

FINAL REPORT

—OF—

SELECT COMMITTEE ON EDUCATION.

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MR. SPEAKER :

Your Select Committee on Education, appointed for the purpose of enquiring into all the circumstances connected with the change of teacher of the North Cedar District School :

The granting of a temporary certificate in the Wellington District, and to the appointment of Mr. Muir and to his successor's appointment, during July, August, and September :

The closing of English School, Lulu Island, the payment of the teacher's salary, and the cancellation of the teacher's certificate, during the months of October, November, and December last :

The granting of a temporary certificate during the past year to a teacher in Vancouver :

The cancellation of Miss Rutherford's certificate :

The answers by any teacher of the Province to questions Nos. 24 and 25 of the monthly report, during the past year :

With power to call for persons, papers and other documents bearing on the subject, and to examine witnesses in connection therewith—

have held eight sessions, examined the following witnesses under oath : Hon. Jno. Robson, Mr. S. D. Pope, Superintendent of Education ; Mr. D. Wilson, Inspector of Schools ; Mr. J. N. Muir, and Mr. Jno. Anderson.

After carefully weighing the evidence, which is submitted herewith, we beg to report as follows :—

1st.—That, under the provisions of the "School Act," the department had not the authority to grant a temporary certificate to Miss Lawrence on the application made on her behalf at the beginning of August 1889, there being at that time a considerable number of certificated teachers unemployed and looking for positions.

2nd.—That, in regard to the appointment of an assistant teacher in Wellington School in August, 1889, the only irregularity was the appointment by the trustees of Miss Ramsay and Mr. Muir to the same position ; that Mr. Muir's subsequent treatment of Miss Ramsay was neither just nor gentlemanly.

3rd.—That the closing of English School, Lulu Island, in November, 1889, was strictly in accordance with the practice of the department in such cases.

4th.—That the granting of a temporary certificate to Mr. Alex. Robinson of Vancouver was in conformity with the provisions of the "School Act," and in the interest of education (in this case there was a scarcity of suitable certificated teachers).

5th.—That Mr. Muir's action in asking for the cancellation of Miss Rutherford's certificate was, under the circumstances, unprofessional and uncalled for, and displayed a vindictive spirit ; that Mr. Muir found similar faults existed with regard to other teachers, but did not report them.

6th.—That there is no evidence before the Committee of any injustice in nor dissatisfaction among the teachers with questions 24 and 25 of the monthly reports.

7th.—That we can only characterize Mr. Muir's correspondence with the Education Department as showing insubordination and insolence to those in authority. From the evidence adduced, and the correspondence presented, we consider that the earlier cancellation of Mr. Muir's certificate would have been in the best interests of education, as we believe that for a considerable time he was not a fit and proper person to have charge of any public school.

THOMAS CUNNINGHAM, *Chairman*,
GEO. B. MARTIN,
WM. H. LADNER,
HENRY CROFT.

MINORITY REPORT

Of a Select Committee, consisting of Messrs. Martin, Croft, Cunningham, Semlin, and Ladner, appointed for the purpose of enquiring into all the circumstances connected with the change of teacher of the North Cedar District School :

The granting of a temporary certificate in the Wellington District, and to the appointment of Mr. Muir and to his successor's appointment, during July, August, and September :

The closing of English School, Lulu Island, the payment of the teacher's salary, and the cancellation of the teacher's certificate, during the months of October, November, and December last :

The granting of a temporary certificate during the past year to a teacher in Vancouver: The cancellation of Miss Rutherford's certificate:

The answers by any teacher of the Province to questions Nos. 24 and 25 of the monthly report, during the past year :

With power to call for persons, papers, and other documents bearing on the subject, and to examine witnesses therewith.

1. In regard to the change of teacher of the North Cedar district, I find that Miss Ramsay wished to obtain the position of teacher of the Wellington School, but did not wish to leave the North Cedar School without giving the trustees the requisite thirty days' notice; and in order that neither school should be left vacant, entered into an arrangement with Mr. Muir to fill the Wellington School until the first of October.

2. I find that Mr. J. N. Muir was engaged to teach the Wellington School until the first of October, and that in doing so he was carrying out his understanding with the trustees of said school.

3. I find that Miss Ramsay succeeded Mr. Muir as teacher at Wellington in accordance with the understanding between them.

4. I find that the application by the Trustees of Wellington for a temporary certificate for a teacher was refused upon the ground that no temporary certificate would be granted while any teachers holding certificates were unemployed.

5. I further find that a temporary certificate was granted upon the application of the Board of Trustees of Vancouver to a teacher for that city, although a number of teachers holding certificates, both grade A and grade B, were applicants for the same position.

6. I find that the Department declined to cancel Miss Rutherford's certificate for a trifling transgression of the rules.

7. I consider the cancellation of Mr. Muir's certificate ill-advised, considering the positions he has held and the commendations bestowed upon him by the Superintendent while he (Muir) held the position of High School teacher in Victoria, and more recently by his endorsement by the Trustees of Wellington and English Schools.

8. I find that the English School was closed because for one month, owing to sickness in the neighbourhood, the average attendance fell below the requirements of the statute, although the attendance for next month rose above the number necessary for keeping the school open.

9. I have seen the evidence of no teacher, except Mr. Muir, expressing dissatisfaction as to questions 24 and 25 of the monthly report during the past year.

CHAS. A. SEMLIN.

April 14th, 1890.

MINUTES AND EVIDENCE.

LEGISLATIVE ASSEMBLY.

MARCH 11th, 1890.

The Select Committee met at 10:30 a.m.

Present—Messrs. Semlin, Ladner, Cunningham, Martin, and Croft.

It was moved and seconded that Mr. Cunningham be Chairman, and that Mr. Croft be Secretary.

Mr. MUIR:—I entered on my duties at North Wellington August 12th, and left on September 30th.

MARCH 15TH.

The Committee met at 10:15 a. m.

Present—Messrs. Cunningham, Semlin, Martin, Ladner, and Croft.

Mr. MUIR stated that Mr. Eslick said he saw a letter from the Department to Miss Ramsay saying she must leave Cedar District and take North Wellington.

Mr. Muir saw Mr. Eslick about the 19th of August, 1889.

J. N. MUIR.

Mr. POPE—Such a letter was not written by me, either privately or officially. I had no communication with Miss Ramsay, except the letter sent in to Committee. I was absent from August 12th for about five weeks. My reason for telegraphing was to prevent the trustees from rendering themselves liable for his salary. I wanted the trustees to appoint Mr. Muir permanently if at all, so that he might come under the Department's jurisdiction, which he would not if appointed as a substitute. That if he came under the jurisdiction of the Department it would be in the interests of education in the Province that his certificate should be cancelled at an early date. A substitute is appointed by the teacher, subject to the approval of the trustees, and he is paid by the teacher whose place he occupies. I have been Superintendent six years at the end of this month. Mr. Muir has taught about three and a half years since I have been Superintendent, viz.: Assistant Teacher or Second Master and Principal of the High School, Victoria, at Wellington, and at English School.

Mr. Muir was not up for examination, being always excepted as he was a graduate.

Mr. Muir received his last certificate in July, 1888. Graduates are exempted from examination, except in professional subjects.

Mr. Semlin—What were your reasons for thinking it desirable that Mr. Muir should be dismissed?

Mr. Pope—From his publications and from his many false statements made in the public press, as well as in dodgers spread broadcast in the public streets.

Q.—When did you come to this conclusion?

A.—From the time that I considered his misrepresentations of the Department had grown to such proportions as to warrant my serious attention—within the last year.

Mr. Cunningham—Had his conduct any bad influence on the Department?

A.—It had no influence on the Department. It was intended and calculated to injure the cause of education.

Q.—How could this affect the cause of education?

A.—I considered Mr. Muir's conduct would lessen the influence of the Education Department with trustees and teachers.

S. D. POPE.

MARCH 18TH.

Committee met at 10:15 a.m.

Present—Messrs. Cunningham, Semlin, Ladner, Martin, and Croft.

Mr. MUIR being sworn.

By Mr. Ladner—

I know the nature of the inquiry. I have taught since 1864, for fifteen years, and for six years I was learning law. I have taught in this country four years, viz.: Esquimalt three months; Victoria City, Junior Division High School, three months; Principal, High School, three years and five months; Wellington, Assistant in Graded School, two months; English School, two and one-half months. I was recognized as a teacher from October 10th to November 6th, 1889. I was recognized as a teacher by the Department, then the school was closed.

