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CORRESPONDENCE

BETWEEN THE

ROMAN CATHOLIC BISHOP OF TORONTO

AND THE

CHIEF SUPERINTENDENT OF SCHOOLS.

ON THE SUBJECT OF

SEPARATE COMMON SCHOOLS
IN UPPER CANADA.

REVISED AND CORRECTED FROM THE ORIGINALS.

WITH AN APPENDIX,

CONTAINING

THE PROVISIONS OF THE LAW AND THE GENERAL REGULATIONS REGARDING
RELIGIOUS INSTRUCTION IN OUR COMMON SCHOOLS;

THE REGULATIONS OF THE COMMISSIONERS OF NATIONAL EDUCATION IN IRELAND;

AND A

CONSIDERATION OF THE QUESTION OF RELIGIOUS INSTRUCTION IN CONNECTION WITH OUR SYSTEM
OF PUBLIC INSTRUCTION FROM THE CHIEF SUPERINTENDENT'S ANNUAL REPORT FOR 1851.

TORONTO:

PRINTED AND PUBLISHED BY THOMAS HUGH BENTLEY,
REAR OF THE COURT HOUSE, OR No. 9, WELLINGTON BUILDINGS, KING STREET.

PRICE SEVEN PENCE HALFPENNY.

1853.

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CORRESPONDENCE, &c.

I. Letter from the Roman Catholic Bishop of Toronto to the Chief Superintendent of Schools for Upper Canada ; soliciting attention to the case of the Roman Catholic Separate School in Chatham :

IRISHTOWN, (near Chatham.)
20th February, 1852.

REVEREND AND DEAR DR.—I beg to recommend to your equity, and to the good spirit of our Council of Public Instruction, the petition of the R. Catholics of Chatham.

My visitation through the Diocese convinces me more and more that this spirit, so solemnly professed at the laying of the corner stone of the Normal School by different interested parties, and particularly by our most excellent Governor General, is far from being prevalent in certain localities.

For God's sake, and for the prosperity of the country, let us combine all our exertions, that religious liberty, liberty of conscience, may be more real than nominal ; there is no other element of peace in this part of the world, composed of so many different persuasions.

As for me, I will do anything and make any sacrifice for the success of a principle, the privation of which is nothing short of a more or less disguised persecution.

I remain, with the best feelings of respect,
Rev. and dear Sir,
Your most devoted Servant,
(Signed) †ARM'DUS FR. MY.
Bp. of Toronto.

Rev. Dr. E. Ryerson,
Chief Superintendent of Schools,
Toronto.

II. Letter from the Roman Catholic Bishop of Toronto, to the Chief Superintendent of Schools, containing additional remarks on the case of the Roman Catholic Separate School in Chatham :

†LONDON, 7th March, 1852.

REV. AND DEAR DOCTOR,—I hear from Chatham, subsequently to my appeal to your equity and to your answer, that there the negroes are incomparably better treated than the Catholics ;—that the latter have received for their separate school, attended on an average by 46 pupils, only £4 10s., Government money; and are offered as little out of about £300 taxes raised for the payment of teachers,—to which the Catholics have much contributed, as well as to the high sum levied for the building of a new school-house ;—that in another mixed school the anti-Catholic history of England by Goldsmith is perused as a text book.

Again, Rev. dear Doctor, where is the equity of such a management ? Where that liberal spirit professed in pamphlets, public speeches, reports, &c. ? And am I not right to call our most deplorable system of education a regular disguised persecution ? And still I have at hand facts of a worse character.

I remain, Rev. and dear Doctor,
Respectfully and friendly yours,
(Signed) †ARM'DUS FR. MY.
Bp. of Toronto

Rev. Dr. E. Ryerson,
Chief Superintendent of Schools,
Toronto.

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III. Letter from the Chief Superintendent of Schools, to the Roman Catholic Bishop of Toronto, in reply to the foregoing :

Department of Public Instruction,

EDUCATION OFFICE,

TORONTO, 13th March, 1852.

MY LORD,—I have the honor to acknowledge the receipt of your letters of the 20th ultimo, and of the 7th instant, respecting a difference between the trustees of a separate school, and the Board of Trustees of the public schools in the town of Chatham. On the 21st ultimo, I received through the Honorable S. B. Harrison, a communication from the trustees of the separate school in the town of Chatham on the same subject.

In respect to the complaint that Goldsmith's England is read as a text book in one of the mixed schools of Chatham, there can be no reasonable ground for it, since the 14th section of the school Act* expressly provides that "no pupil in any Common school shall be required to read or to study in or from any religious book or join in any exercise of devotion or religion which shall be objected to by his or her parents or guardians." Therefore every Catholic and Protestant child is effectually protected against the use of any book, or joining in any exercise, to which his or her parents or guardians religiously object; and I presume the parties who made the complaint which you state, will not complain as a grievance that they cannot dictate as to what text books shall be used in a mixed school by the children of other parents, as long as their own children are under their own protection in this respect.

Though I had not heard before of the objections which you mention, to Goldsmith's very defective compendium of the History of England, the book is not sanctioned by the Council of Public Instruction; nor has any elementary history been recommended to be taught in the common schools, beyond what is furnished in the admirable series of text books prepared and published by the National Board of Education for Ireland, and which are as acceptable to Roman Catholics as they are to Protestants.

I have observed with regret, that demands for exemptions and advantages have recently been made on the part of some advocates of separate schools which had not been previously heard of during the whole ten years of the existence and operations of the provisions of the law for separate, as well as mixed schools. I cannot but regard such occurrences as ominous of evil. It is possible that the Legislature may accede to the demands of individuals praying, on grounds of con-

science, for unrestricted liberty of teaching,—exempting them from all school taxes, with a corresponding exclusion of their children from all public schools,—leaving them perfectly free to establish their own schools at their own expense; but I am persuaded the People of Upper Canada will never suffer themselves to be taxed, or the machinery of their Government to be employed, for the building and support of denominational school-houses, any more than for denominational places of worship and clergy.

Public school houses are equally the property of all classes of the school Municipality in which they are erected; and there is the best assurance that schools will be perpetuated in them according to law. But there is no guarantee that a Separate School will be continued six months, as it ceases to exist legally, (at least so far as it relates to any claim upon the Public School Fund,) the moment the Public School Trustees employ in the same school division, a teacher of the same religious faith with that of the supporters of the separate school.⁴ Should the advocates of a separate school be able to claim exemption from the payment of a property-rate for the erection of a public school house, they, or any one of them at his pleasure, might, on the completion of such house, legally claim admission to it for his or their children upon the very same condition as the children of those who had been taxed to build the house. A man *may* send his children to a separate school to-day; but he has the *legal right* to send them to the public school to-morrow, if he pleases; and, as a general rule, (judging from the nature of the case, and from the experience of several years,) he will do so, as soon as he finds that his children can be as safely and more cheaply educated in the public school than in the separate one. I make these remarks in reference to an objection which has been made by some of the supporters of a separate school in Chatham, and in one or two other places, against being taxed for the erection of public school houses.

I herewith enclose you a copy of my reply to the trustees of the separate school in Chatham, and which I had also made to a similar communication from Belleville.

I have the honor to be,

My Lord,

Your obedient humble servant,

(Signed) E. RYERSON.

The Right Rev. Dr. De Charbonnel,
Roman Catholic Bishop of Toronto.

⁴ Provided fourthly, that no Protestant Separate School shall be allowed in any school division, except where the teacher of the Common School is a Roman Catholic; nor shall any Roman Catholic Separate School be allowed, except where the Teacher of the Common School is a Roman Catholic.—Fourth Provision in 19th section of the School Act.

* See Appendix, No. 1, a.

IV. Letter from the Roman Catholic Bishop of Toronto, to the Chief Superintendent of Schools, expressing his extreme dissatisfaction with the operations of the system of Public Elementary Instruction in Upper Canada :

†OAKVILLE, 24th March, 1852.

REV. DOCTOR,—In your answer to my letters, you do not say a single word about my two first complaints, viz :—the coloured people better treated in Chatham than Catholics, and the ridiculous offer of £4 10s,—out of about £300 taxes raised,—for the Catholic Separate School of 46 children in the same town.

With regard to my third complaint, you grant on one hand, that Goldsmith's History is *very defective*, therefore it does not do honor to the teachers who make use of it, and of other books of the same *defectiveness*, to my knowledge, nor to the visitors who tolerate such books in Public Schools, nor to the school system under which such *very defective* books may be used, not only against your sanction, but even *legally*.

For, you say on another hand, that there can be no *reasonable complaint* for reading that *very defective* book in mixed schools, since the 14th section of the School Act provides, that no pupil shall be required (Catholics are forced to do so in certain Schools) to read in any religious book objected to by his parents, and thereby protects all religious persuasions.

Therefore a Quaker book abusing Baptism, a Baptist book, abusing infant Baptism, a Methodist book abusing the High Church, a Presbyterian book abusing Episcopacy, a Unitarian book abusing the Trinity of persons in God, a Socinian book abusing all Mysteries, &c.; all those books may be read in the same class room of your mixed schools, as well as the anti-Catholic Goldsmith's History, and that *legally*, and of course without any *reasonable complaint*, because no pupil is forced to read the book objected to by his parent, and thereby children of all religious persuasions are equally *protected*.

O beautiful protection ! Beautiful harmony ! O admirable means of teaching God and his ordinances ! Admirable way of making children improve in religion, faith, piety, unity, charity, and in reading into the bargain !

And you are astonished, Rev. Doctor, at our demand of having nothing to do with such a chimera, such a mixture, such a regular school of pyrrhonism, of indifferentism, of infidelity, and consequently of all vices and crimes !

Please tell me would you send your children to a school where your paternal authority and family

prescriptions would be interpreted in ten different ways, because none of your children would be forced to read those mongrel interpretations,—and thereby they would be *protected* in their filial respect and feelings towards you ? Would the Government of Canada countenance schools in which pupils could read books respecting annexationism, or any other rebellionism, because no child would be forced to read the *ism* objected to by his parents, and thereby all children would be protected in their loyalty to the country and Her Majesty ?

No, most certainly no ; and religion alone, the basis of true individual, domestic, and social happiness, will be a mockery in our public schools ; or, at least, a quite indifferent object ! And you call our demand a scruple, an omen of evil ! Say as well that good is evil, and evil, good !

Let your mixed schools be without immediate danger on the treble part of teachers, books and fellow-pupils for the respective faith of all the children—which is seldom the case in this sectarian country,—and I will tolerate, even recommend them, as I do sometimes, through want of a better system, but always on the condition that children are religiously instructed at home or at Church ; because secular instruction without a religious education is rather a scourge than a boon for a country ; witnesses, the United States, Scotland, Sweden, Prussia, &c., where, according to statistics, infidelity, and immorality are increasing in proportion to godless education.

But as long as most of your mixed schools shall be what they are, as distant from the common schools of Ireland, justly praised in your answer, as night is from the day,* as long as most of your mixed schools shall be a danger for the faith and morals of our children, they and we, their temporal and spiritual parents, will act according to the doctrine of the God unknown to your schools, as he was in Athens : “ If thy hand, foot, eye, is an occasion of sin to thee, cut it off, pluck it out, and cast it from thee. What does it avail a man to gain the world if he lose his soul ? Seek first the Kingdom of God and his Justice.”

Now as to the boasted system of school buildings giving more security than our separate schools,—as if stones, or bricks would be better than teachers and books,—let the Scotch Protestant Laing, in his recent “Notes of a Traveller,” tell the *People of Upper Canada*, alluded to in your answer, that “in Catholic countries, even in Italy, the education of the common people is *at least* as generally diffused and as faithfully promoted by the

* See Regulations of the Council of Public Instruction for Upper Canada : and of the Commissioners of National Education in Ireland, Appendix, Nos. 3 and 4.

clerical body, as in Scotland. Education is in reality not only not repressed, but is encouraged by the Popish (!) Church, and is a mighty instrument in its hand and ably used." Hence the celebrated Protestant statesman, Guizot, published lately that the far best school of respect towards authority is the Catholic school. "In every street in Rome," continues Laing, "there are, at *short distances*, public primary schools for the education of the children of the lower and middle classes in the neighbourhood. Rome, with a population of 158,678 souls, has 372 primary schools (and some more according to the official statement) with 482 teachers, and 14,000 children attending them. Has Edinburgh so many schools for the instruction of those classes?"

And you know Rev. Doctor, that Scotland is one of the boasted lands of common schools.

Therefore, since your school system is the ruin of religion, and persecution for our Church: since we know, *at least* as well as any body else, how to encourage, diffuse, promote education, (Laing,) and better than you (Guizot,) how to teach respect towards authority: God and his Church, parent and government; since we are under the blessed principles of religious liberty and equal civil right, we must have, and we will have, the full management of our schools, as well as Protestants in Lower Canada; or the world of the 19th century will know that here, as elsewhere, Catholics, against the constitution of the country, against its best and most sacred interests, are persecuted by the most cruel and hypoeritical persecution.

I have the honor to be, Rev. Doctor,

Your humble and obedient servant,

(Signed) †ARM'DUS. FR. MY,
Bp. of Toronto.

Rev. Dr. E. Ryerson,
Chief Superintendent of Schools,
Toronto.

V. Letter from the Chief Superintendent of Schools to the Roman Catholic Bishop of Toronto, in reply to the foregoing:

Department of Public Instruction,

EDUCATION OFFICE,

TORONTO, 24th April, 1852.

MY LORD,—The receipt of your letter of the 24th ultimo was promptly acknowledged by Mr. Hodgins in my absence: and continued official engagements, since my return, having prevented an earlier reply, I have now to observe, that, finding your allusions to the coloured people of the

town of Chatham not sustained by a communication from themselves, I did not deem it necessary to correct your mistake, or advert to the circumstance in my reply. Having received a complaint from the coloured people of Chatham, respecting their affairs, I replied to them, and wrote to the Board of School Trustees in Chatham on the same subject. I did not, therefore, think it necessary to allude further to the subject in my reply to your Lordship.

As to my alleged omission in regard to the complaint respecting the Roman Catholic School in the town of Chatham, I received a letter from the Trustees of that School, and enclosed to your Lordship a copy of my reply to their communications.

In regard to Goldsmith's Elementary History of England, your Lordship did not intimate that the Roman Catholic children were compelled to use it contrary to the wishes of their parents or guardians, but simply represented that it was used in the mixed school; and it was to this point that my remarks on the subject in reply were directed. I confined myself to general remarks on the point for another reason—namely: from the fact that there being a separate Roman Catholic School in Chatham, the conductors of it could have no personal interest or concern as to what text books were used in the mixed school, from all connection with which they had formally withdrawn.

