

# MAINE STATE LEGISLATURE

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October 4, 1948

To the chairman of a Piscataquis County committee on Bible Instruction

I received your letter requesting information relating to the teaching of religion in the public schools of our State and my opinion concerning the type of religious education now being carried on by several of the churches in your area.

You state that a few years ago the pastors and church leaders in several churches expressed grave concern over the fact that so many of the children in our rural sections had no access to church or Sunday School. Permission was granted by the school officials to allow an association of churches to employ a young woman to visit these schools in the rural districts for an hour per week, to be given over to Bible instruction, the type to be non-sectarian. You further state that three years ago you moved into this area and were appointed chairman of the committee, to have charge of this project, and that the parents in this rural district and the teachers welcomed this added feature of the school curriculum. You state that the "released time" provision of law cannot be utilized in these schools, for there are no churches there, and the only building for any public assembly is the school house.

You state that since this gentleman from Southport has brought the issue to the front recently. . . you have been concerned about this project and you ask if you are violating the law by carrying this teaching program into the public schools and whether you must discontinue this work, even though there is no objection to it in the district served. . .

As I stated in my letter to the superintending school committee at Boothbay Harbor, I am not permitted to give opinions to school committees or private individuals. My duty is to advise and to give opinions to State officials who have charge of the various matters which make up the sovereignty of our State. Mr. Ladd is Commissioner of Education. If I should make any official ruling, it would have to be through his office. Someone would have to request him for a ruling, and if he thought it was proper, he would ask me to give his office an opinion relating to the subject matter.

Our statute in regard to reading the Bible in our public schools provides that no sectarian comment or teaching shall be permitted. Each student shall give respectful attention, but shall be free in his own forms of worship. While not rendering any opinion in this matter, I will say in passing that the Illinois "released time" statute provided for religious instruction by denominational teachers and that they were using the public school building for this purpose. That is why the Supreme Court of the United States ruled that it was not a complete separation of church and State and that the taxpayers' money should not be used for religious instruction. The reading of the Bible is an educational feature of our public schools up to the present time. As I wrote the school committee of Boothbay Harbor, they should adhere to the statute until it has been changed by the legislature or by decision of the courts.

Ralph W. Farris  
Attorney General

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