

the practical part of the school system, where the operation of the principle is most important, it does not obtain. All that is done by the District Councils will answer no practical purpose, if the Trustees do not furnish and keep the school house comfortable, and employ a proper teacher, and provide for the payment of his salary. This the trustees cannot do, as a general rule, as long as they are thrown upon chance and caprice and selfishness for the resources necessary to fulfil and satisfy their engagements.

"The circumstances of trustees, as the law now stands, are as follows:—They can seldom engage a competent teacher without agreeing to pay him a stipulated salary, and generally by the year. Very few good teachers will agree to depend upon the chance fees of tuition arising from the chance attendance of pupils, for the principal or a large part of their salaries. But upon such chances either the teacher must depend for the chief part of his means of his support, or the trustees must depend for the chief part of the means necessary to enable them to pay the teacher and support the school; for they have no resource but voluntary subscription or rate-bill upon the parents who may please—and only as they may please—to send their children to the school. Thus trustees, in order to establish and maintain a good school, must agree to pay a stipulated sum per quarter, or per year; but they have no certain resources beyond their own private means to rely upon to enable them to pay the sum stipulated.

"That the resources arising from the imposition of rate-bills upon parents voluntarily sending their children to the school are insufficient, and that this system is detrimental to the interests of the schools and of the youth of the community, will be obvious from the following considerations, which have been repeatedly brought before me as facts in the form of complaints and applications for counsel and advice:—When it is known that a considerable sum will be required to repair the school house and make it comfortable, parents in many instances, desist from sending their children until after the completion of the repairs, so as to avoid being rated for the payment of them. One of the evils attending such a proceeding is that the children of such parents are deprived of a quarter's instruction in the school. Another evil is, that the refusal of some parents to bear a part of the expenses of repairing and furnishing the school house imposes a heavier burden upon those who do send to the school, and sometimes prevents so many others, that the trustees are compelled either to leave the house unrepaired, and continue to occupy it when utterly unfit for use, or resort to voluntary subscription to get means to make the most needful of such repairs. To avoid these inconveniences and evils, trustees have, in numerous instances applied to their District Council to exercise the powers conferred upon it by the Common School Act, to impose an Assessment upon their sections for school-house repairs and furniture; and I have advised them to do so. This however, is an exceedingly inconvenient and round about proceeding to obtain the application of the principle which is embodied in the ninth and tenth sections of the annexed draft of Bill.

"But another consideration, evincing the evil of the present system of school rate-bill is, its pernicious influence upon the school after its establishment. It involves a present pecuniary inducement to every parent to keep his children from the school. Many parents in narrow circumstances are influenced by this motive, and desist from educating their children; indeed I have been informed of numerous instances of poor men with large families being compelled to do so. Again, many parents possessing ample means to educate their children are indifferent in respect to it. Not having had the advantages of early education themselves, they think their children can do as they have done. A slight pecuniary inducement will, therefore, prevent them from sending their children to the school. These same considerations will also induce many parents to withdraw their children from the school, on slight grounds of offence or inconvenience. The withdrawal of every pupil from the school involves the necessity of imposing an additional amount of rate-bills upon those who continue to send their children to the school, and furnishes, therefore, an additional inducement to them to remove their children also. And towards the close of the year or term of the teacher's engagement, if it be found or apprehended that the rate-bill must be increased in order to pay his salary, many parents remove their children from the School. Others take the alarm; and I have been informed of instances in which the school has been nearly abandoned, and the trustees have been involved in the most painful embarrassment. Then the trustees, perhaps, blame the Teacher for this diminution in the attendance at the School, and refuse to pay him his stipulated wages. I have been appealed to on several occasions to settle disputes arising out of such circumstances. To anticipate and prevent these difficulties, as far as possible, Trustees have, in some instances, before engaging a teacher, gone about among their neighbours with a view of getting them voluntarily to subscribe a sufficient amount to pay his salary. In some instances they have partially succeeded; in other instances they have been able to induce but a few to join with them in such an obligation. But, in many instances, the employment of inferior teachers, upon terms such as a competent teacher would not agree to, has been the result.—Now, the whole tendency of such a system is as pernicious to the feelings, views, and mental habits of all parties concerned, as it is fatal to the character and interests of the common schools.

