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APPENDICES.

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REPORTS OF SELECT COMMITTEES.

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## REPORT OF SELECT COMMITTEE.

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### PUBLIC SCHOOL MATTERS.

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LEGISLATIVE ASSEMBLY,  
March 11th, 1890.

MR. SPEAKER :

Your Select Committee appointed to enquire into all the circumstances connected with the change of teacher of the North Cedar District School ;

The granting 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 ;

beg respectfully to report as follows :—

The Committee held their first meeting this morning ; elected Mr. Cunningham Chairman and Mr. Croft Secretary.

Copies of the correspondence, herewith submitted, relating to the foregoing, were presented to the Committee in manuscript, and, after having been read, it was unanimously decided to ask the House to authorize the same to be printed.

All of which is respectfully submitted.

THOMAS CUNNINGHAM,  
*Chairman.*

## WELLINGTON.

## CORRESPONDENCE RELATING TO THE GRANTING OF A TEMPORARY CERTIFICATE, TO THE APPOINTMENT OF MR. MUIR, AND TO HIS SUCCESSOR'S APPOINTMENT.

WELLINGTON, July 30th, 1889.

(Received at Education Office, August 5th, 1889.)

To S. D. Pope, Esq.,  
*Superintendent of Education :*

DEAR SIR,—We regret that Miss Lawrence has not passed successfully through the examination, but we are not surprised, seeing the great difficulties she has worked under for the last year; in the number of pupils—sometimes over 90, never under 70—and the mixed class she has had to contend with, such as Belgians, Italians, French. Her mind harassed all day, she could not do justice to her own studies. Therefore, it is the earnest wish of the Trustees of Wellington that you grant Miss Lawrence a temporary certificate, knowing, as we do, that her place cannot be so ably filled in the junior division of the Wellington School.

She being a most worthy and esteemed young lady, we sincerely hope you will grant us our favor; and

We remain,

Most faithfully yours,

Signed with pleasure,

JOSEPH ESLICK,

WILLIAM PRINGLE,

CHARLES MCGARRIGLE,

} *Trustees.*

VICTORIA, August 5th, 1889.

DEAR SIR,—In reply to yours of the 30th ult., making application for a temporary certificate to be granted to Miss Lawrence, I would state that, under the amendment to the School Act made at last Session of the Legislature, these certificates can only be granted when the number of duly certificated teachers is less than the number of schools. As there are many holders of certificates now looking for positions in the schools, the department cannot grant the request made on behalf of Miss Lawrence.

I can assure you that the work of the young lady has been very satisfactory, but a temporary certificate will not be issued unless a certificated teacher cannot be found to take the position.

It is pleasant to note the kindly feeling of the Trustees towards their late teacher.

As you doubtless have had already several applications, the Board will have no difficulty in securing a suitable successor.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*Jos. Eslick, Esq.,*  
*Secretary, Board of Trustees,*  
*Wellington.*

WELLINGTON, August 6th, 1889.

*From J. Eslick, Sec. Trustees,*  
*To S. D. Pope, Esq. :*

SIR,—Your communication of August 5th arrived. We are aware of the Act referred to, and we have received several applications for the position, and they are all young and inexperienced and would not suit our school, for we have French, Russian, Finns, Italians, and Belgians. For since the Chinese have left, there has been an influx of nearly all nationalities,

and our school is in a terrible muddle, and a young and inexperienced teacher would ruin all the work there has been done. The applicants referred to have all the qualifications needed, but are not suitable for our school. The Act you refer to distinctly says Trustees may, upon satisfying the Superintendent of Education of their inability to secure a person properly qualified, suitable as a teacher. Now, dear Mr. Pope, we have only to refer you to Mr. ——— as a sample. He had all the qualifications needed, and yet was devoid of the art of imparting it to his pupils. Now, Miss Lawrence possesses this art and suits this school. We are working for the good of the school, and we are not swayed or influenced by any one, and we know the Act of last Session; and for the good of the Wellington Public School, seeing we have not a suitable applicant, you will be satisfied and grant us our humble petition for the school's good.

(Signed) JOSEPH ESLICK,  
*Secretary School Board.*

[TELEGRAM.]

VICTORIA, August 8th, 1889.

*Jos. Eslick,*  
*Secretary Board of Trustees, Wellington:*

As certificated teachers are seeking schools, have not power under School Act to issue temporary certificates. Trustees must appoint another teacher.

(Signed) S. D. POPE,  
*Superintendent of Education.*

VICTORIA, 8th August, 1889.

DEAR SIR,—In reply to your communication of the 6th inst., urging the granting of a temporary certificate to Miss Lawrence, I would state that, were it not a violation of statute, the request of your Board would certainly be complied with.

Allow me to state that by "a person properly qualified" is meant one who is the holder of a certificate of qualification.

It is well known to me that there is quite a number of holders of certificates looking for positions in the schools. That being the case, the department cannot issue temporary certificates without a direct violation of the Act.

A telegram was sent you to-day, so that there might be no delay in the re-opening of the school.

While I appreciate the high estimation in which Miss Lawrence is held by the Board, permit me to say that it is possible to select from those duly qualified a suitable successor.

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

*Joseph Eslick, Esq.,*  
*Secretary Board of Trustees,*  
*Wellington.*

VICTORIA, B. C., August 8th, 1889.

