonial secretary enjoyed a high degree of responsibility in the Imperial Government for the administration of the colonies but he was at the same time dependent upon the colonial governors for its implementation. The instruments of control were only as effective as the office-

⁵⁰ Ibid., p. 116.

holders wanted and were capable of making them. The colonial secretary exercised some control by virtue of the fact that he appointed the lieutenant-governors and by the same token he could and did remove them. Considering that no particular qualifications, training or experience were required of prospective appointees, the men chosen were for the most part conscientious and loyal representatives of the Crown. While the governor often disagreed with the policies and decisions handed down,

he endeavours to conduct his government according to the policy of the imperial cabinet, with a view to the present prosperity and future greatness of a country in which England has a deep interest; and above all things, with the intention of preserving, against all opposition, the unity of the empire.⁵¹

The main instruments of effective control over the actions of the lieutenant-governors were, of course, the instructions and despatches. Even though these documents had no legal effect, they were generally regarded seriously by the lieutenant-governors. While the lieutenant-governor might choose to ignore or delay the suggestions and dictates of the Colonial Office, he seldom acted contrary to their intent. Lieutenant-Governor Arthur when setting down his observations on Baldwin's theory of responsible government

⁵¹ "Report. The Select Committee to whom was referred the Report of the Right Honourable the Earl of Durham, Her Majesty's late Governor-in-Chief of British North America" in H. E. Egerton and W. L. Grant, Canadian Constitutional Development, Toronto, Musson, 1907, p. 178.

in a letter to Governor-General Thomson made this point:

one of the objects of 'Responsible Government' was to get rid of the interference of the Colonial Minister which nothing would effect but an Executive Council responsible to the House of Assembly - because the officer administering the Government never could be expected to place himself in opposition to the Instructions of the Secretary of State however prejudicial he might consider them to be to the interests of the Province.⁵²

While the lieutenant-governors could and did exercise executive authority, they were acutely aware of the reactions their actions would bring from London. Their decisions in structuring the society of Upper Canada were influenced by the policies communicated in official correspondence from London. As has been mentioned earlier, the lieutenant-governors were not the mere tools of the Imperial Government, merely carrying out orders. Political expediency, time and distance dictated that they make many decisions without recourse to the secretary of state. The advice and information transmitted by the lieutenant-governor was usually taken seriously by the Home Government. According to Manning, "In Canada he [the lieutenant-governor] had real influence with the secretary of state when decisions affecting the colony were to be made"⁵³. By the same token

⁵² Arthur to Thomson, [c. Apr. 8, 1840] in C. R. Sanderson, editor, The Arthur Papers, Vol. 3, Toronto, Toronto Public Libraries and University of Toronto Press, 1943, p. 13.

⁵³ Manning, British Colonial Government After the American Revolution, 1782-1820, p. 126.

suggestions from colonial leaders such as Baldwin, Mackenzie, George and Egerton Ryerson who went to London to plead popular causes did not go unheeded and played their part in the formation of imperial policy.

The colonial secretaries unlike the lieutenant-governors were politicians holding a responsible Cabinet position and a seat in either House of Parliament. The colonial secretary was not compelled to discuss Canadian affairs with the cabinet although he sometimes did so concerning important constitutional matters and the distribution of patronage. Manning explains that

the real authority had come to rest more and more in the hands of the colonial secretary, who might discuss his problems with his colleagues individually, but did not often think it necessary to ask for guidance from the cabinet as a whole.⁵⁴

Though he need not consult the Cabinet, the colonial secretary was part of a ministry dedicated to the fulfillment of generally agreed upon policy principles. He was also subject to pressures from other departments of government such as the Treasury and Foreign Office as well as various pressure groups in the Imperial Parliament.

Colonial secretaries generally attempted to keep discussion of colonial affairs out of Parliament, not through any lack of interest but out of fear of becoming embroiled

⁵⁴ Manning, "Colonial Crisis Before the Cabinet, 1829-1835" in Bulletin of the Institute of Historical Research, Vol. 30, No. 81, May, 1957, p. 44.

once again in conflict with colonial Legislatures⁵⁵. Successive ministries were determined particularly to keep out of the internal affairs of the colonies and to allow the Colonial Office to assume the responsibility for colonial administration. There were five ways⁵⁶, however, the Imperial Parliament could influence colonial policy. There could be a motion for a select committee to investigate some aspect of policy as occurred in the case of the Canada Committee; there could be debate on a government measure; or debate on a motion to adjourn the House; there was an annual discussion of the Colonial Office estimates; and there was the asking of questions and presenting of colonial petitions. When the Government held a majority, discussion through any of these means could accomplish very little other than to keep an issue alive. Nevertheless while restraints on parliamentary discussion continued to be influential, mounting criticism of Tory policies in the 1820's resulted in a renewed interest in colonial affairs which persisted throughout the 1830's.

⁵⁵ Manning, British Colonial Government After the American Revolution, 1782-1820, p. 69 and Peter Burroughs, The Canadian Crisis and British Colonial Policy 1828-1841, p. 28.

⁵⁶ Henry Hall, op. cit., p. 62.

Notwithstanding all the sources of influence and control, the Colonial Office played a major role in the formulation of colonial policy.

3. Summary

The period from 1784 to 1840 in Britain was one of change. Changes in industry increased output but fluctuations in prices and unemployment went virtually uncontrolled. These conditions coupled with the price of war, low wages and poor living conditions caused much discontent. Thousands sought a better life through migration.

Society was rigidly stratified and the rich and titled assumed responsibility for governing the poor. The Church of England and the upper class were mutually supportive in their efforts to maintain the privileges of class and preserve the status quo. A rising, popular reform movement, however, resulted in the removal of statutory discriminations against nonconformists and Roman Catholics.

Education was in a poor state. Schools for the poor were a result of the paternalistic concern of the Church and philanthropic individuals for the poor but were often restricted to instruction in reading. Grammar schools and the Universities of Oxford and Cambridge were virtually controlled by the Church of England. They were religiously and socially exclusive and offered the classics almost solely. Education in Scotland was somewhat better than in England. The state

did not enter the field of education until 1833 when the first grants were made. No government supervision took place until 1839.

Parliament was dominated by factions and coalitions but political divisions of Whig and Tory and later Radical could be roughly discerned, particularly after 1812. The Tories supported the alliance of Church and State and in colonial policy sought to strengthen British institutions against the infiltration of American democratic ideas. The Whigs on the other hand were interested in reform which meant conciliation to popular demands and economy at home and in the colonies.

The administration of the colonies was principally the responsibility of the home secretary from 1782 to 1801 and of the colonial secretary from 1801 to 1854. The chief functions of this secretary of state were, first, to review acts of the colonial legislature. This was done by submitting the acts to a legal counsel or sometimes to the law officers of the Crown and then confirming, disallowing or leaving them "to their operation". A second function was the ongoing administration of the colony through the preparation of the governor's instructions and despatches and the maintenance of regular correspondence with colonial officials. The despatches carried the weight of royal authority.

The secretary of state was assisted by a parliamentary undersecretary, from 1825 a permanent undersecretary and by a legal counsel. While at times, particularly during the terms of weak secretaries, these subordinates had a direct role in the formulation of policy, there is danger in ascribing too much power to their offices.

While colonial policy might be formulated in the Home Office and later the Colonial Office, it was dependent upon the colonial governors for implementation. The governors might ignore, delay or alter the suggestions from home, but they generally regarded them seriously with virtually the force of commands. At the same time, suggestions from the governors to the Colonial Office were considered as authoritative information.

There was no formal procedure for the discussion of colonial affairs in the Cabinet. While on occasion secretaries of state sought the advice of the Cabinet or of individual ministers, it was generally assumed that decisions affecting the administration of the colonies were chiefly the responsibility of the Colonial Office.

Most ministers preferred to keep colonial affairs out of Parliament although from the mid-1820's there was renewed interest in Parliament in colonial problems. The result of consigning colonial affairs to the Colonial Office rather than to Parliament was that they came to be regarded in an

administrative context rather than a legislative one. The authority of the Imperial Parliament in this situation was kept in reserve.

While subject to pressures from within and without Parliament, the secretary of state in charge of the Colonial Office was the chief agent of the Imperial Government in the formulation of colonial policy.

PART II

THE EFFECT OF THE POLICIES OF THE LIEUTENANT-GOVERNORS ON PUBLIC EDUCATIONAL INSTITUTIONS IN UPPER CANADA, 1784-1840

The policy of the Imperial Government after 1783 was to leave the management of the internal affairs of the colony to the local Legislature. Education, however, was never clearly identified as an internal matter in the same sense as the building of roads and canals was, but neither was it considered to be an external matter to be directed by the Imperial Government as were trade and defence. Individual lieutenant-governors, therefore, treated the problem of educational institutions in varying degrees of involvement, some leaving the matter entirely alone, others deeply concerned and both formulating and implementing policy relative to their development.

This part will attempt to examine in three chapters the nature of the involvement of the lieutenant-governors as well as the effect of their policies on the development of the University of King's College, the grammar schools and the common schools respectively. The first section of each chapter studies the functions the lieutenant-governors intended each of the three classes of institutions to serve, as well as public reaction to those functions. This is important to an understanding of the motivation behind the policy-making decisions and actions of the lieutenant-

governors and of the effectiveness of these measures. The succeeding five sections of each chapter deal with specific external and internal dimensions relative to the institutions with which the lieutenant-governors concerned themselves. The seventh section examines the development of alternative institutions which resulted in answer to the attempts of the lieutenant-governors to fashion the character of the dimensions referred to above.

CHAPTER III

THE UNIVERSITY

The purpose of this chapter is to examine the effect of the policies of the lieutenant-governors on the nature of particular dimensions related to the University of King's College in Upper Canada. Consideration will be given to the following dimensions: function, administration, financing, curriculum, selection of professors, selection of students, and alternatives to the university.

The first section will examine the lieutenant-governors' perceptions, as revealed in their correspondence, of the function the university was to serve in Upper Canadian society as well as public reaction to those functions. The remaining sections of the chapter will examine the ways the lieutenant-governors attempted to operationalize these functions through each of the dimensions, as well as the effects of these attempts. The second section considers the nature and composition of the administering body of the university, and the third section, the source and administration of finances. The fourth section deals with the composition of the curriculum, while the fifth and sixth examine the intended selection of professors and students. The seventh section will study the effect of the lieutenant-governors' policies with regard to the university on the development of alternative institutions as well as their role in that development.

1. Function

The proximity of the United States, the large American population in Upper Canada and a fear of the erosion of British institutions by republican and democratic ideas induced the governors of Quebec and the lieutenant-governors of Upper Canada to promote the establishment of institutions based on British models. The fabric of a British-styled society, that is, an enlightened governing class and an established Church, was viewed as necessary to a secure and loyal Empire.

Governor Lord Dorchester alarmed by the tendency on the continent "to a wild Democracy"¹ urged the establishment of an integrated school system coordinated by a university at the top². Lieutenant-Governor Simcoe expressed a similar point of view in a letter to the Archbishop of Canterbury:

In regard to a colony in Upper Canada [. . .] which is peculiarly situated amongst a variety of republics every establishment of Church and State that upholds a distinction of ranks, and lessens the undue weight of the democratic influence ought to be introduced.³

1 P. A. C., C. O. 42, Vol. 50, Dorchester to Sydney, No. 18, Quebec, June 13, 1787, p. 399.

2 *Ibid.*, Vol. 72, Dorchester to Grenville, No. 67, Quebec, November 10, 1790, p. 16.

3 J. G. Simcoe to the Archbishop of Canterbury, Wolford Lodge, December 30, 1790, in E. A. Cruikshank, *op. cit.*, Vol. 5, p. 247.

One establishment Simcoe felt would satisfy this need was a "College of a higher class"⁴. He argued that the university was needed for the sons "of the Principal people of this Country, so as to qualify them for the proper exercise of those leading functions in the Church and State to which they have a birth-right"⁵. Having graduated from Eton and Merton College, Oxford, himself, Simcoe naturally viewed the role of the university in terms of its support and maintenance of the aristocracy and the established Church and the preservation of the unity of the Empire. He viewed the university as the best means of assimilating the people to one common model - British⁶. He wrote;

Liberal Education seems to me, therefore to be indispensably necessary, and the completion of it by the establishment of an University in the Capital of the Country, the Residence of the Governor and Council, The Bishop, the Heads of the Law and of the General quality of the Inhabitants, consequent to the Seat of Government, in my apprehension would be most useful to inculcate just principles, habits and manners into the rising generation; to coalesce the different customs of the various descriptions of Settlers, Emigrants from the old, or Europe into one form; in short from distinct parts and ancient prejudices to new-model, as it were and establish one Nation and thereby to strengthen the Union with Great Britain and to preserve a lasting obedience to His Majesty's authority.⁷

⁴ Simcoe to Sir Joseph Banks, January 8, 1791, in Cruikshank, loc. cit., Vol. 1, p. 19.

⁵ Simcoe to the Bishop of Quebec, Kingston, April 30, 1795, in Cruikshank, loc. cit., Vol. 3, p. 349.

⁶ Ibid.

⁷ Ibid.

What was even more urgent was to halt the practice of sending young men away to the United States to gain their education,

by which means from habit, from intercourse, and from assiduous design in their Instructors, their British Principles will be perverted, and one of the strongest holds that Great Britain has, and which promises to bind Upper Canada for ages to her side, Loyalty [. . .] will be totally undermined.⁸

At the same time the mutual support of Church and State meant that if a university could increase loyalty to the State it could also strengthen ties with the Church. Simcoe believed that the preservation and increase of the Church in Upper Canada, "depends upon a University being erected therein"⁹.

In spite of repeated lack of support from the Colonial Office in establishing a university, Simcoe did not change his opinion regarding its urgency. He wrote to the bishop in 1795, "My views in respect to an University are totally unchanged, they are on a solid basis and may or may not be complied with as my superiors shall think proper, but shall certainly appear as my System to the judgment of Posterity"¹⁰ and again in 1796, "I have no Idea that an University will

⁸ Simcoe to Dundas, Quebec, April 28, 1792, in Cruikshank, loc. cit., Vol. 1, p. 143.

⁹ Simcoe to the Bishop of Quebec, Kingston, April 30, 1795, loc. cit., p. 351.

¹⁰ Simcoe to Bishop Mountain, Navy Hall, October 18, 1795, in Cruikshank, loc. cit., Vol. 5, p. 260.

be established the [sic] I am daily confirmed in its necessity"¹¹. Simcoe believed that the people of Upper Canada were ready for a university. They had lived, unlike the peoples of other parts of the British Empire, under the British Constitution and with British institutions all their lives and now required the means which a university would afford to continue. He therefore rejected the charge that Upper Canada was not ready for a university. "Upper Canada is a new Country, but not a new People,"¹² he concluded.

While many lieutenant-governors and administrators of the province voiced no particular views on the necessity for a university in the province, those of more lengthy administrations, particularly Gore, Maitland, Colborne and to a lesser degree, Arthur, shared Simcoe's concerns that it was necessary for the maintenance of a British society in North America. They were deeply distrustful of the American, nonconformist population in the province and saw their mission to uphold loyalty to British institutions and the established church from the erosive influences of democratic and republican ideas.

¹¹ Simcoe to Bishop Mountain, York, February 27, 1796, in Cruikshank, loc. cit., Vol. 5, p. 264.

¹² Simcoe to the Bishop of Quebec, Kingston, April 30, 1795, loc. cit., p. 349.

Coupled with their opposition to all things democratic, like Simcoe, they firmly upheld the necessity of Church of England establishment. Love of order and obedience to a higher authority, both ingredients of Anglican teaching, were also necessary for the security of the state and maintenance of the status quo. The Christian state must be ruled by Christian leaders and Christian leaders must be educated in Christian, that is Church of England, institutions. Similarly the people must be taught loyalty and obedience in a Christian setting. For this reason Gore and Maitland strongly supported the indefatigable Anglican cleric, John Strachan, in his scheme to establish an Anglican British-styled university in the province. In a letter concerning the naturalization of aliens, to his Executive Council, Maitland expressed this belief in the efficacy of a university as the best bulwark of a strong Church and State.

I submit to the serious consideration of the Board whether it is not most important, even politically speaking, that measures should be taken as early as possible for the establishment of an University in this Province, where the principal Young Men might receive an Education likely to impress upon them common feelings of attachment to the Crown, and of veneration for the Church of England, as the best means of resisting the influence of religious Sectaries; whose preachers come from a foreign Country, and whose principles, perhaps, are not naturally so congenial to our civil establishment as those of the Church of England.¹³

Gore¹⁴, Colborne¹⁵ and Arthur¹⁶ expressed similar views but differed on the form of control that the Church of England should assume. These will be discussed later in this paper.

13 P. A. C., C. O. 42, Vol. 377, Maitland to the Executive Council, York, February 1, 1826, p. 132, enclosed in Maitland to Bathurst, No. 8, York, March 15, 1826, p. 125-130. See also Maitland's comments to the Executive Council in Public Archives of Ontario, Upper Canada State Books, State Book H, February 2, 1826, p. 193.

14 P. A. C., C. O. 42, Vol. 357, Gore to Bathurst, No. 19, York, April 14, 1816, p. 133.

15 Colborne's reply to the Methodist Conference Address in 1830 is the most remarkable example of his views on the Church and education. J. G. Hodgins, Documentary History of Education in Upper Canada 1791-1876, [hereafter D. H. E.], Vol. 2, p. 11-12.

16 Arthur was more interested in improving the lower schools than in the university but nevertheless believed in using education and religion to strengthen loyalty to Britain. Arthur to the Bishop of Montreal, Toronto, December 18, 1838, in C. R. Sanderson, editor, The Arthur Papers, Vol. 1, Toronto, Toronto Public Libraries and University of Toronto Press, 1943, p. 464-465.