Mr. Semlin—What degrees do you hold?

A.—Academy Diploma (Montreal Board of Examiners and B. A. McGill University). I did hold a First Class, Grade A, certificate of the Province of British Columbia. My certificate was cancelled when I was at English School, December 3rd last.

Q.—What was the cause assigned for the cancellation of your certificate?

A.—It was “for your persistent neglect to obey the rules and regulations prescribed for the government of public schools, as well as for gross insolence shewn by your communications to this office.” (See letter from S. D. Pope to J. N. Muir, December 4th, 1889.)

In a letter from S. D. Pope to the Hon. Jno. Robson, Mr. Pope says: “In consequence of continued and wilful neglect to fulfil his duties as a teacher, as well as gross insolence shewn in his communications with this office, and through the public press.”

The regulations as contained in the Public School Report I know pretty well. Children under five years of age should not be allowed to attend Graded Schools. This order is not contained in the Public School Report, *re* rules and regulations.

The above refers to question 25.

Rule 22 says—“To make a statutory declaration, when required, as to the correctness of the statistical and other information given by him to the Superintendent of Education.”

This refers to questions 24 and 25.

The reply given to monthly reports is as sacred as evidence under oath.

Sub-section 8, section 54, page cxx.

Q.—Did you always act up to this?

A.—I won't say that I have always acted up to this. I had not studied it carefully. In my reply to Mr. Pope November 25th, 1889, I asked him what meaning he attached to questions 24 and 25. At that time I did not know what meaning Mr. Pope attached to them, except from hearsay. I attached the same meaning to them as though they should be answered under oath.

Q.—What was your object in asking Mr. Pope the question—“If he was appointed Superintendent of Education if he would obey the rules?”

A.—He asked me a similar question and I asked it back to him, as I considered I was doing my duty as faithfully as he was doing his. This reply was after my school was closed, November 6th.

Q.—What tyranny do you refer to in your letter of November 5th?

A.—The people of British Columbia. The tyranny is—Put “no” to question 25 of my October report because the Education Department compelled me to do so, by not sending the blank forms of the monthly report for October to me in time to send them within three days of the close of the month, and the school had been closed chiefly because I had put “no” to these questions. I considered that the attendance at the school when it was closed was within the Act. The average attendance was about twelve from the time the school commenced that year. This was one reason.

Q.—Define more clearly why the rules and regulations were not strictly complied with?

A.—As to question 24—1st. I could not say “yes” in any event. 2nd. In my school most of the children came a long distance; they all brought their luncheon; on very wet days, sometimes other days, I rang the bell at 12:30 and told the pupils that if they came in then they would get away at 2:30 p.m., but they need not come in unless they liked till 1 p.m. and then get away at 3 p.m.

Q.—Have you on all occasions taken out your watch at opening and closing of school?

A.—Yes, I think I have at English School.

Q.—Do you think it practicable to carry out this rule strictly? That is, the rule referred to in question 24?

A.—No.

Q.—Is it customary for the teachers to inspect the yards and outhouses and report to the trustees daily ?

A.—In Wellington I inspected the girls' daily ; the head master the boys' daily, but no report was sent to the trustees to my knowledge ; but I do not think it is customary for teachers to inspect them daily.

I could not say "yes" to question 25 in any event as I understand it, because sub-section 3 of section 8, page 41, "to make a daily record of the work of each pupil in all his classes, and to send to each pupil's parent or guardian a monthly report based on this record," conflicts with sub-section 10, section 8, page 42, "to teach diligently and faithfully." I carried out sub-section 10 faithfully, and taught diligently and faithfully. I say that all the teachers in the Province, as far as I know, state that it is impossible to carry out sub-section 3 of section 8, page 41, and sub-section 10 of section 8, page 42.

Q.—What do you mean by visiting the Vancouver West End School "officially?"

A.—I meant that I was allowed by the Act three days to visit schools and could draw salary whilst doing it. I visited two officially in Vancouver.

Q.—When did you report to the Department the failure of Miss Rutherford to comply with sub-section 1, rule 8, appendix A ?

A.—December 23rd.

Q.—If you were acting in the interests of Education why did you not report this earlier ?

A.—Because I did not know that she would put "yes" to question 25, and as I said to her I often did the same thing in Wellington ; in fact I made it the rule there.

Q. How soon after you visited the school did you find this out ?

A.—About October. When I visited the school I supposed that Miss Rutherford was the niece of the Hon. Jno. Robson.

Q.—Did you visit any of the schools on the Mainland officially ?

A.—I think not. Just the two in Vancouver.

Q.—Is there a clause in the Act authorizing you to visit schools officially ?

A.—I believe so, as I have explained "officially."

Q.—Do you consider you are supposed to send in reports after visiting schools "officially?"

A.—No.

Q.—Why did you not visit the other schools in Vancouver ?

A.—I had no time, as I only took one of the three days allowed.

Q.—Why did you select Miss Rutherford's school ?

A.—Because she was a niece of the Hon. Jno. Robson, as I understood at the time.

Q.—Did you go to that school with the expectation of finding out anything wrong ?

A.—No, certainly not. I informed Miss Rutherford that I was visiting her school officially. I believe I used to her the word "officially." It was a wet morning, Monday, September 30th, 1889.

Q.—Did you inform Miss Rutherford who you were when you first went in ?

A.—Yes, that I was Mr. Muir, and was visiting officially.

MARCH 17TH.

Committee met at 8:15 p.m.

Present—Messrs. Cunningham, Semlin, Martin, Ladner, and Croft.

MR. MUIR, continuing, said :

I visited Mr. Law's school at Vancouver. At his school I could not see any time table. I saw two pupils preparing his monthly reports for him. He did not present his visitor's book nor request me to make any remarks about my visit. He put "yes" to question 25 in his September report without any explanation on the back.

Q.—Why did you not report him ?

A.—I had several reasons. Because he might think it was through spite.

Q.—You were Principal of the High School for about three years, were you not ?

A.—Yes.

Q.—Why did you give it up ?

A.—First, because the trustees did not use me, as I considered, right. Some of them recommended to drag me through the Police Court.

Q.—What was the charge?

A.—Whipping a boy.

Q.—Did you whip the boy severely?

A.—No more than he deserved.

Q.—What were you punishing him for?

A.—For wrapping on the blackboard with a stick, and persistent bad behaviour.

Q.—Did he receive any permanent injury from the whipping.

A.—No, not that I know of.

Q.—Did you ever punish any other boy previously?

A.—Yes.

Q.—When you punished any boy previously did you punish with a stick, or anything but a strap?

A.—I may have touched him with a pointer, not with anything other than a strap that I can remember. Both Mr. Pope and the Hon. Jno. Robson urged me to remain at Victoria High School.

Q.—Did you state to Miss Rutherford, "You know I am J. N. Muir—the notorious J. N. Muir—I have been fighting the Government the last three years?"

A.—I may have told Miss Rutherford.

Q.—Did you state to her that it was her duty to give the book?

A.—Yes. I generally presented the book in my own school, but did not generally request them to enter anything.

Q.—Were you aware that there were two conflicting clauses, Act 1879 and Rules of Department, 1887, which have been in use since then regarding presenting visitors' books?

A.—I was aware of the difference, and called the attention of the Hon. Jno. Robson to it in last August and September. I have not been fighting the Government for three years. I may possibly have used these words; I do not know. At the very first or second examination I had trouble with Mr. Pope. I generally got him to do what I wanted. If I made the statement, it was not strictly accurate as to time. I think I put my name in Jamieson's book.

Q.—What do mean by "fighting the Government?"

A.—Exposing it in the papers; I meant the Educational Department.

Q.—How many schools have you visited the three last years?

A.—Three—West End, Vancouver, Central Vancouver, and West Victoria.

Q.—Was the visitors' book presented at these?

A.—I do not think it was presented at West Victoria; the teacher certainly did not request, as we differed about the rule; I did not report him or the Vancouver teacher, only Miss Rutherford.

Q.—Why did you not report these?

A.—I did not consider it my duty.

Q.—Why not then in Miss Rutherford's case?