*To S. D. Pope, Esq.,*  
*Superintendent of Education:*

DEAR SIR,—The Trustees of the Wellington School say that there is nothing in the "Public School Act" to prevent you from granting me a temporary certificate, and desire to retain my services as a teacher in preference to those of any holding certificates. I have, therefore, to ask that you will kindly reconsider your decision concerning the granting of a temporary certificate to me. I would also call your attention to the fact that I have hitherto been successful in obtaining a certificate at each examination of teachers that I have attended since 1882. I think, therefore, that I am entitled to the consideration asked for on my behalf by the Board of Trustees of the Wellington Public School.

I remain,

Dear Sir,  
Yours truly,  
(Signed) M. LAWRENCE.

VICTORIA, August 10th, 1889.

DEAR MISS LAWRENCE,—In reply to your note of the 8th inst., I can only repeat that which I fully explained to you verbally in the office, viz.: that as long as there are certificated teachers looking for positions in the schools, the Department has no authority to issue temporary certificates.

You are well aware that there is a large number of successful candidates at the recent examination who are without employment and are desirous of obtaining positions. Under these circumstances you must recognize that it would be unfair to them to grant certificates to the unsuccessful ones.

Regretting that it is not in my power to accede to your request,

I am, &c.,

(Signed) S. D. POPE,  
Superintendent of Education.

Miss M. Lawrence, City.

[TELEGRAM.]

VICTORIA, Aug. 12th, 1889.

Joseph Eslick, Esq.,  
Secretary Board of Trustees, Wellington.

Miss Ramsay cannot draw salary for Wellington until commencement of active services. You have no authority to appoint substitute. If you do appoint, party must look to you for salary.

Principal, by using monitors, can take charge of whole school until arrival of assistant.

(Signed) S. D. POPE,  
Superintendent of Education.

WELLINGTON, August 14th.

From J. Eslick to S. D. Pope, Esq.

SIR,—I am surprised at you and your telegram.

Do you imply that Miss Ramsay is trying to defraud the Government with drawing two months' salary? For if so, it will be a cause for her father to look into, or are you trying to scare us? We make our living outside of the Government, and are, therefore, independent of it or the agents appointed. We are put here by the people, and cannot be scared by you as long as we keep within law.

Mr. J. N. Muir is our appointed assistant, and not Miss Ramsay.

To S. D. Pope, Esq.,  
Superintendent of Education.

DEAR SIR,—Mr. Pleace's bill has just been presented to me. It seems an old bill.

I have no other vouchers than these here. I do not know if these will be accepted or not by you, but please send me some vouchers if those are not acceptable.

Miss J. Ramsay starts on her service on Tuesday, October 1st. The Junior School is closed on Monday, 30th.

Yours most respectfully,

(Signed) J. ESLICK,  
Secretary Board Trustees.

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 NORTH CEDAR.
 

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 COPIES OF CORRESPONDENCE.
 

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MONDAY, 12th Aug., 1889.

DEAR SIR,—Our trustees have accepted Miss Ramsay's resignation, and we will let her go to Wellington as soon as we can get a teacher, which we think will be this week, as we apply to-day and expect some applications. Excuse haste.

(Signed) JAS. MALPASS.

S. D. Pope, Esq.,  
*Superintendent of Education,*  
*Victoria, B. C.*

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NORTH CEDAR, Aug. 24th, 1889.

To S. D. Pope, Esq.,  
*Superintendent of Education.*

DEAR SIR,—The application of Miss Florence Butler has been accepted, and she commenced school on the 21st.

Please send a mark book for the school.

Yours truly,  
 (Signed) JAS. MALPASS,  
*Secretary Board of Trustees, North Cedar.*

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 ENGLISH SCHOOL DISTRICT.
 

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 CORRESPONDENCE, re CLOSING OF SCHOOL IN NOVEMBER, 1889.
 

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VICTORIA, Nov. 4th, 1889.

SIR,—As the average daily attendance required by Statute has not been maintained during the past month in the English Public School, it is my duty to close the same forthwith.

Your report for the past month is not satisfactory, in that you state that the rules and regulations have not been complied with. While teaching in Wellington, the very large attendance, and the fact of the children being of different nationalities, as well as your inexperience in such schools, were taken into consideration, and your negative replies to questions 24 and 25 were accepted; but in no case will failure to obey the rules and regulations be overlooked without satisfactory explanations, however strong *your* claims to exemption may be. In a school with an enrolment of sixteen (16) pupils and an average attendance of less than fifty per cent. of that number, there can be no excuse for failure in carrying out the requirements of the Department.

The English Public School is hereby closed after the 6th November, 1889.

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

J. N. Muir, Esq.,  
*English Public School,*  
*Lulu Island.*

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VICTORIA, November 5th, 1889.

DEAR SIR,—I very much regret that the attendance at your school has been so much below the average required as to necessitate the closing of the same.

During the past month there was an enrolment of sixteen (16) pupils, while the average daily attendance was less than half that number. In addition to this, your teacher has reported that the rules and regulations for the government of the schools have not been carried out during that time.

No explanations whatever having been received as to the cause of failure to maintain the average attendance required, I have no alternative but to close the school, which is hereby declared to be closed on and after the 6th of the present month.

Yours truly,

(Signed)

S. D. POPE,  
*Superintendent of Education.*

*T. D. Lindsay, Esq.,  
Secretary Board of Trustees,  
English School District, Lulu Island.*

LULU ISLAND, B. C., Nov. 11th, 1889.

*S. D. Pope, Esq.,  
Superintendent of Education.*

DEAR SIR,—Your communication of the 5th inst. was duly received and laid before the Board of Trustees of this district. In answer thereto I have been instructed to state that this Board cannot help entertaining the opinion that you have acted very hastily in regard to closing the school—in declaring it closed before obtaining the explanations which your letter implies should have been sent as to the cause of the failure to maintain the average attendance required. The Board was not aware that Trustees were required to give such explanations where the attendance for only one month fell below the average, or that the school would be closed because of the attendance falling below ten for one month, the more especially where the attendance for the previous month, as in our case, was nearly sixteen.

