

**THE LEGISLATION AND HISTORY OF SEPARATE  
SCHOOLS IN UPPER CANADA: FROM 1841,  
UNTIL THE CLOSE OF THE REVEREND DOCTOR  
RYERSON'S ADMINISTRATION OF THE  
EDUCATION DEPARTMENT OF ONTARIO IN  
1876: INCLUDING VARIOUS PRIVATE PAPERS  
AND DOCUMENTS ON THE SUBJECT**

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The Legislation and History of Separate Schools in Upper Canada: From 1841, Until the Close of the Reverend Doctor Ryerson's Administration of the Education Department of Ontario in 1876: Including Various Private Papers and Documents on the Subject by J. George Hodgins

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**J. GEORGE HODGINS**

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INCLUDING VARIOUS PRIVATE PAPERS AND DOCUMENTS ON THE SUBJECT,

BY

J.<sup>o</sup> GEORGE HODGINS, M.A., LL.D., F.R.G.S.,

BARRISTER-AT-LAW,

LIBRARIAN OF THE EDUCATION DEPARTMENT FOR ONTARIO, AND EDITOR OF THE "DOCUMENTARY HISTORY OF EDUCATION IN UPPER CANADA, 1791-1878."

The School Law of Upper Canada recognizes Individual Rights; deals with each Individual for himself, and does not ignore, or proscribe, him from the Public Schools, and all the privileges connected with them, except at his own request.—(*Rev. Dr. Ryerson to the Hon. John A. Macdonald, 2nd of April, 1855. Page 89.*)

It must be acknowledged that a combined Secular, with Separate Religious Instruction, is the only safe, just, and defensible system of National Education.—(*Rev. Dr. Ryerson to the Governor-General, Sir Edmund Head, January, 1853. Page 121.*)

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## PREFATORY REMARKS.

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IN the outline of "THE STORY OF MY LIFE," prepared by the Rev. Dr. Ryerson, during his later years, he briefly summed up what he had been able to accomplish, as Head of the Education Department for Upper Canada, during his incumbency from 1844 to 1876. He then added these words:—

"I leave to Dr. J. George Hodgins, my devoted Friend of over forty years, and my able Colleague for over thirty of these years, the duty of filling up the details of our united labours in founding a System of Education for my native Province, which is spoken of in terms of strong commendation, not only within, but by people outside of, the Dominion."

Feeling that an almost filial duty was thus devolved upon me, I prepared a Prospectus, in 1884, of such a Volume as I then projected, including a sketch of the "Legislation and History of Separate Schools in Upper Canada," which I now publish, intending, at some future time, to carry out further the wishes of my revered Friend. In that Prospectus I said:—

Not only did Dr. Ryerson entrust me with the whole of his private correspondence with Public Men and Ministers of State on educational matters, but I have also had a voluminous correspondence, from time to time, with him myself, when he was absent, on several important subjects connected with our School System. These, with various private memoranda and other information, will be available for the Volume.

I then thought, (as I expressed it,) that such a personal record would likely be of more interest to the next generation than it would be to the then present one,—especially as so many storms and personal conflicts had marked the era of Dr. Ryerson's administration,—creating, at the time, much undue prejudice, which might still linger in the memories of men, and

exert an undue influence on the minds of many. Time, and a calm review of what has been accomplished, notwithstanding the adverse circumstances, and the opposing influences, under which our School System was founded, would, I then felt, alone dissipate that prejudice, and do full justice to Dr. Ryerson, and to those who stood by him, in his efforts to place our National System of Schools upon a broad, safe, and comprehensive basis.

Having been intimately and confidentially connected with Dr. Ryerson for thirty-two years, in the great work of his later life, (*i.e.*, from his appointment, in 1844, to 1876,) the projected work would necessarily largely partake of a personal character,—so far as he and I and others were concerned.

This, on the whole, will be found to greatly add to its interest and value. Besides, I alone am in a position to verify some facts which were mentioned in private conversation, or in his correspondence with me, and which are known only to myself.

It was twelve years since the Prospectus, to which I have referred, was written. Time warns me that if the work, projected in 1884, is to be published, it is now time to prepare it. I have, therefore, determined to issue the first instalment of it, in the shape of the "LEGISLATION AND HISTORY OF SEPARATE SCHOOLS IN UPPER CANADA," from 1841 to the close of Dr. Ryerson's administration, in 1876.