As to the claim of the Trustees of the Separate School to share in the school moneys of the town of Chatham for 1851, they could not be sanctioned by law, since the school was not applied for until March of that year, and the 19th section of the School act does not permit the alteration of any School Section, or the establishment of any separate school before the 25th of December in any one year.*

Having thus replied to the complaints preferred by your Lordship, I would not avert to other topics which your Lordship has introduced, were not my silence liable to misconstruction, and did I not feel it my duty to defend, as well as to explain and impartially administer the Common School system which the Legislature has established in Upper Canada;—a system which has been in operation for ten years; which was cordially approved of and supported by the late lamented Roman Catholic Bishop Power; which was never

* * * Provided always that each such separate school shall go into operation at the same time with alterations in school sections." — *First Provision, in 19th section of the School Act* — "Provided secondly, that any alterations in the boundaries of a school section shall not go into effect before the Twenty-fifth day of December, next after the time when it shall have been made." — *Second Provision in fourth clause of 12th section of the School Act.*

objected to, as far as I know, by a single Roman Catholic in Upper Canada, during the life of the excellent Prelate and patriot, nor until a recent period. If your Lordship has thought proper, during the last twelve months, to adopt a different course, and to introduce from the Continent of Europe, a new class of ideas and feelings among the Roman Catholics of Upper Canada, in regard to schools and our whole school system, I must still adhere to my frequent unqualified expressions of admiration at the opposite course pursued by your honored and devoted predecessor, Bishop Power;—while I may note the facts that from only three neighbourhoods in Upper Canada have demands been made by Roman Catholics, in accordance with this new movement, not sanctioned by law; that the only Roman Catholic member of the Legislative Assembly elected in Upper Canada has repeatedly declared himself opposed to the very principle of separate schools; and that the only County Municipal Council in Upper Canada in which a majority of the members are Roman Catholics, has adopted resolutions against the section of the School Act which permits the establishment of separate schools under any circumstances. The facts, that, out of 3000 Common Schools, not so many as fifty separate Roman Catholic Schools have ever existed or been applied for, in any one year, in all Upper Canada, and that the number of such separate schools had gradually diminished to less than thirty, until within the last twelve months,* and that during ten years but one single complaint (and that during the present month) has been made to this Department of any interference with the religious faith of Roman Catholic children; and that not a Roman Catholic child in Upper Canada is known to have been proselyted to Protestantism by means of our public Schools;—these facts clearly show the general disinclination of Roman Catholics in Upper Canada to isolate themselves from their fellow citizens in school matters, any more than in other common interests of the country, and the mutually just, Christian and generous spirit in which the school as well as other common affairs of the country have been promoted by Government, by Municipal Councils, and by the people at large in their various School Sections. The exceptions to this pervading spirit of the people of Upper Canada have been “few and far between;” and in such cases the provision

of the school law permitting the establishment of separate schools in certain circumstances, has been made use of, and just about as often by a Protestant, as by a Roman Catholic, minority in a School Municipality. But the provision of the law for separate schools was never asked or advocated until since 1850 as a *theory*, but merely as a *protection* in circumstances arising from the peculiar social state of neighbourhoods or Municipalities. I always thought the introduction of any provision for separate schools in a popular system of common education like that of Upper Canada, was to be regretted and inexpedient; but finding such a provision in existence, and that parties concerned attached great importance to it, I have advocated its continuance,—leaving separate schools to die out, not by force of legislative enactment, but under the influence of increasingly enlightened and enlarged views of Christian relations, rights and duties between different classes of the community. I have, at all times, endeavoured to secure to parties desiring separate schools, all the facilities which the law provides—though I believe the legal provision for separate schools has been, and is, seriously injurious, rather than beneficial, to the Roman Catholic portion of the community, as I know very many intelligent members of that Church believe as well as myself. I have as heartily sought to respect the feelings and promote the interests of my Roman Catholic fellow-citizens, as those of any other portion of the community; and I shall continue to do so, notwithstanding the personally discourteous tone and character of your Lordship’s communication.

There are, comparatively, few school divisions in Upper Canada, beyond the cities and towns, (where the Trustees have generally employed a fair proportion of Roman Catholic teachers,) in which it is possible for the Roman Catholics to maintain an efficient separate school; and if your Lordship persists in representing the Common Schools maintained by the several religious classes of the community, as fraught with scepticism, infidelity and vice, the situation of Roman Catholics, sparsely scattered throughout more than 2,500 of the 3,000 school sections in Upper Canada, will be rendered unpleasant to themselves, and they will be encouraged to neglect the education of their children altogether. By the official Return for 1849, there were 335 Roman Catholic School Teachers employed in Upper Canada; in 1850, their number was increased to 390;† and I have as cordially endeavoured to get situations for good Roman Catholic teachers as for good

* The following Table shows the number of Protestant and Roman Catholic Separate Schools reported, since 1817:—

YEAR.	NO. OF SEPARATE SCHOOLS.
1817,	41
1818,	32
1819,	31
1850,	46 = 21 Roman Catholic and 25 Protestant.
1851,	20 = 16 Roman Catholic and 4 Protestant.

† In 1851, there were 378 Roman Catholic Teachers reported

Protestant teachers. It is clear that the greater part of the 390 Roman Catholic teachers have been employed by Protestant Trustees and parents; but if the war of total separation in all school matters between the Protestants and Roman Catholics of Upper Canada is commenced, as proclaimed by your Lordship, many of these worthy teachers will be placed in painful circumstances, and a separation will soon begin to take place between the two portions of the community in other relations and employments.

Your Lordship says, "We must have, and we will have the full management of our schools, as well as the Protestants in Lower Canada, or the world of the 19th century will know, that here as elsewhere, Catholics, against the constitution of the country, against its best and most sacred interests, are persecuted by the most cruel and hypocritical persecution."

On this passage I remark, that I am not aware of Lower Canada presenting a better standard than Upper Canada of either religious or civil rights in the management of schools by any portions of the community. A popular municipal system not yet being fully established in Lower Canada, the school system there is necessarily more despotic than here, and the Executive Government does many things there which appertain to elective Municipalities to do here; and to accomplish what is indicated by your Lordship, would involve the subversion of the Municipal system and liberties of the people of Upper Canada. From the beginning, Upper and Lower Canada has each had its own school system. Of the annual Legislative school grant of £50,000, Lower Canada received £29,000 per annum until 1851 (when the grant was equally divided,) and Upper Canada £21,000; which constituted the whole of the Legislative School Fund of Upper Canada for the establishment and support of the Normal as well as Common Schools. Upper Canada has not attempted to interfere with Lower Canada in regard to its school system, nor has Lower Canada attempted to interfere with Upper Canada in regard to its school system; nor do I think the collision in school matters invoked by your Lordship, will be responded to by either section of United Canada: at least, for the sake of the peace and unity of Canada, I hope it may not.

Then as to the fact which your Lordship says will be known to "the world of the 19th century," I may observe, that the managers of the twenty-one Roman Catholic, and twenty-five Protestant separate schools in Upper Canada, are placed upon exactly the same footing; that the managers of each class of these schools have precisely

the same control of them that the Trustees of Common Schools have over their schools; that each class of Separate Schools and the Common Schools are under the same regulations;* that these relations and regulations have existed for ten years with the approbation of your lamented predecessor, (who was a British colonist by birth and education, as well as feeling,) and with the concurrence of both Roman Catholics and Protestants; nor had I ever heard, before receiving your Lordship's letter, that the Government and Legislature had for so many years established and maintained, and that I, in connection with the elective Municipalities of Upper Canada, had been administering and extending a system of "the most cruel and hypocritical persecution" against any portion of the community.

Nay, so perfect is the equality among teachers, as well as managers, of each class of schools, that they are all examined and classed as to their intellectual attainments, by the same Board of Examination; while the certificates of their respective Clergy are the guarantee for their religious knowledge and character.† This is perfect equality for the teachers of Separate Roman Catholic, or Protestant, or Common Schools; and the great principle is maintained, that no part of the School Fund raised by, or belonging to, a Municipality shall be paid to any teacher whose qualifications are not attested by Examiners appointed by such Municipality.

It is true, that no Roman Catholic or Protestant can be compelled to support a separate school, unless he applies for it or chooses to send his children to it; and it is also true, that every Protestant and Roman Catholic has a *right* to send his children to the public school, and also the right of equal protection to his own views in regard to the religious instruction of his children. It is furthermore true, that no part of the money for separate schools is paid into the hands, and placed at the discretion, of either the Roman Catholic or Protestant Clergy, but is subject to the orders in each case of the elected Trustees of separate schools in aid of the support of teachers employed by them. But in each of these cases, I think the law secures individual protection and rights, rather

* "Provided always, that each such separate school . . . shall be under the same regulations in respect to the persons for whom such school is permitted to be established, as are Common Schools generally.—*First Proviso in 19th section of the School Act.*

† "Provided always, that no certificate of qualification shall be given to any person as a Teacher who shall not furnish satisfactory proof of good moral character."—*First Proviso in second clause of the 20th section of the School Act.*—"Candidates shall not be eligible to be admitted to examination, until they shall have furnished the examiners with satisfactory evidence of their strictly temperate habits and good moral character."—*General Regulations prescribed by the Council of Public Instruction for the examination of Teachers.*

than breathes the "most cruel and hypocritical persecution."

There is thus no difference whatever between Protestant or Roman Catholic separate schools and mixed schools, as to the examination of teachers, on the certificates of their respective clergy; no difference as to the times at which such schools shall commence, and the legal conditions and regulations to which they are subject; no difference as to the basis of apportioning the school fund, to aid in the payment of the salaries of the teacher of each class of schools.* There is therefore not the slightest ground for alleging "most cruel and hypocritical persecution" in regard to the one, any more than in respect to the other, class of schools; and there are "the blessed principles of religious liberty, and equal civil right," in regard to them all.

The demand which your Lordship advocates in behalf of the Trustees of the Roman Catholic separate schools in the town of Chatham, is two-fold. 1. That whatever sum or sums of money any Municipality may raise for school purposes, shall be regarded as the legal school fund of such Municipality, and be equally divided according to attendance between the public and separate school. 2. That the same principle shall be applied in the expenditure of whatever moneys may be raised for the building, repairs and furnishing of school houses; that is, that the Municipalities shall be under the same obligation to provide separate school houses as public school houses; that they shall not be able to provide for the latter without providing for the former.

Now, in regard to this demand, I have three remarks to make: 1. It is novel; it has never been made in any communication to this Department, until since the commencement of the current year. 2. It proposes a novel interpretation of the term "School Fund." The 40th section of the school Act defines it to consist in each Municipality of "the sum of money appro-

riated annually by the Chief Superintendent of Schools, and at least an equal sum raised by local assessment."† The 27th section of the Act provides that a County Council (and the provision is applied in another part of the Act to cities, towns and incorporated villages) can increase at its discretion the sum required to be raised by local assessment, and may apply it to increase the local school fund, or in giving special aid to the schools recommended to its favourable consideration, as it may judge expedient.‡ I never heard it doubted before, much less complained of as a grievance, that each Municipality after having fulfilled the conditions of the Act could apply at its own discretion, any additional sum or sums of money it might think proper to raise for school purposes. I have in all past years thus explained this provision of the Act, in my correspondence with Municipal Councils; and in my letter addressed to the Provincial Secretary on the school law generally, dated 12th May, 1849, are the following words: "The School Act authorizes any Council to raise as large an amount as it pleases for Common School purposes. I have never insisted, as the *Common School Fund*, upon a larger sum in each District or Township, than that apportioned out of the Legislative grant. *Any sum over and above that amount*, which a Council may think proper to raise, may (as has been done by some Councils,) be applied in such a manner to the relief of any otherwise unprovided for poor school sections within its jurisdiction, at the pleasure of each Council." (*Correspondence on the School Law of Upper Canada, printed by order of the Legislative Assembly, 1850, p. 39.*) What I have regarded and averred in past years to be the plain meaning of the law, and an important right of Municipalities, and that without any view to separate schools, I see no reason to unsay or attempt to undo now. Besides what the law declares to constitute the School Fund, and to whatever amount a Municipality may increase it, no part of it, as in Lower Canada, can be applied to the erection, rents, or repairs of school houses; but both the 40th and 45th Sections of our School Act expressly require that such money "shall be expended for *no other purpose than that of paying the salaries of qualified teachers of Common Schools*;" 3. I remark thirdly, that as no apportionment from the Legislative school grant, or school fund, is made, and as no part of such fund can be applied for the

* The following are the provisions of the law relative to the apportionment of the School Fund to both Common and Separate Schools:—"And be it enacted, That it shall be the duty of each local Superintendent of Schools, as soon as he shall have received from the County Clerk a notification of the amount of money apportioned to the Township or Townships within the limits of his charge, to apportion the same (unless otherwise instructed by the Chief Superintendent of Schools), among the several school sections entitled to receive it, according to the rates of the average attendance of pupils attending each Common School, (the mean attendance of pupils for both summer and winter being taken), as compared with the whole average number of pupils attending the Common Schools of such Township.—*First clause of the 31st section of the School Act.*—"Provided that each such separate Protestant, or Roman Catholic, or Coloured school shall be entitled to share in the school fund, according to the average attendance of pupils attending each such separate school, (the mean attendance of pupils for both summer and winter being taken,) as compared with the whole average attendance of pupils attending the Common Schools in such City, Town, Village or Township."—*Third Proviso in the 19th section of the School Act.*

† See Appendix, No. 6.

‡ "Provided always, that the sum or sums so levied, may be increased at the discretion of such Council, either to increase the County School Fund, or to give special or additional aid to new or needy school sections, on the recommendation of one or more Local Superintendents."—*First Proviso in the first clause of the 27th section of the School Act.*

erection, rents, repairs, or furnishing of school houses of any description, all sums expended for these purposes in any Municipality must be raised by local voluntary assessment or subscription in such Municipality. The principle of the school law is, that each Municipality has a right to do what it pleases with its own; with what it does not receive from the Legislature; what it is not required to raise as a condition of receiving Legislative aid, but what it voluntarily provides within its own jurisdiction. But if according to your Lordship's advocacy, a Municipality must be compelled to tax themselves to provide separate school houses for religious persuasions, in addition to public school houses, there may be a high degree of "civil liberty" secured to certain religious persuasions, but a melancholy slavery imposed upon the Municipalities. The liberty of teaching, any more than the liberty of preaching, by any religious persuasion, has never been understood in Upper Canada to mean the right of compelling Municipalities to provide places of teaching, any more than places of preaching, for such religious persuasion. Such liberty, or rather such despotic authority, possessed by any religious persuasion, is the grave of the public Municipal liberties of Upper Canada.