If the law empowering you to close the school means you have “no other alternative” than to do so in such cases as ours, of course, explanations are unnecessary, and we must abide by your decision; but if it means that by satisfactory explanations being given you, you may exercise discretionary power, this Board is of the opinion that your discretion should be in our favour, seeing that sickness in four families was the cause of the low attendance during the month of October. You state that in addition to the average attendance falling below that required, the “teacher has reported that the rules, &c., for the government of the schools have not been carried out.” If the Board has violated any of such it is very desirous to have the matter more definitely pointed out. If the violation has been by the teacher, the Board shall take whatever steps may be necessary and within its power to set him right.

As already stated, sickness in four families was the cause of the low attendance during last month, and as the teacher reports an increase of attendance at the beginning of this month, this Board most respectfully request that you countermand your order to close the school; and that if the attendance for this month is not above the average, it will not look upon your decision to close the school then as a stretch of the law against this district.

I have, &c.,

(Signed)

THOS. D. LINDSAY,  
*Secretary Board of Trustees, English School District.*

VICTORIA, Nov. 13th, 1889.

DEAR SIR,—In reply to yours of the 11th inst., *re* the closing of your school, allow me to state that the average daily attendance required by Statute not having been maintained during the month, and no reasons having been given for failure to do so, it became my duty to close it.

Kindly permit me to point out the fact that the teacher was well aware that the required average attendance had not been maintained during the month, as well as the fact that this Department, whose special duty it is to enforce the requirement of the School Act, was entitled

to be notified of any circumstances accounting for failure in the matter. With no other information than that the average daily attendance had fallen to 7.52, coupled with the statement made by the teacher in monthly report that the rules and regulations had not been obeyed, the closing of the school, under the circumstances, was unavoidable.

Please allow me to call your attention to section 46 of the Public School Act, which says that it is the duty of Trustees to see that the school is conducted according to the authorized regulations. It must be apparent to you that the Department would not be justified in allowing schools to remain in operation in which the rules and regulations are not obeyed.

I can assure you that the necessity of closing the school was a matter of regret, and I would state that as soon as the Board assures this Department that the average attendance required by Statute can be maintained, and the school conducted according to the rules and regulations, I have no doubt but that authority to re-open will be given.

Yours truly,

(Signed) S. D. POPE,  
Superintendent of Education.

T. D. Lindsay, Esq.,  
Secretary Board of Trustees,  
English School District, Lulu Island.

LULU ISLAND, B. C., Nov. 19th, 1889.

S. D. Pope, Esq.,  
Superintendent of Education.

DEAR SIR,—I am instructed to say, in answer to your letter of the 13th inst., that this Board is very much surprised and disappointed that it did not contain a countermand of your order to close the school—in fact, this was so confidently expected after you were put in possession of the facts, as stated in my last letter, that no steps were taken to close the school, which has been kept in operation as though no such order had been received.

This Board cannot give you absolute assurance that the average attendance will be kept up to ten, or that the rules and regulations will be strictly carried out by the teacher. All this Board is prepared to do is to give it as its opinion that the average attendance required will be maintained, and to state that this opinion is based on the fact that the average attendance for the past week was 15.2 (fifteen and two-tenths). Also, that there is no good reason for believing that it will fall below ten, though it is quite possible for sickness or very bad weather to cause it to do so, temporarily, as the former did before.

In regard to the rules and regulations not being carried out by the teacher, the Board instructs me to state that it has investigated the matter and finds the explanations given by the teacher to be satisfactory ones, and that the spirit of the law has been observed; and further, that the Board is convinced that the present teacher has so far discharged his duties conscientiously, and therefore has no grounds for complaint against him.

If the rules and regulations are not, or have not, been carried out by the teacher to your satisfaction that, of course, brings the matter between you and him, and you have the remedy in your own hands.

In conclusion, I am instructed to say that as (according to statement of teacher) the average attendance for the past week was 15.2, with the attendance on the increase, this Board again most respectfully, but firmly, requests that your order to close the school be countermanded without delay.

I have, &c.,  
(Signed) THOS. D. LINDSAY,  
Secretary Board of Trustees, English School District.

VICTORIA, Nov. 22nd, 1889.

DEAR SIR,—In acknowledging receipt of yours of the 19th inst., permit me to state that when a school has been closed the salary of the teacher ceases from that date, and for any subsequent services rendered prior to re-opening he cannot be paid from the Provincial Treasury.

As explained to you in my letter of the 13th inst., the cause of closing the school was not only failure to maintain average daily attendance required by Statute, but chiefly the statement



of the teacher that the rules and regulations had not been observed during the month. It must be apparent to you that to maintain the efficiency of the schools, uniform rules must be prescribed for the guidance of teachers, and that a teacher wilfully violating these rules must be held responsible to some authority. Under section 46 of the School Act he is responsible to the Board of Trustees, and under sub-section 8 of section 12 of the Act it is my duty to see that the school is conducted according to law.

Your teacher is the only one of all the teachers who has reported that the rules and regulations were not being observed without giving satisfactory explanations.

Under the circumstances, I had no alternative but to close the school.

However satisfactory to you the teacher's explanations as to neglect of duty may have been, the fact that the school is under the direct supervision of this Department renders it imperative on the teacher to furnish it with full and satisfactory information as to cause of such neglect of official duty.