A second Volume, containing a more general review of our Educational System, from 1844 until its later development, will be prepared, (D.V.) and will be issued in due time. Such a publication will include a large number of private and confidential Letters and Papers of my own, together with those which were entrusted to me by Dr. Ryerson,—in fact, a Volume containing what may be called the private, or "inner," history of the Education Department for Ontario, including many facts and incidents of my long personal connection of fifty-two years

with it and with those "in authority" in the Department, and in the Executive Government of the Province, during that time.

I have been the more convinced as to the desirability of publishing the present somewhat condensed, yet sufficiently detailed, history of the Roman Catholic Separate Schools in Upper Canada, as a contribution to our Educational History and Literature, from the fact that men, in whose practical wisdom and judgment I have confidence, have encouraged me to do so.

I have received the following Letter on the subject from my esteemed friend, Dr. W. T. Harris, the United States Commissioner of Education, at Washington, which I may very appropriately insert in this place. He says :—

I am much interested in your proposed Work on the Separate Schools of Upper Canada. The problem, of which it will treat, is one of great importance ; and Ontario has found a solution of it that can never fail to interest Public men and Educators.

Certainly, no other Person has equal facilities with yourself for elucidating every condition bearing upon the expediency of Separate Schools.

The references called forth by your valuable "Documentary History of Education in Upper Canada," are such as to awaken interest in the new work ; and, it seems to me a wise measure to have them both distributed in printed form.

Among the champions of Roman Catholic Separate Schools in Upper Canada, whom Dr. Ryerson encountered, none was more pronounced, or even bitter, in his language than the Editor of the *Canadian Freeman* newspaper of Toronto.

On his retirement from the editorial chair, in 1873, he bade Dr. Ryerson good-bye, in language which, on the whole, was generous and kind. In his valedictory he gives so graphic a sketch of Dr. Ryerson's somewhat stormy life, and yet also of him as a man of purpose, of nerve, and of unswerving fidelity to the cause which he had espoused, that I cannot forbear quoting it. The Editor said :—

Before relinquishing the editorial pen, we should like to say a few words



on a gentleman whom we have for years steadfastly opposed, and whose opinions on many, but especially educational, matters, we have strenuously combated, and, nevertheless, have in a certain sense admired, and would, were he aught but the Chief Superintendent of Education, hold in the highest esteem.

The Reverend Egerton Ryerson holds what the civilization of this age terms "liberal" views: he advocates the advancement of the masses, or educating every one, no matter what his position in society may be. The best part of an eventful life has been devoted by him to carry out his peculiar opinions on this subject. He is essentially a man of one idea, and he is a very determined, resolute, and personally courageous person. It is individuals of his stamp who have made their mark in the world. As to politics, he has really none; but in free thought, in educating the masses, he does believe. From the various Educational Systems of constitutional England, despotic Prussia, republican America, Holland, Ireland, and Scotland, with the assistance of his own powerful intellect, he has perfected a plan, according to non-Catholic ideas, an improvement on all of them, maintaining their best, rejecting their worst, features. He has been assailed by various Denominations and classes of our citizens, by dissatisfied freeholders, by childless ratepayers, by Representatives of Churches, by Grit and Conservative newspapers, by politicians, and by administrations holding the most opposite views, and yet he has managed to stand his ground, and not only this, but to enforce his educational opinions on the great majority of the people of this Province. At one time he is reported by a Tory Governor as "a dangerous man," and a certain Toronto journal has pursued him with fierce malignity for years, and all kinds of politicians have at different periods attacked him in the bitterest way, and yet Egerton Ryerson has triumphed, and is at this day, in spite of all opposition, the great and successful vindicator of free, universal education. This is the man whom Governments do not care to interfere with, and who cannot be crushed; who, in spite of his seventy years, is still as fresh and as vigorous as ever, and as ready, in defence of his ideas, to smite his enemies "hip and thigh," either through a public journal, or in a pamphlet of 365 pages. During our entire career we have opposed the Doctor; but we are fully aware how difficult it is to make headway against a man of his ability, holding but one idea, and resolved to win. We have often wished that a Ryerson would present himself as a representative of our Catholic masses, to fight as determinedly for us as he has for his Protestant fellow-countrymen,—a man who would endeavour, under all circumstances, to procure what his Eminence Cardinal Cullen and the Irish Hierarchy are now labouring to attain,—a Catholic, purely Catholic, education for Catholic people.