Your Lordship has furthermore been pleased to designate Upper Canada—the country of my birth and warmest affections—"this sectarian country;" a term which not merely implies the existence of sectarianism, (for that exists in Austria and Italy as well as in Upper Canada,) but that such is the distinguishing character of the country, as we are accustomed to say an enlightened, a civilized, or barbarous country, according to the prevailing character of its institutions and inhabitants. I think your Lordship's designation of Upper Canada is an unmerited imputation; I am persuaded that a large majority of the people are as firm believers in "the Father, the Son, and the Holy Ghost;" and in all that our Lord and his Apostles taught as necessary to everlasting salvation, as either your Lordship or myself. A standard English lexicographer has defined "sect" as "a party in religion which holds tenets different from those of the prevailing denomination in a Kingdom or State," and *Becherelle* in his noble "*Dictionnaire National*," says, after *Linguet* that "De toutes les sectes, il n'en est pas de plus furieuses, de plus intolérantes, de plus injustes, que celles qui choisissent pour cri de guerre la religion et la liberté." But I see no application of either of these characteristics of sectarians to the majority of the people

whom your Lordship reproaches—a people, in religious morals, in honesty, industry, in enterprise, in the first and essential elements of a national's civilization, in advance of the mass of the people of those very states of Italy to the schools of whose capital you have drawn my attention.

Your Lordship has represented "God as unknown to our schools as he was in Athens;" and by the passages of the scriptures which you have quoted, as well as by your remarks upon our school regulations, you intimate that I place earth before heaven, and the gain of the world before the loss of the soul. I remark, that I believe a majority of the members of the Council of Public Instruction, by whom the regulations were made for our schools in regard to religious and moral instruction, are as deeply impressed with the worth of the soul and the value of heaven, as your Lordship; and so far from God being unknown to our schools, the authorized version of His inspired Word (the text book of the religious faith of a large majority of the people of Upper Canada) is read in 2067 out of 3000 of them. And if the regulations are criminally defective in this respect, your Lordship as a member of the Council of Public Instruction, has had, and still has ample opportunity to propose their correction and amendment. Though I have perhaps learned, by personal observation and enquiry, more of both Irish and Canadian Schools than your Lordship, and am not sensible of the vast inferiority of Canadian schools of which you speak; yet if such be the fact in a religious point of view, the fault must lie with the clergy throughout the country, and not in the regulations, since our regulations are borrowed from those which have operated so beneficially in Ireland.* Who is to provide for, and look after the religious instruction of the youth of the land, but the clergy and the churches? Government was certainly not established to be the censor and shepherd of religious persuasions and their clergy, or to perform their duties. I lament that the clergy and religious persuasions of Upper Canada have not been more attentive to the religious instruction of their youth—the youth of the land;—but as to our youth and fellow countrymen in Upper Canada not being taught to respect law and authority, as in the schools of Rome, I may observe that authority and law are maintained among us by the people themselves, without our capital being occupied by foreign armies to keep the citizens from expelling their Sovereign from the throne.

Your Lordship draws a vivid picture of each of the children in a school being taught from a

* "Of all sects, those are the most furious, the most intolerant, and most unjust, who adopt as their war-cry: *Religion and Liberty*."

* See Appendix, Nos. 3 and 1.

book abusing the religion of the parents of the other children. I have only to remark on this point, that the picture exists in your Lordship's imagination alone, as there is no foundation for it in fact or probability. Even should the teacher hear the children separately recite once a week the catechism of their religious persuasion, as he would hear them recite a fact in history or rule in arithmetic (without any regard to the merits of it), what your Lordship fancies could not occur even in this strongest case that can be put, as the catechism of no religious persuasion, as far as I know, consists in abusing other religious persuasions; but in a summary of Christian faith and duty professed by its adherents. I know not of the occurrence of a case such as your Lordship has imagined in all Upper Canada during the last ten years; and down to a recent period an increased friendly feeling and co-operation existed between Roman Catholics and Protestants—a feeling which I had hoped, and had reason to believe, until within the last twelve months, would have been promoted by your Lordship, as it was by your honored predecessor.

Your Lordship says, indeed, that "Catholics are forced in certain schools to read from religious books to which their parents object;" but why are not the names of the places and parties mentioned? For I can promise your Lordship a prompt and effective remedy in every case which shall be made known to this Department. But it appears to me, that if such cases exist, they would be made known from the great importance and publicity which has been given to the case of Mr. Maurice Carroll, and the School Trustees at Georgetown, in the township of Esquesing, the only case of the kind that was ever brought under the notice of this Department; and on the very day I received Mr. Carroll's letter of complaint, I answered it in strong terms of condemnation as to the proceedings of the Trustees, and in maintenance of his supremacy and inviolable rights in regard to the attendance or non-attendance of his children upon religious exercises in the school. A day or two afterwards, I repeated the same decision and views to the teacher and trustees concerned, and there the matter has ended; and it would have been the occasion of no bad feelings beyond the school section itself, had not the complaining parties, according to the advice of your Lordship, previously spread it in the newspapers, instead of first appealing to the tribunal authorised by law to decide on such matters—recourse being open to the judges of the land and the Governor General in Council, should I fail in impartiality and energy to remedy the wrong complained of. And I must appeal to your Lordship, and especially after your Lordship has

spoken so decidedly of "respect towards authority, law, and government being taught in our schools," whether it was promoting either of these objects for your Lordship to encourage Mr. Maurice Carroll, of Georgetown, to go to the newspapers, instead of the legal authorities, to remedy a legal wrong—to appeal to popular passion and religious animosities instead of first appealing to government, and exhausting the resources provided by law for legal protection against illegal oppression? Should the examples and counsels which your Lordship has given to Mr. Maurice Carroll, be adopted by all parties throughout the land in regard to any alleged wrong that may be committed by one party against another, what respect for law would there be? What administration of law could there be? What must be the social state of the country other than that of unbridled passion, lawlessness, and anarchy? On a matter of so much importance to the social happiness and best interests of all classes of people in Upper Canada, I confidently appeal from your Lordship under excitement, to your Lordship when calm and thoughtful.

Your Lordship has called my attention to the authority of Guizot, as much better than mine in school matters. I readily acknowledge the authority of that great statesman and educationist. I read his projects for school laws in France, and his various circulars to local school authorities at the time he was French Minister of Public Instruction, before I prepared my own projects and circulars; and when I found under his system, a Roman Catholic Priest, a Protestant Minister, and a Jewish Rabbi, in connection with several laymen, composing and acting harmoniously in each of the Educational Committees,—answering to our County Boards,—I did not imagine that a system based on the same principle, could be regarded as a "most cruel and hypocritical persecution," by either Protestant or Roman Catholic in Upper Canada.

Then your Lordship cites me to the testimony of the "Scotch Presbyterian, Laing," in regard to the number of schools in Rome, and their ten-

* "Let your bishop bless you and your family for your judicious, noble, paternal and quite Catholic conduct in the very painful emergency mentioned in your letter of the 29th ultimo to the Editor of the *Mirror*. . . . Finally, through the press, you have denounced those facts to the good sense of the country, as being, in your sound opinion, after prayer, the best weapon against Satan and his agents. Honor once more to your energy, and let every Catholic be as energetic and send to the open columns of the *Mirror* of Toronto any complaint, as well grounded as yours,—soon mixed schools will be what they ought to be, respectful towards all sectarian persuasions—Quakers and Baptists, High and Low Church, Episcopalian and Presbyterian, Unitarians and Universalists, &c., &c., and we Catholics shall be soon placed in the same position towards the majority in this section of the Province, which the Protestant minority occupies in Lower Canada."—*The Roman Catholic Bishop of Toronto to Mr. Maurice Carroll, of Georgetown, published in the Toronto Mirror of the 9th of April, 1852.*

dency to promote respect to established authority. I have no wish to question the correctness of the conclusion which your Lordship would wish to establish by these references, much less to disparage the schools alluded to, many of which I have personally visited, and found them admirably conducted, and well adapted to the purposes for which they were established. But I must say, that I do not consider respect for existing authority to be the sole object of education, or of the establishment and multiplication of schools for the mass of the people. Of course, the more energetically such an object is promoted, in both Austria and Italy, and in all despotic countries, the more effectually will schools and education be employed as an instrument of despotism. I think education and schools fail to fulfil a vital part of their mission if they do not develop all the intellectual powers of man, teach him self-reliance as well as dependence on God, excite him to industry and enterprise, and instruct him in the rights as well as duties of man. That the numerous schools of Rome and Roman Italy fail in several of these particulars, notwithstanding their efficiency in other respects, is manifest from the proverbial indolence, dishonesty, poverty, and misery of the mass of the people, notwithstanding its genial climate, the fertility of the soil, and the glory of its ancient historical recollections, while hyperborean Scotland, with its mountain heaths and glens, stands by the united testimony of travellers and historians, as far above modern Italy in all the elements of the intellectual and moral grandeur of man, as it is below it in beauty of climate and richness of soil. And this difference may be largely traced to the different systems of education in the schools and colleges of the two countries.

Your Lordship will recollect that Laing wrote before 1848, and with a view to prompt his fellow-countrymen to still greater efforts in the cause of popular education. Since Laing wrote, there has been a revolution at Rome, and the very city, the streets of which were studied with schools, expelled its Sovereign, and at this day is only kept in subjection to the existing authority, by the bayonets of France and Austria; while Edinburgh maintains an inviolable and spontaneous allegiance to its Sovereign, as deep in its religious convictions as it is fervent in its patriotic impulses. I think it right to say this much in reply to your Lordship's references to Scotland, although I have no connection with that country by natural birth or confession of faith.

In regard to the use of Goldsmith's abridgement of English History, or of any other book in our schools, I have no authority to eject from,

or introduce into our schools, Goldsmith's or any other book published in the British dominions, without the previous sanction of the Council of Public Instruction, of which your Lordship is a member. Though Goldsmith's history is, in my opinion, very defective in comparison with other later and better compiled books on the same subject; yet that history has been used as a text book in a large proportion of the best schools in both England and America, during the last half century; nor was I aware until I received your Lordship's letter, that Goldsmith was less a favourite with Roman Catholics than Protestants. Thus far the Council of Public Instruction has never, in any instance, exercised the power of *prohibiting* the use of any book in the schools—contenting itself with recommending and providing facilities for cheaply procuring the best books for the schools, as the most likely, as well as most quiet, way of superseding the use of objectionable and defective books. But it is competent for your Lordship, as a member of the Council of Public Instruction, to bring under the notice of that body any book, the use of which you may think injurious or contrary to the objects of the schools, and propose its exclusion; or to introduce any general regulation or regulations, which you may deem necessary for improving the character and efficiency of our Schools.

I have thus not rendered myself liable to blame for having passed over in silence any one of the many topics which your Lordship has thought proper to introduce; but I have carefully noticed each of them, in a belief that your Lordship entertains defective and erroneous views of the school system and municipal institutions of Upper Canada; with a desire of placing before you the whole question in its present and probable future bearings, before your Lordship shall enter upon the course indicated in your letter; and from a sense of duty to successive Administrations and Parliaments that have established our Common School system, and to the Municipalities and people at large, who have so nobly sustained it, as well as from a deep consciousness of personal responsibility in this matter for the future well-being and destinies of my native land.

I have the honor to be,

My Lord,

Your obedient, humble servant,

(Signed) E. RYERSON.

The Right Rev. Dr. DeCharbonnel,
Roman Catholic Bishop of Toronto.

VI. Letter from the Roman Catholic Bishop of Toronto to the Chief Superintendent of Schools, on the subject of the Roman Catholic Separate Schools in the City of Toronto.

HAMILTON CITY, 6th April. 1852.

REVEREND DOCTOR,—When on your return from Europe last year you heard of the proceedings of the Board of School Trustees of Toronto, towards our Catholic Schools, you told me with an energetic expression which I will not transcribe, that, had you been in Toronto, such things would not have taken place.

Now, Reverend Doctor, that you are in Toronto, be kind enough to provide, if not for the past, at least for the present and future, that our six or seven hundred pupils, *as well instructed* as, and *better educated* than, all the others, may receive from the common funds for education, a share which will be a little equitable.

And this beginning of redress will make me, Reverend Doctor,

Your grateful servant,

(Signed) †ARM'DUS FR. MY,
Bp. of Toronto.

The Rev. Dr. Ryerson,
Chief Superintendent of Schools,
Toronto.

VII. Letter from Chief Superintendent of Schools to the Roman Catholic Bishop of Toronto, in reply to the foregoing :—

Department of Public Instruction,

EDUCATION OFFICE,
TORONTO, 10th April, 1852.

MY LORD,—I have the honor to acknowledge the receipt of your letter of the 6th instant, and to state in reply, that the conversation to which you refer, related to the establishment of separate schools in the City of Toronto, and not to any definite sum to be given for their support,—as the proportion of the school fund given in aid of each separate school was not the subject of dispute, and as that is fixed by law. The ground of complaint referred to, was removed by special Act of the Legislature at the last session.*

The first instalment of the school fund for the current year will be payable the first of next July, and should there be any hesitation on the part of the Toronto Board of School Trustees (of

which I have no apprehension) to give effect to the provisions of the law in regard to the separate schools established, I shall readily employ the means provided by law for the execution of its provisions.

I have the honor to be,

My Lord,

Your obedient, humble servant,
(Signed) E. RYERSON.

The Right Rev. Dr. De Charbonnel,
Roman Catholic Bishop of Toronto.

VIII. Letter from the Roman Catholic Bishop of Toronto, to the Chief Superintendent of Schools; containing a reiteration, in French, of the sentiments expressed in his former letters.

[Translation.]

TORONTO, 1st May, 1852.

MR. SUPERINTENDENT,—My last letter, doubtless on account of my English, was neither clear nor understood, since it has caused you to address to me personalities and insinuations which I repel as unworthy of you and of me. All my previous intercourse with you and the Council of Public Instruction has been polite and Christian, and sometimes tolerant to an extent that I have been required to justify. My last letter was energetic only after eighteen months of observation and patient representations against a school system, which my conscience, as a Catholic Bishop, rejects, with all my might, for the souls confided to me; a system which, notwithstanding your explanations, I repeat fearlessly, and irrespective of any person, is, for us Catholics, a disguised persecution, unanimously and strenuously condemned by other bishops as well as myself. For I read, first, in the acts of the Provincial Councils of Baltimore, (pages 84 and 117), sanctioned by the Supreme Head of our Church, one and universal :

Council Balt. Prov. 1, Can. XXXIV.—
“Whereas very many youth of Catholic parents, especially among the poor, have been and still are, in many parts of this Province, exposed to great danger of losing their faith, and having their morals corrupted, from the want of proper teachers to whom so important a trust can be safely confided; we judge it indispensably necessary to establish schools, in which youth may be nurtured in the principles, of faith and morals, while they are instructed in literature.”