In consideration of the information contained in yours of the 19th inst., and the statement therein made that in the opinion of the Board the average daily attendance required will be maintained, authority is hereby granted to the Trustees to re-open the school on Tuesday, the 26th inst.

Kindly inform me by return mail (if possible) under whose charge the school will be placed after that date.

Yours truly,

(Signed) S. D. POPE,  
Superintendent of Education.

T. D. Lindsay, Esq.,  
Secretary Board of Trustees,  
English School District, Lulu Island.

S. D. Pope, Esq.,  
Superintendent of Education.

DEAR SIR,—Your letter of the 22nd inst. was duly received, and in answer I am instructed to say as follows:—That the Trustees thought that to see the children of this district get all the educational advantages possible was a duty paramount to all others expressed or implied by the School Act, and are much disappointed that the explanations and statement submitted to you were not sufficient to induce you to countermand your order to close the school and place us in the same position as though your order to do so had not been issued. The Trustees think it very strange that you should deprive children of their rights by closing their school on the grounds "chiefly" that the teacher states he has not observed strictly the rules and regulations. Our investigations of Mr. Muir's case led us to believe that he did not wilfully violate any rule, but that he is unable to strictly fulfil the law, and therefore will not certify that he has done so. We have, consequently, no reason to dismiss him, and he is therefore still in charge of the school.

If you think he has done something deserving of punishment, that makes it a matter for you to deal with, but the trustees are determined to see justice done to the children of this district as far as lies in their power, and therefore protest against your wronging them by closing the school in order that you may deal out punishment to a teacher for violation of some prescribed rules.

I have, &c.,

(Signed) THOS. D. LINDSAY,  
Secretary Board of Trustees, English School District, Lulu Island.

Nov. 28th, 1889.

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 ENGLISH SCHOOL DISTRICT.
 

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CORRESPONDENCE *re* THE CANCELLATION OF TEACHER'S CERTIFICATE AND PAYMENT OF HIS SALARY FOR NOVEMBER.

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VICTORIA, Nov. 23, 1889.

SIR,—In the event of your appointment as teacher of a Public School, I request you to inform me whether or not it is your intention to obey the Rules and Regulations prescribed for the government of the Public Schools, or, in other words, to carry out in their integrity the authorized regulations for the conduct of the same.

Permit me to point out to you the fact that you have reported to this office that the Rules and Regulations prescribed were not obeyed by you during last month and the early part of the present month while in charge of English Public School.

It must be apparent to you that neglect to obey the authorized Regulations cannot be tolerated.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*J. N. Muir, Esq., Lulu Island.*

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LULU ISLAND, Nov. 25th, 1889.

*S. D. Pope, Esq.,  
Superintendent of Education,  
Victoria.*

SIR,—In reply to yours of the 23rd inst., I may state that I shall take your request into consideration when you comply with the following modest request: First, to furnish me with an official copy of the Rules and Regulations, which you ought to have done last August. Second, to send me a written or printed copy of your definitions and official explanations of said rules. Third, to state what meaning you attach to questions 24 and 25 of the Monthly Report. Fourth, to send me a copy of the Rules and Regulations which do not appear in the official book (such as that about not admitting pupils under six years of age into graded schools). Fifth, to state whether you yourself, in the event of your appointment as Superintendent of Education, intend to obey the Rules and Regulations prescribing your duties. Permit me to point out to you that the educational authorities were the cause of my reporting that the Rules and Regulations were not observed, and the people will not stand such tyranny much longer.

(Signed) J. N. MUIR.

[PRIVATE AND CONFIDENTIAL.]

You may tell John Robson to keep his shirt on, and that I see through his little game. You know any one can blow soap bubbles through you. Read up the story of the unjust steward. I have often felt sorry for you, but I shall not cease exposing educational blundering until the Education Department does right because it is right, and not because it is compelled to do it.

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LULU ISLAND, Dec. 4th, 1889.

SIR,—Permit me to call your attention to your duty, No. 13, and also that you have not yet forwarded to me a copy of the Rules, etc., as requested in my letter of the 25th ult. It must be apparent to you that such neglect of your duties cannot be tolerated.

I will require another supply of pupils' blank monthly reports.

(Signed)

J. N. MUIR.

*S. D. Pope, Esq., B.A.,  
Superintendent of Education,  
Victoria, B. C.*

VICTORIA, Dec. 4th, 1889.

SIR,—In consequence of your persistent neglect to obey the Rules and Regulations prescribed for the government of the Public Schools, as well as for gross insolence shown in your communications to this office, the First Class, Grade A, certificate of qualification as a teacher, issued to you and bearing date July, 1888, was cancelled on the 3rd inst., and the cancellation of the same has this day been approved by His Honor the Lieutenant-Governor in Council.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*J. N. Muir, Esq.,  
Lulu Island.*

VICTORIA, Dec. 4th, 1889.

DEAR SIR,—I have to inform the Board of Trustees of English School District that the certificate of qualification as a teacher held by John N. Muir has been cancelled, and that the cancellation of the same has this day been approved by His Honor the Lieutenant-Governor in Council.

In consequence of this action, Mr. Muir can no longer hold the position of teacher of a public school.

I trust that you will have no difficulty in finding a suitable successor.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*T. D. Lindsay, Esq.,  
Secretary Board of Trustees,  
English School District, Lulu Island.*

VICTORIA, Dec. 6th, 1889.