The lieutenant-governors never found wide popular support for their conceptions of a university. The ascriptive nature of higher education which their ideas assumed was not acceptable to the majority of Upper Canadians. Such a scheme presupposed the existence of an upper class which a university would perpetuate by imbuing the sons of the gentry with a sense of their future role as social and political leaders. Upper Canada did not possess an acceptable aristocratic class either to confirm or perpetuate. Simcoe's comment, that, "Upper Canada is a new Country, but not a new People,"¹⁷ indicated his failure to regard the impact not only of life on the frontier but also of a century and a half of exposure to egalitarian principles and practices in the Thirteen Colonies on the ideas and institutions of the people. When a charter was granted to King's College in 1827 this opposition found expression in numerous petitions to the Legislature and addresses from the House of Assembly to either the lieutenant-governor or the king protesting features of the charter excluding all but Anglicans from the College Council¹⁸. Because of the association of the Anglican Church, which was not the church of

17 Vide p. 88, footnote 12.

18 P. A. C., C. O. 42, Vol. 411, "Charter of King's College, York, Upper Canada", Westminster, March 15, 1827, p. 159-161.

the majority of inhabitants, with the small establishment class in the colony, religious exclusion also meant social exclusion. It did not matter that the charter did not prevent nonconformists from being appointed professors or impose any restrictions on students and though it was one of the most liberal charters granted to an institution in the British Empire, it was still regarded as exclusive and therefore discriminatory to all but the establishment. One resolution passed in 1831 is typical of this reasoning.

That while this House fully appreciates His Majesty's gracious intention in granting a Royal Charter for the establishment of an University in this Province, we would most humbly beg leave to represent that as the great majority of His Majesty's subjects in this Province are not members of the Church of England, we regret that the University Charter contains provisions which are calculated to exclude from its principal offices and honours all who do not belong to that Church.

In consequence of these provisions, its benefits will be confined to a few individuals of one religious denomination, while others of His Majesty's subjects, equally loyal and deserving, will be excluded from participating in advantages which should be open to all.

Its influence as a Seminary of Learning on this account, must be limited, and will be looked upon with jealousy by a large majority of the inhabitants of this province.¹⁹

¹⁹ Journal of the House of Assembly of Upper Canada [hereafter J. H. A.], March 12, 1831, p. 95. See also Address to the King, in J. H. A., December 28, 1831, p. 66.

Continued opposition on this score and failure to resolve the issue prevented the founding of an Oxford or Cambridge-styled University on the shores of Lake Ontario before 1840.

The lieutenant-governors perceived preparation for the professions and offices of government to be a second function of the university. This was not inconsistent with the first function since in Britain the higher positions in government, law, medicine and the Church went to sons of the upper classes. As early as 1792, Simcoe, alluding to the university, urged attention to "a provision for the education of the rising generation, who must take their due lead in society under the present constitution, and principally fill up the offices of Government"²⁰. He also contemplated a medical professor²¹ as well as provision for educating young men for the Anglican priesthood²². In 1816 Gore in his Speech from the Throne urged the establishment of "a Provincial Seminary for the youth who may be destined for the professions, or other distinguished walks in life"²³.

20 Simcoe to Dundas, No. 12, Niagara, November 23, 1792, in Cruikshank, op. cit., Vol. 1, p. 264.

21 Simcoe to Dundas, No. 7, Quebec, April 28, 1792, in Cruikshank, op. cit., Vol. 1, p. 143.

22 Simcoe to the Bishop of Quebec, Kingston, April 30, 1795, op. cit.

23 J. H. A., February 6, 1816, in Ninth Report of the Bureau of Archives for the Province of Ontario, 1912, Toronto, L. K. Cameron, 1913, p. 170.

Gore and Strachan twice attempted to have a bill passed through the Legislature amending a previous grammar school act and adding an additional clause providing for a grant in aid of preparing ten young men for Holy Orders²⁴. Each time the bill failed to pass the Legislative Council which at the time was not predominantly Anglican.

In 1830, Colborne²⁵ proposed the appointment of two professors in medicine to commence the university. The College Council under Strachan's guidance rejected the idea because they felt few parents would wish to see their sons become physicians or surgeons since, "Country practice is found to be a life of drudgery, very ill compensated"²⁶. Colborne²⁷ supported petitions from the Toronto Medical Board urging the opening of King's College so that instruction in medicine might begin. He also met several times

²⁴ Public Archives of Ontario [hereafter P. A. O.] Strachan Letter Book 1812-1834, Strachan to Gore, York, May 22, 1817.

²⁵ P. A. O., Strachan Letter Book 1812-1834, "Reference made to the College Council by the Chancellor on Saturday the 29 May 1830".

²⁶ P. A. C., C. O. 42, Vol. 391, Resolutions from College Council, June 29, 1830, p. 318.

²⁷ P. A. C., C. O. 323, Vol. 172, Colborne to Hay, Toronto, July 10, 1834, p. 242.

with representatives of the Medical Board to discuss medical education²⁸. Lieutenant-Governor Head, however, who developed a close friendship with Strachan²⁹, was disdainful of the Medical Board's application. Lieutenant-Governor Arthur did not press claims³⁰ made to him in 1839 for a medical faculty at King's probably because, as will be seen later, he hoped to temporarily substitute the university with a superior grammar school.

It was assumed by the lieutenant-governors from Maitland on that a chair in theology for the Church of England should be established in the university. A leading question came to be whether in this instance a chair in theology for the Church of Scotland ought to be set up as well. Questions of this sort, however, were motivated by political and religious concerns as well as educational.

The opposition party was never very articulate in what it regarded as the function of the university except, as has been mentioned, that it should be available to educate

28 P. A. C., Colborne Papers, Vol. 6, C. Widmer, President of the Medical Board to Colborne, Toronto, August 15, 1835, p. 1464-1467.

29 P. A. O., Strachan Papers, Strachan to Bond Head, Toronto, December 2, 1840, and Bond Head to Strachan, The Hall, Atherstone, December 4, 1838.

30 P. A. C., R. G. 5 A1, Vol. 235, L. O'Brien, Secretary of the College of Physicians and Surgeons of Upper Canada to Murdock, Toronto, December 17, 1839, p. 128662-128664.

all the people. In this regard, then, the Assembly preferred to see attention given to extending educational opportunities at lower levels. The Assembly made an address to Colborne in 1830 which stated:

While we are willing to support a College for instruction in the professions, and in the higher branches of science, we feel it to be a primary and more imperative duty to provide for the general extension of the means of education among the people in every Township.³¹

The debate was never practically solved and the university remained a university on paper.

2. Administration

The single most controversial issue surrounding the university and arising from its charter was the question of the nature and composition of its administrative council.

Before 1791 when Quebec was predominantly French and Roman Catholic, Anglican Bishop Inglis³² of Nova Scotia hoped to establish an Anglican-styled institution under the control of the Church in the province of Quebec. Lord

³¹ J. H. A., January 13, 1830, p. 11.

³² P. A. C., Correspondence of Bishop Inglis, Vol. 1, Inglis to Dorchester, December 27, 1787, p. 26-30 and April 5, 1788, p. 59-61, mentioned in L. F. S. Upton, editor, The Diary and Selected Papers of Chief Justice William Smith 1784-1793 Vol. 2, Toronto, The Champlain Society, 1965, p. 265.

Dorchester³³, the governor, resisted these plans in order not to offend the Roman Catholic population and proposed a plan for a secular university and system of lower schools "under the eye and control of the Crown"³⁴. This in effect would give the Church of England a dominant role but was less obvious than direct control. After the separation of Upper and Lower Canada the problem of a predominantly Roman Catholic population was removed as far as Upper Canada was concerned.

Simcoe planned to give the Church of England control of the operation of the university. He suggested³⁵ to the secretary of state that the Bishop of Quebec be charged with superintending the institution. The Colonial Office ignored Simcoe's suggestion probably because of its prematurity and Simcoe's habit of proposing rather visionary but not very practical schemes.

Lieutenant-Governor Gore was equally determined to place the university under the control of the Church of England declaring to Colonial Secretary Bathurst, "it was

³³ P. A. C., C. O. 42, Dorchester to Grenville, No. 67, Quebec, November 10, 1790, p. 15-16.

³⁴ Ibid., p. 16.

³⁵ Memorandum from Simcoe to Dundas, London, June 30, 1791, in Cruikshank, op. cit., Vol. 1, p. 32.

my intention to have placed [Doctor Strachan] at the Head of the higher Seminary with the distinction of Principal"³⁶. The university, however, was still only an idea.

In 1819 Maitland³⁷ had decided the time was ripe for a university and referred the matter to his Executive Council. The Council³⁸ suggested that the constitution of the university should be by Royal Charter rather than by legislative enactment. The Council was no doubt aware that a Royal Charter would be more apt to ensure that control of the university would be kept out of the hands of the elected Assembly. In 1826 Maitland³⁹ requested to Strachan that he submit a viable plan for a university designed to inculcate principles of loyalty to State and Church. Strachan's plan⁴⁰ placed the power of superintendence in the hands of a principal, who was to be a clergyman of the Church of England. The bishop of the diocese was to be visitor which in effect placed the supreme judicial control in his hands. These

³⁶ P. A. C., C. O. 42, Vol. 357, Gore to Bathurst, No. 19, York, April 14, 1816, p. 133.

³⁷ Ibid., Vol. 362, Maitland to Bathurst, York, January 25, 1819, p. 70.

³⁸ Ibid., Report of the Executive Council, Government House, January 7, 1819, p. 72-74.

³⁹ Hodgins, D. H. E., Vol. 1, p. 211.

⁴⁰ Ibid., p. 214.

ideas so closely concurred with Maitland's own thinking that he hastily despatched Strachan to England to negotiate the charter, assuring Secretary Bathurst that Strachan, "[was] representing my wishes on this subject"⁴¹. He also recommended that Strachan be placed in a position, "of high distinction,"⁴² in the university.

The charter placed control of the university in the Church of England. The bishop of the diocese was to be visitor and the Archdeacon of York the president. Strachan's draft proposal had designated priests in Holy Orders for the offices of president and vice-president although the latter office was not incorporated into the charter. The lieutenant-governor was to be chancellor which virtually ensured a Churchman in that office. The governing body of the university, the College Council, was to consist of the president, chancellor and seven professors who were to be members of the Church of England and to have subscribed to the Thirty-nine Articles.

Strachan has usually been credited or blamed for the terms of the charter which is understandable in view of his indefatigable zeal in London in procuring its passage. But the contributions of Maitland as well as Lord Bathurst in

⁴¹ P. A. O., Strachan Papers, Maitland to Bathurst, March, 1826.

⁴² P. A. C., C. O. 42, Maitland to Bathurst, No. 7 York, March 14, 1826, p. 123.

concentrating the administrative powers in the hands of the Church of England must not be overlooked in this assessment. The contributions from the Colonial Office will be examined in another chapter.

The great similarity in opinions regarding the role of church and state in education creates difficulty in separating the contributions of Maitland and Strachan. Maitland felt that Strachan more closely represented his views than others in the colony such as former Chief-Justice Powell who had submitted a plan for education including a university to the Legislature in 1817⁴³. Maitland had also been much impressed by Strachan's "firm and zealous attachment to the Government"⁴⁴ as well as his considerable contributions to education over many years. It seemed natural to select the most influential member of the Church of England in the province as the negotiator for the charter for an institution which was to strengthen mutually the causes of Church and State. Strachan went to London, however, as the appointee of Maitland in full possession of his opinions and directions and under his authority. Maitland gave no indication in his correspondence that he was displeased with Strachan's efforts or the outcome of his mission. Maitland

⁴³ Hodgins, D. H. E., Vol. 1, p. 121.

⁴⁴ P. A. C., C. O. 42, Vol. 372, Maitland to Bathurst, No. 114, York, February 4, 1824, p. 32.

must, therefore, bear a large part of the responsibility for the charter which resulted.

In spite of scathing criticism in the reform newspapers of the domination of the university council by the Church of England, Maitland⁴⁵, exercising the authority granted under the charter, lost no time in appointing an interim College Council from prominent members of the colonial establishment. From this point on the Assembly, even when not dominated by reformers, relentlessly attacked the provision of the charter excluding denominations other than Anglican from a share in the governing body of the university.

Maitland's term was coming to an end but it was inconceivable to him that the British Government would accept an address from the Assembly calling for the complete cancellation of the charter on the grounds of its exclusive features. He could not believe that "a general and rooted aversion to the Church of England"⁴⁶ existed in the province and in a private letter to the colonial secretary called for

⁴⁵ P. A. C., R. G. 5 A1, Vol. 86. "Commission of the King's College Council", signed by Maitland, York, December 14, 1827, p. 47349-47352.

⁴⁶ P. A. C., C. O. 42, Vol. 384, Maitland to Huskisson, York, May 12, 1828, p. 15.

"a firm and decided denial"⁴⁷ of the demands of the Assembly. It was as well that he had left the province before the reply repudiating his policies was received. Strachan felt that Maitland would have persisted in opening the university in spite of the opposition. He wrote, "had Sir Peregrine remained twelve months longer in the Government, the University would have been in operation"⁴⁸.

Lieutenant-Governor Colborne faced the brunt of the controversy during the seven years of his administration. His position in the centre of the storm was an extremely difficult one. On one side the Assembly took a stand for nothing less than complete revision of the terms restricting non-Anglicans from the Council, making all offices elective. It was supported by moderate reformers such as Egerton Ryerson of the Christian Guardian and enflamed by the stinging rhetoric of radical William Lyon Mackenzie of the Colonial Advocate. On the other side the Legislative Council and College Council, all government appointees, became even more resolved to resist alterations except to substitute any Anglican clergyman as president. In addition the lieutenant-governor had to take into consideration his directions from the Colonial Office which often as not were at variance with

⁴⁷ Ibid., "Private and Confidential", p. 25.

⁴⁸ P. A. C., R. G. 5 A1, Vol. 241, Strachan to Rev. C. Mathews, Toronto, March 17, 1840, p. 131933.

his own views. It is easy to criticize Colborne⁴⁹ for not resolving the problem one way or another during his administration. He realized during the early years of his administration that the university could not succeed while popular opinion was so bitterly opposed to it. He could not, therefore, allow it to proceed. He wrote in a letter to the permanent undersecretary:

I have taken a very different view of affairs in this Province from the Archdeacon, and have acquainted the College Council that I cannot permit the building for the University to be commenced before the Charter is modified and the public opinion more consulted than it has been.⁵⁰

At the same time he could not legally force alterations in the charter because it had been granted by the Crown and could only be altered by the same authority. Even the right of the Provincial Legislature to alter the charter became a subject of debate as the years went on. He could not order or allow a new charter to be drawn up until the old one had been surrendered or had been superseded by an order-in-council from the Home Government. Colborne was convinced that once the superior grammar school which he had founded, variously known as Colborne College, the Minor College and

⁴⁹ One scholar, for example, claims Colborne did not play a very constructive role since he did not allow the university to proceed or demand changes in the charter, E. E. Stewart, The Role of the Provincial Government in the Development of the Universities of Ontario 1791-1964, op. cit., p. 54.

⁵⁰ P. A. C., Colborne Papers, Vol. 2, Colborne to Hay, "Private", York, March 31, 1829.

Upper Canada College, became operational and its graduates became eligible for the university, the need for the university would overcome all objections. He was convinced that much of the turmoil in the province was the work of a few troublemakers and that "with prudence and circumspection much may be done to counteract the efforts of the Cabalists"⁵¹.

Colborne appears to have gone through three stages in his handling of the problem. First from 1828 to 1831 he appeared to sympathize with liberal opinion in the province. "I cannot think it prudent to proceed when few approve of its terms,"⁵² he notified the Colonial Office in 1829. And again in 1831 he wrote, "I should strongly recommend the Charter of King's College to be surrendered, and a new one granted on the most liberal terms. [underlining Colborne's] I assure you the whole province are of this opinion"⁵³. His position, however, was not as liberal as it appeared. While he was willing to remove the more blatantly restrictive features of the charter and to seat the Speakers of the two Houses of the Legislature on the College Council, he felt the interests of the State and ultimately of the Church would be protected by maintaining control of the university in the

⁵¹ Ibid.

⁵² P. A. C., C. O. 42, Vol. 388, Colborne to Hay, "Private", April 2, 1829, p. 89.

⁵³ Ibid., Vol. 394, December 7, 1831, p. 247.

executive or Crown. "As long as the appointment of the President of the Council rests with the King there can be no danger apprehended from omitting all the tests specified in the Charter"⁵⁴. He also wished to make the lieutenant-governor, the bishop and a third Crown appointee the visitors with increased visitorial powers. Later in 1831 he suggested⁵⁵ that the president and the majority of the Council be required to be members of the Church of England and no tests demanded. Colborne had been convinced that much of the opposition to the charter had been caused by Strachan's involvement in political affairs rather than against the Church itself. His suggested amendment to the charter illustrated how far he had failed to understand the true nature of the opposition to the charter. He stated, "I cannot think that any sect or individual anxious to see the munificent endowment of King's College applied to the beneficial purposes for which it is designed, could remain dissatisfied with those alterations"⁵⁶.

But the above comments were all in the form of suggestions to the Colonial Office and were not acted upon. Colborne did not solicit suggestions from the Legislature as

⁵⁴ Ibid., Vol. 388, "Private", April 2, 1829, p. 89.

⁵⁵ Ibid., Vol. 393, Colborne to Goderich, No. 12, March 30, 1831, p. 99.

⁵⁶ Ibid.

suggested to him early in his administration by the Colonial Office. His only definitive step was to summon the College Council and call a halt to further proceedings in connection with the university⁵⁷.

The second stage in Colborne's handling of the problem was a stage of vacillation from early in 1832 to the end of 1833. Prior to this stage, besides the numerous pronouncements of the Assembly and Legislative Council, each becoming more entrenched in its position, the Assembly had proposed a bill⁵⁸ incorporating Upper Canada College as a substitute university with a Council elected every four years from the two Houses of the Legislature. Such a proposal was completely unacceptable to the Legislative Council. Colborne alternated during this stage and even beyond between suggesting to the Colonial Office that it make the necessary alterations in the charter⁵⁹ and to the Legislature that it

⁵⁷ This was accomplished at a rather tense meeting of the College Council, an interesting account of which appears in S. P. Jarvis to W. D. Powell, York, December 24, 1828, in Edith Firth, The Town of York 1815-1834, Toronto, The Champlain Society, 1966, p. 159-160.

