

(No. 93.)



1865.

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T A S M A N I A.

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MR. COOPER'S CASE.

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Laid upon the Table by the Colonial Treasurer ; and ordered by the House to be printed, 12 September, 1865.



New Norfolk, 12th April, 1861.

DEAR SIR,

I REGRET being compelled to call your attention to the following circumstance in connection with my attendance, as a Special Visitor, at the Public School in this Township.

While visiting the School on Friday morning last, in the above capacity, the Conductor laid before me a Circular addressed by the Board to Special Visitors on the subject of "Fuel Allowance, School Fees," &c., requesting me, at the same time, to interest myself about taking the necessary steps to reimburse him for his losses under these heads, owing to the late reduction in Teachers' salaries.

In reply, I told him civilly my views on the subject, and ended by saying—that I should be happy to meet the other Special Visitors of the School, and consult with them as to the best mode of effecting the required object. I further expressed my readiness to unite with them and others in contributing to any Fund which it might be thought expedient to raise for such a purpose.

Without in any way acknowledging my willingness to comply with his request, Mr. Cooper again urged upon my notice the matter of School-fees, and took the opportunity of saying, in the presence of, and in close proximity to, his scholars, that "there had been a great deal of trouble and unpleasantness lately amongst their parents on the subject of School fees." This annoyance," he proceeded to remark, "had arisen from a certain accusation which I had lately sent in to the Board concerning him." In the hope of terminating a discussion so injudicious and unseemly in school hours, I briefly assured him of the fact, that he was mistaken in supposing me to have originated any charge whatever against him. Upon this, Mr. Cooper rejoined, "that I had forwarded to the Board two charges against him, and that in both cases I had *taken very good care* not to refer those charges to him for previous explanation," with other reproachful observations to the same effect, whose tone and manner I perceived were attracting the attention of the children present, but which, from the rapidity and seeming excitement with which they were uttered, I am unable now distinctly to recall. Those which are here quoted, however, are, I am positive, in substance correctly stated.

Now, it is very possible that Mr. Cooper may feel aggrieved at what he imagines to be my unfair treatment of him; but, while making every allowance for any such sensitiveness on his part, it can hardly be expected that I should submit to attend his School for the purpose of listening to a public reproof from him. Hence, after having attempted, in vain, a satisfactory private adjustment of this difficulty, I am reluctantly obliged to bring it under the notice of the Board, not with the view of injuring Mr. Cooper, who is in many respects an efficient Teacher, but simply for my own protection, and from a sense of what is due to the position which I hold in this place. And since, by the School Regulations, even the Inspector is not permitted to censure a Teacher in the presence of his Scholars, I have every confidence that the Board will admit my claim to the like immunity from public oburgation which Mr. Cooper himself very properly enjoys. I venture to think myself entitled to this degree of consideration from the Board,—

1st. On account of my having now for upwards of six years habitually given no insignificant amount of time and attention to the work of our Public Schools in this District; and

2nd. Because in all my visits to these Schools have been scrupulously careful on my part not to infringe the rules established by the Board, but, as far as possible, to comply with them.

Before closing my letter, I beg leave to make this additional statement. Mr. Cooper has been lately employed in getting up a Testimonial to his own politeness and urbanity in all his intercourse with the Parents of his Scholars; his object, plainly, being to show that the caution lately given him by the Board, on that head, was uncalled for and unjust. Without any wish to revive that question, it is due, nevertheless, to myself to say that I am prepared, whenever formally called upon, to substantiate any suggestion I may have made to the Board respecting it, with what I conceived at the time, and still believe to be, *reliable evidence*.

Believe me to remain,

Dear Sir,

Yours faithfully,

WM. W. F. MURRAY.

MURRAY BURGESS, Esq.

REFERRED to the Inspector of Schools, the Board understanding that Mr. Stutzer has made personal enquiries into the case.

By Order of the Board,

MURRAY BURGESS.