DEAR SIR,—Having referred the matter of Mr. Muir's salary for November to the consideration of the Government, I am instructed to state that, in consequence of the Trustees having, under a misapprehension, allowed Mr. Muir to continue in active service after the school had been closed, thereby rendering themselves personally responsible for his salary from the closing of the school to the re-opening of the same, payment has been granted for the entire month.

I am further instructed to state that payment made in this case must in no way be considered as a precedent.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*T. D. Lindsay, Esq.,  
Secretary Board of Trustees,  
English School District.*

## CORRESPONDENCE

WITH MR. J. N. MUIR, AFTER CANCELLATION OF CERTIFICATE.

LULU ISLAND, December 7th, 1889.

SIR,—I have received yours of the 4th inst., and may state that I was rather surprised at your success in obtaining the sanction of His Honour the Lieutenant-Governor in Council to cancel my life certificate. I certainly expected that you would make the attempt, from the contents of your letter of the 23rd ult., as there could not possibly be any other meaning taken out of it. I therefore request you to furnish me with a copy of the order giving you permission to cancel my certificate; also the further order (if any) confirming the cancellation of the same.

I also request you to point out to me what you consider *gross insolence* in my communications to the office.

I also hereby request you to renew my First Class, Grade A, Certificate, which was in force on July 1st, 1888, in accordance with sub-section (8) of section 52 of the Public School Act, as amended last Session and now in force.

S. D. Pope, Esq., B. A.,  
Superintendent of Education,  
Victoria, B. C.

Yours truly,  
(Signed) J. N. MUIR.

VICTORIA, December 9th, 1889.

SIR,—In reply to yours of the 7th inst., I would state that renewals of certificates can only be issued by the Board of Examiners. The Board meets in July of each year, for the purpose of holding examination and granting certificates, under the provisions of the Public School Act.

As to those portions of your letter referring to the cancellation of your certificate, I would state that every information deemed necessary was contained in my letter to you of the 4th inst.

J. N. Muir, Esq.,  
Lulu Island.

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

LULU ISLAND, December 12th, 1889.

SIR,—You will see from the enclosed document that if your closing of the school on the 6th November last was legal (and, of course, you do not do anything illegal), then I have not been a teacher since that date, and, consequently, the relation of teacher and superintendent has not existed since that date, and, therefore, you had no right to cancel my certificate on the 3rd or 4th inst. I accordingly request that you at once set the matter aright, so far as lies in your power, and rescind your cancellation of my certificate.

I also hereby give you notice that I shall hold you personally responsible for all damages that have arisen, or may arise, from your action in the matter of cancelling my teacher's certificate.

Permit me to state that I have arranged with the Trustees of the English School District to hold the public examination of the school on Wednesday, the 18th inst. If the department has any objection to the arrangement, I request you to advise me at once.

S. D. Pope, Esq., B. A.,  
Superintendent of Education,  
Victoria, B. C.

Yours truly,  
(Signed) J. N. MUIR.

[Written by J. N. Muir and signed by the secretary.—S. D. P.]

LULU ISLAND, December 12th, 1889.

DEAR SIR,—This is to certify that on the 7th November last J. N. Muir handed to us the key of the English School-house, and said that he was willing to accept the notice of the Government closing the school, or that he was willing to return and teach the children and take his chances of the salary, provided the Trustees would allow him the use of the school building in which to teach the children. On Monday morning, the 11th day of November, we handed the key to him and gave him the use of the building.

When we received your letter giving us permission to re-open the school, Mr. Muir stated that, so far as he was concerned, he did not wish any re-opening or re-appointment as teacher, and particularly requested us not to re-appoint him, and not to take any action or do anything whatever about re-opening. We acceded to his request, and did not re-appoint him as teacher nor take any action (so far as he was concerned) on your said letter.

S. D. Pope, Esq., B. A.,  
Superintendent of Education,  
Victoria, B. C.

(Signed) THOMAS D. LINDSAY,  
Secretary Trustees  
English School District.

OCCIDENTAL HOTEL,  
Victoria, B. C., Dec. 20, 1889.

SIR,—I have not yet received a reply to mine of the 12th inst. I would call your attention to the following facts:—

1. The Board of Examiners meets apparently at the pleasure of the Lieutenant-Governor in Council; therefore, although it has met in July heretofore, there is no reason why it should not meet at other times.

2. You have power to grant temporary certificates.

3. The Act states that the holder of a certificate in force on July 1st, 1888, *shall* have it renewed "*on application of the holder thereof.*"

4. I appealed to the Hon. John Robson this morning, but he stated that he could not do anything in the matter until it was brought before him by you. I stated to him that I was the injured party and had a right to bring it before him, and did so; but he refused to do anything until it was brought by you.

I therefore request you to take prompt measures to get my certificate renewed, which was in force on July 1st, 1888, as several schools are vacant and I would be damaged by not having the said renewal.

I also warn you that unless I get a reply from you promptly, I shall apply for a *mandamus* from the Courts to compel you to grant me either a temporary certificate or a renewal until the next meeting of the Examining Board, or a renewal until July, 1893, of my certificate, which was in force on July 1st, 1888.

Yours truly,

(Signed) J. N. MUIR.

(Address at present Occidental Hotel.)

S. D. Pope, Esq., B.A.,  
Superintendent of Education,  
Victoria, B. C.

VICTORIA, 21st December, 1889.

SIR,—In reply to yours of the 20th inst., I would state that the several matters referred to therein will, in accordance with your request, be referred to the Honorable the Provincial Secretary at the earliest opportunity.

Yours truly,

(Signed)

S. D. POPE,

Superintendent of Education.

J. N. Muir, Esq.,  
City.

VICTORIA, December 23, 1889.