"Of the effect of this unpatriotic system upon the aggregate attendance of children at our common schools, some opinion may be formed from the fact, that the average number of children taught in them is *rather more than fifty per cent. less than in a neighbouring State*, where the principle of rate-bill according to property—instead of according to attendance—obtains. To leave children uneducated is to train up thieves and incendiaries and murderers; and it is the interest and duty of both the Government and every honest member of the community, to aid in the prevention, as well as punishment, of crimes and their kindred vices. For the Government, or Province, with resources at its command, to refuse or neglect to afford means of subsistence to starving and famishing multitudes, would be justly recorded as a public crime and disgrace. But, is it a less crime, and a lighter disgrace, to subject by neglect hundreds and thousands to intellectual starvation and the pestilence of crime and misery which follow in its train? Yet, at the present time, *more than one-half of the children of Upper Canada, of school age, are not in attendance at any school!* But place the poor man on a level with the rich man in the divinely ordained means of such instruction for his children as will *qualify and dispose* them for their duties in the social system; let the poor man feel that by paying his penny of school assessment, his children have as good a right to the

school as those of his wealthy neighbour who pays his thirty shillings, and how many will be seen crowding to the school of knowledge and virtue from that very class of the community from which our gaols and prisons are now filled. Compel the unfutured and misguided parent to pay his quota for the actual operations of the school, and a door of instruction will be opened to his children which, otherwise, parental ignorance and selfishness would shut against them; and their natural rights and best interests will thus be protected and secured during the period of their childhood and helplessness, and they will not grow up barbarians and nuisances in the community. Require every man to pay for a necessary common school education according to the property which he has acquired and enjoys in the country, and you lighten the burthen of supporting the common schools from those parents who are educating their families; you remove the strongest temptation to keeping children from the school, and furnish every parent with an additional and direct inducement to send his children to the School; you remove all contention between parents and trustees and Teachers, on account of the present system of rate-bills and subscriptions according to attendance; you relieve trustees of the most perplexing part of their duties, and place both them and the teacher in a position more agreeable and more efficient in regard to the character and interests of the School; you provide means for obtaining better and more regular salaries for school teachers, and at less expense to each of the parents now sending children to the common school, and thus insure a better class of teachers; you open the school house door to every child in the land, and thus lay the foundation for a virtuous, intelligent, and prosperous community.

"Such are the objects contemplated by the *Ninth and Tenth* Sections of the accompanying draft of Bill; and, should they become law, I most truly believe that they will produce a greater improvement in the common Schools and in the diffusion of common school education than any educational enactment which has yet taken place in this Province. In connexion with the influence of our divine Christianity, I can conceive of no greater blessing to coming generations of Canada than the incorporation into our school law of the principle which I here advocate, and which is thus summarily expressed by the Massachusetts Board of Education in their Annual Report for 1845: 'The cardinal principle, which lies at the foundation of our educational system is, that *all the children of the State shall be educated by the State*. As our Government was founded upon the virtue and intelligence of the people, it was rightly concluded by its framers, that, without a wise educational system the Government itself could not stand; and in ordaining that the expenses of educating the people should be defrayed by the people at large, without reference to the particular benefit of individuals, it was considered that those, who, perhaps, without any children of their own, nevertheless would still be compelled to pay a large tax, would receive an ample equivalent in the protection of their persons and in the security of their property.'"

It was thus in 1847 that the principle of *free schools* was recognized in the School Law of Upper Canada. So strongly did the Hon. H. SHERWOOD (then Attorney-General) view the question, that the clause in the original draft of the City and Town School Amendment Bill authorizing the Board of Trustees in each city and town to impose a rate bill on parents sending children to School, was, at his suggestion, struck out, and the whole amount required for the support of schools to be raised by Municipal assessment on property. The only school rate-bills therefore paid in cities and towns from 1847 to 1850, were *voluntary*, and not authorised by law, but by special subscription. But as the members of the Board of Trustees in each city and town were appointed by the Council, and not elected by the inhabitants,—forming merely a Committee of the Council for educational purposes, the Council—(elected for other purposes) approving or disapproving of all school estimates and expenditures, there was not sufficient responsibility on the part of either the Board of Trustees or Council to secure proper attention to, and efficiency in the management and interest of schools. It was an important step in advance upon the old city and town system; and in some towns (such as the Town of London) where the Municipal Council took a deep interest in the subject, the progress was conspicuous beyond all precedent. In the Counties some forty or fifty schools were made free in various parts of the Province; but it was obvious that it was too great a burden upon Trustees to require them to go to the County Council, and often encounter much opposition and disappointment, to get a free school; and there was too much disunion of authority and responsibility, and too little direct responsibility to public, in cities and towns, to render the Common Schools efficient, and to establish a gradation of them adapted to the several ages, attainments, and educational wants of the different classes of pupils. To remedy these defects, in some measure, the present School Act, passed in 1850, provides for the election of Trustees in cities, towns, and incorporated villages, by the taxable