Can. XXXV.—“Since not unfrequently many things are found in the books which are generally

* See Appendix, No. 2.

used in the schools, in which the principles of our faith are impugned, our dogmas falsely expounded, and history itself perverted; on account of which the minds of the young are imbued with errors, to the terrible loss of their souls; zeal for religion, as well as the proper education of youth, and the honor itself of the American Union, demands that some remedy be provided for so great an evil. Therefore we determine, that, there shall be published for the use of schools, as soon as possible, books entirely expurgated from errors, and approved by the authority of the Bishops, and in which nothing may be contained which might produce enmity or hatred to the Catholic faith."

Council Balt. Prov. IV., Can. VI.—"As it appears that the system of public instruction, in most of the Provinces is so devised and administered as to encourage heresies and gradually and imperceptibly to fill the minds of Catholic youth with errors, we admonish pastors, that with the utmost zeal they watch over the Christian and Catholic education of Catholic youth, and to take special pains lost such youth use the Protestant version of the Scriptures, or recite the hymns or prayers of the Sectaries. It must be carefully provided, that no books or exercises of this kind be introduced in the Public Schools, to the danger of faith and piety."

Now these Canons are the perfect expression of our sentiments.

I read, secondly, in the correspondence of that great Archbishop whom the whole Church laments, the mediator between Ireland and England, the Dove of Dublin:

"In Ireland it was required that, in all the schools for the education of the poor, the Bible, without notes, should be read in the presence of all the pupils of the schools, and that the Catechism and all books of that kind should be excluded."

Is not this the case in our Mixed Schools?

"These regulations," continued the incomparable Dr. Murray, "our Bishops resisted, and endeavoured most earnestly to withdraw the Catholic pupils from schools of that kind That a remedy might be provided for this most wretched state of things, our Government, strongly urged by me and others, at length decided to establish another system of educating the poor, which would be more acceptable to the Catholics."*

Suffer me, then, Mr. Superintendent, to obey God rather than man, and to resist, as did the

loyal and conciliating Archbishop, your unhappy School system, try to rescue from it my dear children, and to remedy this scourge by urging our Government to give us a system which will be acceptable to us—a system which shall not render the condition of the Irish here worse than it is in Ireland—a system worthy of American or Canadian liberalism, so much vaunted in the world; unless Upper Canada prefers to continue, what I cannot, in strict logic, call anything but a cruel and disguised persecution.

I have said, that if the Catechism were sufficiently taught in the family or by the pastor, so rare in this large diocese; and if the Mixed Schools were exclusively for secular instruction, and without danger to our Catholics, in regard to masters, books, and companions, the Catholic Hierarchy might tolerate it, as I have done in certain localities, after having made due inquiry.

Otherwise, in default of these conditions, it is forbidden to our faithful to send their children to these schools, on pain of the refusal of the sacraments; because the soul and heaven are above everything; because the foot, the hand, the eye, occasions of sin, ought to be sacrificed to salvation; because finally, Jesus Christ has confided the mission of instruction, which has civilized the world, to no others than the apostles and their successors to the end of time.

It is their right so sacred and inalienable, that every wise and paternal Christian Government has made laws respecting instruction only in perfect harmony with the teaching Church—the Bishops united to their supreme and universal Head; and this right is so inviolable, that of late, as well as in former times, in France, in Belgium in Prussia, in Austria, as in Ireland, the Bishops, with the Pope, have done everything to overthrow or modify every school or University system opposed to the mission given by Jesus Christ to his sacred College.

"Go therefore teach all nations, and preach to every creature, (St. Mark,) teaching them to observe all things whatsoever I have commanded you; and lo, I am with you even unto the end of the world (St. Matthew). He that believeth shall be saved, and he that believeth not shall be condemned." (St. Mark.)

I have the honor to be,

Mr. Superintendent,

Your humble and obedient servant,

(Signed,)

† ARM'D FR. MY.

Bp. of Toronto.

The Rev. Egerton Ryerson, D. D.,
Chief Superintendent of Education,
Toronto.

* See Regulations of the Commissioners of National Education in Ireland, Appendix, No. 4, and note on page 17.

IX. Letter from the Chief Superintendent of Schools, to the Roman Catholic Bishop of Toronto, in reply to the foregoing :

Department of Public Instruction,

EDUCATION OFFICE,

TORONTO, 12th May, 1852.

MY LORD,—I have the honor to acknowledge the receipt of your letter of the 1st instant; and as your Lordship has not thought proper to notice the perfect equality which I showed in my letter of the 24th ultimo, to exist between Protestant and Roman Catholic Separate Schools in Upper Canada, nor indeed any of the facts and reasons I have adduced to show the equal rights and protection of Roman Catholics with all other classes of the community under one common school system; and its harmony with the free Institutions of our country, in reply to the statements and attacks contained in your letter of the 24th of March, it is not necessary that I should discuss these topics again, further than I may have occasion to allude to them in answer to some portions of your Lordship's letter now before me.

Your Lordship refers to the friendly and cordial character of the intercourse which has taken place from time to time between your Lordship and the other members of the Council of Public Instruction, including myself. I can assure your Lordship that the feelings of respect and pleasure attending that intercourse, could not have been greater on your part than on mine; and I therefore felt greatly surprised, pained and disappointed, when I read your Lordship's letter of the 24th of March, denouncing that whole system of Public Instruction which I had understood your Lordship to be a colleague in promoting; attacking the principles on which I have acted during the whole period of my official connection with that system; impugning the motives of its founders; reflecting upon the character of the people of Upper Canada; and advocating that which would be subversive of their hitherto acknowledged rights of local self-government.

In my reply to that letter, I disclaim having cherished a feeling or intended a remark in the slightest degree personally disrespectful to your Lordship; but I felt it my duty to answer explicitly and fully your Lordship's statements, reasonings, and references; and if I said anything, (of which I am unconscious,) which can be characterized as unworthy "personalities and insinuations" it was said in reply to much stronger and more pointed remarks of the same character contained in your Lordship's letter of the 24th of

March. I had hoped that a full exposition of the civil and Municipal institutions of this country, and their equal fairness and application to all religious persuasions and classes of people in regard to our Common School system, would satisfy your Lordship that whether perfect or imperfect, our school system is based upon the principles of equal justice and rights to both Protestant and Roman Catholic, and that you had been quite mistaken in pronouncing it a system of "most cruel and hypocritical persecution" against the Roman Catholics.

I regret that I have been unable to produce any change in your Lordship's views as to our system of public instruction, or in your avowals of hostility to it; but I shall not fail, nevertheless, to conduct myself towards your Lordship personally, with the same respect and courtesy which I have endeavoured to observe in all my previous intercourse with you.

I think that no erroneous impression was conveyed or disadvantage experienced by your Lordship's having written your letter of the 24th March, in English; since your letter of the 1st instant expresses the same sentiments, in still stronger terms, on these very points, respecting which I might have been supposed to misapprehend your meaning. Your Lordship again designates our school system, "a disguised persecution against Roman Catholics"—"*pour nous Catholiques une persecution deguisee*;" and in another place you call it, "a cruel and disguised persecution"—"*une persecution cruelle et deguisee*."

These representations and assertions your Lordship repeats, against the irrefragable proofs which I have adduced to the contrary,—against the notorious fact that, under our school system, Roman Catholics not only enjoy equal protection and advantages with every other portion of the community, but a privilege in regard to Separate Schools, which is not granted to any one religious persuasion of Protestants, in either Upper or Lower Canada. In view of such facts, your Lordship's reiterated assertions, in connection with the object for which they are made, must be regarded, I will not say as you have said "a cruel and disguised persecution," but an act of great injustice to the Legislators and people of Upper Canada; a contradiction to the conduct of your lamented predecessor, the late Bishop Power; and an invasion of the rights of property and municipalities which have been regarded as inviolable. I think therefore that your Lordship has assumed the position of the persecutor, rather than the Legislature and Municipalities of Upper Canada.

Your Lordship says, that our School System is unanimously and strenuously condemned by other Roman Catholic Bishops than yourself, and in proof, you quote certain Acts of the Provincial Councils of Baltimore, which, you state, have been sanctioned by the Pope; but I can find nothing in the acts quoted, which can be fairly applied to our Schools. As to the first of the Acts of the Provincial Councils of Baltimore, quoted by your Lordship, no proof can be adduced, that the operations of our schools in all past years, have exposed to great peril the faith and morals of the children of Catholic parents. In regard to the second of the Acts referred to, whatever may be said to the books introduced by public authority into some of the Schools of the United States to which this Act refers, no school book has been sanctioned by the Council of Public Instruction for Upper Canada, in which there is a paragraph that impugns the principles of the Roman Catholic faith, or erroneously interprets its dogmas, much less falsifies the facts of history, since the only series of books for use in our schools, are those which have been introduced into the National Schools in Ireland, with the concurrence of the lamented Dr. Murray, to whom your Lordship refers in just terms of praise and admiration. And in respect to the last Act quoted by your Lordship, (setting forth among other things, that the system of public education is so devised and conducted as to foster heresies, and gradually and imperceptibly fill the minds of Roman Catholic youths with the false principles of the Sectaries, and that the Priest must watch diligently lest such youth should read the Protestant version of the Scriptures, or recite the hymns or prayers of the Sectaries,) I remark, that our system of Public Instruction knows nothing of the different religious opinions which exist in the country; does not pretend to judge what are heresies, or what parties are heretics; nor does it favor one class of religious opinions more than another; nor does it require Roman Catholic children to read the Protestant version of the Holy Scriptures, or hear, much less "recite the prayers or hymns of the Sectaries;" although I know of Roman Catholic schools, the authorities of which, require Protestant youth attending them to be present at the recital of Roman Catholic prayers and hymns, and alleging, at the same time, that there is not, nor shall there be, any interference with the religious principles of such youth.

Your Lordship quotes the words of the late Dr. Murray, late Roman Catholic Archbishop of Dublin, who, referring to the former School system in Ireland, under the direction of a body called the Kildare Place Society, says, "it was required that in all the Schools for the education

of the poor, the sacred Scriptures, without note or comment, should be read in the presence of all the pupils of the Schools:" and you then ask me if this is not the case in our Mixed Schools? I answer, it is not the case. We have no regulation that requires any book whatever to be read before all the children of any one of our Mixed Schools; nor does our School law permit any School authority whatever to require the attendance of Roman Catholic or Protestant pupils at the reading of any book, or the recital of any hymn or prayer to which the parents or guardians of such pupils shall object. Our Government does not assume, or pretend to the right of assuming, the power of commanding or prohibiting any portion of the population of Upper Canada in matters of religion; what it recommends in respect to moral example and instruction in the Schools, is common to all, both Roman Catholic and Protestant, Jew and Christian,—each and all of whom recognize the Ten Commandments; but as to religious instruction, it is left to the discretion of the parties and parents concerned in each School Division; for, as Jehovah does not authorize any one human being to lord it over the faith of another human being, but makes every man personally accountable, and therefore gives him an equal right with every man to judge and act for himself in the matters of his eternal salvation, so our law does not permit any parent his child to be lorded over by others in matters of religious faith, instruction, or devotion.

Your Lordship further quotes Dr. Murray, in saying that he and the other Roman Catholic Bishops in Ireland, most earnestly resisted the former (Kildare Place) system of poor Schools in Ireland, and at length prevailed upon the Government to establish another (the present National) system which would be more acceptable to the Roman Catholics. Now, the very system which was thus established in Ireland in regard to books and religious instruction, and which Dr. Murray supported to the end of his life, is that which is established in Upper Canada, as I stated in my last letter to your Lordship, as may be seen by comparing our general School regulations* with those which Dr. Murray, and other members of the National Board of Education, have established in Ireland,† and which I quoted at length in my correspondence on the School Law of Upper Canada, printed in 1850, by order of the Legislative Assembly, (a copy of which was sent you) pages 52 and 53. Therefore, if your Lordship followed the example of the incomparable Dr. Murray, as well as that of the late Bishop Power, you would give your cordial support to a system of Schools

* See Appendix, No. 3.

† See Appendix, No. 4.

which you are now denouncing as "a cruel and disguised persecution."*

In regard to the acts or resolutions of the Roman Catholic Provincial Councils of Baltimore, quoted by your Lordship, I have two additional remarks to offer: The one is, that no Legislature of any free State of the American confederacy has established or given a farthing's aid for the establishment of a class of denominational elementary Schools, either Protestant or Roman Catholic, such as are referred to, and such as your Lordship is demanding in Upper Canada. I know of but two instances of any formal effort or demand being made upon an American State Legislature for that purpose; the one was made a few years since by Archbishop Hughes of New York, but failed of success; and the other is now being made in the state of Maryland.†

Wherever such denominational elementary schools exist in the neighbouring States, they are wholly supported by the religious persuasion establishing them; nor are the members of such persuasion exempted, nor have I ever heard of their asking exemption, on that account, from paying, with others, all taxes required for the erection of public School Houses, and the support of the public Schools. Nay, I have reason to believe that, notwithstanding the Acts of the Councils quoted by your Lordship, the opposition of the Roman Catholic Bishops and Clergy to public Schools in the neighbouring States is very partial, if it exists at all, in many places. When in Boston a few months since, I learned on good authority, that the Roman Catholic Bishop of that Diocese, when applied to by certain priests, lately from Europe, to interpose in arresting what they considered the great injury being done to the religious faith of Roman Catholic children, by attending the public Free Schools, replied, that he would do nothing of the kind, that he received his early education in those Schools; that he would never have attained his present position but for the Boston system of Free Schools. I cannot but be deeply impressed with the conviction that it would be a great blessing to the Roman Catholic youth of Upper Canada, if the Roman Catholic Bishop of Toron-

to would imitate the example of the Roman Catholic Bishop of Boston. But that is a matter which rests with your Lordship, and not with me, to decide.

My second remark is, that the acts of the Provincial Councils referred to, are those of Ecclesiastics alone, and of Foreign Ecclesiastics; and although your Lordship may refer to them as the commands of God, they cannot be viewed by others as possessing any more authority, or entitled to any higher consideration, than acts and resolutions on the same subjects adopted by a Protestant Episcopal Convention, or Presbyterian Synod, or Methodist Conference, and approved by the Bishop, or Moderator, or President of these religious persuasions respectively. I likewise observe that your Lordship makes no reference to the opinions of the laity on this subject; but we should not forget, whatever may be one's own wishes, that our Legislators and Municipalities in Upper Canada, and our responsible Ministers of the Crown, are not the agents of any body of Ecclesiastics, foreign or domestic, but the elected and responsible Representatives of the whole people, including both clergy and laity; and the references in my last letter show that your Lordship is far from representing the unanimous sentiments of even that portion of the Upper Canada lay electors who belong to your own church, any more than those of your lamented predecessor in office.