A.—Because, as I understood, she was a niece of the Hon. Jno. Robson and in no danger, and to bring the matter of these rules prominently before the public. The letter unsigned, *re* Mr. Robson's keeping his shirt on, was on a separate slip of paper contained in an official envelope, which also contained an official letter.

Q.—Who was your informant mentioned in your affidavit of December 31st, 1889?

A.—Mr. Bannerman and several teachers.

J. N. MUIR.

MR. POPE, sworn—

Q.—Did you officially write to Cedar District trustees asking them to allow Miss Ramsay to retire at the expiration of thirty days' notice?

A.—I did not. I was not at Wellington whilst Mr. Muir was there, but Mr. Wilson inspected the school twice.

Q.—Did Mr. Wilson report the school satisfactory?

A.—He reported that the junior division of the school was in an unsatisfactory condition.

Q.—Did he assign any reason?

A.—He stated that the order and discipline observed was anything but satisfactory. He further stated that Mr. Muir acted in a very boisterous manner in conducting the exercises in the school. I do not now recall any further complaint.

Q.—Did you close any other schools summarily?

A.—Yes. North Gabriola was closed for the same reason as the English School, at the same time, and for the same reason—failure to maintain average daily attendance required by statute. Also failure, or coupled with failure, to state the cause of insufficient attendance. It is the habit of all teachers to give the information on the back of the report, especially when the attendance is below the required average.

Q.—How long has the trouble existed between Mr. Muir and the Department?

A.—Since Mr. Muir began to write in the public press. I don't know of any reason Mr. Muir has had for ill feeling towards myself or any other member of the Education Department.

Q.—Why has Mr. Muir come down from teaching in the High School to Lulu Island?

A.—I have not been informed by Mr. Muir. He made application in several other schools since leaving the High School.

Q.—Did you try and get Mr. Muir to stop at the High School?

A.—Mr. Muir sent in his resignation to take effect October 31st, and as there was only six or seven weeks intervening between that date and the Christmas vacation, I deemed it in the interests of the school that no change should be made until Christmas vacation. I did not make the request on account of any superior ability displayed in his conduct of the school up to the date of his resignation.

Q.—What were the particular instances in which Mr. Muir continued to neglect the rules?

A.—In three monthly reports sent to Education Office he put the answer “No” to questions 24 and 25, monthly report.

Q.—Is there any clause in the Act empowering teachers to visit schools officially?

A.—There is no such clause in the Act.

Q.—Who are the official visitors of schools?

A.—The Minister of Education, the School Trustees, the Superintendent and the Inspector.

Q.—What is the object in allowing three days to visit schools?

A.—There not being a Normal School for the training of teachers, permission is granted by the rules and regulations to the teachers to spend three days in visiting schools in order that they may improve themselves professionally.

Q.—Are teachers required to make a report of their observations during these visits?

A.—They are required to name the schools visited and the time spent in each.

Q.—Are there any regular hours for pupils to assemble in the morning or after lunch?

A.—The hours are prescribed by the rules and regulations.

Q.—To assemble children outside these hours, would it be a violation of these rules?

A.—It would, unless authority had been given by the Department to do so. The authority would emanate from the Department.

S. D. POPE.

Mr. D. WILSON, sworn, said:

I reported the junior division of Wellington school as being conducted in a boisterous manner. I visited the school on September 17th and September 23rd, 1889.

Q.—How many pupils were there then?

A.—September 17th, 65 pupils; September 23rd, 55. At the time of my visit, between 2 and 3 p.m., I was informed by Mr. Muir that there were other pupils present previous to my arrival, and who had been sent home. I found the school noisy. Mr. Muir in a school-room is a loud and monotonous teacher.

Q.—What ages were the pupils?

A.—I don't know; small pupils, probably none above ten or eleven years of age.

Q.—What is the size of the school-room?

A.—I do not know; it could be found out. The room was comfortably full, 55 being present. I did not notice the number on roll. The enrolment would be over one hundred. At the time of my first visit to Wellington school I was told by the Principal that the very large attendance was due to Mr. Muir's efforts, that Mr. Muir had gone around and urged the parents to send their children in, irrespective of age. I examined Mr. Muir's records, and asked him why he did not carry out daily marking. He replied, “Impossible, impossible, impossible.” He said he did not know the names of all the children, only being there a short time. He did not ask about daily marking nor the rules and regulations in general, saying that he knew all about it. I may say his appearance was rather indecent, that he wore a light-colored pair of pants. * * * * The Principal further informed me, on the occasion of my second visit, that Mr. Muir had disobeyed his directions and had been insubordinate. I confronted Mr. Muir with the Principal on this point. The Principal still held to his first

statements, notwithstanding Mr. Muir's stout denial. That Mr. Muir might have no excuse that he was ignorant of the so-called official explanation of daily marking, I gave him full information on that point. I was also informed, and believe, that whilst attending the Nanaimo Teachers' Institute, during my absence at Comox, Mr. Muir boasted that he had defied the Educational Department and still drawn his salary. Whilst I was in Vancouver, in November last, I visited Miss Rutherford's division. While there she described Mr. Muir's visit to her school-room in substantially the same words as are given in her letter of December 26th, 1889.

D. WILSON.

Mr. POPE :

Q.—Did you tell Mr. McKay anything *re* Mr. Muir's appointment at Wellington ?

A.—Shortly before the date of the re-opening of the schools after the summer vacation, Mr. McKay informed me that the trustees at Wellington were thinking of appointing Mr. Muir as substitute for Miss Ramsay. At the time I may have said "that the trustees would not likely appoint Mr. Muir, as it was a position that should certainly be filled by a female." In schools of that class it has been customary to appoint female teachers, principally on account of the youth of the children. I received no communication from Miss Ramsay prior to my departure to inspect schools on the mainland. The correspondence is an exact statement of what occurred between the Department and Miss Ramsay.

S. D. POPE.

MARCH 21ST, 10.10 A.M.

Present—Messrs. Cunningham, Martin, Semlin, Ladner and Croft.

Mr. JOHN ANDERSON, sworn :

Q.—Have you not had some experience as a teacher ?

A.—I have had a large experience as a teacher, in high schools, grammar schools and a college, extending over a period of twenty years.

Q.—Were you not one of the examiners of candidates for certificates at the teachers examinations last July ?

A.—I was.

Q.—What opportunity had you of judging the order and discipline maintained in Mr. Muir's division of the High School and your opinion thereof ?

A.—I am not positive whether the High School was examined by me once or twice : I am sure once, and possibly twice, whilst it was under the regime of Mr. Muir. As an examiner, representing the Superintendent of Education, it was my special duty to see that the pupils of Mr. Muir's class should strictly carry out the rules that were laid down for the conduct of the examination, and I must say that on that occasion the order of the pupils was, with two or three exceptions, satisfactory. The credit of this, however, cannot, in my opinion, be claimed by Mr. Muir, as that gentleman was occupied in superintending the second master's department during the whole time of the examinations of his own class. I believe, however, that the order was good, if the report be true, but the discipline too severe.

Q.—What do you mean by the discipline being too severe ?

A.—For trivial offences, it has been said that young ladies have been compelled to stand in the corner for an hour or more ; immoderate impositions too have been given, consisting of from ten to twenty pages of history to be written out at home ; undue severity in the administration of punishment to a boy of twelve or thirteen, on which occasion it was sworn in evidence that, after administering a severe castigation on that boy, Mr. Muir is said to have recommenced the flogging, that is, with an interval between.

Q.—Do you firmly believe this report to be true ?

A.—Yes, because I was present when the evidence was taken in court.

Q.—What was the result of the trial ?

A.—I think the charge was dismissed.

Q.—What court was it tried before ?

A.—It was tried in the Police Court.

Q.—Have you seen Mr. Muir teach in his class in the school ?

A.—On one occasion I was present at a public examination, when Mr. Muir took a class in geometry.

Q.—What impression did you form of Mr. Muir's method of teaching ?

A.—I was not favourably impressed. After what I had seen in some schools of a like nature, his manner appeared to be noisy and irritating, as well as calculated to disconcert the pupils and lower him in their estimation.

Mr. Muir to Mr. Anderson (through the chairman)—Did not Mr. Anderson tell me he was prepared to swear in court that the order of the pupils in my room was perfect under the most trying circumstances?

A.—I did not.

Q.—Did Mr. Muir not call you as a witness at that trial?

