

"5. That during the time of religious teaching or religious observance, any children withdrawn from such teaching or observance shall receive separate instruction in secular subjects.

"6. That a copy of sections 7 and 14 of the Elementary Education Act, 1870, and also of the regulations 1, 2, 3, and 4, must be hung up in a conspicuous part of the school-room.

"7. That a syllabus of subjects of Bible instruction for one month in advance must be prepared by the teacher and forwarded to the Clerk of the Board at the beginning of each month."

The late Council of Public Instruction construed the provisions of the Ontario Act in the same way, and embodied their view in the third Regulation of 1874, which is as follows:—

III.—OPENING AND CLOSING RELIGIOUS EXERCISES OF EACH DAY.

With a view to secure the Divine blessing, and to impress on the pupils the importance of religious duties, and their entire dependence on their Maker, the Council of Public Instruction recommends that the daily exercises of each Public School be opened and closed by reading a portion of Scripture, and by prayer. The Lord's Prayer alone, or the Forms of Prayer hereto annexed, may be used, or any other prayer preferred by the Trustees and Master of each school. But the Lord's Prayer shall form part of the opening exercise, and the Ten Commandments be taught to all the pupils, and be repeated at least once a week. But no pupil should be compelled to be present at these exercises against the wish of his parent or guardian, expressed in writing to the Master of the school.

Here follow FORMS OF PRAYER.

It will be seen from the foregoing that the same principle prevails both here and in England (as to Branch Schools) with respect to the extent in which religious instruction and exercises may form part of the ordinary work of a Public School, and then to be given only by the responsible teacher of the school.

(Signed)

ADAM CROOKS,
Minister of Education.

Education Department,
May 17th, 1877.

DISCIPLINE IN SCHOOLS.

Memorandum by the Minister of Education in reference to the case of Section No. 2, Percy.

A misapprehension evidently exists as to the true scope of the decision pronounced by me on the 26th April last, on the subject of an appeal by the Trustees of this school from the Inspector, who held that under the circumstances of the case the expulsion of a pupil was not authorized under the regulations in that behalf.

The letter of the Secretary of the Trustees to the *Globe*, with a copy of my decision, did not question the correctness of my conclusion in confirming the decision of the Inspector on the only point involved in the appeal, but raised a new and collateral issue on my statement that the discipline of the school can be maintained without encouraging a practice which would degrade the pupils in the estimation of each other, and so lower the general tone of the school. This expression was an *obiter dictum* tendered by way of advice to trustees whose teacher had thought fit to resort to the extreme measure of punishment by expulsion in a matter of ordinary discipline in a case where one pupil was not prepared to disclose upon another.

The case before me presented the sole question whether, for an offence of this kind, the penalty of expulsion, attended as it must be with grave and serious consequences, was authorized by the regulations.

The regulations now in force were carefully revised by the late Council of Public Instruction in 1874, and under the Public School Act regulate all matters connected with the organization, government, and discipline of Public Schools. In adopting proper regulations under the Act, the Council had to consider that by law all schools are free, that by law every child from seven to thirteen years of age, inclusive, has a right to attend school, and that by law any parent failing to see that his child attended school becomes amenable to several penalties. This emphatically means that the community as a whole, and each parent and child individually, are interested in securing the attendance of every child in the schools. Such right belonging to parent and child alike, and the community being concerned in its free exercise, the Council were especially charged with seeing that their regulations would fully accomplish this. Hence, by Regulation 4, it is only when the interests of all the other children would be positively injured by the presence of a pupil (i.e. a black sheep) that he can be expelled, and suspension of a pupil for a given period can only be exercised in the grave cases pointed out in Regulation 3, and that, too, subject to appeal to the Trustees.

The law and regulations recognise the master's position to be that of a public officer, and hence it is his duty by legitimate and proper means to discharge the functions of his office satisfactorily. For this purpose he must be permitted to exercise all the necessary authority, and to vindicate it when required, by such measure of punishment or means as a prudent and judicious teacher would think best in the particular circumstances. Without prescribing any details in this respect, the regulations leave the authority of the master paramount, except in a case of suspension, where they define the circumstances which may warrant this, and the single case in which expulsion can be ordered.

When I stated in my former memorandum that the teacher would not appear to have any authority to coerce a pupil into telling upon a fellow-pupil, my remark was germane to the point before me, and directed to the remedy there applied of expulsion, which was unauthorized. If I had anticipated that there was room for misapprehension upon the general question as to the authority of a master over a pupil, I would have explicitly stated that coercion by expulsion was not warranted by the regulations in a case where one pupil refused to tell upon another. I was not called upon to consider whether a refusal to tell was an offence or not, or punishable or not. That question would manifestly rest with the teacher within the limits of his authority, and is a question which I am not called upon to determine, nor can I assume to define the details within which his authority can be properly or lawfully exercised. At the same time it is my duty to hold that there has been an excess of authority on the part of the teacher where such is the case, having regard to the law and regulations. When called upon to do this, it is permitted to me also to express any opinion with reference to a proceeding the tendency of which would be to deteriorate in any way our Public Schools.

(Signed)

ADAM CROOKS,
Minister of Education.

Education Department (Ontario),
Toronto, June 1st, 1877.

REGULATIONS RESPECTING AUTHORIZED TEXT BOOKS IN HIGH SCHOOLS AND COLLEGIATE INSTITUTES.

Approved by the Lieutenant-Governor in Council, 22nd June, 1877.

1. On and after the 1st day of September, 1877, the several books set forth in the accompanying Schedule shall be the only authorized Text Books for use in the High Schools and Collegiate Institutes in the respective subjects mentioned.

2. Where there is more than one book authorized on any subject, the High School Boards may make their selection.

3. No particular editions of the Text Books are prescribed, but such editions as the following will be found generally suitable, Catena Classicorum, White's Grammar School Texts, Longmans', Rivington's and Collins's series of English Classics; also the London series of French Classics (Longmans'), White's Latin Dictionaries, Dr. Smith's do.

ADAM CROOKS,
Minister of Education.

SCHEDULE.

Being List of authorized Text Books for use in High Schools and Collegiate Institutes.

I.—ENGLISH.

The Fifth Reader, Canadian National series (authorized edition).

The Spelling Book, a Companion to the Readers.

The Dominion Elocutionist, by Richard Lewis.

Bell's Standard Elocutionist.

History of English Literature, by W. Spalding, M.A.

Craik's English Literature and Language.

Mason's English Grammar.

Fleming's Analysis of the English Language.

Angus's Hand-book of the English Tongue.