

year, but it was suspended for alleged breach of faith, as detailed in the evidence.

2. Mr. James Mallen, a Public School Teacher in Morrisburg.
3. Mr. James Flannigan, a Public School Teacher, No. 11 Matilda.
4. Mr. Thomas McNulty, late Public School Teacher, now Insurance Agent, Dixon's Corners.
5. Arthur Brown, Esq., Examiner.
6. Dr. C. E. Hickey, Examiner.
7. Mr. Wm. Elliott, High School, Morrisburg.
8. Irwin Stuart, Esq., Head Master, Morrisburg.
9. Mr. Jacob Hanes, School Trustee, No. 1. Williamsburgh.
10. W. A. Whitney, Esq., M.A., Examiner.
11. Rev. W. Fergusson, M.A., Inspector.
12. Rev. Mr. Robson, Methodist Minister.
13. Mr. Allen Weagant, Public School Teacher.

Order of Evidence.

The following is the order in which the evidence was given :—

1. Opening remarks, by Dr. Hodgins.
2. Evidence of James Mallen.
3. " William Elliott.
4. " Archibald Loucks.
5. " Arthur Brown.
6. " William A. Whitney.
7. " Rev. Wm. Fergusson.
8. " Archibald Loucks—recalled.
9. " Jacob Hanes.
10. " Thomas McNulty.
11. " James Flannigan.
12. " Rev. E. Robson.
13. " Allen Weagant.
14. " William A. Whitney—recalled.
15. " Charles E. Hickey.
16. " Rev. W. Fergusson—recalled.
17. " Irwin Stuart.
18. Closing remarks, by Dr. Hodgins.

Report and evidence in the case of Archibald Loucks v. Rev. Wm. Fergusson, M.A., Inspector of Public Schools, and W. A. Whitney, Esq., M.A., a member of the Board of Examiners for the County of Dundas.

COMMISSIONERS.—J. GEORGE HODGINS, LL. D., *Deputy Minister of Education for Ontario.*

W. R. BIGG, Esq., *Inspector of Public Schools for First Division of Leeds and Brockville.*

MORRISBURG, May 19th, 1876.

SIR.—By virtue of a Commission under the hand and seal of the Hon. Minister of Education for Ontario, appointing "Dr. Hodgins, Deputy Minister of Education, and W. R. Bigg, Esq., Inspector of Public Schools for the First Division of the County of Leeds, Commissioners to enquire into and report to me, in regard to certain complaints made to me, the Minister, by Mr. Archibald Loucks, a Public School Teacher in the County of Dundas, against the conduct and proceedings of the Rev. W. Fergusson, M.A., Public School Inspector and Examiner in that County, and against the conduct and proceedings of W. A. Whitney, M.A., also an Examiner for Public School Teachers' Certificates in the same County, during the years from 1871 to 1875 inclusive, and other alleged irregularities," and further directing that the evidence shall be taken under oath :

We the Commissioners therein specified, by virtue of the authority thereby vested in us, beg leave to report :

That the Court of Enquiry was duly opened in the Town Hall at Morrisburg, in the County of Dundas, at the hour of ten a.m., on Tuesday, May 16th, 1876, the services of a short hand reporter (Mr. Burgess, of the *Ottawa Times*) having been secured to facilitate the enquiry.

The several witnesses having been duly sworn by W. R. Bigg Esq., their evidence was taken down in short hand by Mr. Burgess, and, when subsequently written out, was read to each of the witnesses and duly signed by each in presence of W. R. Bigg, Esq., and attested by him.

The Commissioners having carefully listened to the entire evidence have formed their conclusions in regard to the merits of the case, which they are prepared to state, if thought desirable by the Minis-

ter of Education. In the meantime they herewith submit the evidence as taken in full.

We have the honour to be, Sir,

Your obedient servants,

J. GEORGE HODGINS,
Deputy Minister of Education,
W. R. BIGG,

Inspector of Public Schools First Division Leeds.

To the Honourable
the Minister of Education.

8. DUNDAS COUNTY SCHOOL INVESTIGATION.

MORRISBURG, 16th May, 1876.

The Commissioners (J. George Hodgins, Esq., LL. D., Deputy Minister of Education, and W. R. Bigg, Esq., School Inspector, Division No. 1, Leeds), appointed by the Hon. Minister of Education, for the purpose of inquiring into certain alleged irregularities in connection with the examination of Teachers by the County Board of Examiners of Dundas, in 1874, met this day in the Town Hall, Dr. Hodgins presiding.

At the request of the Chairman, Mr. Bigg read the Commission issued by the Minister of Education, ordering the investigation to be made.

Dr. Hodgins, in opening the proceedings, said :—Permit me to say a few words with regard to the Commission and the purpose for which it has been issued by the Hon. Minister of Education. I deeply regret the cause of it and trust that, in the interests of all parties concerned, we shall be able satisfactorily to arrive at the facts of the case. In doing so, we propose to call witnesses named by the Complainant to give evidence in the case, with the investigation of which we have been charged; the testimony of each witness will be taken down by a highly competent short-hand writer—question and answer. For this purpose, we have been fortunate enough to engage Mr. Burgess, of the *Ottawa Times*. The evidence will afterwards be written out by Mr. Burgess and signed by each witness, in presence of one of the Commissioners.

In regard to the purpose for which this Commission has been issued, I would like to impress upon all parties concerned, that we have no animus in the matter one way or the other; but as every one must very well understand, it is a prime necessity that there should be (as indeed in all cases there must be) full confidence reposed in every officer in any way connected with the administration of the School Law. It is, therefore, the privilege of every person officially connected with our school system to make any reasonable complaint which he sees fit in regard to the conduct of these officers, from the highest to the lowest. It is the duty of the Department to take cognisance of, and, either by letter or orally, investigate these complaints, and to deal with them as the facts disclosed may justify. Recently we had an investigation, similar to the present one, in Ottawa. I was very sorry for it, because we did not, under the circumstances, expect cases of that nature would arise. In conducting teachers' examinations, the examiners—as you are aware—voluntarily assume a very serious and important duty. They make such a declaration in regard to the manner in which they will conduct the examination, that it is but reasonable to expect they will faithfully fulfil their promise. The Department has framed the Regulations under which all the examinations are conducted, that if the examiners depart from the strict letter of the law in any respect, they inflict a wrong on others and violate the Regulations at their peril. I need not point out to you, what must be obvious, that any infringement of these Regulations involves a very grave injustice to the other teachers who are being examined throughout the Province on the same day. Unless all parties concerned abide by the law in every particular, as it bears upon the way in which examinations are to be conducted, the integrity of the examination itself is imperilled.

The sole object which we have in view in hearing this case, is to give all parties concerned full opportunity of stating the facts. To have these facts brought out is the whole of our duty, and not to pronounce judgment upon them. That duty devolves upon the Hon. Minister of Education, to whom our report will be submitted. Questions will be put to the witnesses through the Commissioners, or with their consent; and with my colleagues and myself it will rest, should occasion arise, to say whether these questions are in order and relevant, or whether they are out of order and irrelevant. Inquiries or remarks which would be unjust or personally offensive will thus be prevented. Our position is almost entirely judicial; and we shall endeavour to follow as strictly as the circumstances will permit, the rules laid down by legal authority in regard to the taking of evidence in cases of this kind. The evidence offered must be direct, and not based upon hearsay. If offered, we may have to