A.—He did, and I told him that I could not understand why I should be called, as I had seen so little of his class; but if I could assist him in any way to get him out of the difficulty he had placed himself in, that I was prepared to speak as favourably as possible as to what had come under my own observation.

JOHN ANDERSON.

MR. MUIR:

Q.—You stated that J. J. Bannerman and others informed you that Mr. Pope instructed them to put the answer "Yes" to questions 24 and 25 of monthly reports, even when wrong. Who are those others?

A.—I decline to mention names. I believe Mr. Coatham, the Principal of the Boys' School at Westminster, can tell you all about it.

Q.—When you took the school at Wellington do you know whether Miss Ramsay had been appointed or not to the Wellington school?

A.—I understood that she had been appointed as my successor. I think it was the night of the 8th or 9th of August.

Letter from Trustees at Wellington to Miss Ramsay.

WELLINGTON, August 9th.

To Miss Ramsay:

Your application to hand, and we have much pleasure in informing you that your application is accepted, and would prefer you here on Monday; but do not put yourself about if it cannot be done, as Mr. Muir will occupy your position temporarily until you come.

Yours respectfully,

(Signed) JOSEPH ESLICK,
Secretary Board Trustees.

Q.—Would you have commenced your attack on the Educational Department if you had remained at the High School?

A.—I do not think I would have ventured to do it.

Q.—Your attack, then, was a consequence of your losing your position?

A.—It was not; it had no connection whatever except as to time.

Q.—If you supposed wrong existed, why did you not commence your attack on the Government before your resignation?

A.—Because I had incurred the displeasure of Mr. Pope in preventing him from degrading Miss Grace Halliday when he desired to examine her a second time before she could re-enter the High School; and from a conversation with Mr. Pope I felt satisfied that but for this circumstance Miss Grace Halliday would have obtained a first-class certificate at the ensuing teachers' examination.

Q.—Why did you destroy the daily mark books and other records of the senior division of the Victoria High School when you left it?

A.—All the books and records of a public nature that I considered to be so I left there.

Q.—Do you consider the daily mark book of a public nature?

A.—Daily marking, as I understood it, was not compulsory then.

Q.—What was your object in destroying those books or records?

A.—I did not destroy any records, so far as I can remember, and I did not consider the books of a public nature. I considered I was very careful to leave all books and records that were of a public nature.

Questioned by Mr. Pope—Are not records of class work public records?

A.—At that time I did not consider them of a public nature.

Q.—What books were destroyed?

A.—I did not destroy any.

Q.—Did you take away any books that belonged to the school?

A.—No, I did not, that I can remember.

Q.—If you had received the blanks in time, would you have replied "Yes" to question 25?

A.—No, I would not.

J. N. MUIR.

Mr. WILSON:

Can you give information as to the condition of the High School when Mr. Muir left it in 1887?

A.—I can refer you to a letter from the then Secretary of the Victoria Trustee Board to the "Colonist," November 4th, 1884:—

"FLATLY DENIED.

"TO THE EDITOR:—Permit me a word or two with regard to Mr. Muir's letter of this morning. I know nothing of the 'Parental' letter, although agreeing in the main with its conclusions. No trustee was authorized to ask Mr. Muir to withdraw his resignation, and, judging from the unanimity with which it was accepted (the original motion added 'with thanks'), the withdrawal would certainly have been opposed. Mr. Muir does not improve his position by giving a list of exhibits on the blackboard at the time the trustees visited the schools. Mr. Muir knows that just prior to that time he was exhibiting and inviting particular attention to scurrilous, anonymous articles, which he artfully withdrew at the approach of the trustees, and that his misleading reference to the selected articles is deceitful and unworthy of any teacher, the signers to the address to him to the contrary notwithstanding. Mr. Muir also knows that the trustees 'did not justify one of the teachers in interfering with him.' They unanimously 'dismissed the charge' on Mr. Muir signally failing to support his allegations.

"Mr. Muir is entitled to all the comfort obtainable from the request of the Superintendent of Education to allow Mr. Muir access to the school-room to prepare the monthly reports and remove his books, on Mr. Muir's assurance that no effort would be made by him to re-open the school. I may further say that the trustees, in closing the school, were acting in harmony with and on the advice of the educational authorities, who saw no other way of putting an end to the peculiar antics of the Principal.

"W. WALKER,
"Secretary, Board of Trustees."

Q.—Were the necessary blanks for October report sent out from the Education Office in time for Mr. Muir to make out his report within the specified time?

A.—When I was in Vancouver, in January last, Mr. Muir accused me of being the cause of his not having carried out the rules and regulations. I first visited Mr. Muir's school in the spring of 1886, before I was appointed Inspector, and from the examination of classes and witnessing Mr. Muir's work generally I formed a poor opinion of his skill as a teacher.

D. WILSON.

Mr. Muir here asked Mr. Pope, through the chairman, the following questions:—

Q.—Were the following reports by you true (Sessional Papers, 1886, page 319):—

"To the able and zealous efforts of the principal (J. N. Muir) and second master are attributable the usefulness and success of this very important school, and it is gratifying to state that of the 31 candidates for First Class, Grade B, Certificates, a pupil of this school obtained first rank. This is all the more creditable from the fact that very many of the applicants had had experience as teachers in the Eastern Provinces. Another pupil, also, was successful in securing a certificate of the same grade. Several other pupils obtained certificates of a lower grade."

A.—Yes, while the success of the school was gratifying, greater success would have been much more gratifying.

Q.—Sessional Papers, 1887, page 152:—

"At no time has the school been so largely attended as at present, hence the duties of the principal (J. N. Muir) and the second master are certainly arduous. They are to be congratulated not only on the results of the past year, but on the general high standing obtained by their pupils."

A.—Yes.

Q.—Sessional Papers, 1887, page 157:—

"The excellent record of the schools of Victoria during the past year, with an enrolment of 1427 pupils under the instruction of 17 teachers not only proves the ability and worth of the principals and their assistants, but is one of which the parents and citizens may well feel proud."

A.—Yes. [This refers to the graded and ward schools of the City of Victoria.]

Q.—Do you think that any person reading these three statements would conclude that J. N. Muir had shewn superior ability?

A.—I do not think that they should be accepted as proof of superior excellence.

Q.—Did you not at each semi-annual examination of the Victoria High School, whilst under the principalship of J. N. Muir, compliment him highly, and sometimes very highly, upon the success of the school?

A.—I have frequently carefully studied what words I could use on such occasions in order to avoid falsehood.

Q.—How do you reconcile these with your present statement that it was not on account of superior ability displayed that you urged him to withdraw his resignation of the principalship of the Victoria High School?

A.—The answers just given agree with statements given before the Committee.

Q.—If the pupils who received instruction from J. N. Muir in the Victoria High School took the following certificates at the teachers' examinations held from 1884 to 1888, viz.: 9 first class B; 3 second class A; 16 second class B; 15 third class A; and 19 third class B, and a Victoria High School pupil headed the list of first class B certificates, would it not show that the school had been carried on successfully?

A.—Assuming that the statements in the question are correct about one-half of the subjects were taught by the second master. I have reason to believe that a very large number of those pupils of the High School who attended the teachers' examination obtained private instruction while attending school.

Q.—If Mr. Muir displayed no superior ability would not the conclusion be justifiable that the candidates obtained the certificates by some manipulation of their answers?

A.—That is a gross reflection on the honour of the Board of Examiners.

Q.—Has one of Mr. Muir's former pupils not held the position of principal of a city graded school for over three years continuously?

A.—A graded school has been for over two years in charge of a former pupil of the High School, Victoria. How long she was a pupil of Mr. Muir's I do not know.

Q.—If there are about 26 of his former pupils at present holding positions in the Public Schools, would that not show that he had taught successfully?

A.—It would not show that he had taught with any more than moderate success.

Q.—Would you consider it an infraction of the rules and regulations if a teacher allowed a pupil to go home in the afternoon half an hour before the regular closing hour?

A.—I would not, in case of sickness or at the request of parents.

Q.—If a teacher in such a case should inform the pupil that if he chose to come in at half-past twelve he would get the lesson he would otherwise lose, would not that show a desire on the part of the teacher to discharge the duties faithfully?

A.—It would show a willingness to violate a prescribed rule.