SIR,—Referring to request made in yours of the 20th inst., for the granting to you of a renewal of the First Class, Grade A, Certificate, issued to you in July, 1884, I have to inform you that the application cannot be entertained.

Yours truly,

(Signed)

S. D. POPE,

Superintendent of Education.

J. N. Muir, Esq.,  
City.

VICTORIA, December 23rd, 1889.

SIR,—I received on Saturday last the voucher for part of the month of December, amounting to \$9.67, and I hereby notify you that I shall bring an action for damages, amounting to (\$40.33) forty dollars and thirty-three cents, in the County Court of Victoria, holden at Victoria, at the expiration of the necessary legal time of notice, unless you in the meantime forward to me the voucher for the remainder of December, viz.: (7th to 31st inclusive.)

Yours truly,

(Signed)

J. N. MUIR.

S. D. Pope, Esq., B.A.,  
Superintendent of Education,  
Victoria, B. C.

VANCOUVER, December 27, 1889.

SIR,—I hereby request you to state specifically what Rules and Regulations I persistently neglected to obey. I also again request you to point out in my communications to the office those parts which you consider *gross insolence*.

S. D. Pope, Esq., B.A.,  
Superintendent of Education,  
Victoria, B. C.

Yours, truly,  
(Signed) J. N. MUIR.

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 VANCOUVER.
 

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 CORRESPONDENCE *re* THE GRANTING OF A TEMPORARY CERTIFICATE TO A TEACHER IN  
VANCOUVER.
 

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VANCOUVER, B.C., Dec. 3rd, 1889.

Hon. John Robson,  
Minister of Education, &c., Victoria.

SIR,—At a full meeting of the Board of Trustees, held last evening, the following resolution was unanimously passed, viz.:—

Resolved, That the Secretary inform the Department of Education that amongst the applications for principalship of the Central School there are only two with First A Certificates (neither have had experience in teaching common schools), the others with Provincial Certificates being First B. The Board desire permission to engage a teacher from amongst those applying who hold certificates of other Provinces of the Dominion (and who will act on a temporary certificate), provided they find better talent amongst such applications.

I have, &c.,  
(Signed) A. H. B. MACGOWAN,  
Secretary to Trustees.

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 VICTORIA, Dec. 6th, 1889.

SIR,—In reply to yours of the 3rd inst., addressed to the Honorable the Provincial Secretary, and handed in to this office, I would state that before a temporary certificate can be granted the trustees must make application on behalf of the person, and must certify to their inability to secure a teacher holding a certificate from this Province.

Should you desire to apply for a temporary certificate to be issued to a person, it is necessary to give his name, and he must satisfy this Department as to his character and scholarship. In such case, you should state the names of all applicants for the vacancy.

Permit me to add that if the trustees desire to select the non-holder of a certificate from this Province, they cannot make the appointment until after the temporary certificate has been issued to him.

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

A. H. B. Macgowan, Esq.,  
Secretary Board of Trustees, Vancouver.

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 VANCOUVER, B.C., Dec. 13th, 1889.

S. D. Pope, Esq.,  
Superintendent of Education, &c.

DEAR SIR,—

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At a meeting held this evening it was resolved to present the name of Alexander Robinson, Esq., B.A., to the Department, as the one the trustees desire to engage as Principal for the Central School, the Secretary of the Board being appointed to interview the Educational Management *re* these and other matters.

Yours respectfully,  
(Signed) A. H. B. MACGOWAN,  
Secretary.

December 16th, 1889.

S. D. Pope, Esq.,  
*Superintendent of Education, &c., Victoria.*

DEAR SIR,—Agreeable with a resolution of the Board of Trustees of Vancouver Schools, I hereby apply for the issue of a temporary certificate to Alexander Robinson, Esq., B.A., whose papers accompany this application.

The Board have received applications from three First B local certificated teachers, each at present engaged in a public school, and two First A, with, as they think, insufficient experience in graded school work, and the Board does not consider that either one of these has had sufficient experience to justify his selection as Principal of the Schools of Vancouver.

Yours respectfully,  
 (Signed) A. H. B. MACGOWAN,  
*Secretary.*

VICTORIA, Dec. 16th, 1889.

DEAR SIR,—The application of the Board of Trustees of Vancouver for the issuance of a temporary certificate to Mr. Alexander Robinson has received favourable consideration.

The Board is authorized to appoint Mr. Robinson to any position thought desirable.

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

A. H. B. Macgowan, Esq.,  
*Secretary Board of Trustees, Vancouver.*

## CORRESPONDENCE

Re MR. MUIR'S DEMAND FOR CANCELLATION OF MISS RUTHERFORD'S CERTIFICATE.

VICTORIA, Dec. 23rd, 1889.

SIR,—As you are aware, I visited the Vancouver West End School *officially* on the morning of the 30th September last, and was paid by the people for doing so. On that occasion I visited the room of Miss B. M. Rutherford, and informed her that I was visiting her school officially. She informed me that she had not called the roll in the morning that day, and gave as an excuse that it was a *wet day*, and she then (a few minutes before morning recess) proceeded to call the roll. I have examined her report for the month of September, and I find that she has put "yes" as answer to question 25, "Have all other Rules and Regulations been observed?" and she has not even put any *explanation* whatever on the back of her said report. As she knowingly violated sub-section 1 of Rule 8, Appendix A, and has stated in her report that she observed the rule, I ought to see in the next issue of the Provincial Gazette a notice to the effect that His Honour the Lieutenant-Governor in Council has been *pleased* to cancel the certificate of Miss Rutherford. On leaving her room I asked her for the visitor's book and entered my name therein. I afterwards told her that it was her duty not only to have given me the book, but also to *request* me to enter therein anything suggested by my visit.