⁵⁸ "Bill Intituled: An Act to Establish Upper Canada College", in Hodgins, D. H. E., Vol. 1, p. 301-304.

⁵⁹ P. A. C., C. O. 42, Vol. 411, Colborne to Goderich, No. 19, York, April 2, 1832, p. 155.

attempt to agree on a new charter⁶⁰. The Colonial Office, however, refused to interpose and the Legislature could not agree on the terms of a revision.

The third stage lasted from early in 1834 to the end of Colborne's administration in January, 1836. By the beginning of this stage Colborne had given up hope of either the Home Government or the Legislature resolving the issue. He therefore proposed⁶¹ opening the university under the terms of the existing charter until the Legislature should concur in modifying the charter. Colborne had been repeatedly assailed by the more clamorous reformers and was alarmed by their unconcealed desire to replace British institutions with republican models. He met several times during 1834 with Strachan and became convinced of the need to put the university into immediate operation. His move to a more conservative stance in the controversy is clear from a private letter he wrote to Undersecretary Hay.

⁶⁰ J. H. A., November 19, 1833, in Hodgins, D. H. E., Vol. 2, p. 132.

⁶¹ P. A. C., C. O. 42, Vol. 423, Colborne to Hay, "Private", Toronto, December 19, 1834, p. 329; Vol. 425, Colborne to Lord Aberdeen, No. 14, Toronto, May 6, 1835, p. 159, and C. O. 323, Vol. 172, Colborne to Hay, Toronto, July 10, 1834, p. 242.

It is no easy matter to reconcile the views and opinions of the L. Council, and Assembly, and Coll. Council [sic] in regard to the extent of the revision of the Charter. I hold myself responsible, however, for the invoking the interposition of His Majesty without further consultation with any provincial authority and for assuring the Sec'y of State, that the intentions of the Founders can never be realized if the House of Assembly be altogether consulted as to the terms of the charter. I place the greatest import on seizing this opportunity of establishing two Colleges [King's and Upper Canada College], both necessary to the welfare of the Province, and from protecting them from the attacks of a capricious and ignorant Assembly.⁶²

Colborne⁶³ suggested to the colonial secretary that the charter could be revised to remove all references to religion except that the members of the College Council should be members of the Church of England. Colborne could not take action to open the university without the sanction of the Home Government. The colonial secretary, Lord Glenelg, completely rejected Colborne's proposals and refused to allow the university to open⁶⁴. Thoroughly disillusioned and disheartened by opposition in the colony and lack of support for his policies from the Colonial Office, there was nothing further Colborne could do. He was to write later,

⁶² P. A. C., C. O. 42, Vol. 425, Colborne to Hay, "Private", Toronto, May 6, 1835, p. 186-187.

⁶³ Hodgins, D. H. E., Vol. 2, p. 218.

⁶⁴ Vide p. 292-294.

"It is no easy matter to shake off the great disgust which I could not but feel at the conduct of the Colonial Dept after L[or]d Glenelg was in office"⁶⁵.

After an election in 1836 had returned a predominantly conservative Assembly, Lieutenant-Governor Bond Head⁶⁶ urged the Legislature to again consider the charter of King's College. The result was a bill which represented compromise on both sides and which successfully passed both houses. The Act to Amend the Charter of the University of King's College⁶⁷ removed all restrictions on religious grounds for the students, officers, and professors which represented a considerable concession on the part of the College Council. In his speech at the eventual opening of King's College in 1843, Dr. Strachan, after criticizing Colborne's policy towards the university, gave a somewhat biased assessment of Head's role, as follows:

⁶⁵ P. A. C., Colborne Papers, Vol. 8, Colborne to Sir John Macdonald, Adjutant-General, "Private", [place illegible], February 10, 1837, p. 2141.

⁶⁶ J. H. A., November 9, 1836, p. 19.

⁶⁷ 7 William IV, Chapter XVI, An Act to Amend the Charter of the University of King's College, March 4, 1837.

Sir Francis B. Head, with that ardent spirit, and intuitive apprehension of whatever is good and noble, which characterized him, saw the vast advantage of establishing the University soon after he came to the Government: and, although he could not prevent the Legislature from making some changes in the Charter, (to which the College Council most reluctantly assented), he deserves the greatest praise for preventing farther innovations. The Charter having been thus settled, Sir Francis Head readily concurred, as Chancellor, with the College Council, in adopting the measures necessary for bringing it into operation.⁶⁸

Meanwhile if the lieutenant-governor and the forces of the Church of England appeared to have lost the struggle over control of the university, such was the case in fact but not in practice. Under the amended charter the College Council, which had experienced few changes in personnel since first constituted in 1827, was to be increased from nine to twelve members including the president, chancellor, speakers of the houses of the Legislature, the attorney and solicitor-generals, the principal of Upper Canada College and five senior professors⁶⁹. The last named were to be replaced by Crown appointments until the professors had been selected⁷⁰.

Under this provision all the members of the interim Council except the speakers of the Legislature were subject

⁶⁸ Hodgins, D. H. E., Vol. 4, p. 283.

⁶⁹ 7 William IV, loc. cit.

⁷⁰ Ibid.

to government patronage. Bond Head made full use of the opportunity and his five appointees were all members of the Church of England as were all the ex-officio members⁷¹. The newly constituted Council, then, entrusted with administering the university, was entirely composed of Churchmen, "a measure, to say the least of it, little calculated to soothe feelings that have been of late so much irritated"⁷².

Plans to open the university were encouraged by Bond Head, but were halted by the rebellion late in 1837.

Lieutenant-Governor Arthur does not appear to have had much concern for the administration of the university except to suggest⁷³ that perhaps Strachan could be prevailed upon to retire from the office of president and be replaced by a new appointee from England but no action was taken on the suggestion.

Controversy over the nature and composition of the administering body was the biggest stumbling block to putting

⁷¹ Hodgins, D. H. E., Vol. 3, p. 97-98. See also W. Stewart Wallace, A History of the University of Toronto, 1827-1927, Toronto, University of Toronto, 1927, p. 31-32. Wallace enumerates the members of the new Council and their positions in the colony.

⁷² P. A. C., R. G. 7 G1, Vol. 82, Part 2, A. Mathieson to Stephen, Jermyn Street, August 9, 1837, p. 614. See also C. O. 42, Vol. 439, W. Morris to Glenelg, June 13, 1837, p. 386.

⁷³ Arthur to Thompson, Toronto, April 14, 1840, in Sanderson, op. cit., Vol. 3, p. 32.

the university into operation. During the years from 1827 to 1840, the lieutenant-governors of the province had endeavoured within the limits of their authority and the context of political and economic realities attempted to put the university into a functional state. Yet in their position as chancellor they effectively resisted its realization under its exclusive provisions. As lieutenant-governor, they could not open the university without the consent of the Colonial Office which was not forthcoming. Dr. Strachan was of the opinion that vesting the chancellorship in the office of lieutenant-governor retarded the opening of the university. He wrote:

The worst of all the evils which have accompanied King's College [. . .] is, that, which makes the Governor for the time being, Chancellor. To give him the office of Visitor, equal or rather perhaps more honorable, I had not the same objection, because it can be seldom exercised, and merely implies a negative authority; but the powers of the Chancellor are great, and have been found (as I had anticipated) by experience most unfortunate. I objected because placing the Governor at the head of the University would give it a political character. Every new Governor would have his new plans, and be liable to be influenced by political motives, and being in general unacquainted with Literary and Scholastic Institutions, might the more readily be imposed upon by their enemies.⁷⁴

What Strachan perceived, with some justification, was that had the chancellorship been vested in a non-political

⁷⁴ P. A. C., R. G. 5 A1, Vol. 241, Strachan to Rev. C. Mathews, Toronto, March 17, 1840, p. 131932.

office such as that of chief-justice, it would likely have proven more amenable to his direction since most offices were filled by his friends and former pupils. Had this been the case the university probably would have been opened in some form, in spite of opposition, before 1830.

3. Financing

Four sources of revenue were listed in Chapter I. They were money from customs duties, from the casual and territorial revenue, from taxation and from the Imperial Parliament. Money from customs duties and from a portion of the casual and territorial revenue was used to defray the cost of the civil government. Taxation was limited due partly to the lack of circulating medium and its application to supporting a university was never considered.

Simcoe was the only lieutenant-governor to suggest an outright grant for the university from the Imperial Parliament. He wrote to the secretary of state:

I do most earnestly hope that his Majesty's Ministers will interest the liberality of the British Parliament in granting that establishment for a few years which may be necessary for these purposes and I should think a thousand pounds per annum might include all necessary expences of Building, Salaries, &c., &c.,⁷⁵

⁷⁵ Simcoe to Dundas, No. 7, Quebec, April 28, 1792, in Cruikshank, op. cit., Vol. 1, p. 143.

Simcoe's rather glib, simplistic reference to financing the institution demonstrates his disdain for practicalities for which he had little time or patience. Since the province had no money, it seemed natural to expect the British taxpayer to finance a project calculated to keep Upper Canada British and Anglican. He remarked to the Bishop of Quebec, "The Income contemplated for such an Establishment is certainly of itself too contemptible to be withheld from the prosecution of so great an object on any view of expence [sic]"⁷⁶. Such a request, however, was bound to find little sympathy in the British Parliament or with the British public. The request was ignored.

Gore⁷⁷ was the only lieutenant-governor to seek a grant from the local Legislature but this was to be limited to educating ten candidates for Holy Orders. The bill failed to pass the Legislative Council. A grant from the Legislature was not requested again not only due to the limited funds available to the Legislature but also probably because providing a share of the cost would entitle the Legislature to a share in the administration of the university.

⁷⁶ Simcoe to the Bishop of Quebec, Kingston, April 30, 1795, in Cruikshank, op. cit., Vol. 3, p. 349.

⁷⁷ P. A. C., C. O. 42, Gore to Bathurst, No. 19, York, April 14, 1816, p. 133.

The only remaining source of revenue for the university was the casual and territorial revenue and of the sources of that fund, the Crown Reserves provided the most potential. In his last letter to the secretary of state on the subject of the university, Simcoe⁷⁸ suggested that eventually the Crown Reserves set aside by the Constitutional Act would, as other lands became cultivated, become valuable. Part of these reserves could be appropriated for public purposes, "the first and chief of which [. . .] must be the erection and endowment of an University"⁷⁹. Simcoe was not to see that several decades would pass before these lands would become valuable and useful in the manner he proposed.

The matter was taken up again in the following year in the Legislature but since the journals for this session in 1797 of both houses have never been found, President Russell's part in the proceedings is unknown. From this session a joint address of the Legislature to the King requesting an appropriation of lands for the establishment of

⁷⁸ Simcoe to the Duke of Portland, No. 44, York, July 20, 1796, in Cruikshank, op. cit., Vol. 4, p. 341.

⁷⁹ Ibid.

grammar schools and a university⁸⁰ was submitted to the secretary of state. The address was accepted and an endowment made⁸¹, the Executive Council acting as a land board to determine the exact manner in which the appropriation was to be arranged. To this problem Russell turned his practical bent but he found difficulty in calling the Council together⁸² and it was a full year before the matter was taken up. On December 1st, 1798, the Council submitted a report⁸³. Approximately five-hundred thousand acres or ten townships were to be set aside to form an endowment for grammar schools and a university and of this amount, one-half was reserved for the university⁸⁴. In obedience to

80 "Address from the Upper Canada Legislature to the King's Most Excellent Majesty", York, July 3, 1797, in Hodgins, D. H. E., Vol. 1, p. 16.

81 Duke of Portland to Russell, No. 6, London, November 4, 1797, in E. A. Cruikshank and A. F. Hunter, The Correspondence of the Honourable Peter Russell With Allied Documents Relating to His Administration of the Government of Upper Canada During the Official Term of Lieut. Governor J. G. Simcoe While on Leave of Absence, Vol. 2, Toronto, Ontario Historical Society, 1936, p. 4.

82 Russell to the Duke of Portland, No. 43, York, November 3, 1798, in Cruikshank and Hunter, loc. cit., p. 299.

83 P. A. C., Q Series, Transcripts of Colonial Office Records, Lt. Gov. Peter Hunter 1800, Vol. 288, Report of the Executive Council to Peter Russell, York, December 1, 1798, p. 154-166.

84 Ibid., p. 23.

Russell's order, the acting surveyor-general duly reported that he had selected the ten townships to form the school and university appropriation ⁸⁵.

The land reserves did not become substantially productive of income until the government ceased to give land away in 1826. Lieutenant-Governor Gore seems to have ignored this fact when he proposed to the colonial secretary in 1816 a scheme whereby the reserves

might be divided into hundred acre Lots and alternately exposed to Sale and to Lease; - The Produce of Sales would serve to form the Infant Establishment of a Provincial Seminary and the Rents afford the future Support, - The Principal on the Sales, might be exacted only to meet the Demand; - and the Interest accumulate on the remainder.⁸⁶

Bathurst⁸⁷ rejected Gore's scheme not on the grounds of impracticability but because he was at the time advancing the idea of one university in Lower Canada to serve both provinces.

Maitland was fully aware that the university could not be chartered until the reserved lands were made productive of a sufficient revenue for an endowment. As the 1820's

⁸⁵ D. W. Smith to John Small [Clerk of the Executive Council], Surveyor General's Office, April 13, 1799, in Cruikshank and Hunter, op. cit., Vol. 3, p. 174.

⁸⁶ P. A. C., C. O. 42, Vol. 357, Gore to Bathurst, No. 19, York, April 14, 1816, p. 134.

⁸⁷ P. A. C., R. G. 7 G1, Vol. 58, Bathurst to Gore, Downing Street, July 13, 1816, p. 84.

progressed Upper Canada began to slowly recover from the serious depression of 1817 to 1820. Thousands of emigrants from Britain were arriving each year and taking up available lands. It began to look as if at last the School Reserves could be sold or leased with some profit and Maitland communicated this information to Lord Bathurst⁸⁸. The problem, however, was that the lands were in remote parts of the province and of poor quality⁸⁹. Maitland proposed to Bathurst a simple but rather ingenious solution to the problem.

It has occurred to me that if Your Lordship saw fit to allow that an equal quantity of the best of these Lands were exchanged for that portion of the Crown Reserves which remains to the Government as being under Lease, the latter could be almost immediately disposed of at an average price not less than ten shillings per acre. There are about 200,000 acres of Crown Reserves at present occupied, and a sum would thus be produced that would admit of the immediate establishment of an University on a scale that would render it effective.⁹⁰

This exchange of poor, inaccessible school lands for more choice Crown Reserves was not formally assented to⁹¹ until the charter was granted to the university in March,

⁸⁸ P. A. C., C. O. 42, Vol. 368, Maitland to Bathurst, No. 65, York, June 29, 1822, p. 161-162.

⁸⁹ Ibid., Vol. 375, No. 205, December 19, 1825, p. 400-401.

⁹⁰ Ibid.

⁹¹ P. A. C., C. O. 43, Vol. 42, Bathurst to Maitland, Downing Street, March 31, 1827, p. 118.

1827. It was probably this long delay that induced Maitland to send Strachan to England to obtain the charter and endowment. In any case it was estimated the reserves would yield ten shillings per acre for a total value of £100,000 sterling⁹². To Maitland must go much of the credit for procuring a substantial financial foundation for the university in Upper Canada.

During the 1830's the Assembly attempted to gain control of the revenue from the school reserves. Its objections to the university appropriation were correctly based on a prior claim of the grammar schools to the endowment of 1797. Colborne gave no support to this argument. Since this controversy is more relevant to the welfare of the grammar schools, it will be considered more fully in Chapter IV.

Lieutenant-Governor Arthur took two significant actions with regard to the finances of King's College. First he discovered some disturbing discrepancies in the financial accounts and instigated an investigation. The Assembly had frequently during the 1830's demanded statements of the financial affairs of King's College but the reports were sufficiently vague and incomplete that beyond denouncing the expenditures for political purposes, nothing

⁹² Strachan to Maitland, March, 1826, in Hodgins, D. H. E., Vol. 1, p. 215.

illegal or irregular had been noticed. When the Assembly again demanded an accounting in 1839, Arthur examined the accounts himself, was "'much surprised by the outlay, and, therefore, deemed it expedient previously to sending these papers down to the House of Assembly to call the attention of the Council [King's] to the subject'"⁹³. Arthur summoned the Council and presented his disconcerting news. As a result a committee of the College Council was appointed to examine the accounts, the Council decided to reduce its accounts and postponed again the building of the university⁹⁴.

The resulting disclosure revealed that the college bursar, Joseph Wells, had lent out large sums to various individuals including Strachan, without the consent of the College Council or requiring the proper security⁹⁵. This revelation not only aided in postponing the opening of the university but also disgraced prominent members of the colonial administration.

Arthur's second significant action was to push through the Legislature, according to Strachan⁹⁶ one half-hour before

⁹³ Minutes of King's College Council, April 20, 1839, Hodgins, D. H. E., Vol. 3, p. 187.

⁹⁴ Ibid., p. 188.

⁹⁵ "First Report of the College Committee on the Accounts of the Bursar", King's College Office, July 11, 1839, in Hodgins, D. H. E., Vol. 3, p. 189-190.