Q.—In a school-room 20x30 feet, with seats for 60, where there were enrolled between 140 and 168 names, and consequently by insufficient accommodation and tardiness was a blessing, and the teacher did not know the pupils, would you consider it justifiable for the teacher, in order to ensure correct returns of attendance and to save time, to call the roll after all the pupils had arrived instead of before commencing with regular work?

A.—In case a teacher wishes for a change in the rules and regulations in order to meet any particular case, he should apply to the Department before doing so.

Q.—Did you not excuse Mr. Muir for putting "No" to questions 24 and 25 whilst he was at Wellington?

A.—I did, and stated to him the reasons for so doing in my letter to him November 4th, 1889.

Q.—Do you think it possible for each teacher in the Province to keep a daily record of the work of each pupil in all his classes, and at the same time teach diligently and faithfully?

A.—From my experience as a teacher, as well as experience in the position I now hold, I certainly think he can.

Q.—Will you state the so-called "official explanation" of the statute of daily marking?

A.—Some teachers misconstrued the requirement in regard to daily marking by believing that they were required to mark on subjects that were not taught during the day, and that in no case could there be an omission of marking. The explanation given was that they were expected to mark each class only in the subjects taught each day, and occasions might arise where marking would not be a necessity.

Q.—Had Mr. Wilson your authority to make this explanation to the Victoria teachers last March?

A.—He had.

Q.—Are you aware that some teachers believe that “occasionally” may be substituted for “daily,” also “at least once a month” may be so substituted on the authority of that explanation?

A.—I know no teacher not complying with the wishes of the Department as to daily marking.

Q.—Are you aware that some teachers know this explanation only by hearsay?

A.—Some who have lately arrived in the Province may not be aware of them.

Q.—If the so-called “official explanation” is not official is it not misleading, and consequently Mr. Wilson’s telling it to Mr. Muir at Wellington was only a bit of history?

A.—No.

S. D. POPE.

MARCH 25TH, 1890.

Committee met at 11.10 a.m. Present: Messrs. Cunningham, Semlin and Croft.

The Hon. John Robson being sworn, Mr. Muir asks:—

Q.—Are you not head of the Education Department?

A.—I believe so.

Q.—Did you not send for J. N. Muir to come to your office after he had sent in his resignation as Principal of the High School in 1887?

A.—Yes.

Q.—Did you not request and urge him to withdraw his resignation?

A.—Yes.

Q.—Did you not state, amongst other reasons, that it would be a great loss to the cause of education in the Province if he should resign the position?

A.—No.

Q.—Were you not annoyed and surprised at the time that he did not yield to your persuasions?

A.—My object in sending for him and suggesting to him to withdraw his resignation, was almost entirely out of personal feeling and friendship for him, as I thought it would be better for him to continue teaching to the end of the term than to leave at that time.

Mr. Cunningham:—

Q.—Do you know the cause of the animus against yourself?

A.—The only cause that I can conceive is that I tried to be his friend by trying to do him a good turn more than once.

Q.—Did you advise against immediate steps being taken last August against the cancellation of his certificate?

A.—Fully one year before his certificate was cancelled the Superintendent of Education wished to have it cancelled and I demurred to it, and the Superintendent repeatedly presented the reason for having the certificate cancelled, and I always fought against it until up to about the time of its cancellation, when his conduct became such that I could not any longer justify myself in refusing; in fact it came to this, that the Superintendent said he was allowed to do a great deal of injury to the cause of education, and that it had come to such a pass that either Mr. Muir’s certificate would have to be cancelled or he would have to resign his position. I then yielded, and wish to say that I became convinced that Mr. Pope was right and I was wrong, and regretted that I had not yielded to Mr. Pope’s solicitations sooner, as through friendship and clemency towards Mr. Muir I had allowed a state of things to go on that was injurious to the best interests of education.

Q.—What do you know about Mr. Muir’s visit to Miss Rutherford’s school at Vancouver?

A.—I saw Miss Rutherford very soon after Mr. Muir’s visit to her school, and she informed me of the circumstance substantially the same as she stated in her letter. She stated most distinctly that Mr. Muir did not inform her what his business was, or who he was, until he was about to leave, when he remarked, as stated in her letter, that he was “J. N. Muir, the notorious J. N. Muir.” She told me this immediately after the occurrence and some weeks before she wrote the letter.

Mr. Robson also stated as follows:—

Up to the time of the cancellation of his certificate, Mr. Muir, by the gross insubordination he exhibited, was doing his best to demoralize the whole teaching staff. The reason that Mr. Muir's conduct was such as it was, arose, in my opinion, on account of his mental equipment being out of order. When the Superintendent of Education would write to him, he would sometimes publish the letter and his answer to it. Contemporaneous with sending the letter to the Superintendent I received, about a year ago, a threatening letter, which I have every reason to believe was sent by Mr. Muir. I believe it was he who sent it, because I consulted a number of experts, and they all agreed with me.

JNO. ROBSON.

MR. POPE—

Q.—You have heard Mr. Robson's statements regarding the conduct of Mr. Muir?

A.—I have.

Q.—Are they correct as far as you know?

A.—They are, as far as I have knowledge and belief.

Q.—Why did you not cancel Mr. Muir's certificate when he was appointed at Wellington school?

A.—On August 12th, leaving for the Interior, I left instructions with Mr. Wilson that as soon as he received notification of the appointment of Mr. Muir as teacher, to make out the necessary papers leading to the cancellation of his certificate. On my return I was informed by him that Mr. Robson had advised to the contrary.

Q.—Mr. Muir stated that he had a disagreement with you in reference to Miss Grace Halliday's entrance to the High School, and that this disagreement was the cause of her not obtaining a first-class certificate. Please explain this statement.

A.—I cannot recall any disagreement with Mr. Muir as to Miss Halliday's entrance into the High School. As to his reference as to the cause of her not obtaining a first-class certificate, I consider it a base insinuation on the honor of each member of the Board of Examiners.

Q.—Mr. Muir states that you said in Convention that the answers to Questions 24 and 25 must be "yes," even when wrong. Is that statement correct?

A.—It is untrue. I was present when the question was asked Mr. Muir as to who were his authors of the statement, and he gave the name of Mr. Coatham. The following letter is a reply from Mr. Coatham to myself in reference to the matter:

"NEW WESTMINSTER, March 22, 1890.

"S. D. Pope, Esq.,

"Superintendent of Education.

"DEAR SIR,—*Re* your communication of yesterday, I beg leave to state that I never heard you instruct the teachers at a Convention to put "yes" to Questions 24 and 25 of Monthly Report when that answer was known to be wrong.

"I am certain I made no such statement to Mr. Muir regarding this matter, for such a statement would have been absurd and unwarranted.

"Yours truly,

(Signed) "W. C. COATHAM."

Q.—State the views you have always held in reference to the answers to Questions 24 and 25 of the Monthly Report.

A.—Each of these questions refers to a number of specific duties. For the sake of illustration, presuming there are twelve duties to be performed, if the teacher obeys or carries out ten or eleven of these duties and fails in one, I believe that the answer "yes," accompanied with an explanation on the back of the report accounting for the failure or failures in one or more respects is nearer a truthful answer than the answer "no." Mr. Muir in his report not only answered "no," but gave no explanation whatever to the answers.

Q.—It was stated in the Legislative Assembly by Mr. Beaven that at the Convention held at the close of the last Teachers' Examination you introduced the Honorable Provincial Secretary in flattering terms, with the intimation that you were actuated by a political motive. Is this true?

A.—It is not true. I called a meeting of the candidates at the close of the Examination for the purpose of answering any questions that they might see fit to ask regarding the school system, or anything relating to the management of schools. I invited Mr. Robson to be present

and address the candidates at the close of the exercise, and used none but formal words in introducing him to those present :—"I have much pleasure in introducing to you the Hon. Mr. Robson, Minister of Education, who has kindly consented to address you on this occasion."

Q.—Since your connection with the Education Office has Mr. Robson or any other member of the Government dictated or attempted to dictate to you a course of action based on or having reference to a political motive?

A.—Not to my knowledge.

S. D. POPE.

MR. WILSON—

Q.—I repeat the last question to you, Mr. Wilson?

A.—Not to my knowledge.

Q.—Were you present at the Convention when Mr. Pope gave the explanation about the answer to be given to Questions 24 and 25?

A.—I am satisfied I was present on that occasion.