I need hardly state that I bear no malice towards the young lady; but I do this as I consider it my duty in order to draw the attention of the Provincial Secretary (who is her uncle, so I am informed) and of the public to the iniquitous system of the Education Department.

I feel satisfied that although you closed my school, *chiefly* because I told the *truth*, and afterwards cancelled my certificate with the official report of my trustees in your hands certifying (after investigating the matter) that I was discharging my duties conscientiously, and that I kept the spirit of the law, yet you will not *dare* to cancel Miss Rutherford's certificate, although you have the evidence in your hands that she did *not* observe that rule, and she has certified that she has observed it.

I forward a copy of this to Miss Rutherford and to the Provincial Secretary.

Yours truly,  
 (Signed) J. N. MUIR.

S. D. Pope, Esq., B. A.,  
*Superintendent of Education,  
 Victoria, B. C.*

VANCOUVER, Dec. 26th, 1889.

SIR,—In order that you may have no loophole of escape, but must take action in the matter, I forward to you herewith a statutory declaration relating to the cancellation of Miss Rutherford's certificate. As I said before, I have no malice towards Miss Rutherford; but do this to bring the iniquitous system of the Education Department to light. I feel satisfied that you will not *dare* to cancel her certificate of qualification as a teacher, although she knowingly violated a rule and she certified that she has observed it.

S. D. Pope, Esq., B. A.,  
Superintendent of Education,  
Victoria, B. C.

Yours truly,  
(Signed) J. N. MUIR.

*In the matter of the cancellation of the Teacher's Certificate of Miss I. M. Rutherford, of the West End School.*

I, John Nicolson Muir, of the City of Vancouver, in the Province of British Columbia, Barrister, do solemnly declare as follows:—

1. That I visited the school-room in Vancouver West End School of the said Miss I. M. Rutherford on the thirtieth day of September last past.

2. That the said Miss I. M. Rutherford on that occasion informed me that as it was a wet day she had not called the roll that morning at nine o'clock, and she then, a few minutes before morning recess, proceeded to call the roll, thereby violating sub-section 1 of Rule 8, Appendix A, of the Public Schools Report.

3. I examined the copy of the monthly school report of the said I. M. Rutherford for the said month of September, which copy is in the custody of the Vancouver Board of School Trustees.

4. I find that the said I. M. Rutherford has put the word "yes" as the answer to question No. 25 of the said monthly report of her school, and that the said I. M. Rutherford has made no explanations whatever on the back of the said report.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Act respecting Extra Judicial Oaths.

(Signed) J. N. MUIR.

Declared before me this twenty-sixth day December,  
1889 A.D.

(Signed) A. E. BECK,  
A Notary Public in and for the Province of British Columbia.

VICTORIA, Dec. 26th, 1889.

S. D. Pope, Esq., B. A.,  
Superintendent of Education, Victoria.

DEAR SIR,—I am in receipt of what purports to be a copy of a letter from J. N. Muir to yourself, dated December 23rd, 1889, in which Mr. Muir states that he visited my school (West End, Vancouver) officially on the 30th September last, and in which he proceeds to make certain statements or charges against me. For your information, and in self-defence, I beg to state that these statements are for the most part false.

Mr. Muir did not (as he states) inform me that he was visiting my school officially, nor did he even inform me who or what he was, until when about to leave he entered his name in the "Visitors' Book" and remarked, "You know I am J. N. Muir, the notorious J. N. Muir. I have been fighting the Government for the last three years."

I did not state as an "excuse" for not having called the roll earlier that the day was wet. I merely stated the fact, not being aware at that time that the rules required the roll to be called the first thing, as I was a stranger in the country and had not all the rules at my finger ends, and therefore did not "knowingly" violate any rule.

Mr. Muir states that he told me it was my *duty* not only to have given him the book (Visitors' Book), but also to request him to enter therein anything suggested by his visit. As an old teacher of many years' experience in the Province, Mr. Muir ought surely to have known that it was *not* my duty to do either. Vide Appendix A, article 8, section 5.



I cannot trust myself to characterize Mr. Muir's conduct in coming, spy-like, into my school and making groundless and, as it seems to me, malicious charges against me; but, perhaps, after his cowardly, unmanly treatment of Miss Ransay, I had no right to expect anything different at his hands.

Mr. Muir says that he bears no malice towards me; but the statement (also false) that I am a niece of the Provincial Secretary suggests the motive by which he is actuated in selecting me as a victim of his idiotic spleen.

I sincerely trust for the honour of the profession that there is not another teacher in the Province who would be guilty of such despicable conduct.

I remain, &c.,  
(Signed) B. M. RUTHERFORD.

*In the matter of the Cancellation of the Teacher's Certificate of Miss I. M. Rutherford, of the Vancouver West End School.*

I, John Nicholson Muir, of the City of Vancouver, Barrister, solemnly declare:—

1. That I am informed and believe that Stephen D. Pope, the Superintendent of Education, instructed teachers to put the answer "Yes" to questions No. 24 and 25 of their Monthly Report, even when "Yes" was not true.

2. That I am informed and believe that teachers of the public schools of this Province do put the answer "Yes" to questions No. 24 and 25 of their Monthly Report, as one of them informed me, because Mr. Pope says it is to be "Yes,"—therefore it is "Yes."