⁹⁶ P. A. C., R. G. 5 A1, Vol. 241, Strachan to Rev. C. Mathews, Toronto, March 17, 1840, p. 131934.

prorogation, a bill⁹⁷ appropriating a portion of the annual revenues of King's College to Upper Canada College and for the provisional extension of Upper Canada College into a university. Arthur knew that the depleted financial resources of the endowment could not support two institutions, King's and Upper Canada College, particularly in view of the current economic depression in the colony and the demands of other institutions upon public funds. He wrote to the colonial secretary;

I think that the Legislature have judged wisely, and have studied the real interests of the community which they represent, in preferring, as they could not, at present, combine all the objects of the educational endowment, to concentrate the limited means immediately available, on one fundamental object, rather than to neutralize them by an untimely division among many.⁹⁸

Strachan objected to the bill on the grounds of unconstitutionality but also no doubt feared the frittering away of the university endowment. He wrote to a master of Upper Canada College who supported his views:

⁹⁷ 2 Victoria, Chapter X, An Act to Provide for the Advancement of Education in this Province, May 11, 1839.

⁹⁸ P. A. C., C. O. 42, Vol. 460, Arthur to Normanby, No. 134, Toronto, June 8, 1839, p. 210-211.

The provisions of the Act strike at the security of property; invade the prerogative of the Sovereign; trample on vested rights; and attempt to dispose of the endowment granted by the King, without consulting the corporation to which it is entrusted. Hence the character and tendency of the Act is more unconstitutional than any Law upon the Statute Book of the Province.⁹⁹

Strachan did indeed have some legal justification for opposing the act on constitutional grounds for the reason he had stated. Arthur defended his action in assenting to the act in a lengthy despatch¹⁰⁰ to the colonial secretary. While aware that constitutionally only the British Government had the right to contravene an appropriation made by the Crown, he had approved of the measure "from a belief that it was the desire of Her Majesty's Government to defer as much as possible to their [the Legislature's] wishes on all questions affecting the appropriation of funds arising from endowments, for the purposes of Education"¹⁰¹. The Colonial Office agreed and allowed the act to stand. Several changes in the provincial administration over the next few years, however, prevented any serious reallocation of funds to Upper Canada College.

99 Strachan to Rev. C. Mathews, loc. cit.

100 P. A. C., C. O. 42, Vol. 460, Arthur to Normanby, No. 134, Toronto, June 8, 1839, p. 188-214.

101 Ibid., p. 204.

4. Curriculum

Since the university did not open, no professors were appointed nor courses finally determined. The curriculum intended for the university must be assumed from the functions it was intended to serve. These, it will be recalled, were to instill principles of loyalty to the Mother Country and to the Church, and to prepare gentlemen for their station in life and for the professions. The traditional emphasis of the classics and theology in British universities as the best preparation for life in terms of all the functions listed above was probably assumed by the lieutenant-governors.

Simcoe spoke of "the education of the superior classes"¹⁰² and of the need for "liberal education"¹⁰³, both contemporary phrases for a classical curriculum. It was assumed by Maitland¹⁰⁴ and Colborne¹⁰⁵ that the university would be modelled on Oxford and Cambridge where the emphasis was on the classics and theology and in the case of Cambridge, mathematics. When Colborne planned to open the

¹⁰² Simcoe to Dundas, No. 7, Quebec, April 28, 1792, op. cit., p. 143.

¹⁰³ Simcoe to the Bishop of Quebec, Kingston, April 30, 1795, op. cit., p. 349.

¹⁰⁴ Hodgins, D. H. E., Vol. 1, p. 214.

¹⁰⁵ P. A. C., C. O. 42, Vol. 423, Colborne to Hay, "Private", Toronto, December 19, 1834, p. 329.

university in 1834, he hoped the colonial secretary would, "urge the Vice Chancellors of Oxford and Cambridge to fit out a kindred University with the best materials"¹⁰⁶. Both Maitland¹⁰⁷ and Bond Head¹⁰⁸ delegated Strachan to draw up a prospectus in 1826 and 1837 respectively. In both cases courses in the classics, law, medicine and theology were recommended, modelled on "the most favoured institutions in the Mother Country"¹⁰⁹.

In 1830 Colborne¹¹⁰ proposed to the College Council the appointment of two professors capable of carrying on a course in medical instruction and perhaps one professor in classics. The Council¹¹¹ under Strachan's leadership rejected Colborne's proposal on the grounds that courses in civil history, the classics and moral philosophy and divinity were more needed.

106 Ibid.

107 Hodgins, D. H. E., Vol. 1, p. 211.

108 Ibid., Vol. 3, p. 93.

109 Ibid., p. 94.

110 P. A. O., Strachan Letter Book 1812-1834, "Reference made to the College Council by the Chancellor on Saturday the 29 May 1830 [sic]".

111 P. A. C., C. O. 42, Vol. 391, Resolutions from the College Council, June 29, 1830, p. 314-320.

The emphasis on the classics and philosophy was based not only on the assumption that these were the best preparation for life but also that they provided a means of preserving the distinctions of social class. The mistake the lieutenant-governors made, with the possible exception of Colborne, was in assuming that Upper Canada had a social élite, as in Britain, to perpetuate. In other words they looked at curriculum in terms of an ascriptive rather than a prescriptive function which would have been more in tune with the needs of a frontier society. Much of the opposition to the Church of England domination of the university was motivated by objections to the irrelevant pretensions to social class distinctions on the part of the colonial establishment led by the lieutenant-governor.

5. Selection of Professors

The chief question in regard to the selection of professors was whether they ought to be required to be members of the Church of England. Since one of the functions of the university, particularly until 1828, was to inculcate loyalty to the principles of the established Church, Lieutenant-Governors Simcoe¹¹² and Maitland¹¹³ assumed that

¹¹² Simcoe to Dundas, No. 7, Quebec, April 28, 1792, op. cit.

¹¹³ P. A. C., C. O. 42, Vol. 362, Maitland to Bathurst, York, June 4, 1819, p. 210-211.

the professors except in medicine and law should be members of the Church of England. Lieutenant-Governor Gore, whose main interest in higher education was the preparation of candidates for Holy Orders, would almost certainly have supported this proposal. He intended¹¹⁴ to place Strachan at the head of the university as Maitland succeeded in doing a decade later.

After 1828 in the face of continued opposition to the religious features of the charter, Colborne did not insist on the professors being Churchmen. Colborne¹¹⁵ thought, however, that so long as the professors were to be appointed by the Crown or the chancellor, the interests of the Church could be protected, inferring that probably a majority could still be Churchmen. In this same context on another occasion, he wrote, "The Episcopalians will naturally hold their ground, and be the influential persons in the University without the support of exclusive articles"¹¹⁶.

In 1826 Maitland had asked Strachan to suggest how the university might offer an education, "under teachers of approved ability and tried attachment to the Parent State

¹¹⁴ P. A. C., C. O. 42, Vol. 357, Gore to Bathurst, op. cit., p. 133-134.

¹¹⁵ Ibid., Vol. 388, Colborne to Hay, "Private", April 2, 1829, p. 90.

¹¹⁶ Ibid., Vol. 394, December 7, 1831, p. 247.

and the Established Church"¹¹⁷. Since there was no agency to judge "approved ability", Colborne¹¹⁸ was inclined to rely on officials of Oxford and Cambridge to recommend professors on the basis of academic qualifications. Colborne also met with Strachan in 1834 regarding the appointment of professors. A combination of the English and Scottish systems making the professors both lecturers and tutors was recommended in their report¹¹⁹. Strachan himself would instruct in, "Moral and Intellectual Philosophy including Christian Ethics and Systematic Theology,"¹²⁰ to students of the Church of England. Lieutenant-Governor Arthur probably had a reference to the English universities in mind when he considered, "send[ing] home for two or three very able men,"¹²¹ to form the nucleus of the university faculty in 1840. No faculty, however, was appointed before 1841.

117 Hodgins, D. H. E., Vol. 1, p. 211.

118 Vide p. 124.

119 P. A. C., C. O. 42, Vol. 423, Colborne to Spring Rice, No. 77, Toronto, December 19, 1834, p. 324.

120 Ibid., p. 323.

121 Arthur to Thomson, Toronto, April 14, 1840, in Sanderson, op. cit., Vol. 3, p. 32.

6. Selection of Students

The nature of the university, its charter and the functions and curriculum intended for it by the lieutenant-governors and encouraged by the colonial establishment imposed a social self-selection of students. While there were to be no restrictions on religious grounds on students entering or graduating as in Oxford and Cambridge and King's College, Nova Scotia, control of the governing Council by the Church of England would be a detriment to nonconformists.

Simcoe had urged the establishment of a university distinctly for the "superior classes"¹²² of the province but later lieutenant-governors¹²³ made no distinction of students on the basis of social class in order to bring as many of the inhabitants as possible under the influence of British constitutional principles and, at least until 1828, of the Church of England. They do not appear to have considered; first, that the nature of the intended university was irrelevant to the needs of most of the population; second, that fees and the cost of boarding naturally precluded

¹²² Simcoe to Dundas, No. 7, Quebec, April 28, 1792, op. cit.

¹²³ P. A. C., C. O. 42, Vol. 362, Maitland to Bathurst, York, June 4, 1819, p. 208-211; Vol. 388, Colborne to Murray, No. 12, April 10, 1829, p. 235-237.

all but the more opulent inhabitants¹²⁴ and third, that the lower classes were not prepared by way of life or manners or by any integrated system of lower schools to profit from the university experience. Indeed, in connection with the third point, Colborne did not feel in 1830 that there were more than ten students in the province qualified to enter the university. He reported to the College Council in connection with the proposed appointment of three professors:

It is not probable that more than ten Students will be fit to take advantage of their Tuition for some time nor will any Scholar from the Upper Canada College be properly qualified to enter the University in less than three years.¹²⁵

It was this limited usefulness and availability which fed the controversy for so many years over the university.

7. Alternatives

Alternatives to the university may be organized into three groups; those emanating from the Colonial Office, those originated by the lieutenant-governors and those instigated by other agencies.

¹²⁴ See P. A. O., Macaulay Papers, George Markland to Macaulay, April 27, 1829.

¹²⁵ P. A. O., Strachan Letter Book 1812-1834, "Reference made to the College Council by the Chancellor on Saturday the 29 May 1830".

Suggestions from time to time from the Colonial Office to establish one university in Lower Canada to serve both provinces were successfully discouraged by Lieutenant-Governor Maitland in 1819 and Colborne in 1830. Maitland¹²⁶ argued that the expense in sending students to Montreal would make the university of little more use than if it were located in England while Colborne saw Montreal as, "an unfit and inconvenient place,"¹²⁷ to send the sons of Upper Canada. In both cases the colonial secretary did not pursue the idea. A suggestion from the colonial secretary in 1834 to create two universities, one for the Church of England and one for dissenters, was also successfully resisted by Colborne¹²⁸.

The idea of substituting Upper Canada College for the university was entertained by Colborne and Arthur. Upper Canada College had been founded in 1829 by Sir John Colborne as a superior grammar school. The Assembly had proposed in 1830 by bill¹²⁹ to make Upper Canada College a university

¹²⁶ P. A. C., C. O. 42, Vol. 362, Maitland to Bathurst, York, August 19, 1819, p. 258.

¹²⁷ *Ibid.*, Vol. 391, Colborne to Murray, No. 40, September 30, 1830, p. 310. See also Colborne to Hay, October 4, 1830, p. 324-325.

¹²⁸ Colborne to Stanley, Toronto, April 26, 1834, in Report on Canadian Archives, 1900, Ottawa, S. E. Dawson, 1901, p. 30.

¹²⁹ "Bill, Intituled: An Act to Establish Upper Canada College", in Hodgins, D. H. E., Vol. 1, p. 301-304.

open to all denominations of students and governed by a Council of twelve, one-half nominated by the Assembly and the other half by the Legislative Council without religious restriction. The bill was rejected by the Legislative Council. The Assembly made a similar proposal to convert Upper Canada College into the university, in an address¹³⁰ to the King in 1834 which Colborne recommended to Strachan for his consideration. Strachan¹³¹ rejected the suggestion on the grounds that the College was already a part of the university by preparing young men for it and that the College buildings had no extra accommodation. Actually, however, Strachan¹³² had always resented Colborne's founding of Upper Canada College for it rivalled the proposed university and consumed a portion of the endowment. Colborne forwarded the Assembly's address to the Colonial Office but there is no evidence of a reply being made.

In 1839 Lieutenant-Governor Arthur made the same proposal in a letter to Colborne as follows:

¹³⁰ J. H. A., December 4, 1834, in ibid., Vol. 2, p. 139.

¹³¹ P. A. O., Strachan Papers, Strachan to Colborne, Toronto, March 29, 1834.

¹³² See for example, P. A. O., Macaulay Papers, Strachan to Macaulay, "Private", York, October 24, 1831.

As I look upon myself as a Bird of Passage in Canada, and am ready to fly off at the shortest notice, I am unwilling to take decided measures for postponing the University for a very long day [underlining Arthur's] without asking your opinion upon the matter - at the same time, I must say that with some further assistance, Upper Canada College seems to me to be adequate for the wants of the Province for some years to come.¹³³

Colborne strongly recommended adding two well-qualified tutors to the Upper Canada College to provide instruction at the university level and thus satisfy the proponents of the university without increasing the expense¹³⁴. Arthur replied that Colborne's observations "entirely correspond with my notion respectg. [sic] the College and I will act upon them"¹³⁵. It will be recalled that Arthur successfully pushed a bill through the Legislature providing for a reallocation of a portion of King's College endowment to support an extension of Upper Canada College into a university. Arthur now appointed a three-man committee including the principal of Upper Canada College, Dr. McCaul, and Bishop Strachan, newly created diocesan of Upper Canada.

¹³³ P. A. C., Colborne Papers, Vol. 22, Arthur to Colborne, Toronto, April 30, 1839, p. 6490.

¹³⁴ Ibid., Colborne to Arthur, Montreal, June 20, 1839, p. 6770.

¹³⁵ Arthur to Colborne, "Private", Toronto, July 12, 1839, in Sanderson, The Arthur Papers, Vol. 2, p. 195.

The committee drew up an elaborate scheme¹³⁶ to effect the union of the two foundations supposedly with Strachan's agreement. The bishop¹³⁷, however, objected strongly and bitter letters were exchanged with Arthur. Arthur¹³⁸, himself, opposed much of what the committee proposed which was extensive and costly. The only portion of the committee's report which he could recommend to the College Council was that which referred to additional buildings; this was done and approved¹³⁹. Actually Arthur had ceased to be chancellor after Poulett Thomson had assumed the office of governor-general in November, 1839. Thomson deferred to Arthur's counsel on matters of education but he was at the time too occupied with securing the union of the province to take any definitive action on the change in Upper Canada College.

An additional result of the support by the lieutenant-governors of the claims of the Church of England to monopolize control of the university was to stimulate other religious

136 "Plan for Carrying Out the Provision of the Act, 2nd Victoria, Chapter 10, for Making Upper Canada College a Temporary University", in Report of a Commission on Education in Upper Canada, 1839, in Hodgins, D. H. E., Vol. 3. p. 261-265.

137 P. A. C., R. G. 5 A1, Vol. 241, Strachan to Rev. C. Mathews, Toronto, March 17, 1840, p. 131932-131935.

138 Arthur to Thomson, Toronto, March 2, 1840, in Sanderson, op. cit., Vol. 2, p. 448.

139 Ibid.

denominations to found their own institutions of higher learning. The larger Protestant denominations were well organized and their spokesmen, the Ryersons for the Methodists and William Morris¹⁴⁰ for the Presbyterians, were men of considerable influence. Bishop Alexander Macdonell worked tirelessly for educational opportunities for the Roman Catholic population.

The Methodists had founded Upper Canada Academy in 1835 as a grammar school but soon sought to extend it to provide university education. An act¹⁴¹ of the Legislature in 1841 accorded degree-granting rights to Upper Canada Academy and a change of name to Victoria University. The Methodists had experienced lack of support and even opposition from Colborne, Bond Head, and Arthur¹⁴² to Upper Canada Academy but Poulett Thomson, who was much more liberal-minded than his predecessors, was more supportive. Ryerson wrote to Thomson:

140 Morris was a member of the Assembly from 1820 to 1836 and of the Legislative Council from 1836 to 1841.

141 4th and 5th Victoria, Chapter XXXVII, An Act to Incorporate the Upper Canada Academy under the Name and Style of Victoria College, August 27, 1841.

142 Vide Chapter IV.

Your Excellency is the first Governor of Canada who has taken the pains to investigate the charter & affairs of the Wesleyan Methodist Church for himself, & not judge & act from hear say - the first Governor to ascertain my sentiments & feelings & wishes from my own lips & not from the representations of others. As a Body, considering our labours & numbers, we have certainly been treated unjustly & hardly by the Local Government.¹⁴³

In the summer before his death, Thomson¹⁴⁴ signed the bill incorporating Victoria University.

Roman Catholic interest in higher education centred on preparation for the priesthood. Intensely pro-British Bishop Macdonell had worked zealously to provide teachers and clergy for the Catholic settlements. Adequate provision of this nature he tended to hold out to lieutenant-governors as a condition of Catholic loyalty. He wrote to Maitland:

¹⁴³ Egerton Ryerson to His Excellency the Governor-General, "Private", Toronto, October 5, 1840, quoted in C. B. Sissons, Egerton Ryerson His Life and Letters, Vol. 1, Toronto, Clarke, Irwin, 1937, p. 561.

¹⁴⁴ Sissons gives much credit to Thomson for effectively guiding the bill in its passage through both houses.

[. . .] nor is it presumption to assert that the loyalty of the Catholics whose religious principles are interwoven with a monarchical form of Government and obedience to the authority of Superiours [sic] hold out the strongest pledge for the allegiance of these colonies to the mother country. But in order to secure this loyalty the Catholic should be afforded the means of knowing his Religion, and the important duties it imposes on them that profess it; and this the more necessary, as it is a notorious fact that an ignorant and wicked Catholic is of all others the worst subject.¹⁴⁵

Macdonell hoped that such arguments would convince the government of the necessity of making separate provision for the education of the Catholic inhabitants and for the training of their clergy. Macdonell was not unnaturally opposed to the claims of the Church of England to be the dominant church. He maintained cordial relationships with the lieutenant-governors and had received some support for his proposals for Catholic education.