Q.—What was this Convention, and when was it held?

A.—It was a meeting of the Provincial Teachers' Institute held in 1887, and the explanation given then by Mr. Pope regarding answers to questions 24 and 25 was of the same tenor as that given to-day.

D. WILSON.

MARCH 25TH, 1890, 7:30 P. M.

Present :—Cunningham, Semlin, Croft and Martin.

Mr. Pope here handed in the "Dodgers" referred to previously in the evidence as having been published by Mr. Muir.

DODGER No. 1.

"TO THE PEOPLE OF B. C. HELP! HELP! HELP!

"The teachers of the Province have appealed in vain to the Educational authorities for the repeal of daily marking, which the text-book calls an incubus, and the teachers call a detriment, and which I call an abomination. Each teacher in the Province, by Statute, must keep a daily record of the work of each pupil in all his classes. How can they do it? How can they do it?

"I see in the Estimates \$6,360 for the salaries of the Educational Trio. They put the daily marking clause on the statute book last session, and will not allow its repeal this session. None of them will show the teachers how to keep daily marks. The Superintendent, in answer to the Nanaimo teachers last August, wrote :—"The demands of statute must be strictly complied with.' The teachers look in vain for a method in his new Schools Report.

"When the Inspector is asked by the teachers to show them how to keep the daily marks, he declines to undertake the job.

"What is \$6,360 spent on the Educational Trio for? Help the teachers! Free your children from the incubus. Let the clause be wiped off the statute, so that neither the teachers or the children may be made deceitful. Are the teachers not oppressed and harrassed? Is it not worse than Egyptian bondage?

"Respectfully yours,
(Signed) "J. N. MUIR."

MR. POPE—

Referring to Dodger No. 1, Mr. Pope stated that both the Inspector and himself, instead of declining to explain the requirements as to daily marking, sought the opportunity to do so; and at the present time I am not aware that any teacher finds it a burden to comply with the requirement.

DODGER No. 2.

Copies of this dodger were placed on every desk in the High School on examination day, December 20th, 1889.

"To the teachers, parents, and pupils of Victoria and Vancouver. John Robson hits at me and strikes himself. Who is John Robson? He is Provincial Secretary, President of the Council; he who laid the foundation stone of the new St. Andrew's Church, Victoria; the so-called Minister of Education; the head of the Education Department, and usually entitled the Hon. John Robson. What did John Robson do? John Robson, in his address at the school in Victoria, said that there were some who uttered falsehoods about the school system, but were not to be believed. At Vancouver he went further, calling them enemies to the cause of education, and croaking cranks.

"Who utters false statements?

"I take the following from a paragraph which appears in the Weekly British Columbian of June 26th, which is signed John Robson, Provincial Secretary: 'The same subjects are taught in each of the divisions in the Victoria (High) School, the only difference being that in the lower division the pupils are brought on to a certain point in all the subjects when they pass into a higher division, where they are advanced further in these branches.' Also, 'It will have been noted that each of the teachers in the Victoria High School is teaching all the prescribed subjects.'

"How do you know these are falsehoods?

"Pages 55 and 56, last Schools Report, show thirteen new subjects to be taught in the senior division. The prize list, published in the Victoria newspapers, and the official returns of the results of the examination, prove that the same subjects are not taught in each division. The pupils attending the Victoria High School know they are falsehoods. Yet John Robson calls them facts, and thereon founds arguments and draws conclusions adverse to New Westminster City.

"What must you think of John Robson?

"If you take John Robson's own advice, you will not believe John Robson. You will reckon John Robson as an enemy to the cause of education. You will call John Robson a croaking crank, and hold him in utter contempt.

"Respectfully yours,
(Signed) "J. N. MUIR.

"July 30th, 1889."

Mr. Pope—The statement made by Mr. Robson therein contained is correct. Copies of this dodger were placed on every desk in the High School on examination day, December 20th, 1889.

DODGER No. 3.

"WARNING TO TEACHERS.

"As the Colonist stated, January 29th last, that examiners must use discretion, and do not classify strictly according to marks. It may be well to note, if that be true, that two of the three are Government officials. Therefore, do not ask Mr. Pope such questions as these, though of vital importance:—Will you publish a system of keeping daily marks in your next School Report? Why did you tell the Nanaimo teachers last September that the demands of the Statute must be strictly complied with? Does not the official explanation of March 4th practically nullify the Statute? Why was the official explanation of daily marking, which was given to the Victoria teachers on March 4th, not given last September? Why was it not published at once, and sent to the rest of the teachers? Why were the Victoria teachers so specially favoured? Why is it not yet published? Why was it not published in the Official Schools Report? Why do you not show the teachers how to keep daily marks in accordance with the Statute, or get the Statute repealed? Why do you not place the value of each question in the written examinations opposite to it? By what authority do you impose a money penalty of a month's salary for every violation of a rule or regulation? Why do you not publish two reports of Graded Schools? Why did you not contradict the false statements which the head of the Department wrote to the New Westminster Council concerning the Victoria High School?

"Since the 'Colonist' is acknowledged to be the Government organ, possibly its statement about examiners exercising discretion is true, or it would have been contradicted long ago, therefore act accordingly

"Respectfully yours,
(Signed) "J. N. MUIR."

Mr. Pope—This speaks for itself.

DODGER No. 4.

"The Statute says each teacher must keep a daily record of the work of each pupil in all his classes.

"1. John Robson said that he knew that 20 out of the 21 teachers of Victoria were in favor of the system, were doing it, and had made no complaints about it.

"Fact—At a meeting on that day the teachers of Victoria condemned the system, with one dissenting voice. It was notorious that some of them were not doing it; and they condemned it in 1887.

"2. John Robson said that all the teachers of Vancouver were in favor of the system, and that the resolution condemning it, passed by the Vancouver Teachers' Institute, was a fraud on the face of it, and that it was not passed by teachers, but by log-rolling outsiders.

"Fact—Mr. Brown, Chairman of the Vancouver School Board, says that he was chairman of the Institute when the resolution was passed, that there were six actually engaged teachers present, that none advocated daily marking, and that none voted against the resolution.

"3. John Robson said that 99 out of 100 teachers were in favor of the system.

"Fact—Victoria, Nanaimo, Vancouver, New Westminster District, and the Provincial Teachers' Institute, had condemned it.

"4. John Robson said that the teachers were misled by a crank in condemning the system.

"Fact—The Nanaimo teachers in August condemned it when the so-called crank was thousands of miles away.

"5. John Robson said that the system had a directly contrary effect to making children deceitful.

"Fact—Common sense says, and experience proves, that it makes them deceitful. The scholars themselves admit that it has that tendency.

"6. John Robson said that the system is the only true test of a pupil's progress.

"Fact—Mr. Pope does not promote pupils from one division to another by their marks.

"7. John Robson said that in a school of sixty pupils it could be done in five minutes.

"Fact—This will require another official explanation.

"8. John Robson said that the teachers were merely human, and opposed the system because it gave them extra work.

"Fact—The teachers deny that it gives extra work, but state that it wastes time; and the strongest opponents to it are among your best teachers.

"When, to uphold this system, the Hon. John Robson, an Elder in the Presbyterian Church, and the head of the Education Department, felt it to be his duty to utter the above statements, what further proof do you (the parents of children attending our schools) require that it ought to be wiped off the Statute, and at once.

"Respectfully yours.,
(Signed) "J. N. MUIR."

Mr. Semlin to Mr. Pope:

Q.—On March 7th, 1889, your department issued instructions to several teachers to more strictly observe the rules and regulations. What was the reason for this?

A.—The reasons given to question 25 were not entirely in the affirmative, and were not accompanied by any explanation.

Letter to the Victoria Daily Times, signed by J. N. Muir.

"DAILY MARKING SYSTEM.

"To the Editor of the Times:

"SIR,—Allow me to congratulate you on your splendid victory over that vile sheet the 'Colonist,' and I ask you and your fellow-citizens to go on and gain one more such victory. At the very time you were casting your ballot in favor of liberty and of freedom from coercion,

the Inspector was at your central school compelling your teachers to do what they know to be an injury to their pupils, yet the fiat has gone forth—'Keep the daily record or lose your situations.' If the daily marking system is a good system, let us have it on the statute book; but if the authorities are unanimously against it, ought it not to be repealed at once? Who are the authorities on this question? 1st, the Superintendent; 2nd, the teachers; 3rd, the text-book of education authorized for this Province; 4th, those pupils attending our High Schools who have come to the years of discretion, and have emerged from that system.

