

## CHAPTER V.

## TRUANCY AND JUVENILE CRIME IN CITIES, 1859-1860. CHARGES OF THE JUDGES ON THE SUBJECT.

The complaint that, although Free Schools had been established in the City of Toronto in 1855, yet, as reported to the Board of Trustees by Mr. George A. Barber, Local Superintendent in 1858, (see page 76 of the preceding Volume of this Documentary History), "the number of Pupils attending the Common Schools was below the true proportion of the whole number of those of School age in the City." The subject was brought before the Grand Jury in that year, and was also investigated by the Board of School Trustees, which, by more stringent Rules and Regulations, sought to mitigate the evil. The result not having been satisfactory, the matter was again, in 1859, brought by the Judges before the Grand Juries, when the following proceedings took place:

The Grand Jury of the Quarter Sessions of 1859, in their presentment to Judge Harrison, would "urge upon all Parents and Guardians the great desirableness of giving to each Child in Canada that amount of Common School Education which will, at least, fit them for the duties of life, and teach them the great principle of doing unto others, as they would wish to be done to. For (they said) we are of opinion that had those four Boys, whom your Honour justly sentenced to serve Three years in the Provincial Penitentiary, on account of their crimes, been sent regularly to School, and had that parental control been exercised over them which is absolutely necessary, they never would have been convicted, so early in life, (if at all,) of the heinous crimes of Larceny and Burglary. We, therefore, suggest the opening of our Common Schools to the Children of all as Free Schools, so that no one can be found to complain of their want, or poverty, preventing them from giving the blessings of education to their offspring."

The Honourable Chief Justice Draper, in his Charge at the same Assizes, stated that he would leave to the Grand Jury "to consider whether they could make any suggestion whereby education would be made a duty, not simply a boon to society. They all must be painfully alive to the fact that although we have numerous Common Schools, our Streets were nevertheless filled with Children who did not take advantage of them; and whether, as a question well worthy of careful consideration, any measures could be resorted to by which children could be prevented from wandering about as common vagabonds, a pest to society, and placed under proper control."

In reply to this Charge, the Grand Jury delivered to Chief Justice Draper, a Presentment, from which the following are extracts:—

"Referring to the subject of Education, and the facts that notwithstanding Common Schools are so numerous, and so amply provided for the instruction of the masses, our Streets are nevertheless filled with Children who do not take advantage of them, and who wander about as common vagabonds and pests to society, the Jury are, in common with the intelligent portion of the Community, made painfully aware of the fact that our School System has not produced all the good effects which were expected to flow from it, when the Legislature made such ample provision by compulsory taxation for the general diffusion of secular knowledge; and they believe that the only way to make education effective in elevating the masses, is by making attendance at School of Children within certain ages, and for a certain number of days in the years, compulsory.

Whether, besides compulsory attendance and the teachings and principles of mere secular knowledge, as now taught at our Free Schools, the youth of the Country might not receive such moral training, so that their duty towards God, and their duty towards their neighbours, might be forcibly impressed upon their minds, without interference