In 1836 Macdonell¹⁴⁶ vigorously supported the conservative forces in the election and it may have been this fact that induced the conservative Assembly in 1837 to look

¹⁴⁵ P. A. C., R. G. 5 A1, Vol. 77, Macdonell to Maitland, Kingston, March 9, 1826, p. 41133.

¹⁴⁶ "Address to the Catholic and Protestant Freeholders of the Counties of Glengarry and Stormont," in G. F. G. Stanley, "The Big Bishop, Alexander Macdonell of Kingston," in Historic Kingston, Kingston Historical Society, No. 20, February, 1972, p. 100.

favourably on a bill¹⁴⁷ providing for the erection, use and support of a seminary at Kingston. The cornerstone for Regiopolis College was laid in 1838. While initially Regiopolis appears to have provided theological education for the Roman Catholic priesthood and eventually possessed the right to grant degrees, it is also as a private secondary school that it has been chiefly known.

The third college which evolved as a result of the failure to resolve the conflict over the claims of the Church of England to control higher education was Queen's College. Like the Scottish Presbyterian colleges on which it was modelled, the original purpose was provision for theological education. Soon after the granting of the charter to King's College the United Presbytery of Upper Canada considered a plan "for establishing a Literary and Theological Seminary for the education of young men of piety and ability for the Gospel Ministry, so soon as circumstances would permit"¹⁴⁸.

¹⁴⁷ 7 William IV, Chapter LVI, An Act to incorporate certain persons therein named, as a Board of Trustees, for the erection, superintending and management of a Roman Catholic College at Kingston, to be known by the name of a College of Regiopolis and for other purposes therein mentioned, March 4, 1837.

¹⁴⁸ Minutes of the United Presbytery of Upper Canada, September 2, 1829, quoted in W. Gregg, History of the Presbyterian Church in the Dominion of Canada From the Earliest Times to 1834, Toronto, Presbyterian Printing and Publishing, 1885, p. 373.

These plans progressed during 1830 and 1831 and a site for the college was selected in Prince Edward County. The presbytery petitioned the lieutenant-governor for a modification of the King's College charter in 1834 but beyond forwarding the petition to the Colonial Office¹⁴⁹, little seems to have been done. The matter was taken up again in 1837 when William Morris was selected to represent the claims of the Church of Scotland in Upper Canada to the Imperial Government, since it was perceived little help would come through the local chief-executive. Since the remainder of the history of the founding of Queen's University in the late 1830's involved more directly the Colonial Office and agents of the Imperial Government in London than the lieutenant-governor's office, it will be considered more fully in Chapter VI.

By 1840 instead of one viable institution which the province would do well to support financially, the province was faced with four fledgling institutions, all financially precarious with some degree of denominational character and none having commenced education at the university level. It was a problem with which the lieutenant-governors were at a loss to cope.

¹⁴⁹ Colborne to Stanley, Toronto, April 18, 1834, in Hodgins, D. H. E., Vol. 3, p. 285.

7. Summary

The following generalizations may be made regarding the position of the lieutenant-governors in the determination of the function of the university, its administration, finances, curriculum, students, professors and the alternative proposals to the university. These generalizations are not without exceptions as noted and must take into account the fact that some of the chief-executive officers left no evidence of their participation in the university debate if any.

Simcoe determined in the 1790's that the function of the university was to preserve attachment of the sons of the upper class to the British constitution and to the Church of England, and conversely to prevent young men from seeking higher education in the United States where they would be exposed to the democratic ideas of the republic. It was also intended to indoctrinate the youth who had come from other nations to settle in Upper Canada in the same principles of Church and State. The function of the university was also to preserve social class distinctions and perpetuate an educated élite from which the rulers of the people would be drawn. Succeeding lieutenant-governors wavered very little from this description of the functions. They failed, however, to take into account that a great majority of the inhabitants were lower and middle class and American and nonconformist.

They had fled a republic but notions of an egalitarian and classless society had remained. They effectively opposed the intentions of the colonial establishment to found a British-styled university because it appeared to exclude them from its privileges on religious and social grounds.

Another function of the university was to provide a preparation for entering the professions. This was a concomitant function of the preparation of a gentleman since the same education was viewed as necessary for both. The lieutenant-governors did from time to time express a desire to see the university provide preparation specifically for theology, law and medicine. Colborne suggested appointing two professors in medicine in 1830 but the idea was rejected by the College Council.

Before 1791 Lord Dorchester had not favoured control of the administration of the university by Anglicans because of their small numbers in the province. From 1791 to 1828, the lieutenant-governors with the assistance and advice of John Strachan sought to give the Church of England a monopoly in the administration. Gore had attempted it through legislation in 1816 but failed; Maitland delegated Strachan to procure a charter which placed Anglicans in complete control of the College Council in 1827 and had recommended Strachan be placed in a key position of authority.

Colborne, as chancellor, was faced with the choice of allowing the university to open in face of bitter

popular opposition or to prevent it from opening, an action incongruent with his position as the chief officer in charge of its welfare. He first suspended proceedings with regard to its opening. He then urged without success the two houses of the Legislature or the Imperial Government to revise the controversial features of the charter. In the final years he asked the Colonial Office to allow the university to open on the present charter until a new one could be obtained by either of the means mentioned above. This request was turned down.

Bond Head sided entirely with the colonial establishment and took advantage of a revision in the charter to appoint a new College Council entirely from the Church of England. He planned to have the university opened shortly but the rebellion forced a halt to plans.

Controversy over the administration of the university was a major stumbling block to its opening.

The most hopeful source of revenue for the university was the crown lands. Simcoe suggested an endowment of lands in 1796 and after a request was made from the Assembly a substantial endowment was made. Administrator Peter Russell led the Executive Council in determining the extent and location of the reserves. Because of the practice of giving lands away, the reserves did not become very valuable until 1826. Maitland suggested an exchange of poor school lands

for more valuable crown reserves. The suggestion was accepted and a substantial revenue began to be realized from the endowment.

Arthur succeeded in persuading the Legislature to pass an act diverting a portion of the university revenue to provide for the extension of Upper Canada College into a substitute university. There is no evidence that any large amount was expended on this scheme and it was not effected. Arthur also discovered discrepancies due to unauthorized loans in the College accounts which contributed to the delay in opening the university.

The proposed curriculum, as a result of the perceived functions, was mainly classical as in the Universities of Oxford and Cambridge. Maitland and Bond Head both delegated Strachan to draw up a curriculum which was to be similarly classical.

The professors were to be appointed by the College Council. Since the Council by the terms of the charter was to be composed of Anglicans, it was generally feared that only Anglicans would be appointed professors. Gore and Maitland both recommended placing Strachan at the head of the university which was done in 1827. Colborne suggested, without effect, that the opposition might be reduced yet the interests of the Church protected by removing religious qualifications for the Council and merely insuring that

appointments came from the Crown. No particular academic qualifications were enumerated and the tendency seemed to indicate that the British universities would be asked to recommend appointments.

No students were enrolled in the university but the social, economic and intellectual circumstances supported exclusion of all but the upper classes.

As a result of the exclusive features other alternatives to the university were examined. The lieutenant-governors discouraged the Colonial Office from proceeding with plans to establish one university for both provinces in Lower Canada or two universities in Upper Canada for Anglicans and nonconformists. As stated earlier, Arthur supported substituting Upper Canada College but the scheme did not materialize. The Methodists extended Upper Canada Academy into Victoria University by 1841. The Roman Catholics succeeded in obtaining an act to establish Regiopolis College as a theological seminary. The Presbyterians, realizing little assistance would come from the local executive, looked to the Colonial Office for assistance in founding Queen's College. By 1841 Upper Canada had four universities in the embryo stage .

CHAPTER IV

THE GRAMMAR SCHOOLS

The purpose of this chapter is to study the effect of the policies of the lieutenant-governors on the grammar schools of Upper Canada and Upper Canada College. To do this one must consider the following dimensions: the function of the grammar schools, the administration, finances, curriculum, the selection of masters, the selection of scholars and alternatives to the government-sponsored grammar schools and Upper Canada College.

The first section will examine the lieutenant-governors' perceived notions of the function of the grammar schools as revealed in their correspondence. The remaining sections will examine the lieutenant-governors' actions in determining the nature of each of the dimensions listed above. Section two deals with the appointment and composition of the administering agencies both local and central. Section three examines the content and control of the content of the curriculum. Section four will examine the factors determining the selection of masters while section five will examine the basis of selection of pupils. Section six will examine the lieutenant-governors' role in the development of alternatives to the government-sponsored grammar schools.

1. Function

The intended functions of the grammar schools were not unlike those for the university. Simcoe tended to consider the grammar schools and the university together when discussing the education of "the superior classes" for he would not consider establishing grammar schools without the university¹. He considered both necessary to maintaining union with Great Britain, the ascendancy of the Church of England, the stability of government and the moral well-being of the people. After receiving no encouragement from his representations to the Home Office for assistance in establishing two grammar schools and a university, he summarized his views as follows:

¹ Simcoe to the Bishop of Quebec, Kingston, April 30, 1795, in Cruikshank, op. cit., Vol. 3, p. 349.

In respect to a just attention to the interests of religion, and a provision for the education of the rising generation, who must take their due lead in society under the present constitution, and principally fill up the offices of Government, I only beg leave, Sir, to refer you to my late dispatches upon these subjects - I have therein stated strongly what I have felt sincerely, and these momentous concerns will not only involve in themselves the comfort and happiness of the settlers in this country, and be the surest means of rendering it populous, but will chiefly contribute to that intimate union with Great Britain, which if duly improved and properly supported, as necessity requires, at the present season, I see no reason why that union should not become permanent for ages.²

These were sentiments with which Maitland³ and Colborne and probably Gore and Arthur could agree. Because he felt that circumstances of distances and low salaries would mitigate against the effectiveness of government-supported grammar schools in serving these functions, Colborne⁴ favoured a superior grammar school. His statements on the functions such a school would serve bear a close resemblance to Simcoe's quoted above.

² Simcoe to Dundas, Navy Hall, November 23, 1792, in Cruikshank, op. cit., Vol. 1, p. 264-265.

³ P. A. O., Upper Canada State Books, State Book H, Minutes of the Executive Council, February 2, 1826, p. 193-194.

⁴ P. A. C., Colborne Papers, Vol. 3, Colborne to Hay, "Private", November 25, 1829, p. 401.

[. . .] it is needless to advert to the advantage to be expected from most of the young men of the Province receiving a liberal education at an Institution under the direction of Masters appointed by the King. The attachment of the students to our own Country, and its customs will be preserved by an English course of instruction; and they will not forget the advantages they have reaped. The classes of society found at such an Institution will certainly assist in counteracting the effects of the powerful democratic stream continually flowing into the Province.⁵

To Undersecretary Hay he wrote,

Royal patronage cannot be more advantageously applied nor the interests of the Colony better consulted than by forming an Institution destined to supply every Office of importance and every Profession with fit materials.⁶

It was intended then that instruction at Upper Canada College would provide sufficient preparation for the professions. One parent⁷ wrote to Colborne that he had enrolled his sixteen-year old son at Upper Canada College to study law. George Markland, a prominent member of the colonial establishment, felt that the government-sponsored grammar schools were also, "a measure of furnishing an education necessary to the different professions"⁸. The lieutenant-governors made no mention of

⁵ P. A. C., C. O. 42, Vol. 389, Colborne to Murray, "Private", December 9, 1829, p. 275-276.

⁶ P. A. C., Colborne Papers, Vol. 3, loc. cit.

⁷ P. A. C., R. G. 5 A1, Vol. 99, J. Covort to Colborne, York, March 16, 1830, p. 55756.

⁸ P. A. C., R. G. 5 B11, Vol. 3, George Markland to Mudge, York, December 8, 1828.

this possibility and probably the low level of scholarship⁹ in most cases would preclude this assumption.

An additional function to be considered regarding the grammar schools concerns whether they were to be regarded as preparatory institutions to the university. Maitland expressed in a circular letter to the boards of education in 1825, the hope that some uniformity might be brought into the instruction in the grammar schools so that students entering the university, "shall not be impeded in their further pursuits of learning"¹⁰. Generally, however, boys whose parents could afford to send them to the grammar schools had little preparatory instruction, due to the scarcity of qualified tutors and the general tendency of the wealthier inhabitants not to send their sons to the common schools. The result was that much of the instruction at the district schools was devoted to basic skills. Colborne claimed that, "there is no tolerable Seminary in the province to prepare boys for it [the university]"¹¹.

9 Vide p. 172.

10 P. A. O., Strachan Papers, Circular Letter to Chairman, Board of Education Home District from Government House, York, October 24, 1825.

11 P. A. C., Colborne Papers, Vol. 2, Colborne to Hay, "Private", York, March 31, 1829, p. 297.

After the founding of Upper Canada College in 1829 as a superior grammar school, Colborne¹² hoped to make the logical educational progression from district grammar schools to Upper Canada College to university. He planned to establish scholarships¹³ for boys progressing from one stage to the next but the colonial secretary¹⁴ delayed granting permission until a more advanced stage in establishing the various institutions had been reached. While no statistics are available regarding the number of boys who took the first two stages of this route, it appears that at least a number did. The General Board of Education¹⁵ in the province regretted that the district schools had not been improved to the level of the College while one inhabitant¹⁶ in 1839 complained of the lack of uniformity in books and instruction among the grammar schools resulting in some boys being put back when they advanced to Upper Canada College.

¹² P. A. C., C. O. 42, Vol. 389, Colborne to Murray, No. 47, December, 1829, p. 269.

¹³ Ibid., Vol. 391, Colborne to Murray, No. 11 March 18, 1830, p. 108.

¹⁴ P. A. C., R. G. 7 G1, Vol. 66, Murray to Colborne, No. 75, Downing St., June 25, 1830, p. 196-197.

¹⁵ P. A. C., C. O. 42, Vol. 393, Report of the General Board of Education to Colborne, February 23, 1831, p. 106.

¹⁶ P. A. C., R. G. 5 B11, Vol. 5, George Phillpots to Macaulay, April 29, 1839.

Markland¹⁷ wondered who could afford to send two or three sons to Upper Canada College and then to university and felt the district schools should have been made the preparatory schools to the university¹⁸.

The chief functions of the grammar schools, therefore, were similar to those of the university with the additional function of preparation for progress to higher levels of instruction.

2. Administration

Since there was no effective machinery of municipal government to take responsibility for organizing and administering schools, appeals for aid in erecting buildings¹⁹ and securing²⁰ and paying teachers²¹ were frequently made to the lieutenant-governors. Even before they had arrived in

¹⁷ P. A. O., Macaulay Papers, Markland to Macaulay, April 27, 1829.

¹⁸ Ibid.

¹⁹ Rev. John Stuart to the Society for the Propagation of the Gospel, Cataraqui, September 26, 1786, in Richard A. Preston, Kingston Before the War of 1812, A Collection of Documents, Toronto, The Champlain Society, 1959, p. 118-119.

²⁰ P. A. C., C. O. 42, Vol. 50, "Petition of the Inhabitants at large in the respective Townships from Point au Baudet on Lake St. Francis Westward, as far as Niagara", New Johnstown, April 15, 1787, p. 402.

²¹ Ibid., Vol. 51, Dorchester to Sydney, No. 18, Quebec, October 24, 1787, p. 189.

Upper Canada, the Loyalists had petitioned Governor Haldimand, "that the vacant Lands fronting the Lake & not Included in the survey of the first Township be surveyed & Granted for the benefit of said Township; as an assistance in supporting a Minister and School Master"²². The practice of appealing to the governor or lieutenant-governor for assistance in matters of education continued since, of course, he was the most direct route to the Imperial Government and more likely to find available sources of money.

In 1807 the epic-making act²³ to establish a grammar school in each of the eight districts of the province was passed by the Legislature. There is no evidence to suggest that the lieutenant-governors played a significant role in the success of the bill although it legislated for the first time the chief-executive's authority to appoint the boards of trustees. At the same time, the act attempted to satisfy Loyalist sentiment by granting the local authorities the right to make regulations for their own schools and hire and fire the teacher. Their nominations, however, as well as

22 P. A. C., Haldimand Papers 21875, Vol. 2, "The request of the Companies of Associated Loyalists going to form a Settlement at Cataroque", Petition to Governor Haldimand, January, 1784, p. 131.

23 47th George III, Chapter VI, An Act to Establish Public Schools in Each and Every District of this Province, March 10, 1807.

their dismissals were subject to the approval of the lieutenant-governor who was also authorized to issue the warrants for the payment of salaries. This act remained in force with little change until 1853.

Judge Thorpe, the government's first outspoken critic in the Assembly, was one of four members who had voted against the bill in the Assembly²⁴. "On a question respecting the appointment of trustees to schools he [Thorpe] de-claimed most vehemently against their being made Government jobs and insisted that as five was to be the number, the House of Assembly should appoint three and the Legislative Council two."²⁵ Thorpe could no doubt see the implications of executive control but his suggestion was probably too democratic and was given little consideration.

By virtue of the act of 1807 the authority of the lieutenant-governor over grammar school education throughout the period was virtually unassailable. Lieutenant-Governor Gore lost no time in setting up the boards of trustees²⁶.

²⁴ J. H. A., March 2, 1807 in Eighth Report of the Bureau of Archives for the Province of Ontario, 1911, p. 164.

²⁵ P. A. O., Cartwright Family Papers, Letter Book 1787-1808, Part I, Richard Cartwright to the Honourable Chief Justice Alcock, Kingston, March 14, 1807, p. 253.

²⁶ Hodgins, D. H. E., Vol. 1, p. 61.

An examination of the lists of trustees of district schools appointed by the lieutenant-governors over the years reveals many names prominent on the lists of the members of the Family Compact as well as a sprinkling of reverend gentlemen. Since there were few Presbyterian clergymen in the province before 1819 and to appoint dissenting clergymen to government positions unthinkable, it can be assumed that most of the clergy trustees were of the Church of England at least before 1830.

