

ligious persuasion can claim on constitutional or public grounds, that any of such schools should be made sectarian, or that public funds should be expended for the support of sectarian schools at all—much less that such schools should be placed upon the same footing as public schools. The sole object of public schools is secular education; the leading object of sectarian schools is sectarian interests—with which the State does not interfere where there is “no semblance of union between Church and State.” If, therefore, the State does so far depart from the principle of a national system of instruction, as to permit any members of a religious persuasion to separate themselves from it, and to even give them public aid for a sectarian school, it is a favor granted them on the ground of indulgence, but upon no ground of constitutional right; since no sect has a constitutional claim to more than equal and impartial protection in the enjoyment of access to the public institutions of the country. It was on the ground of toleration or indulgence that separate schools were first sanctioned by law both in Upper and Lower Canada: but with this difference, however, that in Canada East, where the union of Church and State exists, the schools of the majority are for the most part denominational schools, while those of the minority are non-denominational—the reverse of what exists in Upper Canada.

It is only since 1850 that any persons pretended to demand separate schools as a right, and not as a favor. But when corporate powers and privileges are once granted to persons, they then acquire legal rights which cannot and ought not to be lightly taken from them, however unadvised and to be regretted may have been the act of conferring them in the first place. And it is upon this ground that I have stated in former reports, and repeat here, that I think the clauses of the school law providing for separate schools ought to be allowed to remain on the statute book. I found clauses in the school law for that purpose when I assumed the charge of the department in 1845; I have since successively submitted the re-enactment and extension of them, as far as I could consistently with the efficiency of the public school system, and the rights of individuals and Municipalities, and so as to place the parties supporting separate or “dissentient” schools in both Upper and Lower Canada on perfectly equal footing; but the separate school clauses of the law as prepared and recommended by me were complained against by some leading advocates of separate schools, and a bill was prepared on their part, and brought into the Legislature in 1854, without any knowledge respecting what I had done, and substituting, for my clauses, the provisions of the Separate School Act now in force. But though I have had nothing to do in preparing the provisions of this Act, and though I doubt whether they are as beneficial to the parties of separate schools as the provisions for which they have been substituted; yet I think they should be allowed to remain undisturbed. They were prepared and accepted by the complaining parties themselves as a settlement of the question; they have not affected, nor do I think they will affect, the general working and efficiency of our school system; they leave not the shadow of pretext for the complaint that Roman Catholics in Upper Canada are less liberally treated than Protestants in Lower Canada, and especially since providing in a Lower Canada School Act during the recent session of the Legislature that Protestants in Lower Canada must levy and collect themselves whatever sums they may require for school purposes, and taking away from the Municip-

pal Councils even the power to levy and collect any rates for “dissentient” schools. \*

But if the parties for whom separate schools are allowed, and aided out of the Legislative School Grants, according to the average attendance of pupils (which is the principle of distributing the school grants among the common schools in all the townships of Upper Canada) shall renew agitation upon the subject, and assail and seek to subvert the public school system, as they have done, and endeavor to force legislation upon that subject against the voice and rights of the people of Upper Canada, by votes from Lower Canada, and the highest terrors of ecclesiastical authority, then I submit that the true and only alternative will be to abolish the separate school law altogether, and substitute the provisions of the national system in Ireland in relation to united secular and separate religious instruction, and extend it to Lower as well as Upper Canada. To the principles of that system in relation to national schools no party can object. It has been in successful operation in Ireland for more than twenty years, and has been recently re-affirmed after the fullest discussion, by the unanimous vote of the British House of Commons. It is too much that the people of Upper Canada, like the Israelites in their work of rebuilding, as mentioned in the fourth chapter of Nehemiah, should be compelled to stand constantly on guard for the protection of their school system, to labour at the erection and completion of their educational edifice “every one his sword girded by his side,” and “he that soundeth the trumpet by him.” There can be little doubt as to the result of an attempt, by means of external votes, at systematic legislation against the voice of the great majority of the people of Upper Canada and their representatives, on the vital question of public instruction. No such attempts have been made to repeal and change school laws in Lower Canada by bills brought in by Upper Canada members of the legislature, and carried by votes of an Upper Canada majority against the voice and remonstrances of a majority of Lower Canada members. I believe the leading members of the legislature from both sections of United Canada, are satisfied that the clauses of the laws in regard to separate schools in Upper Canada are, upon the whole, more favorable to their supporters than are the corresponding clauses of the laws in regard to dissentient schools in Lower Canada.

It is true there are difficulties attending the establishment and support of separate schools in Upper Canada that are not experienced in establishing and supporting dissentient schools in Lower Canada. But that difference arises from social causes, and not from partiality in legislation. In Lower Canada what are legally the national schools, are, as a general rule, church schools, the ceremonies and religious teachings being such as are directed by the authorities of the Roman Catholic Church. Where this is the case, there can be little difference or reluctance on the part of the Protestant minority to establish and support a dissentient school. But in Upper Canada the national schools are non-denominational; the religious convictions of all classes are equally protected,—as much so as in the mixed schools in Ireland; they are equally open to all classes,—are altogether or

\* Yet I see in the columns of the ultra advocates of separate schools, statements to the effect that there are several essential particulars in which the case of the supporters of separate schools in Upper Canada is bad in comparison of the supporters of “dissentient” schools in Lower Canada—statements which are groundless and delusive, and put forth to justify the high-handed hierarchical proceedings which have been adopted to subvert our school system, or make it the ally of one particular church against the great majority of the people of Upper Canada.