"1. The Superintendent when he was a teacher found these two rules—'Thou shalt teach diligently and faithfully,' and 'thou shalt keep the daily record.' He could not do both, and he kept the former, and often put down the marks after school hours, and after the pupils had gone home. Of course the record was useless, yet he kept (or evaded) the law, and did the least possible injury to his school and his reputation.

"2. The teachers have, through their Association, condemned the system utterly as a test for the progress of the pupils.

"3. The educational work authorized for the use of teachers in this Province condemns this in strong language. Those High School pupils condemn it.

"Are you willing then to lose your best teachers because they teach diligently and faithfully, and have back-bone enough to stand up for their principles? Or will stand aloof and allow the Government to coerce them into doing that which only one ignorant of the elements of education would otherwise do? Arise! Arise! rescue your teachers and rescue your children from the thralldom of that system which tends to, and does, and will make them deceitful. Will you, fresh from victory, allow those to be trodden down under-foot to whom you have entrusted the care of your children, merely because the Minister of Education seems to be led, and the Superintendent does not stand by the teachers and by the same principles when a Superintendent and when a teacher? No! I am sure you will not. Then go, and at once, and get that clause repealed, and thus give your teachers liberty and save your children from moral ruin.

"Yours truly,

"Vancouver, January 19th.

(Signed)

"J. N. MUIR."

Letter to the Victoria Times, signed J. N. Muir, February 28th, 1889.

"THE COLONIST CORRECTED.

"To the Editor of the Times:

"SIR,—Will you be good enough to publish this answer to the Colonist and expose some of its false statements, published in its editorial this morning. In section 1 it states that the daily marks are a matter of small importance. It has been and can be proved that at the least \$2,800 are wasted in this city alone, annually, to take the marks. It has been and can be proved that it makes the children deceitful. Perhaps that is of small importance after the false statements uttered by the Hon. John Robson in the House for the past few days. The remainder of the first section admits the daily marking clause into the Act of last session (it was a rule of the Superintendent before that), and the Opposition are trying to set him and the Government right before those men of intelligence who deplore that the Government have such an inadequate idea of the functions of the Legislature.

"Sec. 2 states that the matter should be left to the Department of Education; but the Hon. John Robson, by his said special Act of last session took it out of the hands of the Department. He states that 'Gladstone or Salisbury would have said it was a professional question on which professional men could alone decide.' He might have added—so stated the Hon. Mr. Beaven and the loyal Opposition. The profession have almost unanimously condemned the daily marking clause. The Provincial Teachers' Association, about three years ago condemned it, and four teachers' associations condemned it, and both Victoria and Nanaimo have twice condemned it. Didn't Mr. Pope, when a teacher, go so far as not even to furnish pupils monthly reports? At the end of section 2 it says, "That member is wisest who sets the limits of his knowledge and does not attempt to pronounce upon questions with which he is almost wholly unacquainted. Exactly what the Hon. R. Beaven and the loyal Opposition did. They thought a committee could get the information that they acknowledged was necessary; failing that, they acted almost unanimously upon the almost unanimous verdict of the profession. The third section is full of false statements. Without this year's report, which is now five months' behind

time, I must take last year's. What do I find? There are ninety-seven teachers in the Province who have enrolled over twenty pupils, so that at least there are ninety-seven teachers in the Province to which daily marking upon the professional authority it has quoted will not apply.

"In section four it states that surely some system of marking can be devised for these ninety-seven schools which will meet the requirements of the Government. Some of the teachers have asked Mr. Wilson, 'The Inspector,' the same question, but he has declined to state a system. That question has bothered every teacher who has attempted to take daily marks. Unless the editor applied to that teacher who keeps the daily marks and can make reports intelligently, I fear it will remain unanswered. Again, he says, 'the Department is not wedded to any particular system.' No, of course not, because it is too weak-backed to venture to state any system. In the fifth clause it states: 'It is to be regretted that some teachers are found in this matter placing themselves in an attitude that looks very like antagonism to the Government.' No one regrets it more than I do, and I am sure the teachers regret it also.

"Yours truly,

(Signed) "J. N. MUIR."

Mr. Pope—Mr. Muir's statements contained in the above letter, that I did not carry out the rules and regulations while a teacher, is entirely untrue and incorrect.

Letter from J. N. Muir to the Victoria Daily Times, March 14th, 1889.

"TEACHERS' CERTIFICATES.

"To the Editor of the Times :

"SIR,—As this subject is to be the subject for legislation this session, will you be good enough to publish the following statements:—

"1. The Department of Education does not give to teachers those certificates to which they are entitled.

"2. Fourteen teachers at the last examination, who took a greater number of marks on the very same questions, got certificates of a lower grade.

"3. The value of each question in most subjects is given arbitrarily, and without reference to its difficulty, so far as the teachers know.

"4. No credit is given for correct answers unless answered in accordance with Mr. Pope's peculiar notions (at least, it is so in High School examinations).

"5. In certain subjects, teachers are required to know the subjects. This is impossible, as taught in some text-books. In English grammar, for instance, Mr. Pope's authorized text-books contradict each other, and we are now informed that the authorized text-book on education is incorrect on the subject of daily marking. It must be very humiliating to the Hon. Jno. Robson to know that Mr. D. Wilson shows teachers how to keep department marks, in direct violation of Mr. Pope's special rule on the subject. Also, that his statement, on the authority of Mr. D. Wilson, that the marks of a school of sixty pupils could be taken in five minutes, is known to be false by nearly every teacher in the Province. Mr. Wilson is excused on account of his ignorance. Also, that the statement of Mr. Pope that the most inexperienced teacher would have no difficulty in keeping daily marks, is false, because neither he nor Mr. Wilson could, or dare, state a system of keeping them. Mr. Pope is excused on the ground of ignorance. Also, Mr. Wilson makes an official explanation to the teachers of Victoria, which Mr. Pope is apparently afraid to publish.

"Yours truly,

(Signed) "J. N. MUIR."

Mr. Pope—I wish to draw the Committee's attention to the remark that "The Department of Education does not give to teachers those certificates to which they are entitled." Such a remark is calculated to undermine the influence of the educational authorities of the Province.

Letter from J. N. Muir to the Victoria Daily Times of June 21st, 1889.

“To the Editor of the Times :

“SIR,—As the time is drawing near in which the teachers and trustees must prepare their annual returns for Mr. Pope, it may be well to warn and caution them concerning these returns. It has been the custom for Mr. Pope to direct teachers in graded schools to make up false returns of their schools, because, he says, he does not know of any other system. Of course, since he cannot show the teachers how to keep the daily marks, it is not to be expected that he would show them how to make proper returns. As the returns are prepared for the trustees by the teachers, they should satisfy themselves, before signing it, that what I have stated above is a fact. But teachers may not be aware that they are liable to be called upon to swear that the returns are true. Some of them would have to swear that they were true, in accordance with Mr. Pope's instructions ; otherwise they are false.

“Yours truly,
(Signed) “J. N. MUIR.”

Mr. Pope—Mr. Muir, in his letter, says : “It has been the custom for Mr. Pope to direct teachers in graded schools to make up false returns of their schools.” There is on file in the Education Office the signatures of every teacher of the high schools and graded schools, certifying that this statement is false. Attention is also directed to the letters of the following dates, written by J. N. Muir to the Victoria “Daily Times,” during 1889 : June 29th, July 3rd, August 21st, August 26th, December 3rd, September 19th, October 4th, November 8th, November 22nd, November 30th. In respect to the letter of August 21st, 1889—“There can be no excuse for this state of affairs, as the people have in the past even gone the length of sending petitions for increased school accommodations.” The above is incorrect.

Letter of Mr. Pope to Joseph Eslick, Secretary of Board of Trustees, Wellington.

“VICTORIA, September 9th, 1889.

“DEAR SIR,—Owing to absence from the city on a tour of inspection, I have been unable to reply at an earlier date to your communications of the 14th and 19th ult.

“As to the crowded condition of the junior division of your school, I would state that the very large and unprecedented increase was not anticipated. During the past school-year the average attendance at your school was as follows :—

“First division, 34.39 ;

“Second „ 65.99.