Anglican domination of the district boards became another political as well as religious issue. The United Presbytery of Upper Canada complained in a petition to the Assembly in 1830 that

the Trustees of these institutions, which ought to be impartially managed for the benefit of all, have been almost exclusively appointed from one denomination of Christians, and, consequently, your Petitioners and their congregations, as well as others in similar circumstances, have been deprived of that benefit which they had a right to expect would have arisen from them.²⁷

There is no conclusive evidence to support the truth of this assertion and the fact that at a subsequent meeting²⁸ the presbytery resolved to request the lieutenant-governor for the names and religious affiliations of all trustees

²⁷ "Petition of the United Presbytery of Upper Canada", J. H. A., February 24, 1830, Appendix, p. 180.

²⁸ Hodgins, D. H. E., Vol. 1, p. 315-316.

would indicate that the presbytery did not have all the evidence when it made the accusation. It would be reasonable to assume, however, that all appointees would be friendly to the government. Shortly after the United Presbytery made its complaint, Strachan advised the lieutenant-governor that,

it appears expedient to insert the names of the Clergymen in connexion with the Church of Scotland & the Roman Catholic Clergy as well as those of the Church of England among the Trustees and Members of the Boards of the Districts in which they reside as they will naturally take a warmer interest in the prosperity of the Schools than others.²⁹

This communication would appear to indicate that it had not been the practice before 1830 to appoint clergymen of other denominations thus justifying the complaint of the presbytery. Strachan, however, was not one to give in to complaints. The inefficiency by which some schools had been managed led him to conclude that competent, conscientious trustees even of different religious persuasions were more to be desired than unsuitable candidates who happened to be Churchmen. There is no record of the lieutenant-governor's response but of six district school boards replying to a circular in 1840 exactly one-half of the trustees were

²⁹ P. A. O., Strachan Letter Book 1827-1839, Strachan to Hudge, York, May 22, 1830. Strachan is probably referring here to both the trustees of the district schools and the members of the boards of education set up in 1816 to oversee the common schools. Both were appointed by the lieutenant-governor.

reported to be clergymen³⁰.

A major deficiency in grammar school education was a lack of any centralized system of administration and supervision. The district boards were not required to make reports to the lieutenant-governor until after an act of 1819³¹. Gore had approved a plan in 1817 to make Strachan, "Inspector or Superintendent of Schools in order to produce uniformity of System"³². Gore's sudden departure from the province soon after, suspended the plan. Strachan's account of the circumstances leading to the formation of the General Board of Education during Maitland's administration illustrated Maitland's habit of arbitrarily resorting to the use of the executive authority to impose control over educational development.

30 P. A. C., R. G. 5 A1, Vol. 250, "Information received from Clerks of the Peace in reply to Mr. Secr [sic] Harrison's Circular of 11 April '40 respecting Boards of Education", p. 136281.

31 59th George III, Chapter IV, An Act to Repeal part of, and to amend, the Laws now in force for establishing Public Schools in the several Districts of this Province, and to extend the provisions of the same, July 12, 1819.

32 P. A. O., Strachan Letter Book 1812-1834, Strachan to the Hon'ble Chief Justice Powell, York, December 23, 1817.

In 1822 I made a strong remonstrance to Sir Peregrine Maitland on the subject of these [District] Schools proposing to add £100 per annum to each immediately & more as the population & the ability of the teachers producing an influx of Scholars might render it expedient. This remonstrance was taken in good [?] by Sir P. who also thought of building handsome School houses on a uniform plan in all the Districts with houses for the Masters & had even sketched out some designs. In 1823 the suggestions which had been offered were introduced in a report of Council [including a recommendation concerning common schools]. These schemes gave rise to the General Board & some exertions were made to sell lands & accumulate a Fund.³³

In 1822 Maitland had proposed to the colonial secretary the formation of a General Board of Education "to be held at the Seat of Government"³⁴ to superintend both common and district schools and manage the sale of the school reserves. The plan was approved and Strachan duly appointed by Maitland to be president at an annual salary of three hundred pounds³⁵. In addition to Strachan, Maitland appointed "a Board of fit persons"³⁶, namely Joseph Wells, G. H. Markland, Rev. R. Addison, J. B.

³³ P. A. O., Macaulay Papers, Strachan to Macaulay, York, May 12, 1831.

³⁴ P. A. O., Minutes of the General Board of Education [hereafter R. G. 2, Series A], Box 1, June 14, 1823, "Extract of a Despatch from Sir Peregrine Maitland to Earl Bathurst, Secretary of State for the Colonies, in 1822" p. 3.

³⁵ P. A. O., Strachan Papers, "Memoranda given to the Atty Genl [sic] to be submitted to H. M. Government", February, 1822.

³⁶ P. A. C., R. G. 1 E3, State Papers, Vol. 80, Hillier to Executive Council, Government House, May 13, 1823, p. 186.

Robinson, and T. Ridout³⁷, all prominent members of the governor's inner circle³⁸. Maitland had not consulted the Legislature with regard to the formation of the General Board nor to its composition. Strachan's salary was to come from "some fund at the disposal of the Crown"³⁹ thus removing it from any vote by the Legislature. The members of the Board were also all Anglicans, a fact not calculated to win general approval. Indeed it appeared that Maitland and Strachan were using the Board to strengthen government control and extend Church of England influence over all public education.

As a centralized supervisory body for grammar school education the General Board of Education was a failure. An examination of the minute books of the board reveal that the majority of its few meetings were devoted to land transactions, the selection of textbooks, buildings and minor administrative matters related to Upper Canada College. In 1825 Maitland⁴⁰ appointed Strachan an ex-officio trustee of

³⁷ I. A. O., R. G. 2, Series A, Box 1, June 14, 1823, p. 1.

³⁸ By position, two of these five gentlemen were members of the Legislative Council, one an Anglican clergyman, the attorney-general and the surveyor-general.

³⁹ I. A. O., R. G. 7 G1, Vol. 60, Bathurst to Maitland, Downing Street, July 17, 1824, p. 258.

⁴⁰ I. A. O., Strachan Papers, Millier to Strachan, York, July 18, 1825.

the board for each district school. The reason for this move was not stated but undoubtedly Maitland hoped to strengthen government influence with the boards, as well as to bring a greater uniformity into the system. To further this object, Maitland, shortly afterward, instructed the district school boards to communicate directly with Dr. Strachan instead of Government House and to submit all reports, returns and suggestions to him⁴¹. The General Board would then collate the results and present "at one view, the General sentiments on the subject"⁴². Maitland continued:

This course may it is hoped lead to the Establishment of a general system of public Education for the whole Province, as it doubtless will be of importance that whenever circumstances shall permit of the endowment of the long contemplated University that the Students who shall be assembled in it, shall not be impeded in their further pursuits of learning by a dissimilarity in the previous systems of Education in which they may have been trained.⁴³

Maitland's plan was never systematically followed probably because Strachan was absent for a year from the spring of 1826 to 1827 to secure the university charter followed soon after by the termination of Maitland's

⁴¹ P. A. O., Strachan Papers, Circular Letter to Chairman, Board of Education Home District from Government House, York, October 24, 1825.

⁴² Ibid.

⁴³ Ibid.

administration.

Colborne did not have the same regard for the General Board as did Maitland nor did he entrust matters to a small coterie of advisors as did Maitland. He objected⁴⁴ to Strachan's involvement in political affairs which he felt reflected negatively on the church and educational projects with which he was associated. He exclaimed to the Executive Council that the Board possessed, "no control or influence over schools established by law, while its nominal superintendence embarrasses the Government"⁴⁵. When the Colonial Office disbanded the General Board in 1832, Colborne was blamed⁴⁶ but there is no evidence that he promoted the move.

Another attempt to provide some centralized administrative structure for the grammar schools was made by means of the act⁴⁷ Arthur succeeded in pushing through the Legislature in 1839. The act authorized the Council of King's College to manage the funds and make rules and regulations

⁴⁴ P. A. C., Colborne Papers, Vol. 2, Colborne to Hay, "Private", York, March 31, 1829, p. 297.

⁴⁵ P. A. C., R. G. 1 E3, State Papers, No. S 23, Vol. 82, "Reference from His Excellency the Lt. Governor, Read and Reported upon in Council 28 May 1830", p. 123.

⁴⁶ P. A. O., Strachan Papers, Memorial [from Strachan to Colborne, October, 1832]. Having heard that Colborne had forwarded a previous protest from Strachan to the Colonial Office, this memorial was not sent.

⁴⁷ 2nd Victoria, Chapter X, op. cit.

governing the district grammar schools⁴⁸. The move towards uniformity in grammar school education was reinforced by a commission appointed by Arthur to study the state of education in the province. An oft heard complaint and the subject of many petitions to the Legislature throughout the decade of the 1830's had been the inequality of educational opportunity and the benefits of the district schools and particularly Upper Canada College to only those who resided in the locality or could afford the expense of board. The act intended to make up this disparity and it was the hope of the commission that examination of teachers and the appointment of inspectors⁴⁹ would raise the standard of scholarship in the grammar schools. In 1840 King's College Council issued its first regulations⁵⁰ concerning the grammar schools, incorporating the above suggestions but the authority of King's College Council proved to be so unpopular with the boards of the district schools that the provision regarding rules and regulations was repealed in 1841 thus halting the tendency towards centralization.

⁴⁸ Ibid.

⁴⁹ "Commission Appointed by Sir George Arthur to Report on the State of Education in Upper Canada and Suggest Improvements", in Hodgins, D. H. E., Vol. 3, p. 248.

⁵⁰ Hodgins, D. H. E., Vol. 3, p. 306.

3. Financing

The main sources of finance used for grammar school education were grants from the province and the Home Government and the school reserves.

Governor Hope appears to have been responsible for the first grant for a grammar school in Upper Canada. The Reverend John Stuart had applied, "for Assistance to erect an Academy"⁵¹, in Kingston in 1785. Governor Hope⁵² responded by erecting a school and allowing a salary for an assistant. The school opened in May 1786. This assistance did not become a matter of policy, however, for in answer to petitions and reports⁵³ the following year to extend similar aid to other districts, Governor Dorchester⁵⁴ finally replied

⁵¹ Stuart to Dr. White, Cataraqui, November 2, 1785, in Preston, op. cit., p. 112.

⁵² Stuart to the Society for the Propagation of the Gospel, Cataraqui, September 26, 1786, in Preston, op. cit., p. 118.

⁵³ P. A. C., C. O. 42, Vol. 50, "Petition of the Inhabitants at large in the respective Townships from Point au Baudet on Lake St. Francis Westward, as far as Niagara", New Johnstown, April 15, 1787, p. 402; P. A. O., Cartwright Family Papers, Letter Book 1787-1808, Part 1, Magistrates of Kingston to Sir John Johnson, Cataraqui, December 22, 1787, p. 7; "Report of John Collins and William Dummer Powell to Lord Dorchester on Loyalists' Grievances", Kingston, August 18, 1787, in Preston, op. cit., p. 123.

⁵⁴ P. A. O., Cartwright Family Papers, Letter Book 1787-1808, Part 1, Henry Motz to the Magistrates of Kingston, Quebec, May 31, 1790, p. 13.

that the people themselves might cooperate to build schools on glebe lands⁵⁵ formerly granted to each township. Dorchester⁵⁶ recommended to the home secretary late in 1790 an integrated system of free schools in Upper and Lower Canada subordinate to a university and suggested, "For this purpose there should be an adequate fund created to defray the expense of the whole establishment"⁵⁷. Dorchester probably had in mind the revenue from the estates of the Jesuits in Lower Canada claimed by the province for educational purposes⁵⁸ after the order had left the province following the conquest.

In 1792 Simcoe⁵⁹ attempted to persuade the secretary of state to obtain a grant of one hundred pounds from the Imperial Treasury to pay the salary of a schoolmaster in each of Kingston and Newark. When this appeal failed, Simcoe⁶⁰ looked for alternatives for providing financial support for

55 Vide p. 223.

56 P. A. C., C. O. 42, Vol. 72, Dorchester to Grenville, No. 67, Québec, November 10, 1790, p. 15-16.

57 Ibid., p. 16.

58 See P. A. C., Executive Council F, Smith to Dorchester, Quebec, December 13, 1788, p. 260-262.

59 Simcoe to Dundas, No. 7, Quebec, April 28, 1792, in Cruikshank, op. cit., Vol. 1, p. 143.

60 Stuart to the Bishop of Quebec, Kingston, August 23, 1795, in Preston, op. cit., p. 304-305.

the grammar school at Kingston. John Stuart's son, George, had taken charge of the school and the elder Stuart wrote apprehensively regarding his salary to the bishop,

this County, and several other Salaries given by His Excellency are, and must be paid out of a certain Sum intended for the Contingencies of Government. If this be so, (of which I have little Doubt) I leave your Lordship to judge whether any of it may be relied on as a Permanency [sic].⁶¹

Stuart's misgivings proved to be well founded. It is probable that Simcoe intended to pay George Stuart out of the casual and territorial revenues but Stuart received only one payment⁶² before Simcoe left the province taking the government records with him. The arrears in salary were paid after Stuart petitioned⁶³ to the Executive Council but President Russell⁶⁴, finding no authorization for the expenditure nor from what fund it had been taken, did not assume the same liberty as Simcoe in continuing its payment.

⁶¹ Stuart to the Bishop of Quebec, Kingston, November 1, 1795, in Preston, op. cit., p. 309.

⁶² Minutes of the Executive Council, Council Chamber, York, July 14, 1796, in Cruikshank and Hunter, op. cit., Vol. 2, p. 213.

⁶³ Ibid., p. 212-213.

⁶⁴ Russell to the Bishop of Quebec, Upper Canada, July 31, 1797, in Cruikshank and Hunter, op. cit., Vol. 1, p. 235.

Richard Cartwright⁶⁵ of Kingston suggested that the rents from the King's Mills in the neighbourhood of Kingston be applied as a fund to pay the master of the grammar school which in effect would amount to drawing it from the casual and territorial revenue. His suggestion was not acted upon and the school was forced to close in 1799. The Bishop of Quebec⁶⁶ brought the matter to the attention of Lieutenant-Governor Peter Hunter the following year but again to no consequence. Thus financial assistance in the form of grants to even one grammar school was casual and the chief-executives were ineffectual in making any regular provision by this means, which was probably due to the unreliability of the contingency funds at their disposal. Colborne succeeded in 1831 in obtaining permission from the Home Government⁶⁷ to apply five hundred pounds from the casual and territorial revenue originally intended for King's College, towards meeting the costs of Upper Canada College and this amount was doubled⁶⁸ in 1834. The Legislature compensated for the

65 P. A. C., Q Series, Vol. 288, letter from Richard Cartwright read at the Executive Council meeting, July 14, 1798, p. 85-86.

66 Bishop of Quebec to General Hunter, Quebec, October 19, 1799, in Preston, op. cit., p. 318.

67 P. A. C., R. G. 7 G1, Vol. 67, Goderich to Colborne, No. 26, Downing St., May 23, 1831, p. 204.

68 Hodgins, D. H. E., Vol. 1, p. 289.

failure to provide permanent grants by the grammar school act in 1807⁶⁹ which granted a salary of one hundred pounds to the master of the grammar school to be established in each of the eight districts. Gore⁷⁰ attempted to persuade the Assembly to raise this amount in 1816 but failed.

A number of petitions⁷¹ before 1791 had suggested the setting aside of lands for schools, "for the education of youth is an object of such importance as confessedly to merit the attention of Government"⁷². When Simcoe⁷³ suggested a land endowment in 1796, he intended it to be for the support of only the university but the Legislature⁷⁴ included grammar schools in its address to the King. One-half of the five hundred thousand acre endowment was to support the establishment of free grammar schools.

⁶⁹ Vide p. 151.

⁷⁰ P. A. C., C. O. 42, Vol. 357, Gore to Bathurst, York, April 14, 1816, p. 133.

⁷¹ P. A. O., Cartwright Family Papers, Letter Book 1787-1808, Part 1, [Richard Cartwright] "to Mr. Collins on the subject of schools in 1789", p. 11-12; P. A. C., C. O. 42, Vol. 71, "Petition of the Subscribers in behalf of themselves and of a number of the Citizens of ~~the~~ [sic] the Province of Quebec", Montreal, October 31, 1790, p. 309.

⁷² [Richard Cartwright] "to Mr. Collins on the subject of schools in 1789", loc. cit., p. 11.

⁷³ Simcoe to the Duke of Portland, York, July 20, 1796, in Cruikshank, op. cit., Vol. 4, p. 341.

⁷⁴ Hodgins, D. H. E., Vol. 1, p. 18.

It was the intention of the Executive Council⁷⁵ that the first schools be built immediately in Kingston and Newark with two more to follow in Sandwich and Cornwall. The cheapness of land, however, prevented any steps from being taken. When the home secretary authorized the purchase from the school reserves of a piece of property in Newark for the grammar school as had been recommended by Russell, Lieutenant-Governor Hunter was compelled to remind him that "not an acre of these lands have yet been sold, and the price of land from the great quantity to be disposed of by individuals, being exceedingly low at present, I do not think it advisable to attempt the disposal of any part of them"⁷⁶. Further proceedings in regard to the school reserves were suspended for the time being.

In 1822 Maitland⁷⁷ requested permission from Colonial Secretary Bathurst to sell a portion of the school reserves in order to attract better qualified masters for the district

75 F. A. C., Q Series, Vol. 288, op. cit., p. 162.

76 Ibid., Vol. 287, Part 2, Hunter to the Duke of Portland, York, September 1, 1800, p. 458.

77 P. A. O., Strachan Papers, "Extract from Memoranda given to the Atty Genl [sic] to be submitted to H. M. Govt.", February, 1822.

schools. Having received approval from the colonial secretary⁷⁸, the superintendence of the sale of the school reserves in eight townships was transferred to the General Board of Education thus removing it from the control of the Legislature. This action plus the intention of the Board to invest the revenue in the stock of the Bank of Upper Canada⁷⁹ was bound to be unpopular with the reformers in the province. The money was never used, however, to increase the masters' salaries or improve the grammar schools but was applied later at Colborne's direction⁸⁰, to the cost of buildings and salaries for Upper Canada College.

