

in a vast majority of cases throughout the Province, be children of parents belonging to different denominations; can it be supposed, with any reason, that the Legislature could have intended that the teacher, who might possibly himself belong to a persuasion differing from all his pupils, should impress on the minds of his pupils the principles of christianity, by instructing each one in the peculiar doctrines of the denomination of its parents? Still less, do we think it could have been intended, that the principles of christianity to be impressed, should be those of a denomination to which any of the pupils did not belong, simply because they might happen to be those of a denomination to which the teacher, or even a large majority of his pupils, may have belonged. It seems to us, that in view of the entire scope, object, and policy of the Act, that the duty imposed on the teacher by the 5th paragraph of section 8, was a duty outside of the Educational teaching of the school, (which is specifically provided for in paragraphs 1 & 2), to be performed as opportunities occurred, by precept and example, rather than by any direct or continuous system of dogmatic teaching; that the principles of christianity, honesty, &c., to be impressed, were to be principles of general applicability, interfering with the peculiar religious views of none;—doctrines, precepts, and practices, which all christian people hold in common, rather than the dogmatic teachings or tenets of a particular denomination or sect. This view would seem to be strongly confirmed by the last clause of the 4th paragraph, because, while under the first clause of that paragraph, the duty referred to is to be discharged by the teacher in respect to all the children committed to his care, without any exception in favor of any class or creed; the provision in the last clause is—"but no pupil shall" "be required to read or study in or from any religious book, or join in any act of devotion" "objected to by his parents or guardians," leaving the duty still on the teacher "to impress on the minds of the children committed to his care, the general principles of" "christianity, morality, justice, a sacred regard for truth and honesty, &c. &c.;" and the paragraph ends by providing that the Board of Education shall, "by regulation, secure to" "all children whose parents or guardians do not object to it, the reading of the Bible in" "Parish Schools; and the Bible, when read in Parish Schools by Roman Catholic children, shall, if required by their parents or guardians, be the Douay version, *without note or comment.*" This paragraph, so far from making the schools denominational, or giving any rights or privileges in respect to a denominational school, appears to us to be directly opposed to the idea of denominational teaching in the schools. Does not the very last clause, (that most relied on at the argument), permitting the use of the Douay version, by the addition of the words "without note or comment," shew, that with the Bible read from that version, no denominational views of any kind shall be put forward; and is not the whole in this view entirely consistent with the exclusion from the School Library, and from use, of all works on controversial theology? But it has been said, that under the Parish School Act, schools were in fact established in certain localities where all, or a large majority of the rate-payers, happened to belong to one particular persuasion, in which the catechisms of particular Churches were taught, prayers peculiar to a particular religious body were used, and books inculcating the doctrines, views and practices of a particular denomination were used as Class Books; and that these schools were therefore denominational, and consequently the class of persons belonging to any such denomination, had a legal right or privilege with respect to denominational schools. Assuming what is alleged to have been the case,—though on the point we have no information before us of which we can take judicial notice,—surely it is begging the whole question. How can the mere fact, that in exceptional cases, certain schools under the Parish School Act, drawing Provincial aid, may have been made for the time being, with or without the knowledge or sanction of the Board of Education; denominational; by reason of the

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