In regard to the alleged injustice done to Roman Catholics in the distribution of school moneys, so frequently asserted by your Lordship, there is one circumstance which I may mention in addition to the facts and reasons I have given in reply to your Lordship's statements and claims. The Board of School Trustees in the city of Toronto have caused a very careful inquiry to be made into the census returns and tax rolls of the city, in order to ascertain the comparative amount of taxes paid by Roman Catholics and Protestants. The result of that inquiry is, that while *one-fourth* of the entire population of the city is returned as Roman Catholics, a fraction less than *one-twelfth* of the taxes is paid by them;* and I presume the wealth of the Roman Catholics, in proportion to their numbers, compares

* "Archbishop Murray, so long the ornament of his church and country, was one of our original members; and our success has been greatly owing to his constant presence amongst us, and to the confidence reposed by the members of his church in his great sense, experience and integrity. He was strongly convinced that our system was one of the greatest blessings ever conferred on the people of Ireland; and one of the last acts which preceded the close of his life, was to assist, at the age of 83 years, at a meeting of our Board."—*Eighteenth Report of the Commissioners of National Education in Ireland, for 1852.*

† A gentleman in Maryland writes that "the public disapproval of the provisions of the bill has been manifested to such an extent, that I think it hardly probable the bill will again be called up."

* The Trustees of the Roman Catholic Separate Schools in Toronto claimed £1,159 for their schools: and in reporting upon this demand, the Committee of the Board of School Trustees state that—"From a recent return your Committee find that the total annual value of the taxable property in the city amounts to £186,983 5s.—of this, the proportion held by Roman Catholics is £15,750 19s. The total net amount of school tax for last year, at 2d in the pound, was £1,800: the net proportion contributed by the Roman Catholic inhabitants was £156 16s."—*Report of Free School Committee of Board of School Trustees for the City of Toronto, dated 19th May, 1852.*

as favorably as that of Protestants in the city of Toronto, as in any other Municipality in Upper Canada. It is, therefore, clear that no class of the population is so much benefitted by the General School taxes, in proportion to what they pay, as Roman Catholics; and hence assuming—what the people and Legislature of Upper Canada have repeatedly repudiated—that the authority and officers of law ought to be employed to impose and collect taxes for any religious denomination, the sums of school money which would be payable, when apportioned upon the basis of property, to Roman Catholic Separate Schools, would be much less than what the School Act now allows such schools upon the basis of the attendance of pupils. Of all classes in the community, the Roman Catholics have the strongest reason to desire the system of Mixed Schools; and every effort to urge them to apply for Separate Schools, so far as it succeeds, imposes upon them additional pecuniary burdens, at the same time that it must inflict upon them losses and disadvantages to which they are not now subject.

Your Lordship says that “if the catechism of your Church were properly taught in the family and by the priest, so rare in this vast Diocese, and if the mixed School were confined exclusively to secular instruction, and without danger to Roman Catholic youth, in regard to masters, books and companions, the Roman Catholic hierarchy might tolerate it; but that, in the absence of these conditions, Roman Catholic parents are forbidden to send their children to the Schools under pain of the refusal of the sacraments.”

May I, my Lord become the advocate of thousands of children of your own Church before you carry into effect the purpose here avowed? A child cannot remain in ignorance of his catechism without criminal neglect of duty on the part of both his parents and Priest; but if these are guilty of inflicting upon the child one injury, is your Lordship to inflict upon that unfortunate child the additional injury of prohibition of all secular instruction,—adding the curse of intellectual to that of spiritual ignorance? I hope, upon the grounds of humanity itself, this may not be the case.

As to the Schools being exclusively confined to secular instruction, I am somewhat surprised that your Lordship should insist upon this, after having alleged, in a former letter, as a reproach against our schools, that God was as unknown in them as he was in ancient Athens; but I have already shown that a child cannot receive any other than secular instruction, unless in accordance

with the wishes of his parent or guardian; and that there is the same regard to parental religious rights and wishes in respect to books. And in respect to masters and companions, I may add, that I am not aware of Roman Catholic masters or youth possessing any superiority over Protestant masters and youth, in respect to either morals or manners.

It appears, then, that no censure is to be inflicted upon the parent or priest for neglecting his duty in teaching the child the catechism; nor is the parent threatened with any censure if he altogether neglects to send his child to the school; but he is to be refused the sacraments if he sends his child without the catechism having been taught such child, or if there be anything in the master, or the books, or the pupils of the School, which may not receive the sanction of the Ecclesiastical *surveillance* established. I cannot but see, that the carrying out of such a system on the part of your Lordship, must place the Roman Catholic youth of Upper Canada, in a deplorable condition, and doom their descendants to a hopeless inferiority in comparison with other classes of their fellow-citizens. I feel that I am not exceeding my duty in speaking plainly and strongly on this point, since the educational interests of all classes have been intrusted to my care, and I am bound by official as well as Christian and patriotic considerations, to do all in my power to prevent any single child in Upper Canada from growing up in ignorance, and therefore in a state of vassalage and degradation, in our free country.

I notice, finally, the avowal with which your Lordship's letter concludes,—containing an expression of sentiment and statement of facts which I have often seen ascribed to the authorities of your Church, but which I have never before seen so broadly and explicitly avowed by any of its dignitaries,—an avowal which I could not have credited did it not appear over your Lordship's own signature. Your Lordship says, that “Jesus Christ has confided the mission of instruction which has civilized the world, only to the apostles and their successors, to the end of time. It is their right, so sacred and so inalienable, that every wise and paternal Christian government has made laws in regard to instruction only in harmony with the teaching Church,—the Bishops united to their universal and supreme head; and this right is so inviolable, that recently, as heretofore, in France, in Belgium, in Prussia, in Austria, as in Ireland, the Bishops with the Pope, have done all in their power to overthrow or modify every School or University system which is in opposition to the mission given by Jesus Christ to His sacred College.”

It is here clearly claimed, "that the Pope and Bishops of the Roman Catholic Church are the only persons authorized by God himself to direct the education of youth, and therefore, that all others undertaking that work, are invading the prerogative of God; that all legislation on the subject must have the sanction of "the Bishops with the Pope;" and that they have done, and will do, all in their power to overthrow or modify every system of public instruction, from the School to the University, which is not under their control. Such being your Lordship's sentiments and intentions, I am glad that you have frankly avowed them. The people of Upper Canada and their representatives will at once understand their position and duty.

But, in view of such avowals and references, I am surprised that your Lordship should have invoked "the blessed principles of religious liberty and equal rights," since, in connection with the sentiments above avowed, there can be no religious liberty or rights except for the "Bishops and the Pope;" and since they denounce the doctrine of "religious liberty and equal rights" as an awful heresy in the Roman States, and will not allow to Protestants even liberty of worship or teaching, much less aid from the State for that purpose, as your Lordship demands in behalf of the Roman Catholic Schools in Upper Canada.

In conclusion, I may observe, that whatever may be the result of this correspondence, I shall have the satisfaction of knowing that I have not left your Lordship uninformed as to any feature of our civil and municipal institutions involved in the question; and of their perfect fairness, and the equality of their application, to both Roman Catholics and Protestants; of the protection and security of the members of all religious persuasions, in regard to the peculiarities of faith, and therefore, the utter groundlessness of your Lordship's imputations, and the unreasonableness of your claims upon the ground of "religious liberty and equal rights."

Indeed the passage above quoted from your Lordship's last letter shows that the claims set up by your Lordship are not merely for "religious liberty and equal rights," but for the absolute supremacy and control on the part of your Bishops with the Pope, in our system of public instruction. As Belgium, France, and some other countries in Europe, have been disturbed for many years by the efforts of some of your Bishops for the direction of systems of public education, and the various grades of Schools and Colleges, so may Upper Canada be disturbed in like manner to some extent, by the efforts of your Lordship;

but I doubt whether such efforts will meet with much sympathy from a large portion of the members of the Roman Catholic Church; as I am persuaded they will not from the people of Upper Canada at large. I can appeal to the history of the past in proof of my acting towards the Roman Catholic Church in the same spirit as towards any other church; but I must be unfaithful to all my past precedents, as well as to the trust reposed in me, and the almost unanimous feeling of the country, if I should not do all in my power to resist—come from what quarter it may—every invasion of "the blessed principles of religious liberty and equal rights," among all classes of the People of Upper Canada.

I have the honor to be,

My Lord,

Your obedient, humble servant,

(Signed) E. RYERSON.

The Right Rev. Dr. DeCharbonnel,

Roman Catholic Bishop of Toronto.

[For a copy of the Bishop's letter of the 1st May, in the original French, to which the foregoing is a reply, see Appendix, No. 7, page 30.]

X. Note from the Roman Catholic Bishop of Toronto to the Chief Superintendent of Schools, acknowledging the receipt of the foregoing letter, as the conclusion of the correspondence with the Head of the Educational Department :

SATURDAY, 22nd May, 1852.

REV. DOCTOR,—The conclusion of our Correspondence must be that our opinions on Separate Schools are quite different.

But I hope that by making use of all constitutional means, in order to obtain our right, I will not upset the Government of Canada, nor its institutions.

I have the honor to be,

Rev. Doctor,

Your obedient, humble servant,

(Signed) † ARM'DUS FR. MY.,

Bp. of Toronto.

Rev. Dr. E. Ryerson,

Chief Superintendent of Schools,

Toronto.

XI. Letter from the Roman Catholic Bishop of Toronto to the Chairman of the Council of Public Instruction for Upper Canada, on the subject of the preceding Correspondence:

26th May, 1852.

MR. PRESIDENT.—I beg to state, that, if a correspondence, exchanged between the Rev. Dr. Ryerson and me, has come to the cognizance of

your Council, it had no reference at all to my intercourses with your deliberations and resolutions. My conscientious attendance at them, when sojourning in Toronto; my conduct at the laying of the corner stone of the Normal School; and some of my letters to the Rev. Doctor, are evidences of my feelings towards a body from which I receive nothing but courtesy and kindness. Hence I wrote to his Reverence on the 20th February last, "my visitation through the Diocese convinces me more and more that the good spirit of our Council of Public Instruction is far from being prevalent in certain localities;"* and on the 30th last, after having received from his Reverence 23 pages in folio of personalities and insinuations unworthy of him and of me, I replied: "all my precedents with you, Reverend Doctor, and the Council of Public Instruction have been polite and Christian, and sometimes of a tolerance for which my Church made me responsible."†

Were I not leaving town again, Mr. President, I would ask of your kindness a special meeting, in which I would lay before your Council all my complaints on the operation of the proviso for Separate Schools, and the course I followed to stop the annihilation of that boon by a system which I cannot but call a disguised persecution, come from what quarter it may.

I have the honor to be,

Mr. President,

Your obedient, humble servant,

(Signed,)

† ARM'DUS FR. MY,

Bp. of Toronto.

Judge Harrison,

President of the Council of
Public Instruction, Toronto.

XII. Letter from the Chief Superintendent of Schools, to the Roman Catholic Bishop of Toronto, in reply to the foregoing:

Department of Public Instruction,

EDUCATION OFFICE,

TORONTO, 31st May, 1852.

MY LORD,—The Honorable S. B. Harrison has transferred to me your letter of the 26th instant, addressed to him as Chairman of the Council of Public Instruction for Upper Canada; the subject of your letter not coming within the duties prescribed by law to that body, but relating to the duties and conduct of the Chief Superintendent of Schools.

I should very imperfectly understand my duties, were I to trouble the Council of Public Instruction with the voluminous correspondence of this Department, except the communications which I make at the request of the Council, or such as I receive to be laid before it. As a member of the Council of Public Instruction, as well as of the Senate of the Toronto University, I am only one of the body consisting of several members; but as Chief Superintendent of Schools for Upper Canada, I have distinct duties to discharge, and in respect to which I am responsible to my Sovereign through Her Representative. The several clauses of the 36th section of the School Act, prescribe the duties of the Council of Public Instruction; and the several clauses of the 35th section prescribe my duties. It is my general duty to see that every part of the School law is duly executed; and especially "to see that all moneys apportioned by me are applied to the objects for which they were granted; and for that purpose to decide upon all matters and complaints submitted to me, which involve the expenditure of any part of the School Fund." The 34th Section of the Act provides, that I "shall be responsible to, and subject to the direction of, the Governor General."

If your Lordship, therefore, has complaints to make of my official conduct, the way is open; and I am prepared at any moment to answer to the authority by which I have been appointed, and to the country on whose behalf I have laboured, for my official acts.

Notice of every meeting of the Council of Public Instruction is invariably sent to the residence of your Lordship; and at any such meeting, (as I have stated in my two last letters,) your Lordship has, of course, the right of bringing before the members of the Council any subject that you may think proper; and should your Lordship desire it, I shall be happy to call a special meeting of the Council to suit your Lordship's convenience.

It now becomes my duty, my Lord, to advert to the personal imputations which your Lordship has been pleased to make against me, in your letter to the Honorable Mr. Harrison.

Not to notice the unofficial character of such personal imputations in such a letter, I may observe, that the statement of your Lordship is calculated to convey a very erroneous impression of the facts relative to what your Lordship is pleased to term my "personalities and insinuations;" while your drawing attention from the questions which your Lordship has voluntarily raised, and from your Lordship's own attacks upon our Schools and School law, to a matter of alleged personal discourtesy in my letter to your Lordship,

* See second paragraph of Letter I.

† See first paragraph of Letter VIII, and Appendix No. 7.

is what I did not expect, and what I can hardly conceive to be "worthy of your Lordship or of me."

Your Lordship's letter to Mr. Harrison conveys the impression that I addressed to you "23 pages, in folio, of unworthy personalities and insinuations," in reply to your letter of the 20th February last. Your Lordship must be aware that this is not the case; and I regret that the language of your letter is calculated to do me an act of gross injustice. Permit me, therefore, my Lord, to state the facts of the case.

On the 20th of February, your Lordship addressed me a letter (dated "Irishtown")* recommending to my favorable attention the petition of the Roman Catholic School Trustees of Chatham. On the 7th of March, your Lordship addressed me another short letter (dated "London,")† on the same subject. On the 23rd of February, I replied to the Roman Catholic Trustees of Chatham; and my official duty required me to do no more as it is not usual in Public Departments to correspond on questions of complaint with others than the complaining parties themselves. But I did more; out of respect to your Lordship, in an official letter, dated the 13th March,‡ I enclosed you a copy of my reply to the Roman Catholic Trustees of Chatham; and in reply to your letters of the 20th of February and the 7th of March, I briefly explained the law in reference to the use of Books in the Schools—the rights of parents in regard to them—the wholly unobjectionable character, on religious grounds, of the books which the Council of Public Instruction had recommended—and the claims which the Roman Catholic Trustees of Chatham had made for a portion of the local Municipal Assessments to build their separate School-houses, and for exemption from Municipal Assessments for the erection of Public School-houses.