With the permission of the Colonial Office⁸¹ Colborne was also able to endow Upper Canada College with 66,000 acres⁸² from the school reserves. Colborne was anxious from the beginning to maintain control of the College in the executive government. When the Colonial Office⁸³ returned

⁷⁸ F. A. C., C. O. 42, Vol. 372, Bathurst to Laitland, Downing St., October 12, 1822, p. 216.

⁷⁹ F. A. O., R. G. 2, Series A, Box 1, July 26, 1823, p. 10-15.

⁸⁰ Ibid., April 4, 1829, p. 71-72.

⁸¹ F. A. C., R. G. 7 G1, Vol. 66, Murray to Colborne, No. 75, Downing St., June 25, 1830, p. 192.

⁸² J. H. A., December 24, 1831, p. 62.

⁸³ Vide p. 350.

control of the revenues arising from the sale of school lands to the Legislature in 1832, Colborne persuaded the Council of King's College⁸⁴ to assume the financial direction of Upper Canada College. This arrangement continued until 1850. The financial status of Upper Canada College was thus placed on a secure footing, out of reach of the Assembly.

Colborne's actions in securing a sound financial base for Upper Canada College led Strachan to fear that "the District Schools are passed over and will be shortly forgotten or suppressed"⁸⁵. There is no evidence to support this accusation. On the contrary Colborne was anxious to improve the district schools as an inducement to upper class emigrants from Britain to settle in Upper Canada⁸⁶ as well as to discourage the nonconformists from founding their own schools⁸⁷ where they could supposedly propagate seeds of disloyalty. He attempted to improve the financial state of grammar school education by the following measures: requesting permission of the Colonial Office to endow the grammar schools with

⁸⁴ Strachan to Colborne, York, March 16, 1833, in Hodgins, D. H. E., Vol. 2, p. 128-129.

⁸⁵ P. A. O., Macaulay Papers, Strachan to Macaulay, "Private", York, January 18, 1830.

⁸⁶ P. A. C., C. O. 42, Vol. 389, Colborne to Murray, No. 47, December, 1829, p. 269.

⁸⁷ Ibid., Vol. 394, Colborne to Hay, "Private", December 7, 1831, p. 247-248.

lands selected from the school reserves⁸⁸; commissioning the Executive Council to report on how the reserves could be made more productive⁸⁹; soliciting suggestions on the same subject from the boards of the district schools⁹⁰; suggesting, on the advice of the colonial secretary, to the Legislature after the funds from the sale of school lands had been turned over to it in 1832, that it may, "be more desirable to appoint a Commission to carry into effect the measures of the Legislature, in regard to the distribution of the proceeds of these lands, than to dispose of them by annual vote"⁹¹. None of these attempts, however, was very productive as the following results indicate respectively: regarding Colborne's request for an endowment, permission⁹² was granted but shortly afterward the funds were transferred to the control of the Assembly which could not agree on a plan for its disposal; the Executive Council⁹³ suggested creating a district school fund under the control of the General Board of Education which would be unacceptable to the Assembly; the district

⁸⁸ Ibid., Vol. 391, Colborne to Murray, No. 11, March 18, 1830, p. 108.

⁸⁹ P. A. C., R. G. 1 E3, May 28, 1830, p. 118-125.

⁹⁰ Hodgins, D. H. E., Vol. 2, p. 43.

⁹¹ J. H. A., October 31, 1832, p. 10-11.

⁹² P. A. C., R. G. 7 G1, Vol. 66, Murray to Colborne, No. 75, op. cit., p. 195-196.

⁹³ Hodgins, D. H. E., Vol. 2, p. 44-46.

school boards⁹⁴ suggested a variety of schemes usually involving some measure of local control of the sale of reserves; a bill⁹⁵ introduced in the Assembly incorporating a form of Colborne's suggestion did not advance past the first reading.

During the 1830's several more attempts were made to utilize the school reserves for the endowment of grammar schools. Colborne continued to urge the appointment of Commissioners of Education; the Assembly, rather than formulate constructive legislation, continued to investigate the alienation of lands set aside for education, sometimes motivated as much by a desire to criticize and censure the executive government as to promote educational opportunity. Colborne's failure to bring any organized system into the sale of school lands was therefore due to the lack of any common acceptance as to how it should be done, as well as to a political climate charged with the recrimination and hostility of the Mackenzie expulsions.

The more receptive political climate after the rebellion was a factor in Arthur's success in procuring passage of the bill⁹⁶ mentioned earlier to appropriate part

⁹⁴ J. H. A., Appendix, 1831, p. 137-140.

⁹⁵ Hodgins, D. H. E., Vol. 2, p. 98-101.

⁹⁶ Vide p. 120-121.

of the proceeds from the university endowment for grammar schools. He wrote to the colonial secretary,

I have further prevailed upon the Legislature to pass an Act for appropriating part of the University Funds for the support of District Schools wh. [sic] is a highly popular measure - & to postpone the University for some years.

The best possible feeling had existed between the legislature & the Executive Government.⁹⁷

The act⁹⁸ further provided an appropriation of 250,000 acres of land to supply funds for an additional master in a school, two hundred pounds for the erection of a school house provided the district raised an equal amount, a grant of one hundred pounds to each of two additional schools in a district at least six miles from the district school and for which sixty scholars could be enrolled. Under these provisions the number of grammar schools receiving government assistance was not limited to the number of districts in the province so that in the next decade the number of grammar schools nearly tripled⁹⁹ from the thirteen reported in 1839¹⁰⁰. By 1840 then the grammar schools had been placed on a comparatively secure financial footing, largely due to the

97 Arthur to Glenelg, "Private", Toronto, May 14, 1839, in Sanderson, op. cit., Vol. 2, p. 148.

98 2nd Victoria, Chapter X, op. cit.

99 Hodgins, D. H. E., Vol. 8, p. 290.

100 Ibid., Vol. 3, p. 254.

exertions of Lieutenant-Governor Arthur.

4. Curriculum

It was the original intention of Dorchester's commission on education that the grammar schools should offer instruction in, "Arithmetic, the Languages, Grammar, Book keeping, Gauging, Navigation, Surveying and the practical branches of the Mathematics"¹⁰¹. Such a curriculum presupposed that the scholars had already mastered fundamental skills in the "three R's". This, however, was not the case. John Stuart¹⁰² reported in 1791 that the twenty scholars in his school were studying Latin, Greek, Arithmetic, Writing and Reading which would indicate that the pupils were probably at various levels of proficiency. In 1829 a committee of the Assembly reported that of two hundred eighty-one pupils in the district schools, "108 only are instructed in the branches of education which could not be taught in the Common Schools"¹⁰³. The problem was

¹⁰¹ P. A. C., Executive Council G, "Report of the Council Committee on Education", December 24, 1789, in Upton, op. cit., p. 266.

¹⁰² "John Stuart's Answers to Queries proposed by the Right Revd [sic] the Bishop of Nova Scotia, dated Halifax, Feby [sic] 12, 1791", Kingston, October 10, 1791, in Preston, op. cit., p. 182.

¹⁰³ J. H. A., March 10, 1829, Appendix, p. 43.

that there was little way the sons of the more prosperous inhabitants could procure the necessary preparation. As mentioned earlier the common schools were generally considered to be for the lower class and adequate, qualified private tutors were difficult to find.

This was a problem which the lieutenant-governors neither comprehended nor solved. It did not appear to occur to them that the traditional classical curriculum was neither feasible nor relevant in a pioneer society. Maitland¹⁰⁴ had hoped to bring some order and uniformity to instruction through the creation of the General Board of Education but accomplished little. In 1828 Strachan made his only tour of all the district schools in his capacity as president. Somewhat disappointed by what he found, he produced a course of study, "the adoption of which the Board cannot but think would be highly beneficial, and produce a higher standard of education through the Province"¹⁰⁵. It outlined a variety of courses starting with Latin and English for boys seven to nine years of age and proceeding to Latin, Greek, English, Mathematics and French for fifth year boys aged fourteen to

104 P. A. O., Strachan Papers, "Extract from Memoranda given to the Atty Genl [sic] submitted to H. M. Govt.", February, 1822.

105 Ibid., "Report of the President of the General Board of Education to His Excellency Sir John Colborne, Lieutenant-Governor", February 5, 1829.

sixteen. The General Board discussed Strachan's scheme before submitting it to the lieutenant-governor for approval and copies were published and sent to each master and trustee of a district school¹⁰⁶. There is no record of the impression Strachan's scheme made on the lieutenant-governor, and there is no evidence to suggest he urged its adoption. It was certainly beyond the capabilities of many students and probably of a number of the masters as well.

Colborne was aware that the district schools were deficient but attributed the reasons to, "the very dispersed state of the population,"¹⁰⁷ and the lack of "Persons properly qualified [. . .] to conduct them"¹⁰⁸. These reasons were valid enough but the lack of adequate preparation of both pupils and teachers was another. Colborne's answer was to found Upper Canada College to serve as an example to the district schools and "be the means of producing a uniform system of Classical and Mathematical instruction throughout the Province"¹⁰⁹. The classical curriculum Colborne

106 P. A. O., Macaulay Papers, Strachan to Macaulay, York, December 7, 1829.

107 P. A. C., C. O. 42, Vol. 389, Colborne to Murray, No. 47, December, 1829, p. 269.

108 Ibid.

109 Ibid., Vol. 393, Report of the General Board of Education to Colborne, February 23, 1831, p. 106.

sanctioned for Upper Canada College reflected his upper class bias in favour of the classics as the best all round preparation for life¹¹⁰. It soon came under criticism.

In July 1831 a number of inhabitants of York petitioned Colborne to alter the courses at Upper Canada College in order "to have their sons educated in a College in such branches of an English Education, as will qualify them for discharging, with efficiency and respectability, the scientific and other business of Tradesmen and Mechanics"¹¹¹. Strachan¹¹² had even urged Colborne to establish two departments in Upper Canada College, leaving it to the parents to decide whether their sons studied the classics or not, a strange suggestion in light of Strachan's rigidly classical curriculum mentioned above. Colborne defended the classical course on the grounds of the benefit to the province of a highly respectable scholastic institution in attracting prospective emigrants from Britain. He was anxious to

110 See Colborne's detailed description of a course of education, including classics, Mathematics, French, English Grammar and Drawing, he recommended for his son who had chosen a military career - "Memoranda for James, on leaving Toronto", December, 1835, quoted in G. C. Moore, The Life of John Colborne, Field-Marshal Lord Seaton, London, John Murray, 1903, p. 268-269.

111 P. A. C., R. G. 5 B11, Vol. 4, Petition from the Inhabitants of York to Lieutenant-Governor Colborne, July, 1831.

112 P. A. O., Strachan Letter Book 1827-1839, Strachan to Colborne, York, May 26, 1831.

increase the proportion of the higher class of emigrants, in the thousands pouring into the province each year. A proper school would be one inducement.

I am also to mention that a boy who is admitted to the College at nine or ten years of age, with industry can certainly qualify himself to enter most professions before he is seventeen, and that he will leave school, a classical Scholar, a good Mathematician, with a critical knowledge of two modern languages, while at the same time, he will find that his Commercial Education [Arithmetic, Book-keeping] has not been neglected.¹¹³

Egerton Ryerson¹¹⁴ joined in the controversy by writing in the Christian Guardian, a spirited criticism of Colborne's reply and refuted the contention that the study of the classics was the best preparation for any profession. He contended it was his experience that, "a knowledge of the English Language alone is ample for all the ordinary purposes of mechanical and commercial life - we might add, in most cases of even public life"¹¹⁵.

In consultation with Principal Joseph Harris, who confessed to be "at a loss to know how mathematics, even when practically learned can be more use to a merchant than

¹¹³ McMahon to the Signers of the Memorial, quoted in Hodgins, D. H. E., Vol. 2, p. 30.

¹¹⁴ Egerton Ryerson, article in Christian Guardian of York, October 1, 1831, in Edith Firth, op. cit., p. 169-171.

¹¹⁵ Ibid., p. 171.

classical learning"¹¹⁶, some minor alterations were made in non-classical areas of study¹¹⁷ to satisfy the complaints.

In conclusion, the lieutenant-governors favoured some form of standardization of a classical curriculum but the absence of any effective centralized co-ordinating control and the wide variations in attainment amongst pupils themselves precluded success in this area.

5. Selection of Masters

The selection of masters for the grammar schools was very much dictated by circumstance as well as qualifications. A certain degree of learning was required since the master was expected to teach Latin, Greek and Mathematics to some pupils. Since there was no professional preparation available, the supply of masters depended upon the availability of people willing to become, "reconciled to [the] Drudgery of the Employment"¹¹⁸. The Reverend John Stuart had been such a person. Stuart had operated a grammar school in Montreal before being sent by Governor Haldimand to Cataraqui because

116 P. A. C., R. G. 5 A1, Vol. 107, Harris to Colborne, Upper Canada College, June 10, 1831, p. 61110-61111.

117 "Appendix to the Second Report of the Select Committee on Education" in J. H. A., 1832, Appendix, p. 68.

118 Stuart to the Bishop of Quebec, Kingston, November 1, 1795, in Preston, op. cit., p. 309.

of his, "exemplary Character, good Understanding and Education, and [. . .] great influence with the Loyalists as well as the Indians"¹¹⁹. Stuart's endeavours to start a school in Kingston have already been mentioned. It is interesting to note, however, that Stuart's son, George Stuart, who, in the words of his father, "has been about eight years employed in studying the Latin and Greek languages under the best masters I could procure, [. . .] a tolerably classic scholar [sic] [. . .] writes a very good hand and understands Arithmetic; he has also read Euclid, etc."¹²⁰, was not considered sufficiently qualified to be offered the post of master of the Kingston school permanently.

Since the grammar schools were intended to inculcate principles of loyalty to the Mother Country and emulate her institutions, the natural solution to the problem of procuring masters appeared to most lieutenant-governors to be an appeal to Britain. Dorchester had suggested procuring masters from Britain until the university he envisaged could

¹¹⁹ P. A. C., C. O. 42, Vol. 47, R. Mathews [civil secretary] to E. Nepean [permanent undersecretary], Curzon Street, April 8, 1785, p. 55.

¹²⁰ J. Stuart to Littlehales, Kingston, March 30, 1795, quoted in "The Reverend George Okill Stuart, second Rector of York and Kingston" in Ontario Historical Society Papers and Records, Vol. 24, 1927, p. 517.

provide, "competent instruments for this necessary service"¹²¹. He did not procure any for Upper Canada, however.

Simcoe authorized the Bishop of Quebec to, "procure a person properly qualified for the Trust,"¹²² of the Kingston school from England. The bishop made a request of the Home Office but also to no avail.

After the act of 1807 the lieutenant-governor exerted a degree of control over the selection of masters of the district schools since he appointed the trustees of the boards who in turn appointed the masters. In addition, as has been mentioned, the lieutenant-governor had the power of review over the board's appointments. There is no evidence of the lieutenant-governor refusing to confirm a board's appointment but because the trustees were for the most part friendly to the government, their appointments were relied upon.

The report¹²³ of the select committee of the Legislative Council to whom was referred the petition of the United Presbytery in 1830 indicated that twenty of the thirty-eight teachers appointed to district schools between 1807 and

121 P. A. C., C. O. 42, Vol. 72, Dorchester to Grenville, No. 67, Quebec, November 10, 1790, p. 15.

122 Bishop of Quebec to General Hunter, Quebec, October 19, 1799, in Preston, op. cit., p. 318.

123 Journal of the Legislative Council of Upper Canada [hereafter J. L. C.], Report of Select Committee, February 19, 1830, p. 75-76.

1830 were members of the Church of England, of whom thirteen were clergymen. Talman¹²⁴ undertook a study of the clergy in Upper Canada and found that a minority of teachers were Church of England clergymen at the time of their appointments but a number were ordained after they had served as district school teachers. Talman concluded, "The district schools were thus a recruiting ground for Church of England clergy rather than a field for clerical efforts"¹²⁵. The United Presbytery of Upper Canada had reached a similar conclusion which they condemned as "an additional proof of the evil tendency of the exclusive system that has been pursued"¹²⁶. Occasionally candidates from English universities were appointed to the district schools, such as the Rev. Dr. Phillips¹²⁷ of Cambridge to the Home District School in 1825 and the Rev. Philip Polls¹²⁸ of Cambridge to Gore District in 1834. The trustees of the Home District at least considered this a

124 J. J. Talman, "Some Notes on the Clergy of the Church of England in Upper Canada Prior to 1840" in Proceedings and Transaction of the Royal Society of Canada, Third Series, Vol. 32, Section 2, May 1938, p. 64.

125 Ibid.

126 Hodgins, D. H. E., Vol. 1, p. 316.

127 P. A. C., R. G. 5 A1, Vol. 71, J. Wilson to Hillier, Oxford, April 10, 1825, p. 37985.

128 Ibid., Vol. 142, J. W. Crooks to Rowan, West Hamborough, June 7, 1834, p. 77465.

desirable move so that "each scholar will be prepared by his Course of Education to enter himself of any English University, Oxford or Cambridge"¹²⁹. Notwithstanding Talman's findings, the district schools were occasionally intended to be used as centres for propagating Church of England theology. The Midland District, as a case in point, also requested a master from England but one in holy orders "who has been strictly educated, in the principles of the Civil Government of Great Britain, and of the established Church of England"¹³⁰.

It has already been seen how Strachan and Maitland shared a desire to strengthen the Church of England and propagate its doctrines. Their determination to give the Church a favoured position in controlling education is reflected in the following statement:

The true foundation of the prosperity of our Establishment must be laid in the Education of Youth the command and direction of which must as far as possible be concentrated in our clergy. This has hitherto been the silent policy of all the measures taken for the Education of Youth adopted in this Province.¹³¹

129 P. A. C., R. G. 5 B11, Vol. 3, Resolution of the Trustees of the Home District School, June 29, 1824.

130 *Ibid.*, Vol. 235, Report of the Western District School for the year 1839, p. 129168.