“From these figures, neither the department nor the trustees looked for as large an increase during the present year as reported ; at least, the trustees made no statement to this office as to the probability of additional assistance being required during the present school-year. I may add that no application was made by yourself or predecessor for additional building and another assistant teacher. Had this been done, provision could have been made in the estimates of last session for meeting your wishes at the present time.

“I have written to the principal of the school in regard to the attendance in both divisions, and on receipt of his reply will present the matter to the consideration of the Government.

“Please excuse me from replying to those portions of your communication that bear evidence of having been written without reflection.

“Yours truly,
(Signed) “S. D. POPE,
“Superintendent of Education.”

Question (to Mr. Pope)—Were you present on the occasion of Mr. Muir being presented with an address when he was leaving the High School ?

A.—I think not.

S. D. POPE.

Mr. Muir, recalled, put in a statement of the following testimonials:—

Y.

“October 5th, 1889.

“*J. N. Muir, Esq.* :

“DEAR SIR,—Owing to sickness in Mr. Lindsay's family, and his temporary absence on that account, he has been unable to communicate with you definitely in regard to obtaining your services as teacher for our school, and therefore I have been instructed to communicate with you for that purpose.

“We are anxious that the school should be opened at once, and request you, if you will accept the appointment, to come as soon as you can. Please let us know your decision by letter immediately.

“Yours truly,

(Signed) “THOMAS KIDD,
“Trustee, English School District.”

X.

“LULU ISLAND, September 18th, 1889.

“*Times Office, Victoria, B. C.* :

“SIR,—Will you kindly inform me if John N. Muir, Esq., B. A., is in Victoria, and if so, would he accept Lulu School, generally known by English School District? The wages is \$50 per month. You will greatly oblige me if you favor with an answer.

“Respectfully yours,

(Signed) “THOMAS D. LINDSAY.”

Z.

“COMOX, June 28th, 1889.

“*J. N. Muir, Esq.* :

“DEAR SIR,—Owing to the great preponderance of girls in the old Comox school, it was thought advisable, on the retirement of Mr. Mundell, to get a female teacher, and I am sorry to say that the Board had made a selection before receipt of your letter; otherwise, such an application would have caused a reconsideration of the matter.

“Yours truly,

(Signed) “E. DUNCAN,
“Secretary.”

AB.

“COURTENAY, COMOX, 3rd July, 1889.

“DEAR SIR,—In reply to yours of the 23rd June, I am sorry that we are unable to accept your services, as at the annual meeting it was decided to have a female teacher, and application to that effect has been made to Superintendent.

“Yours truly,

(Signed) “A. SOLMOND,

“Secretary, Board Trustees, Courtenay School.

“*J. N. Muir, Esq.*”

CD.

“JOHNSON'S LANDING, July 8, 1889.

“DEAR SIR,—I have to acknowledge the receipt of your letter of the 6th inst., and in reply would beg to state that it is a female teacher that we want for our school.

“I am yours truly,

(Signed) “RALPH BURTON.

“*J. N. Muir, Vancouver.*”

APRIL 10TH, 1890—10.20 A. M.

Present: Messrs. Cunningham, Martin, Ladner, Semlin and Croft.

To Mr. MUIR:—

Q.—Did you not say that the Teachers' Institute met in 1887?

A.—I think so. I think the last meeting was in July, 1888.

Q.—Who is the President of the Association?

A.—I believe Mr. Pope is.

Q.—Do you know of any reason why it has not met since?

A.—I do not know as a fact any reason.

Q.—Were you present at the last meeting?

A.—No, I was in the old country.

Q.—Who is the proper person to summon the meeting?

A.—Mr. Pope, the President, I suppose.

Statement under oath handed in by Mr. J. N. Muir:—

Mr. Muir handed in answers to questions sent by him to Mr. Eslick and now sworn to.

Q.—Was Mr. McKay authorized in any way by the School Trustees to make any arrangements or announcements to Miss Ramsay in August last?

A.—No, most decidedly not.

Q.—Did Miss Ramsay or Mr. McKay inform you about what he told Miss Ramsay?

A.—Yes.

Q.—What was it?

A.—He told Miss Ramsay that Mr. Pope said Mr. Muir was not a suitable appointment.

Q.—Did Mr. McKay about August 10th last inform you about what Mr. Pope told him concerning Mr. Muir's appointment as teacher?

A.—Mr. McKay told me that Mr. Pope informed him that he had heard of Mr. Muir being appointed assistant teacher at Wellington, and if so it was not a suitable appointment. This from Mr. McKay verbally to Joseph Eslick, Secretary Trustees.

Q.—Did Miss Ramsay show you a letter from the Education Office about the 18th August? If so, what was the purport of it?

A.—Yes. Copy of original:—

“VICTORIA, August 14th, 1889.

“DEAR MISS RAMSAY,—In the absence of the Superintendent permit me to say in reply to yours of the 12th inst. (received to-day) that in all probability the Trustees of North Cedar will be able to secure a successor this week and thus enable you in a few days to enter upon the duties of your new position.

“The Trustees of Wellington have been directed how to keep the school open in the meantime.

“Yours truly,

(Signed)

“D. WILSON,

“Inspector of Schools.”

Q.—Do you know why Miss Ramsay came to Wellington before September 30th as arranged?

A.—This is Miss Ramsay's own explanation:—“I acted upon Mr. Wilson's letter, which was an answer to me of my letter to the Superintendent in which I stated that I had been appointed assistant at Wellington.”

Q.—Please forward the resignation of Mr. Muir and his letter explaining the arrangements made with Miss Ramsay?

A.—Enclosed please find resignation and letter of arrangements with Miss Ramsay.

Q.—Were the Trustees satisfied with the manner in which Mr. Muir discharged his duties as teacher?

A.—Yes, the Trustees were fully satisfied and found him the most courteous and obliging teacher, with the best system of teaching it has ever been our pleasure to see. He won the hearts of the children with his great kindness. The school was most orderly, and all the children with the Trustees deeply regretted his leaving.

Q.—Were the parents generally satisfied with the progress made during his short term?

A.—Yes, the parents were all, without exception, satisfied, as his name is always kindly referred to among them, and they are ready to testify at any time.

J. N. MUIR.

APRIL 11TH—10.30 A. M.

Present: Messrs. Cunningham, Martin, Semlin, Ladner, and Croft.

To Mr. Pope by Mr. Muir:—

Q.—On page 312, Schools Report 1888-89, you admit that the total enrolment of pupils for New Westminster City, published in the previous Schools Report, was incorrect, that it should have been 447 instead of 550. Also on page 214, same Schools Report, you admit that the total enrolment of pupils for the City of Victoria was incorrect in the Schools Report for the past two years, that it should have been 1,437 instead of 1,675 for the year 1886-87, and that the number should have been 1,539 instead of 1,894 for the year 1887-88. Do not these returns and admission of errors show that you did not instruct the teachers how to prepare their returns properly, or that you did not know how to make correct returns for graded schools?

A.—The corrections made in last School Report as to the total attendance at the schools of New Westminster and Victoria were made for the following reason: The promotions made in the different divisions of the graded schools were not eliminated in the returns from these schools for years named.

S. D. POPE.

Mr. Semlin to Mr. Pope:—

Q.—How many persons hold certificates?

A.—267, approximately.

Q.—How many of these are employed?

A.—161, approximately.

Q.—How many temporary certificates have been granted since last examination?

A.—About 12.

Q.—How many temporary certificates have been applied for?

A.—About 15.

Q.—At the time of Mr. Robinson's certificate being granted were there no other teachers available?

A.—Before a temporary certificate can be granted application must be made by a Board of Trustees, and the Board must certify to their inability to secure the services of a certificated teacher suitable for the position.

Q.—Was there a scarcity of certificated teachers when Mr. Robinson was appointed?

A.—The Trustees certified to their inability to secure a certificated teacher suitable for the position.

Q.—Who were the judges of suitability?

A.—The Department and Trustees.

Q.—Were there more applicants than Mr. Robinson for the Vancouver School?

A.—I was informed by the Trustees that applications from three certificated teachers grade B and two first A had made applications.

Q.—As one of the judges do you consider those applicants unfit for the position?

A.—The Department agreed with the Trustees as to the selection of Mr. Robinson for such an important position.

S. D. POPE.