Your Lordship cannot but admit that this letter, with its enclosure, could not have been dictated by any other than a feeling of respect for your Lordship personally and officially, and with a strict regard to the principles and operations of the School system as established by law. But what was the result? The result was, as your Lordship cannot, I am sure, forget, a letter dated—"Oakville, 24th March, 1852."|| in which your Lordship treated with sarcasm, ridicule and scorn, my letter of the 13th March, relative to the School law; employed "personalities and insinuations," such as I had never before received from any Clergyman; charged our Schools

with being the nurseries of "all vices and crimes;" contrasted the character and tendencies of Primary Schools in Canada, the United States, Ireland, Scotland and Rome; denounced our whole, "School System as the ruin of religion, and a persecution for the Roman Catholic Church," and those who had established that system as carrying on against the Roman Catholics a "most cruel and hypocritical persecution." I must have been destitute of the feelings of a Canadian or a patriot, not to have felt on the perusal of such a letter from your Lordship, under such circumstances; but I delayed answering it until I could do so after calm and mature consideration, and then I replied distinctly to each of the numerous counts, (personal and public) of your Lordship's indictment.* And my answer to the many charges and insinuations of such a letter, your Lordship is pleased to represent as a reply to your short letter of the 20th of February, and as "23 pages of personalities and insinuations unworthy of you and of me."

Your Lordship states, furthermore that in reply to my "23 pages of personalities and insinuations," you referred to the previous friendly relations existing between yourself and the other members of the Council of Public Instruction. I never intimated or imagined that those relations were otherwise than friendly and Christian;† but your Lordship's letter referred to, (dated 1st May,)‡ contains other avowals and assumptions for which I know of no precedent in the history of Canadian Correspondence and to which I replied in my letter of the 12th.|| I am aware that the "good spirit of our Council of Public Instruction is far from being prevalent in certain localities" of the country: but I am happy to know that such "localities" are comparatively few, since, notwithstanding the counsels to make vigorous efforts to establish and multiply Separate Schools, the number of such Schools is one-third less according to the returns of this year, than they were according to the returns of last year;§ and for such "localities," yearly diminishing in number, the operation of the Separate School Clause of the law may still be invoked.

I have only to add, that notwithstanding the course pursued, and the language employed, by your Lordship in regard to me, I shall still endeavour, as heretofore, to treat my Roman Catholic fellow subjects as kindly and cordially as those of

* Letter I.
† Letter H.

‡ Letter III.
§ Letter IV.

* Letter V.

† See second paragraph of Letter IX, page 15.

‡ Letter VIII, and Appendix No. 7, page 39.

§ Letter IX.

§ See note to Letter V, on page 7.

any other religious persuasion in the country ; and the more so, as I am satisfied the example and spirit of the lamented Bishop Power are still widely cherished by the Roman Catholics in Upper Canada; as well as the testimony borne by myself and the Council of Public Instruction, and numerous others, not members of the Roman Catholic Church, to the virtues and patriotism of that excellent man.

I have the honor to be,
My Lord,
Your Lordship's
Most obedient, humble servant,
(Signed) E. RYERSON.

The Right Rev. Dr. DeCharbonnel,
Roman Catholic Bishop of Toronto.

P. S.—Nor should I omit to remind your Lordship, that the provision of the law in regard to Separate Schools, as amended by the short bill of 1851,* (the draft of which was prepared by myself in the presence of your Lordship, and that of the very Reverend Vicar General McDonald) was approved of by your Lordship. My printed Correspondence on the law in 1849,† my official Circulars printed in 1850,‡

in connection with my recent letters to your Lordship, show, that no change has taken place in my interpretation, views, or administration of the law ; but that the course now pursued by your Lordship has arisen from the adoption, on your part, of a new policy, and the avowal of new sentiments and objects.

(Signed) E. R.

the same as that contained in the 55th and 56th sections of the School Act of 1843 and in the 32nd and 33rd sections of the School Act of 1846, with the exception that the present Act imposes more effective restrictions and conditions in the establishment of such schools than either of the former Acts referred to. Under the city and town school Act of 1847, the establishment of separate schools in cities and towns was at the discretion of the Municipalities, and not at that of the applicant parties. No complaint having been made against this provision of the law, even in cities and towns, it was at first proposed to extend the application of the same principle and provision to Township Municipalities ; but objections having been made to it by some (both Protestant and Roman Catholic) Members of the Legislature, the provision of the former school act was re-enacted—requiring however, the petition of twelve heads of families, instead of ten inhabitants, as a condition of establishing a separate school; and adding it upon the principle of average attendance, instead of at the discretion of the Local Superintendent, as under the former Acts. But notwithstanding the existence of this provision of the law since 1843, there were last year but 31 separate schools in all Upper Canada—nearly as many of them being Protestant as Roman Catholic ; so that this provision of the law is seldom acted upon, except in extreme cases, and is of little consequence for good or for evil—the law providing effectual protection against interference with the religious opinions and wishes of parents and guardians of all classes, and there being no probability that separate schools will be more injurious in time to come than they have been in time past. It is also to be observed, that a separate school is entitled to no aid beyond a certain portion of the school fund for the salary of the teacher. The school house must be provided, furnished, warmed, books procured, &c., by the persons petitioning for the separate school. Nor are the patrons and supporters of a separate school exempted from any of the local assessments or rates for Common School purposes. The law provides equal protection for all classes and denominations ; if there be any class or classes of either Protestants or Roman Catholics who are not satisfied with the equal protection secured to them by law in mixed schools, but wish to have a school subservient to sectional religious purposes, they should of course, contribute in proportion, and not tax a whole community for the support of sectarian interests.”—*Chief Superintendent's Circular to Township Councils, dated 12th August, 1850.*

* See Appendix, No. 2.

† “I cannot depart from what I have stated and illustrated at large in my *Report on a System of Public Elementary Instruction for Upper Canada*, printed by order of the Legislative Assembly in 1846, under the head of Bible and Religious Instruction in Schools, (page 22-52) where, while I have held up to reprobation merely sectarian instruction in the schools, I have shown the extent to which the Holy Scriptures are used, and religious instruction given, in the non-sectarian mixed schools of different Christian countries—Protestant and Roman Catholic. On this vital question, I am happy to be sustained by the authority and example of the Irish National Board. . . . I have not assumed it to be the duty, or even constitutional right, of the Government to compel any thing in respect either to religious books or religious instruction ; but to *recommend* the local Trustees to do so, and to *provide powers and facilities* to enable them to comply with that recommendation within the wise restriction imposed by law. I have respected the rights and scruples of the Roman Catholic, as well as those of the Protestant, although, by some, I have been accused of having too friendly a feeling towards the Roman Catholics. It affords me pleasure to record the fact—and the circumstance shows the ease and fairness with which I have acted on this subject—but before adopting the section in the printed Forms and Regulations on the *Constitution and Government of the Schools in respect to Religious Instruction*, I submitted it to the late Roman Catholic Bishop Power, who, after examining it, said he would not object to it, as Roman Catholics were fully protected in their rights and views, and as he did not wish to interfere with Protestants in the fullest exercise of their rights and views.”—*Correspondence on the School Law in 1849, printed by order of the Legislative Assembly, page 53.*

‡ “The provision of the 19th Section, as far as it relates to separate Protestant and Roman Catholic schools, is substantially

“It may be proper for me to make an explanatory remark on the 19th section of the School Act, authorizing, under certain circumstances, the establishment of Protestant or Roman Catholic separate Schools. In my late Circular to Township Councils, I have remarked upon this provision of the Act, and shown that it is no new provision, but one which has existed upwards of seven years—since the commencement of our present Common School system. It has clearly been intended from the beginning as a protection of the minority against any oppressive or injurious proceedings on the part of the majority in any school division, in addition to the ordinary provision of the Act, prohibiting the compulsory attendance of any child upon a religious exercise, or reading a religious book, to which his parents or guardians shall object. The existence of so few separate schools (only about 31 in all Upper Canada, and nearly one-half of them Protestant) shows that the provision for their establishment is rarely acted upon,—as the local school authorities seldom find occasion for it. And as there can be no separate school in a school division, unless the teacher of the mixed school is of a different religious persuasion from the applicants for such separate school, the local Board of Trustees can always, if they think proper to do so, make such a selection of teachers as will prevent the establishment or continuance of separate schools.”—*Chief Superintendent's Circular to Boards of School Trustees, dated 7th October, 1850.*‡

A P P E N D I X .

No. 1.

PROVISIONS of the School Act, 13th and 14th Victoria, Chapter 48, relating to Religious Instruction and Separate Schools.

AN ACT for the Better Establishment and Maintenance of Common Schools in Upper Canada.

a. RELIGIOUS INSTRUCTION.

XIV. And it be enacted, That no foreign books in the English branches of education shall be used in any Model or Common School, without the express permission of the Council of Public Instruction; nor shall any pupil in any such School, be required to read or study in or from any religious book, or join in any exercise of devotion or religion, which shall be objected to by his or her parents or guardians: Provided always, that, within this limitation, pupils shall be allowed to receive such religious instruction as their parents and guardians shall desire, according to the general regulations which shall be provided according to law.

b. SEPARATE SCHOOLS.

XIX. And it be enacted, That it shall be the duty of the Municipal Council of any Township, and of the Board of School Trustees of any City, Town, or incorporated Village, on the application in writing of twelve or more resident heads of families, to authorize the establishment of one or more separate schools for Protestants, Roman Catholics, or coloured people, and, in such case, it shall prescribe the limits of the divisions or sections for such schools, and shall make the same provision for the holding of the first meeting for the election of Trustees of each separate school or

schools, as is provided in the fourth section of this Act for holding the first school meeting in a new school section: Provided always, that each such separate school shall go into operation at the same time with alterations in school sections, and shall be under the same regulations in respect to the persons for whom such school is permitted to be established, as are Common Schools generally: Provided secondly, that none but coloured people shall be allowed to vote for the election of Trustees of the separate school for their children, and none but the parties petitioning for the establishment of, or sending children to, a separate Protestant or Roman Catholic school, shall vote at the election of Trustees of such school: Provided thirdly, that each such separate Protestant, or Roman Catholic, or coloured school shall be entitled to share in the school fund according to the average attendance of pupils attending each such separate school, (the mean attendance for both summer and winter being taken,) as compared with the whole average attendance of pupils attending the Common Schools in such City, Town, Village, or Township: Provided fourthly, that no Protestant separate school shall be allowed in any school division except where the Teacher of the Common School is a Roman Catholic, nor shall any Roman Catholic separate school be allowed except where the Teacher of the Common School is a Protestant. Provided fifthly, that the Trustees of the Common School sections within the limits of which such separate school section or sections shall have been formed, shall not include the children attending such separate school or schools, in their return of children of school age residing in their school sections.

No. 2.

DECLARATORY SCHOOL ACT, 14th and 15th Victoria, Chapter 111, relating to Separate Schools in Cities and Towns.

AN ACT to define and restore certain Rights to parties therein mentioned.

Whereas it is expedient to remove doubts which have arisen in regard to certain provisions of the nineteenth section of an Act passed in the thirteenth and fourteenth year of Her Majesty's Reign, and entitled *An Act for the better Establishment and Maintenance of Common Schools in Upper Canada*; and whereas it is inexpedient to deprive any of the parties concerned of rights which they have enjoyed under preceding School Acts for Upper Canada: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to reunite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That each of the parties applying according to the provisions of the said nineteenth section of said Act, shall be entitled to have a separate school in each ward, or in two or more wards united, as said party or parties shall judge expedient, in each City or Town in Upper Canada: Provided always, that each such school shall be subject to all the obligations and entitled to all the advantages imposed and conferred upon separate schools by the said nineteenth section of said Act.

No. 3.

REGULATIONS of the Council of Public Instruction for Upper Canada, as to the Constitution and Government of Schools with respect to Religious and Moral Instruction.

As Christianity is the basis of our whole system of elementary education, that principle should pervade it throughout. Where it cannot be carried out in mixed schools to the satisfaction of both Roman Catholics and Protestants, the law provides for the establishment of separate schools. And the Common School Act, fourteenth section, securing individual rights as well as recognizing Christianity, provides, "that in any Model or Common School established under this Act, no child shall be required to read or study in or from any religious book, or to join in an exercise of devotion or religion, which shall be objected to by his or her parents or guardians: Provided

always, that within this limitation, pupils shall be allowed to receive such religious instruction as their parents or guardians shall desire, according to the general regulations which shall be provided according to law."

In the section of this Act thus quoted, the principle of religious instruction in the schools is recognized, the restriction within which it is to be given is stated, and the exclusive right of each parent and guardian on the subject is secured, without any interposition from Trustees, Superintendents, or the Government itself.

The Common School being a day, and not a boarding school, rules arising from domestic relations and duties are not required; and as the pupils are under the care of their parents and guardians on Sabbaths, no regulations are called for in respect to their attendance at public worship.

In regard to the nature and extent of the daily religious exercises of the school, and the special religious instruction given to pupils, the COUNCIL OF PUBLIC INSTRUCTION FOR UPPER CANADA makes the following regulations and recommendations:—

1. The public religious exercises of each school shall be a matter of mutual voluntary arrangement between the Trustees and Teacher; and it shall be a matter of mutual voluntary arrangement between the Teacher and the parent or guardian of each pupil, as to whether he shall hear such pupil recite from the Scriptures, or Catechism, or other summary of religious doctrine and duty of the persuasion of such parent or guardian. Such recitations, however, are not to interfere with the regular exercises of the school.

2. But the principles of religion and morality should be inculcated upon all the pupils of the school. What the Commissioners of National Education in Ireland state as existing in schools under their charge, should characterize the instruction given in each school in Upper Canada. The Commissioners state, that, "in the National Schools the importance of religion is constantly impressed upon the minds of children, through the works calculated to promote good principles and fill the heart with love for religion, but which are so compiled as not to clash with the doctrines of any particular class of Christians." In each school the Teacher should exert his best endeavours, both by example and precept, to impress upon the minds of all children and youth committed to his care and instruction, the principles of piety, justice, and a sacred regard to truth, love to their country, humanity, and universal benevolence, sobriety, industry, frugality, chastity, moderation, and temperance, and those other virtues which are the ornament of society, and on

which a free constitution of government is founded ; and it is the duty of each teacher to endeavour to lead his pupils, as their ages and capacities will admit, into a clear understanding of the tendency of the above-mentioned virtues, in order to preserve and perfect the blessings of law and liberty, as well as to promote their future happiness, and also to point out to them the evil tendency of the opposite vices.