3. That I am informed and believe that one teacher put "No" as the answer to No. 24 because he had knowingly violated the rule, and he thereafter received a letter from the Education Department informing him that there was no necessity for putting "No," and instructing him to put "Yes" afterwards under similar circumstances, or words to that effect.

That D. Wilson, the Inspector of Schools, about the middle of September last, informed me, in the presence of Mr. McKay, the Principal of the Wellington School, that he knew that the statutory rule about daily marking could not be kept, and he, the said D. Wilson, then officially explained away the said statutory rule.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Act respecting Extra Judicial Oaths,

(Signed) J. N. MUIR.

Declared before me at the City of Vancouver, this 31st day of  
December, A.D. 1889.

(Signed) JOHN ROUNSEFELL,  
Notary Public in and for the Province of British Columbia.

## CORRESPONDENCE

*Re ANSWERS TO QUESTIONS NOS. 24 AND 25 OF MONTHLY REPORTS.*

VICTORIA, March 7th, 1889.

DEAR SIR,—In your monthly report for February, the answer given to question "Have all other rules and regulations been observed?" is not satisfactory. To say that they have been observed as well as possible, without giving necessary explanations as to failure, cannot be accepted hereafter, nor will explanations of repeated violations of the same rule or regulation be received, except shown satisfactorily to have been unavoidable.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

J. P. McLeod, Esq.,

*Principal High School, City.*

VICTORIA, March 7th, 1889.

DEAR SIR,—In your monthly report for February the answer to question “Have all other rules and regulations been observed?” is not satisfactory.

To say that they have been observed as closely as possible, without giving necessary explanations as to failure, cannot be accepted hereafter, nor will explanations of repeated violations of the same rule be received, except shown satisfactorily to have been unavoidable.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*D. E. Kerr, Esq.,*

*Boys' Public School, City.*

VICTORIA, March 7th, 1889.

DEAR MISS CAMERON,—In your monthly report for February the answer given to question “Have all other rules and regulations been observed?” is not satisfactory.

To say that they have been observed as nearly as possible, without giving necessary explanations as to failure, cannot be accepted hereafter, nor will explanations of repeated violations of the same rule be received, except shown satisfactorily to have been unavoidable.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*Miss A. D. Cameron,*

*Girls' Public School, City.*

VICTORIA, March 7th, 1889,

DEAR MISS KEAST,—In your monthly report for February the answer given to question “Have all other rules and regulations been observed?” is not satisfactory. To say that they have been observed as nearly as possible, without giving necessary explanations as to failure, cannot be accepted hereafter, nor will explanations of repeated violation of the same rule be received, except shown satisfactorily to have been unavoidable.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*Miss A. Keast,*

*Girls' Public School, City.*

VICTORIA, March 11th, 1889.

DEAR SIR,—In reply to your letter of the 7th inst., I beg to state that Mr. Wilson's explanation of “daily marking” at our meeting will enable me to send in my future reports in a manner which, I trust, will prove satisfactory to the Department.

Yours truly,

(Signed)

A. KEAST.

*S. D. Pope, Esq.,*

*Superintendent of Education, Victoria.*

VICTORIA, March 12th, 1889.

*S. D. Pope, Esq.,*

*Superintendent of Education.*

DEAR SIR,—In reply to yours of March 7th, I would state that at the time of sending in my February report I was under the impression that in order to comply with “Rules and Regulations” it was necessary to mark every pupil in every subject every day. Since this has been officially declared not to be the case, I will, I trust, in future, as heretofore, be able to give an unqualified “Yes” in reply to the question, “Have all other rules and regulations been observed?”

Respectfully,

(Signed)

AGNES DEANS CAMERON.

VICTORIA, March 7th, 1889.

DEAR MISS ROBINSON,—In your monthly report for February the answer to question “Have all other rules and regulations been observed?” is not satisfactory.

To say that they have been observed as nearly as possible, without giving necessary explanations as to failure, cannot be accepted hereafter, nor will explanations of repeated violation of the same rule be received, except shown satisfactorily to have been unavoidable.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*Miss S. A. Robinson,  
Girls' Public School, City.*

VICTORIA, March 7th, 1889.

DEAR MISS BARRON,—In your monthly report for February the answer given to the question “Have all other rules and regulations been observed?” is not satisfactory. To say that they have been observed as nearly as possible, without giving necessary explanations as to failure, cannot be accepted hereafter, nor will explanations of repeated violation of the same rule be received, except shown satisfactorily to have been unavoidable.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*Miss L. A. Barron,  
Girls' Public School, City.*

VICTORIA, March 7th, 1889.

DEAR MISS BRADLEY,—In your monthly report for February the answer given to question “Have all other rules and regulations been observed?” is not satisfactory. To say that they have been observed as nearly as possible, without giving necessary explanations as to failure, cannot be accepted hereafter, nor will explanations of repeated violation of the same rule be received, except shown satisfactorily to have been unavoidable.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*Miss J. M. Bradley,  
East Public School, Vancouver.*

VICTORIA, May 15, 1889.

DEAR SIR,—In your monthly report for April the answer given to question 24 is not satisfactory.

The fact of closing the school at 3 o'clock for one day is no reason why you should not answer the question in the affirmative, giving, of course, the necessary explanations on the back of report.

A negative answer seems to imply general disregard of the rule. Please be particular in the future in your answers to questions 24 and 25.

Yours truly,

(Signed)

S. D. POPE,

*Superintendent of Education.*

*J. J. Bannerman, Esq.,  
Public School, Enderby.*

VICTORIA, B. C.:

Printed by RICHARD WOLFENDEN, Printer to the Queen's Most Excellent Majesty.