131 P. A. O., Strachan Letter Book 1812-1834, Strachan to the Bishop of Quebec, February 26, 1821.

Maitland's action in appointing Strachan as President of the General Board of Education appeared to be a step in the development of the policy mentioned above. Strachan used his position as president of the board to fill positions with Anglicans. When three teaching vacancies in district schools occurred in 1827, Strachan wrote to the Archdeacon of Quebec for help.

I am at a great loss to find persons capable of supplying these vacancies for all my young men are in some way provided for. In this dilemma I am induced to solicit your aid as it is of the utmost consequence that they should be filled with Gentlemen attached to the Church.

You are however aware that the nominations are not with me and that I cannot insure success to any applicant but if certain of their fitness I can do much to facilitate their election.¹³²

Strachan's influence with the lieutenant-governor as well as the trustees in the appointment of masters can be clearly seen from this communication.

Colborne does not appear to have taken much part in determining the selection of masters for the grammar schools except in the case of Upper Canada College. Colborne was anxious that Upper Canada College should emulate the best public schools of England. It was therefore necessary to

¹³² P. A. O., Strachan Letter Book 1827-1841, Strachan to Venerable George Mountain, Archdeacon of Quebec, York, Nov. 1, 1827.

acquire highly qualified and experienced staff from England¹³³. In order to avoid delay caused by trans-oceanic correspondence, he gave full powers to the vice-chancellors of Oxford and Cambridge and several others to select the principal and several under masters¹³⁴. Within months a staff¹³⁵ of nine, including five Anglican clergymen in the key positions, had been appointed and the College opened in January, 1830. It had also occurred to Colborne¹³⁶ that in time the graduates of Upper Canada College might take up positions in the grammar schools but there is no record of how many graduates followed this course.

Neither Bond Head nor Arthur took any steps to influence the selection of masters, except in the case of the latter to deplore the neglect "in supplying [. . .] good and

133 P. A. C., Colborne Papers, Vol. 2, Colborne to Hay, "Private", York, March 31, 1829, p. 298-299.

134 Colborne's letter to Dr. Jones, Vice-Chancellor of Oxford University, giving the details of the positions to be filled is quoted in Hodgins, D. H. E., Vol. 1, p. 286-287.

135 For a detailed description of the qualifications and backgrounds of this staff see G. Dickson and A. Mercer, A History of Upper Canada College, 1829-1892, Toronto, Rowsell & Hutchison, 1893, p. 25.

136 P. A. C., Colborne Papers, Vol. 3, Colborne to Hay, "Private", November 25, 1829, p. 250. Colborne also included this as one of the objects of the classical curriculum at the College in his defence of criticisms of that curriculum - Hodgins, D. H. E., Vol. 2, p. 30.

well-intentioned Schoolmasters from Home"¹³⁷.

6. Selection of Scholars

As in the case of the intended university, the tuition fees, distances from home and costs of boarding imposed a natural self-selection on scholars. The insistence of the lieutenant-governors and the colonial establishment in using these schools to preserve class distinctions and perpetuate adherence to a classical curriculum in some form made them unattractive to the lower classes.

A number of rather feeble attempts were made over the years to admit promising children of poorer inhabitants to the benefits of a liberal education by providing free tuition for a selected number of scholars¹³⁸. Few of the poor could afford board or proper clothing to send their sons to a grammar school even if tuition were free. Dr. Strachan reported to the Select Committee of the Assembly¹³⁹ in 1832 that no district had availed itself of this privilege.

¹³⁷ Arthur to the Bishop of Montreal, Government House, Toronto, December 18, 1838, in Sanderson, op. cit., Vol. 1, p. 464-465.

¹³⁸ 59th George III, Chapter IV, An Act to Repeal part of, and to amend, the Laws now in force for establishing Public Schools in the several Districts of this Province, and extend the provisions of the same, July 12, 1819.

¹³⁹ "Appendix to the Second Report of the Select Committee on Education" in J. H. A., 1832, Appendix, p. 58-69.

The lieutenant-governors appear to have taken no part in providing places and attracting the poor to the grammar schools, preferring instead as in the case of Maitland¹⁴⁰ and Colborne¹⁴¹ to provide scholarships for proficiency for those already in the grammar schools.

7. Alternatives

As in the case of the university, the result of the religious and social exclusiveness imposed on the district schools and Upper Canada College by the executive government was a determination by dissenting groups to found their own institutions.

Private academies, long a feature of New England education, were frequently instituted. Among the more successful was the Bath Academy, founded in 1811 by the inhabitants of Ernestown in response to the distance and expense of the Midland District School in Kingston¹⁴².

¹⁴⁰ P. A. C., C. O. 42, Vol. 395, J. Brown, note attached to Resolutions of the House of Assembly, February 23, 1831, p. 130-132.

¹⁴¹ Ibid., Vol. 391, Colborne to Murray, No. 11, March 18, 1830, p. 108.

¹⁴² Petition from the Midland District to the House of Assembly, J. H. A., February 11, 1812, in Ninth Report of the Bureau of Archives for the Province of Ontario, 1912, p. 16-17.

Although there is no record, it was probably similar considerations which persuaded residents in the Niagara District to take steps to establish the non-denominational Grantham Academy near the village of St. Catharines in 1827. Before the school opened in August 1829, Lieutenant-Governor Colborne¹⁴³ visited the site probably with the building of Upper Canada College in mind. The school was advertised as "an Elementary and Classical School [with a] male and female department"¹⁴⁴. Its prospectus reveals a remarkable attempt to break out of the traditional classical mold and provide instruction in practical as well as academic areas. One wonders at the versatility of staff required when examining the following list of subjects offered;

Spelling, Reading, Writing, Arithmetick [sic], Book-keeping, Rhetorick [sic], Logick [sic], Natural Theology, History, Chronology, Geography, Natural and Moral Philosophy, English Grammar, Chemistry, Surveying, Navigation, Mensuration, Trigonometry, Geometry, Algebra, Latin, Greek, Hebrew.¹⁴⁵

In 1830 an act¹⁴⁶ of the Legislature incorporated Grantham Academy and reflected the conservative bias of its

¹⁴³ Article in Farmer's Journal, Welland Canal Intelligencer, of St. Catharines, No. 24, Vol. 4, June 24, 1829, p. 3, col. 3.

¹⁴⁴ P. A. O., William Hamilton Merritt Papers, article from Farmer's Journal, Welland Canal Intelligencer of St. Catharines, August 5, 1829.

¹⁴⁵ Ibid.

¹⁴⁶ 11th George IV, Chapter XIII, An Act to Incorporate the Trustees of Grantham Academy, St. Catharines, March 6, 1830.

founders by limiting teacher appointments to British subjects only. Shortly after, Colborne¹⁴⁷ assisted the trustees in finding a teacher from Britain. His assistance was also requested¹⁴⁸ in procuring a land grant in aid of the academy but there is no evidence that Colborne gave any assistance in this regard. Throughout the 1830's Grantham Academy experienced financial difficulties and made numerous appeals to the Legislature for assistance. After several appeals for grants were rejected by the Legislative Council which was reluctant to agree to any further diversion of school funds away from the university, a loan¹⁴⁹ was finally approved in 1837. Finally in 1839 with the academy still in debt the corporation asked that the school be considered a grammar school¹⁵⁰ so that it might share in the revenues recently accorded those schools. Secondary education continued in the academy which eventually expanded into the St. Catharines Collegiate Institute¹⁵¹.

¹⁴⁷ P. A. C., R. G. 5 A1, Vol. 102, James Clark to Mudge, St. Catharines, September 15, 1830, p. 57871.

¹⁴⁸ Ibid.

¹⁴⁹ 7th William IV, Chapter LXXXIV, An Act Granting Pecuniary Aid to the Grantham Academy by Way of Loan, March 4, 1837.

¹⁵⁰ C. E. Phillips, The Development of Education in Canada, Toronto, Gage, 1957, p. 196.

¹⁵¹ Ibid., p. 196-197.

It was the religious domination of the Church of England of education at all levels and the propensity of the lieutenant-governors to invest the patronage of public offices in education to Churchmen which motivated the Methodists to consider establishing an educational institution in 1829. The Reverend John Carroll in his history of Methodism in Upper Canada wrote:

The District Schools of that day were the only Grammar schools of the country. The Episcopalian Church, which then claimed to be the established church of the colony, had had complete ascendancy in these schools; and the one of York, especially, had been under the immediate control of the Rev. Dr. Strachan, the stern opponent of all dissenters, particularly of the Methodists.¹⁵²

It was early in the 1830's that the Methodists began to take a greater interest in education¹⁵³. Egerton Ryerson had been appointed the first editor of the Methodist organ, the Christian Guardian, in 1829 and from its first issue, he preached the importance of education, "to the comforts of domestic life - the suppression of moral evil - and the stability of good government"¹⁵⁴, Colborne contributed to the building fund for the Academy but so did Strachan and arch-Tory

¹⁵² John Carroll, Case and His Cotemporaries, Vol. 3, Toronto, Wesleyan Conference, 1871, p. 352.

¹⁵³ Vide p. 24-25.

¹⁵⁴ E. Ryerson, editorial in Christian Guardian of York, Vol. 1, No. 1, November 21, 1829, p. 6, col. 3.

J. B. Robinson¹⁵⁵ and even the Duchess of Kent, mother of the future Queen Victoria. It was not uncommon for members of the governing and upper classes to make donations to causes with which they did not identify simply because the gentry were expected to be charitable. Even so, as Sissons points out, Upper Canada Academy remained, "an enterprise of reformers"¹⁵⁶. It finally opened its doors to students in 1836, having been delayed by internal dissensions and serious financial problems.

None of the lieutenant-governors was inclined to assist the Methodists in their endeavour and, in the case of Bond Head, made deliberate attempts to impede their progress. After attempts to obtain an act of incorporation and assistance from the Legislature failed, Ryerson was dispatched to England to obtain both a charter and an endowment for the Academy. He was successful in obtaining the former but not the latter. The colonial secretary appeared sympathetic to the cause and instructed¹⁵⁷ the new lieutenant-governor, Sir Francis Bond Head, to bring the matter to the attention of the Assembly leaving the amount and source of assistance to

¹⁵⁵ C. B. Sissons, Egerton Ryerson His Life and Letters, Vol. 1, Toronto, Clarke, Irwin, 1937, p. 237.

¹⁵⁶ Ibid.

¹⁵⁷ P. A. C., C. O. 42, Vol. 434, Glenelg to Head, No. 78, July 26, 1836, p. 56.

that house. Head was no sympathizer of the dissenters but had no choice but to follow his instructions. The conservative Assembly somewhat diffidently passed a loan to the Academy¹⁵⁸ to which the Legislative Council added an amendment that such a loan would be paid only after all other financial commitments had been met¹⁵⁹. Ryerson¹⁶⁰ complained to the colonial secretary that this amendment was tantamount to a refusal whereupon Head¹⁶¹ defended the Council's actions on the basis of serious financial problems in the province. Although he signed a warrant issuing half the forty-one hundred pounds, he later delayed payment of the remainder even though funds were available ostensibly to consult the Executive Council. He accused¹⁶² Ryerson of having deceived him into thinking it was the colonial secretary's intention that the money was a grant rather than a loan. Head taunted Ryerson by observing that his instructions from the colonial secretary did leave him a "loophole"¹⁶³ and by siding with

158 J. H. A., February 24, 1837, p. 549-550.

159 Hodgins, D. H. E., Vol. 3, p. 75.

160 Ryerson to Glenelg, London, April 18, 1837, in Hodgins, D. H. E., Vol. 3, p. 104.

161 Head to Glenelg, July 20, 1837, in ibid., p. 106.

162 Joseph to Ryerson, January 26, 1838, in ibid., p. 112.

163 Ibid., p. 113. The colonial secretary had instructed Head to advance the money "unless some objection" should suggest itself.

the Legislative Council. The effect was to delay the payment of the remainder of the sum until recommended by the Assembly¹⁶⁴ shortly before Head's departure from the province and to leave unanswered the question as to whether it was a grant or a loan. Ryerson¹⁶⁵ was moved to complain to the colonial secretary that the local governing faction exercised partiality in acting upon instructions from the Colonial Office in matters of religion and education.

Relations between Ryerson and Lieutenant-Governor Arthur were also strained. Arthur regarded Ryerson as a dangerous man¹⁶⁶ no doubt influenced by inflammatory articles in several Tory newspapers¹⁶⁷ accusing Ryerson of radicalism and also by a certain propensity on Arthur's part for seeing a republican behind every bush. There is no evidence that Arthur took the slightest interest in the affairs of Upper Canada Academy during the first troublesome years of its existence. As mentioned earlier, Ryerson found Governor-General Poulett Thomson a more sympathetic listener. In a letter to Thomson he complained, "Every effort was used here

¹⁶⁴ J. H. A., February 22, 1838, p. 338.

¹⁶⁵ P. A. C., C. O. 42, Vol. 454, Ryerson to Glenelg, March 8, 1838, p. 341-346.

¹⁶⁶ C. B. Sissons, op. cit., p. 537.

¹⁶⁷ Ibid., p. 490.

to deprive us of the benefit of the Royal liberality & Lord Glenelg's recommendations in regard to U. C. Academy"¹⁶⁸. But Upper Canada Academy survived and was elevated to Victoria University in 1841.

8. Summary

In summary the following qualified generalizations may be made.

The lieutenant-governors perceived the function of the grammar schools in much the same light as the university. They were to provide preparation for the sons of the more opulent families for life and for the professions and government positions. They were also generally intended to be a stepping stone to the university. The lack of satisfactory means of receiving elementary instruction as well as poor quality instruction defeated all of these intentions. As a result Colborne founded Upper Canada College to rectify this deficiency. It was intended to compensate for the lack of preparation in the district grammar schools, become a model for their improvement, and form an intermediate step between the district schools and the university. Colborne was also

¹⁶⁸ Egerton Ryerson to His Excellency the Governor-General, "Private", Toronto, October 5, 1840, in C. B. Sissons, op. cit., p. 561.

anxious that these schools be such as to attract better-class emigrants to Upper Canada as well as to discourage the non-conformists from founding schools of their own.

Lack of effective administrative agencies at the local level meant that before 1807 the inhabitants looked to the executive government to organize and establish educational institutions. The act of 1807 gave the lieutenant-governors control over the appointment of trustees and indirectly over the appointment of teachers. It appears that the lieutenant-governors used this authority to appoint a majority of Anglicans to the boards of trustees. After 1830 a large number were clergymen of several denominations.

The lack of uniformity and centralization in the administration of the grammar schools led Maitland to appoint a General Board of Education without reference to the Legislature. The Board was entirely Anglican headed by Dr. Strachan. It failed to bring organization and uniformity to the grammar schools in spite of Maitland's efforts to concentrate the direction of the grammar schools in Strachan's hands. Strachan made only one tour of all the grammar schools, was absent in England for a year and did not enjoy the same trust of Colborne.

The only additional effort by the lieutenant-governors to provide some form of centralized administration was through the terms of the act Arthur was responsible for steering

through the Legislature. This act made the Council of King's College responsible for regulating the grammar schools but this move was so unpopular, it had to be abandoned.

Early governors and lieutenant-governors gave financial assistance to grammar schools but in isolated cases and not as policy. Attempts to obtain grants from the Imperial Treasury for schools at Newark and Kingston failed. Colborne, however, received permission to apply a sum from the casual and territorial revenue to the support of Upper Canada College.

The lieutenant-governors supported the application of a land endowment to grammar schools. In 1823 Maitland transferred a portion of the endowment of 1797 to the superintendence of the General Board of Education but no use was made of the revenue from sales for improvement of the grammar schools beyond meeting some of the expenses of Upper Canada College. Colborne secured a substantial portion of the reserves for Upper Canada College and successfully prevented control of the College from falling into the hands of the Assembly. Colborne also attempted several schemes to improve the financial position of the district schools but after the revenue from the sale of school lands was returned by the Colonial Office to the control of the Legislature in 1832, there was little he could do in the acrimonious political climate before 1837. Lieutenant-Governor Arthur was successful in appropriating a portion of the university funds and

securing a large endowment for the grammar schools and their number increased.

The lieutenant-governors persisted in supporting a narrow classical curriculum for the grammar schools in spite of opposition to its obvious irrelevance to the needs of a predominantly lower class, pioneer society. In practice, however, there was a wide variation in curriculum with many scholars receiving elementary instruction in the grammar schools. The lieutenant-governors failed to effect any variation from the traditional offerings of the English public school.

There was no uniform standard for the selection of masters. Simcoe had insisted upon sound classical scholarship but after 1807 the masters were appointed by the trustees with the approval of the lieutenant-governor. The executive appointment of boards did mean that the lieutenant-governors had an indirect control over the appointment of teachers. Local clergymen were often favoured and Strachan, particularly after his appointment as President of the General Board, used his influence to obtain the appointment of Anglicans to the district schools. Another favoured source for candidates was from Britain because their loyalties could be depended upon and because of their familiarity with the English public school system. It was also hoped, that in time, Upper Canada College would supply instructors for the district grammar schools.

The cost of attending the grammar schools and the classical curriculum limited their appeal to the upper classes. The lieutenant-governors did nothing to ameliorate this state of affairs and encourage admittance of children of the lower class.

The religious and social exclusiveness of the grammar schools and the predominance of Anglicans on the General Board of Education, the boards of trustees and among the masters, all appointed directly or indirectly by the lieutenant-governors encouraged the founding of independent grammar schools. Grantham Academy, a non-denominational school, offered both elementary and advanced instruction while the Methodists founded Upper Canada Academy. The lieutenant-governors did nothing to assist the financial affairs of these institutions which were regarded as rivals to the district schools, while Bond Head attempted to impede solutions to the financial problems of Upper Canada Academy. In spite of this lack of assistance the institutions survived.