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LETTER EXPOUNDING AND RECOMMENDING THE ORIGINAL  
DRAFT OF THE PRESENT SCHOOL ACT.

(NOW FIRST PUBLISHED BY SPECIAL PERMISSION OF THE GOVERNOR-GENERAL.)

EDUCATION OFFICE, (WEST,)

Cobourg, March 3rd, 1846.

SIR,

In obedience to the commands of His Excellency the Administrator of the Government, conveyed by your letter of the 11th ultimo, I have the honour to submit, for His Excellency's consideration, the following remarks and suggestions on the Common School Act, 7th Vic., Cap. xxix, [passed in 1843,] together with the annexed Draft of a proposed School Bill.

Many of the observations which I may make in this paper will appear to disadvantage in the absence of a *Report on a System of Public Elementary Instruction for Upper Canada*,\* which I hope to be able to submit to His Excellency before the meeting of the Legislature, or very shortly afterwards.

My present remarks and suggestions will be confined to the School Act itself, and shall be made in as few words as possible.

From a careful examination of the present Act, (of 1843,) it is obvious that it was constructed with a benevolent intention; that its object was to secure to the whole people the benefits of a Common School education—providing for the establishment of both elementary and superior Common Schools—protecting the religious feelings of each class of the community—rendering the Schools accessible to the poor, by providing for their relief from the payment of School rates—and evidently contemplating the true theory of public instruction under a constitutional government, the co-operation of the government and the people in its administration.

But with these general objects, and with many excellent provisions for accomplishing them, the Act is intricate and lame in many of its details, and altogether defective in some essential provisions; and it contains some provisions which are incompatible with other provisions of the Act itself; and others again which are not in harmony with the principles of our general system of government.

By comparing the Act with the Common School Law of the neighbouring State of New-York, it will be seen that the principal provisions of our Act, in regard to every class of Officers mentioned in it, and in respect to the whole system of proceeding, is borrowed from the New-York Statute, with the alterations and changes of terms only, which our Municipal Institutions and phraseology rendered absolutely necessary.

And in this adoption of the New-York School Law, two things seem to have been overlooked. 1st. The difference between the workings of a democratic Republic and those of a Responsible system of Government under a Constitutional Monarchy. 2nd. There is no provision for the exercise of the same

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\* This Report was transmitted the 27th of the same month, and two editions of it have been printed by order of the House of Assembly.