In retiring from the management, [of the *Canadian Freeman*,] we would wish to offer the right hand of fellowship to all we have encountered,

and to part on amicable terms with all from whom we have differed. Foremost among these is the Chief Superintendent of Education, and we have, therefore, devoted this, our last article, to him. We have written column upon column against him, for the past fifteen years. We have tried with all our might to put him down, and yet he is a man for whose talents, resolution, and dogged perseverance we have the highest respect, and for whose courtesy and gentlemanly bearing towards our co-religionists we offer our acknowledgments, and for whom the Protestant people of this Province will, at some not very distant period, do, what a learned American historian stated the North-West would do for Marquette,—“build his monument.”\*

A word as to the attitude of the Church of England on this question. It always held, (as a Church established in Upper Canada by the Constitutional Act of 1791,) that, if the Church of Rome were legally entitled to establish Separate Schools, in which the dogmas of that Church were to be taught, and to receive a portion of the public funds for their support, much more should that branch of the Church of the Empire in Canada receive a like share of the public revenue, and for a like purpose. Beyond that, the Church of England was not disposed to go, nor to enter into any of the local controversies on the subject.

Traditionally the Church of England in Canada always held the doctrine, which was so clearly stated by Dr. Ryerson, in his Confidential Report to the Governor-General, in 1858, (page 121,) and in which he maintained:—

That a combined secular, with separate religious instruction, is the only safe, just, and defensible system of National Education.

No one was more sensible of the efforts made by Dr. Ryerson to carry into effect this combined system of Education, than was the venerable Dr. Strachan, the first Anglican Bishop of Toronto. In his Charge to the Clergy, in 1856, he said:—

So far as Dr. Ryerson is concerned, I am one of those who appreciate

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\* It would, no doubt, gratify the former Editor of the *Canadian Freeman*, (James G. Moylan, Esq., now of Ottawa,) to know, that a few years after Dr. Ryerson's death, in 1882, a handsome Monument was erected, in 1889, to his memory, in front of the Building in which he spent the last years of his official life.

very highly his exertions, his unwearied assiduity, and his administrative capacity. I am also most willing to admit that he has carried out the meagre provisions of the several School enactments, that have any leaning to Religion, as far as seems consistent with a just interpretation of the law.

No less cordial were the words used by Bishop Bethune, in his Letter to Dr. Ryerson, of the 3rd of July, 1872, in which he said :—

I have to thank you for your Letter of the 1st instant, . . . and to express my gratification that I had the opportunity, [in the Synod,]\* to bear my humble testimony to your zealous and righteous efforts to promote the sound education of the youth of the Province.

I believe that, in the endeavour to give this a moral and religious direction, you have done all that, in the circumstances of the country, it was in your power to accomplish.

None have been more true and faithful in their maintenance of the Public School System in Upper Canada, than have been Members of the Church of England. This was promptly and very heartily acknowledged by Dr. Ryerson, in his Letter of the 31st of December, 1858, to the Hon. George Brown, when he said :—

To the honour of the Church of England, and to the honour of Canada, and especially to the honour of the Gentlemen themselves, the Episcopalians stood forward as a phalanx against the seductions presented to them by the Taché Bill, as introduced in 1856. . . . I feel it no less my duty, than my pleasure, to express my own gratitude, and, I believe, that of Upper Canada generally, to Messrs. J. W. Gamble, W. B. Robinson, John Langton, George Crawford and D. B. Stevenson, for the earnest and noble stand which they took on that occasion, as the champions of the unimpaired Common School System of Upper Canada.

It was often a matter of surprise to me, during the long years of conflict on the Roman Catholic Separate School Ques-

\* In his Address to the Anglican Synod of 1872, Bishop Bethune said :—

"I have confidence in the good intentions and righteous efforts of that venerable gentleman, (Dr. Ryerson,) to do what he can for the amelioration of the evils which the absence of systematic religious teaching of the young must induce; so that we may have a hope that, from his tried zeal and unquestionable ability, a way may be devised by which such essential instruction shall be imparted, and the terrible evils we deplore to some extent corrected."