No. 4.

REGULATIONS of the Commissioners of National Education in Ireland, as to the Government of Schools with respect to Attendance and Religious Instruction.

1. The ordinary school business, during which all children, of whatever denomination they may be, are required to attend, is to embrace a specified number of hours each day.

2. Opportunities are to be afforded to the children of each school for receiving such religious instruction as their parents or guardians approve of.

3. The patrons of the several schools have the right of appointing such religious instruction as they may think proper to be given therein ; provided that each school be open to children of all communions ; that due regard be had to parental right and authority ; that, accordingly, no child be *compelled* to receive, or be present at, any religious instruction to which his parents or guardians object ; and that the time for giving it be so fixed, that no child shall be thereby, in effect, excluded, directly or indirectly, from the other advantages which the school affords. Subject to this, religious instruction may be given, either during the fixed school hours or otherwise.

4. In schools, towards the building of which the Commissioners have contributed, and which are, therefore, vested in trustees for the purpose of national education, or, which are vested in the Commissioners in their corporate capacity, such pastors or other persons as shall be approved of by the parents or guardians of the children respectively, shall have access to them in the school-room, for the purpose of giving them religious instruction there, at convenient times to be appointed for that purpose, whether those pastors or persons shall have signed the original application or otherwise.

5. In schools NOT VESTED, but which receive aid only by way of salary and books, it is for the Patrons to determine whether religious instruction shall be given in the school-room or not ; but if they do not allow it in the school-room, the children whose parents or guardians so desire, must be allowed to absent themselves from the school,

at reasonable times, for the purpose of receiving such instruction elsewhere.

6. The reading of the Scriptures, either in the Protestant Authorized or Douay Version, as well as the teaching of Catechisms, comes within the rule as to religious instruction.

7. The rule as to religious instruction applies to public prayer and to all other religious exercises.

8. The Commissioners do not insist on the Scripture lessons being read in any of the National Schools, nor do they allow them to be read during the time of secular or literary instruction, in any school attended by children whose parents or guardians object to their being so read. In such case, the Commissioners prohibit the use of them, except at the times of religious instruction, when the persons giving it may use these lessons, or not, as they think proper.

9. Whatever arrangement is made in any school for giving religious instruction, must be *publicly notified* in the school-room, in order that those children, and those only, may be present whose parents or guardians allow them.

10. If any other books than the Holy Scriptures, or the standard books of the Church to which the children using them belong, are employed in communicating religious instruction, the title of each is to be made known to the Commissioners.

11. The use of the books published by the Commissioners is not compulsory ; but the titles of all other books which the conductors of schools intend for the ordinary school business, are to be reported to the Commissioners ; and none are to be used to which they object ; but they prohibit such only as may appear to them to contain matter objectionable in itself, or objectionable for *common* instruction, as peculiarly belonging to some particular religious denomination.

12. A Registry is to be kept in each school of the daily attendance of the scholars, and the average attendance, according to the form furnished by the Commissioners.

Note by the Chief Superintendent of Schools for Upper Canada—No grants are made by Government in Upper Canada, as in Ireland, towards the *erection of school-houses*. Such houses, among us, are erected by the people themselves in each municipality. Over such houses, therefore, the Government has no control. The elected Trustees of schools in Canada, sustain the same relation to our Common Schools that the local "Patrons" sustain to the National Schools in Ireland. The sole difference, therefore, between the National Schools in Ireland and in Upper Canada, in respect to religious instruction, is, that with us, the Trustees or

Patrons of the school are periodically elected by the freeholders and householders at large,—which is not the case in Ireland. It is, therefore, inconsistent and absurd to profess approval of the National School system in Ireland, in regard to its regulations respecting religious instruction, and oppose the National School system of Upper Canada.

No. 5.

QUESTION of Religious Instruction, in connection with the System of Public Instruction in Upper Canada.

[From the Annual Report of the Chief Superintendent of Schools for 1851.]

The question of religious instruction has been a topic of voluminous and earnest discussion among statesmen and educationists in both Europe and America—has agitated more than one country on the continent of Europe—has hitherto deprived England of a national system of education, permitting to it nothing but a series of petty expedients in varying forms of government grants to certain religious denominations, while the great mass of the labouring population is unreached by a ray of intellectual light, and is “perishing for lack of knowledge” amidst the din of sectarian war about “religious education,” and under the very shadows of the cathedral and the chapel. If I have not made this question a prominent topic of remark in my annual reports, it is not because I have undervalued or overlooked its importance. In my first and preliminary report on a system of Public Elementary Instruction for Upper Canada, I devoted thirty pages to the discussion of this subject (pp. 22-52,) and adduced the experience and practice of most educating countries in Europe and America respecting it. In preparing the draft of the school law, I sought to place it where it had been placed by the authority of Government, and by the consent of all parties, in Ireland—as a matter of regulation by a National Board, and with the guards which all have considered essential. These regulations have been prepared and duly sanctioned, and placed in the hands of all school authorities; nor have I failed from time to time to press their importance upon all parties concerned. It is however, worthy of remark, that in no instances have those parties who have thought proper to assail the school system, and myself personally, on the question of religious instruction, quoted a line from what I have professedly written on the subject, or from the Regulations, which I have recommended, while such parties have more than once pretended to give my views by quoting passages which were not at all written in reference

to this question, and which contained no exposition of my views on it.

As some prominence has been given to this question during the year by individual writers, and some vague statements and notions put forth, I will offer a few remarks on it in concluding this report.

1. My first remark is, that the system of Common School instruction should, like the legislature which has established, and the government that administers, it, be non-sectarian and national. It should be considered in a provincial, rather than in a denominational point of view—in reference to its bearing upon the condition and interests of the country as the great end to be proposed and pursued, and not upon those of particular religious persuasions as distinct from public interests, or upon the interests of one religious persuasion more than those of another. And thus may be observed the difference between a mere sectarian and a patriot—between one who considers the institutions and legislation and government of his country in a sectarian spirit, and another who regards them in a patriotic spirit. The one places his sect above his country, and supports or opposes every public law or measure of government, just as it may or may not promote the interest of his own sect, irrespective of the public interests, and in rivalry with those of other sects; the other views the well-being of his country as the great end to be proposed and pursued, and the sects as among the instrumentalities tributary to that end. Some indeed have gone to the extreme of viewing all religious persuasions as evils to be dreaded, and as far as possible proscribed; but an enlightened and patriotic spirit rather views them as holding and propagating in common the great principles of virtue and morality, which form the basis of the safety and happiness of society; and therefore as distinct agencies more or less promotive of its interests—their very rivalships tending to stimulate greater activity, and therefore, as a whole, more beneficial than injurious. I think a national system of public instruction should be in harmony with this national spirit.

2. I remark again, that a system of public instruction should be in harmony with the views and feelings of the great body of the people, especially of the better educated classes. I believe the number of persons in Upper Canada who would theoretically or practically exclude Christianity in all its forms as an essential element in the education of the country, is exceedingly small, and that more than nine-tenths of the people regard religious instruction as an essential and vital part of the education of their offspring. On this, as well as on higher grounds,

I lay it down as a fundamental principle, that religious instruction must form a part of the education of the youth of our country, and that that religious instruction must be given by the several religious persuasions to their youth respectively. There would be no Christianity among us were it not for the religious persuasions, since they, collectively, constitute the Christianity of the country, and, separately, the several agencies by which Christian doctrines and worship and morals are maintained and diffused throughout the length and breadth of the land. If in the much that certain writers have said about and against "sectarian teaching," and against "sectarian bias" in the education of youth, it is meant to proscribe or ignore the religious teaching of youth by sects or religious persuasions; then is it the theory, if not the design of such writers, to preclude religious truth altogether from the minds of the youth of the land, and thus prepare the way for raising up a nation of infidels! But if on the other hand, it be insisted, as it has been by some, that as each religious persuasion is the proper religious instructor of its own youth, therefore each religious persuasion should have its own elementary schools, and thus denominational common schools should supersede our present public common schools, and the school fund be appropriated to the denominations instead of to the municipalities; I remark that this theory is equally fallacious with the former, and fraught with consequences no less fatal to the interests of universal education than is the former theory of the interests of all Christianity. The history of modern Europe is general, and of England in particular, teaches us that when the elementary schools were in the hands of the church, and the State performed no other office in regard to schools than that of tax-assessor and tax-gatherer to the church, the mass of the people were deplorably ignorant, and, therefore, deplorably enslaved. In Upper Canada, the establishment and support of denominational schools to meet the circumstances of each religious persuasion would not only cost the people more than five-fold what they have now to pay for school purposes, but would leave the youth of minor religious persuasions, and a large portion of the poorer youth of the country, without any means of education upon terms within the pecuniary resources of their parents, unless as paupers; or at the expense of their religious faith.

3. But the establishment of denominational Common Schools for the purpose of denominational religious instruction itself is inexpedient. The Common Schools are not boarding, but day schools. The children attending them reside

with their own parents, and are within the charge of their own pastors; and therefore the oversight and duties of the parents and pastors of children attending the Common Schools are not in the least suspended or interfered with. The children attending such schools can be with the Teacher only from 9 o'clock in the morning until 4 o'clock in the afternoon of five or six days in the week; while during the morning and night of each weekday, and the whole of Sunday, they are with their parents or pastors: and the mornings, and evenings, and Sabbath of each week, are the very portions of time which convenience, usage, and ecclesiastical laws, prescribe for religious studies and instruction—portions of time during which pupils are not and cannot be with the Teacher, but are and must be under the oversight of their parents or pastors. And the constitution or order of discipline of each religious persuasion enjoins upon its pastors and members to teach the summary of religious faith and practice required to be taught to the children of the members of each such persuasion. I might here adduce what is enjoined on this subject by the Roman Catholic, and the several Protestant Churches: but as an example of what is required, in some form or other, by the laws or rules of every religious persuasion, I will quote the 59th canon of the Church of England, which is as follows:—

"Every Parson, Vicar, or Curate, upon every Sunday and holiday, before evening prayer, shall, for half an hour or more, examine and instruct the youth and ignorant persons in his parish, in the Ten Commandments, the Articles of the Belief, and the Lord's Prayer, and shall diligently hear, instruct, and teach them the Catechism set forth in the Book of Common Prayer; and all fathers, mothers, masters, and mistresses, shall cause their children, servants, and apprentices, which have not learned the Catechism, to come to the church at the time appointed, obediently to hear, and to be ordered by the Minister, until they have learned the same. And if any Minister neglect his duty herein, let him be sharply reprov'd upon the first complaint, and true notice thereof given to the Bishop or ordinary of the place. If, after submitting himself, he shall willingly offend therein again, let him be suspended: if so the third time, there being little hope that he will be therein reformed, then excommunicated, and so remain until he will be reformed. And, likewise, if any of the said fathers, mothers, masters, or mistresses, children, servants, or apprentices, shall neglect their duties, of the one sort of not causing them to come, and the other in refusing to learn, as aforesaid, let them be

suspended by their ordinaries, (if they be not children,) and if they so persist by the space of a month, then let them be excommunicated."

To require, therefore, the Teacher in any common day school to teach the catechism of any religious persuasion, is not only a work of supererogation, but a direct interference with the disciplinary order of each religious persuasion; and instead of providing by law for the extension of religious instruction and the promotion of Christian morality, it is providing by law for the neglect of pastoral and parental duty, by transferring to the Common School Teacher the duties which their church enjoins upon them, and thus sanctioning immoralities in pastors and parents, which must, in a high degree, be injurious to the interests of public morals, no less than to the interests of children and of the Common Schools. Instead of providing by law denominational day schools for the teaching of denominational catechisms in school, it would seem more suitable to enforce by law the performance of the acknowledged disciplinary duties of pastors and members of religious persuasions by not permitting their children to enter the public schools until their parents and pastors had taught them the catechism of their own Church. The theory, therefore, of denominational day schools is as inexpedient on religious grounds, as it is on the grounds of economy and educational extension. The demand to make the Teacher do the canonical work of the clergyman, is as impolitic as it is selfish. Economy, as well as patriotism, requires that the schools established for all should be open to all upon equal terms, and upon principles common to all—leaving to each religious persuasion the performance of its own recognized and appropriate duties in teaching its own catechism to its own children. Surely it is not the province of government to usurp the functions of the religious persuasions of the country; but it should recognize their existence, and therefore not provide for denominational teaching to the pupils in the day schools, any more than it should provide such pupils with daily food and raiment, or weekly preaching, or places of worship. As the state recognizes the existence of parents and the performance of parental duties by not providing children with what should be provided by their parents—namely, clothing and food—so should it recognize the existence of the religious persuasions and the performance of their duties, by not providing for the teaching in the schools of that which each religious persuasion declares should be taught by its own ministers and the parents of its children.

4. But, it may be asked, ought not religious instruction to be given in day schools, and ought not government to require this in every school? I answer, what may or ought to be done in regard to religious instruction, and what the government ought to require, are two different things. Who doubts that public worship should be attended and family duties performed? But does it therefore follow, that government is to compel attendance upon the one, or the performance of the other? If our Government were a despotism, and if there were no law or no liberty, civil or religious, but the absolute will of the Sovereign, then Government would, of course, compel such religious or other instruction as it pleased, as is the case under despotisms in Europe. But as our government is a constitutional and a popular government, it is to compel no farther in matters of religious instruction than it is itself the expression of the mind of the country, and than it is organized by law to do. Therefore, in the "General Regulations on the Constitution and Government of schools respecting religious instruction," (quoted on a preceding page) it is made the duty of every Teacher to inculcate those principles and duties of piety and virtue which form the basis of morality and order in a state, while parents and school Teachers and school managers are left free to provide for and give such further religious instruction as they shall desire and deem expedient. If with us, as in despotic countries, the people were nothing politically or civilly but slaves and machines, commanded and moved by the will of one man, and all the local school authorities were appointed by him, then the schools might be the religious teachers of his will; but with us the people in each municipality share as largely in the management of the schools as they do in making the school law itself. They erect the school-houses; they employ the Teachers; they provide the greater part of the means for the support of the schools; they are the parties immediately concerned—the parents and pastors of the children taught in the schools. Who then are to be the judges of the nature and extent of the religious instruction to be given to the pupils in the schools—these parents and pastors, or the Executive Government, counselled and administered by means of heads of departments, who are changed from time to time at the pleasure of the popular mind, and who are not understood to be invested with any religious authority over the children of their constituents?

