

**FREE RELIGIOUS TRACTS NO. 5. THE
PUBLIC SCHOOL QUESTION, AS
UNDERSTOOD BY A CATHOLIC
AMERICAN CITIZEN, AND BY A LIBERAL
AMERICAN CITIZEN. TWO LECTURES**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649434251

Free Religious Tracts No. 5. The Public School Question, as Understood by a Catholic American Citizen, and by a Liberal American Citizen. Two Lectures by Francis E. Abbot & Bishop McQuaid

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Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

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FRANCIS E. ABBOT & BISHOP MCQUAID

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THE
PUBLIC SCHOOL QUESTION,

AS UNDERSTOOD BY

A CATHOLIC AMERICAN CITIZEN,

AND BY

A LIBERAL AMERICAN CITIZEN.

TWO LECTURES,

BEFORE THE FREE RELIGIOUS ASSOCIATION, IN HOR-
TICULTURAL HALL, BOSTON,

BY

BISHOP McQUAID AND FRANCIS E. ABBOT.

BOSTON:

PUBLISHED BY THE FREE RELIGIOUS ASSOCIATION,
No. 1 TREMONT PLACE

1876.

JUL 14 1926

HARVARD UNIVERSITY
GRADUATE SCHOOL OF EDUCATION
MONROE C. GUTMAN LIBRARY

LC111
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COCHMAN & SAMPSON, PRINTERS,
9 BROMFIELD STREET.

PRELIMINARY NOTE.

The Free Religious Association, having charge of what are known in Boston as the "Horticultural Hall Lectures," invites to its platform men whose faiths so widely differ that no other platform, distinctively religious, is apt to welcome them to equal rights. That is what the Association is for. It earnestly tries to stand for Freedom and Fellowship in Religion: its objects, as stated in its Constitution, being "to promote the practical interests of pure religion, to increase fellowship in the spirit, and to encourage the scientific study of man's religious nature and history; and to this end all persons interested in these objects are cordially invited to its membership."

One of the subjects selected for this winter was the question on which Roman Catholic citizens are taking ground so generally against their fellow-citizens,—that of the Right and Justice of our long-established Public School System. No question is more certain to be decided with snap-judgments by the thoughtless on both sides, and with prejudice even by the thoughtful. It was believed that a calm discussion between two able men, each stating squarely the strongest argument for his own side,

would help both sides to see more fairly what the Catholic's sense of justice is demanding, what the demand involves, and what real justice sanctions in the matter. No man represents the Roman Catholic's view better than the Bishop who so courteously consented to come from Rochester, N.Y., to give the first lecture here printed; and no one more strongly represents the opposite view than the Editor of the "Index," who, on the following Sunday, gave the second lecture. The two lectures have been, or will be, printed separately. But it is much to be hoped that they will be widely circulated and read *together*, — especially that the non-Catholic will read and ponder the Bishop's plea, and that as generally the Catholic will read and ponder the Editor's. After one of the lectures a friend came up to us and praised the Free Religious Association for giving the public the chance to hear both sides: "And now to-day," we said to him, "the speaker has been listened to by an audience, most of them opposed to his and your views; how is it with *your* people, — are *they* as willing in turn to listen to the *other* side?" The shoulders shrugged: "Why, no," said he; "what other side is there?" He offered reasons, too; but that is the spirit which all American citizens, whether they call themselves "Catholic" or "Liberal," are equally concerned to avoid and to rebuke. That is the spirit which makes the danger.

THE
PUBLIC SCHOOL QUESTION,
*AS UNDERSTOOD BY THE CATHOLIC AMER-
ICAN CITIZEN.*

A LECTURE BY BISHOP McQUAID,

OF ROCHESTER, N. Y.,

DELIVERED IN BOSTON, FEB. 13, 1878.

I WISH to say that I am here as a Catholic American citizen, speaking only for myself and my country, and in no way responsible for Mexico, South America, Spain, or any other country in the world.

The School Question is engrossing more and more the attention of all classes in the country. President Grant devotes a portion of his annual message to the subject, and calls for yet larger consideration of it by the Legislatures of the States. Politicians worry and fret over it, not knowing how the current may chance to run, and, consequently, which course they should take. Ministers and editors, from pulpit and press, flood the country with their learning and wisdom, well spiced with warnings and threats to all who dare differ from them. And yet the last to be heard and consulted is the one to whom the settlement of the question, first and finally, belongs, — the parent of the child.

THE SCHOOL QUESTION TO BE SETTLED BY PARENTS.

The father may listen to well-meant good advice ; his fears may be excited by denunciations of impending peril for himself and offspring, ; laws may be enacted to interfere with his natural rights ; he may be mulcted through his purse, and harassed in many ways ; his neighbors may turn against him : yet, in despite of all, the responsibility of the education of his child falls on him and on no one else. He may be assisted in his work by others, if so he will, but in accordance with his will and choice, and not according to the conscience of his neighbors or of his fellow-citizens.

PARENTAL RIGHTS BEFORE STATE RIGHTS.

Parental rights precede State rights. Indeed, as the Declaration of Independence has it, Governments are instituted to secure man's inalienable rights ; and among these are life, liberty, and the pursuit of happiness. A father's right to the pursuit of happiness extends to that of his children as well. This happiness is not restricted to material and earthly enjoyment, but reaches to everything conducive to joy, pleasure, contentment of mind and soul, in this world and the next, if the father believes in a future life.

PARENTAL RIGHTS AND DUTIES ACCORDING TO COMMON LAW.

Parental rights include parental duties and responsibilities before God and society. The common law is explicit on this point, as Blackstone and Kent assert : " A parent may, under circumstances, be indicted at common law for not supplying an infant child with necessaries."— (Chitty on Blackstone.)

“During the minority of a child . . . the parent is absolutely bound to provide reasonably for his maintenance and education, and he may be sued for necessaries furnished, and schooling given, to a child under just and reasonable circumstances.”—(Kent’s Com., Vol. II., p. iv. ; Lec. XXIX.)

THE COMMON LAW DEFINED BY JUDGE LEWIS.

The rights of parents are strongly and clearly defined by Judge Ellis Lewis, in “Commonwealth *vs.* Armstrong, Lycoming County, Pa., August Session, 1842.” The Judge, having sent his decision to Chancellor Kent, received in reply an approval of its correctness, and of the reasoning on which it was based. In this opinion Judge Lewis says: “The authority of the father results from his duties. He is charged with the duty of maintenance and education. . . . The term ‘education’ is not limited to the ordinary instruction of the child in the pursuits of literature: it comprehends a proper attention to the moral and religious sentiments of the child. In the discharge of this duty, it is the undoubted right of the father to designate such teachers either in morals, religion, or literature, as he shall deem best calculated to give correct instruction to his child.” In sustainment of his opinion, the Judge quotes from Horry, Prof. of Moral Philosophy, from Dr. Adam Clarke, from Paley, and from Dr. Wayland, who, in his Moral Philosophy, writes: “The right of the parent is to command,—the duty of the child is to obey. . . . The relation is established by our Creator. . . . The duty of parents is to educate their children in such a manner as they (the parents) believe will be most for their future happiness, both temporal and eternal. . . . With his duty in this respect no one has a right to interfere. . . . While he exercises his parental duties within their prescribed limits, he is, by the law of God, exempt