5. Then if the question be viewed as one of fact, instead of theory, what is the conclusion

forced upon us? Are those countries in Europe in which denominational day schools alone are established and permitted by government, the most enlightened, the most virtuous, the most free, the most prosperous, of all the countries of Europe or America? Nay, the very reverse is the fact. And it were not difficult to show that those denominational schools in England, which were endowed in former ages, have often been the seats of oppressions, vices, and practices, that would not be tolerated in the most imperfect of the Common Schools of Upper Canada. And when our Common Schools were formerly, in regard to government control, chiefly under the management of one denomination, were the Teachers and schools more elevated in their religious and moral character, than at the present time? Is not the reverse notoriously the case? And if enquiry be made into the actual amount of religious instruction given in what are professedly denominational schools, whether male and female, (and I have made the enquiry,) it will be found to consist of prayers not more frequently than in the Common Schools, and of reciting a portion of catechism each week—a thing which is done in many of the Common Schools, although the ritual of each denomination requires catechetical instruction to be given elsewhere and by other parties. So obviously unnecessary on religious grounds are separate denominational schools, that two school-houses which were built under the auspices of the Church of England for Parish Schools of that Church—the one at Cobourg, by the congregation of the Archdeacon of York, and the other in connection with Trinity Church, Toronto East—have, after fair trial, been converted for the time being into common school-houses, under the direction of the Public Boards of School Trustees in Cobourg and Toronto.

6. I am persuaded that the religious interests of youth will be much more effectually cared for and advanced, by insisting that each religious persuasion shall fulfill its acknowledged rules and obligations for the religious instruction of its own youth, than by any attempt to convert for that purpose the common day schools into denominational ones, and thus legislate for the neglect of duty on the part of pastors and parents of the different persuasions. The common day school and its Teacher ought not to be burdened with duties which belong to the pastor, the parent, and the Church. The education of the youth of the country consists not merely of what is taught in the day school, but also of what is taught at home by the parents, and in the church by the pastor. And if the religious part of the education of youth

is, in any instances, neglected or defective, the blame rests with the pastors and parents concerned, who, by such neglect, have violated their own religious canons or rules, as well as the express commands of the Holy Scriptures. In all such cases, pastors and parents are the responsible, as well as guilty, parties, and not the Teacher of the Common School, nor the Common School system.

7. But in respect to colleges and other high seminaries of learning, the case is different. Such institutions cannot be established within an hour's walk of every man's door. Youth, in order to attend them, must as a general rule, leave their homes, and be taken from daily oversight and instructions of their parents and pastors. During this period of their education, the duties of parental and pastoral care and instruction must be suspended, or provision must be made for it in connection with such institutions. Youth attending colleges and collegiate seminaries are at an age when they are most exposed to temptation—must need the best counsels in religion and morals—are pursuing studies which most involve the principles of human action, and the duties and relations of common life. At such a period, and under such circumstances, youth need the exercise of all that is tender and vigilant in parental affection, and all that is instructive and wise in pastoral oversight; yet they are far removed from both their pastor and parent. Hence, what is supplied by the parent and pastor at home, ought, as far as possible, to be provided in connection with each college abroad. And, therefore, the same reason that condemns the establishment of public denominational day schools, justifies the establishment of denominational colleges, in connection with which the duties of the parent and pastor can be best discharged.

Public aid is given to denominational colleges, not for denominational purposes, (which is the special object of denominational day schools,) but for the advancement of science and literature alone, because such colleges are the most economical, efficient, and available agencies for teaching the higher branches of education in the country: the aid being given, not to theological seminaries, nor for the support of theological professors, but exclusively towards the support of teachers of science and literature. Nor is such aid given to a denominational college until after a large outlay has been made by its projectors in the procuring of premises, erecting or procuring and furnishing buildings, and the employment of professors and teachers—evidence of the intelligence, disposition, and enterprise of a large section of

the community to establish and sustain such an institution.

It is not, however, my intention to discuss the question of recognizing and aiding denominational colleges in a system of public instruction. My object in the foregoing remarks is to show that the objections against the establishment of denominational day schools, do not form any objection to granting aid to denominational colleges as institutions of science and literature, and open to all classes of youth who may be desirous of attending them.

The more carefully the question of religious instruction in connection with our system of Common Schools is examined, the more clearly, I think, it will appear that it has been left where it properly belongs—with the local school municipalities, parents, and managers of schools—the government protecting the right of each parent and child, but beyond this, and beyond the principles and duties of morality common to all classes, neither compelling, nor prohibiting;—recognizing the duties of pastors and parents, as well as of School Trustees and Teachers, and considering the united labours of all as constituting the system of education for the youth of the country.

No. 6.

FORTIETH SECTION of the School Act, 13th and 14th, Victoria, chapter 48, defining the "Common School Fund."

XL. And it be enacted, That the sum of money apportioned annually by the Chief Superintendent of Schools to each County, Township, City, Town, or Village, and at least an equal sum raised annually by local assessment, shall constitute the Common School Fund of such County, Township, City, Town, or Village, and shall be expended for no other purpose than that of paying the salaries of qualified Teachers of Common Schools: Provided always, that no County, City, Town, or Village shall be entitled to a share of the Legislative School Grant without raising by assessment, a sum at least equal (clear of all charges for collection) to the share of the said School Grant apportioned to it: and provided also, that should the Municipal Corporation of any County, City, Town, or Village, raise in any one year a less sum than that apportioned to it out of the Legislative School Grant, the Chief Superintendent of Schools shall deduct a sum equal to the deficiency, from the apportionment to such County, City, Town, or Village in the following year.

No. 7.

COPY of Letter from the Roman Catholic Bishop of Toronto to the Chief Superintendent of Schools in the original French. [The translation appears as Letter VIII, on page 13 of this pamphlet.]

Lettre de l'évêque catholique romain de Toronto au surintendant en chef des écoles, répétant en français les sentiments exprimés dans ses lettres précédentes, en anglais:—

TORONTO, le 1er Mai, 1852.

MONSIEUR LE SURINTENDANT,—Ma dernière lettre,* sans doute à cause de mon Anglais, n'a été ni claire ni comprise, puisqu'elle vous a fait m'adresser des personnalités et des insinuations que je répudie comme indignes de vous et de moi. Tous mes précédents avec vous et le Conseil de l'Instruction Publique ont été polis et chrétiens, et quelquefois d'une tolérance qu'il m'a fallu légitimer. Ma dernière lettre n'est énergique, après 18 mois d'observation et de patientes représentations que contre un système d'école que ma conscience d'évêque Catholique repousse de toutes ses forces pour les âmes qui me sont confiées, et dont, malgré vos explications, je vous le répète sans crainte et sans respect humain aucun, qu'il est pour nous catholiques une persécution déguisée, unanimement et vigoureusement condamné par d'autres évêques que moi. Car je lis: 1o. Dans les actes des Conciles Provinciaux de Baltimore, (page 84 et 171), sanctionnés par le Chef Suprême de notre église, une et catholique:—

Concil. Balt. Prov. I, Can. XXXIV.—“Quoniam quam plurimos adolescentes ex Catholicis parentibus, prosertim pauperibus ortos, in multis Provinciis hujus locis expositos esse, et adhuc exponi constat magno fidei amittende periculo, vel morum corruptelæ, ob inopiam talium magistrorum quibus tantum munus tuto committi possit; necessarium omnino censens ut scholæ instituantur, in quibus juvenes edocentur fidei morumque principia, dum litteris inbuuntur.”

Can. XXXV.—“Cum non raro plura reperiantur in libris qui in scholis plerumque adhibentur, quibus principia fidei nostræ impugnantur, dogmata nostra perperam exponuntur et ipsa historia pervertitur, quæ ratione puerorum animi erroribus inbuuntur, in animarum damnationem gravissimum, postulat tum religionis studium, tum juventutis recta educatio, et ipsum federata Americæ decus, remedium aliquod tanto malo offerri. Eâ de causâ, statuimus quam primum edendos in scholarum usum, erroribus omnino expurgatos, atque judicio Episcoporum approbatos libros, quibus

* Lettre IV, page 5.

nihil contineatur quod Catholicæ fidei odium vel invidiam parere possit.”

Concil. Balt., Prov. IV., Can. VI.—“Cum constat publicæ educationis rationem plerisque in his Provinciis ita iniri, ut heresibus inserviat, puerorum Catholicorum mentibus sensim sine sensu falsis sectarum principiis imbutis, monemus pastores ut omni quo valent studio Catholicorum puerorum Christianæ et Catholicæ educationi prospiciant et diligenter invigilent ne versione Protestanticæ Bibliorum utantur, vel sectarum canticæ vel preces recitent. Ideo invigilandum erit, ne in publicis scholis libri vel exercitia hujusmodi introductantur cum fidei pietatisque discrimine.”

Or, ces trois canons sont la parfaite expression de nos sentiments.

Je lis : 2o. Dans la correspondance du grand Archevêque que toute l'église pleure, le médiateur entre l'Irlande et l'Angleterre, la colombe de Dublin :

“In Hiberniâ exigebatur ut in omnibus scholis pro educandis pauperibus biblia sacra sine notis legerentur coram omnibus scholarum discipulis, et ut Catechismus, omnesque ejusdem generis libri excluderentur.”

N'est-ce pas le cas de nos écoles mixtes ?

“His regulis (continue l'incomparable Dr. Murray) episcopi nostri *resistebant*, summoque studio *conabantur* discipulos Catholicos ab hujusmodi scholis *retrahere*. . . . Ut huic miserrimo rerum statui remedium afferretur, Gubernium nostrum, me, aliisque *fortiter* urgentibus, tandem decrevit ut alia institueretur methodus pauperes edocendi quæ *Catholicis* magis *accepta foret*.”

Laissez moi donc, Monsieur le Surintendant, obéir à Dieu plutôt qu'aux hommes, et résister comme le loyal et conciliant archevêque, *résister* à votre malheureux système d'école, *n'efforcer* d'en *arracher* mes chers enfants, et de remédier à ce grand *fléau*, en pressant notre gouvernement de nous donner un système qui nous convienne, un système qui ne rende pas *ici* la condition des Irlandais pire qu'en Irlande, un système digne de ce Libéralisme Américain ou Canadien tant vanté dans le monde, à moins que le Haut-Canada

ne préfère continuer ce que je ne puis appeler, en logique rigoureuse, qu'une persécution cruelle et *déguisée*.

Je vous l'ai dit : si le catéchisme était suffisamment enseigné dans la famille ou par le pasteur, si rare en ce vaste diocèse, et que l'école mixte fût exclusivement pour l'instruction séculière, et sans danger pour nos catholiques, du côté des maîtres, des livres et des compagnons, la Hiérarchie catholique pourrait la tolérer comme je le fais, dans certaines localités, informations prises.

Ailleurs, à défaut de ces conditions, il est défendu à nos fidèles d'envoyer leurs enfants à ces écoles, sous peine de refus des sacrements, parce que l'âme et le ciel avant tout, parce que le pied, la main et l'œil, occasions de péché, doivent être sacrifiés au salut ; parce qu'enfin J. Christ n'a confié la mission de l'enseignement qu'à un civilisé le monde, qu'aux Apôtres et à leurs successeurs, jusqu'à la consommation des temps.

C'est leur droit si sacré et si inaliénable que tout gouvernement chrétien, sage et paternel, ne fait de lois sur l'enseignement qu'en parfaite harmonie avec l'église enseignante, les évêques unis à leur chef universel et suprême ; et ce droit est si inviolable, qu'en ces derniers temps, comme toujours, en France, en Belgique, en Prusse, en Autriche comme en Irlande, les évêques avec le Pape ont tout fait pour renverser ou modifier tout système scolaire ou universitaire, en opposition avec la mission donnée par J. Christ à son sacré collège.

“Euntes ergo, docete omnes gentes, predicate omni creature, (St. Marc.) docentes eos servare omnia quaecumque mandavi vobis, et ecce ego vobiscum sum usque ad consummationem seculi. (St. Matt.) Qui crediderit, salvus erit, qui vero non crediderit condemnabitur.” (St. Marc.)

J'ai l'honneur d'être,

Monsieur le Surintendant,

Votre humble et obéissant servr.,

(Signé,)

† ARMD. FR. M.,

Év. de Toronto.

Au Rév. Egerton Ryerson, D.T.

Surintendant en chef des écoles,
Toronto.

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Correspondence

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Bishop of Toronto.

To the Editor of the *Mirror*.

SIR,—I observe in this day's *Mirror* a letter from the Right Reverend Dr. DeCharbonnel, Roman Catholic Bishop of Toronto, involving imputations upon myself, which regard to personal honor and official position require me to notice, and for which I must, therefore, request a place in your columns—the medium, through which these imputations have been made.

1. His lordship says that, in the correspondence between himself and me, called for, and printed by order of the House of Assembly, I have "omitted his first letter to me stating the complaints of different localities relative to the school system." I answer, that there is not, and never has been, in the records of this Department, an official letter, of any kind, from the Roman Catholic Bishop of Toronto to myself—received up to the date of the transmission of the correspondence to Quebec—which will not be found in the printed correspondence referred to; and I think the Bishop is, in fairness, bound to lay the letter to which he refers, before the public, that I, as well as the public, may know the kind of omission of which he complains.

2. The Bishop complains that the "Latin texts of the Councils of Baltimore, and the extract from the late Archbishop Murray's correspondence, are also omitted." But the Bishop will hardly venture to say that those texts are not fairly translated. That the Latin quotations referred to have not been printed in the original text, is a matter of regret and disappointment to myself. Among the topics of correspondence

"wanted." I think the Bishop will not have warranted, quite as appropriate, and a little more accurate in the connection, than his own phrase "boas of"—and certainly not "a gross mis-translation."

As to the errors in the printed correspondence referred to, I have found *fifteen* in the Bishop's letters, and less than *one hundred and nine* in my own letter including paragraphs made where I made none; abolished where I made them, words omitted and introduced, the meaning of sentences destroyed, and so of them perverted. I have, therefore, cared much more than the Bishop, with the Assembly's printers. His Lordship had the proofs of his letters sent to the Prior of the Seminary at Quebec, where he had left copies of the originals of his letters, and where the proof was revised and corrected. I was officially informed that the Bishop had appointed an agent at Quebec to see to the correct printing of his letters. I had no agent of the kind in Quebec; the errors, therefore, in the printed letters are to be errors in his printed letters 10 to 15.

I am, however, assured that, in the forthcoming edition of the correspondence in question, all the errors in importance which are found in the Legislative Assembly's edition, have been carefully corrected.

I have to request that those Editors who shall in the letter of the Roman Catholic Bishop of Toronto will insert this explanation in reply.

I am Sir,

Your obedient servant,
E. RYERSONEDUCATION OFFICE,
Toronto, 21st January, 1853.

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