22 April, 1861.

MR. COOPER, of *New Norfolk*, *Complaint of the Rev. F. MURRAY against.*

THE Board having directed me to report the circumstances which have come to my knowledge with respect to the complaint of the Rev. Mr. Murray against Mr. Cooper, I beg to state as follows:—

I first heard of a fresh misunderstanding having arisen between Mr. Murray and Mr. Cooper on the evening of Wednesday, the 10th instant, from Dr. Officer. The next morning he showed me Mr. Murray's letter, and agreed to go with me to Mr. Cooper. It may be sufficient to say that, in a private interview with Mr. Cooper, Dr. Officer and myself confined ourselves to asking him as to the correctness of Mr. Murray's statements in the first place. He attempted to diverge into a variety of irrelevant matter; but on being kept steadily to the question at issue, acknowledged thus much—that Mr. Murray visited the school in his capacity of Special Visitor, and had made no observations of any kind when Mr. Cooper abruptly addressed him before the children upon the points mentioned in Mr. Murray's letter; viz. the charges which he asserted to have been against him by Mr. Murray to the Board. Admitting the fact, he denied however that his manner was designedly and palpably offensive. Dr. Officer then asked him whether he would agree to Mr. Murray's wish, and consent to promise in future to avoid all such subjects in school-hours. He refused to make any such promise, but offered to leave every thing to the decision of the four recently appointed School Visitors. I refrain from saying any thing as to Mr. Cooper's manner to Dr. Officer and myself, not wishing to prejudice his position.

There can, I suppose, be no doubt that by interfering with a Special Visitor in the case of a visit, Mr. Cooper has decidedly broken the Regulations of the Board. To address the clergyman of the parish, or any minister, before the children in such a manner is, to say the least, in flagrant bad taste. Mr. Cooper's best excuse is that he is out of health, and long infirmity has trained him to a licence of expression and offensiveness of manner of which he is probably not himself aware. I found the school as usual in good order, and of Mrs. Cooper nothing but good can be spoken.

J. J. STUTZER.

29th April, 1861.

*Southern Board of Education, 30th April, 1861.*

SIR,

I HAVE been directed to notify to you that the Board have had under consideration the complaint recently preferred against you by the Rev. Mr. Murray, Special Visitor, New Norfolk School, together with the Report of the Inspector thereon, and I am now to transmit for your information copy of a Resolution which has been passed by the Board upon the subject.

I remain, &c.,

(Signed) MURRAY BURGESS, *Secretary.*

MR. COOPER, *New Norfolk.*

*COPY of Resolution passed 29th April, 1861.*

"That Mr. Cooper be informed that his conduct in rudely addressing the Rev. Mr. Murray while acting as Special Visitor was most improper and irregular, and that his subsequent refusal to make amends for such conduct when remonstrated with by Dr. Officer and the Inspector renders it necessary that he should be removed from the School, unless he makes a written apology to Mr. Murray, and give an assurance that there shall not be a recurrence of such conduct."

*New Norfolk, 10th May, 1861.*

DEAR SIR,

I RECEIVED your Letter dated 30th April, referring to a complaint made against me by the Rev. W. W. F. Murray, as also a Resolution passed by the Board the previous day.

I have now the honor to inform the Board that I have not had any complaint of the kind referred to officially laid before me, and consequently am not in a position to take further action in the matter.

I am, dear Sir,

Your obedient Servant,

J. M. COOPER.

M. BURGESS, *Esq.*

*Southern Board of Education, 14th May, 1861.*

SIR,

I HAVE received and laid before the Board your letter of the 10th instant; and, in reply, I have been directed to inform you that they adhere to their Resolution of the 29th April, as already conveyed to you, and that unless they receive satisfactory evidence that the directions contained in that Resolution have been carried out, they will have no alternative but to direct your removal from the School at the termination of the current month.

Yours obediently,

MURRAY BURGESS, *Secretary.*

MR. COOPER, *New Norfolk.*

*New Norfolk, 30th May, 1861.*

SIR,

I BEG to inform you that I respectfully but firmly protest against the proceedings of the Board of Education relative to a complaint said to have been preferred against me by the Rev. W. W. F. Murray.

I simply do this because no opportunity was afforded me by the Board of knowing the exact nature of these charges, nor any opportunity of repelling or denying the same.

I now appeal from the decision of the Board of Education, and will petition His Excellency to interpose his authority to prevent the same being carried out, until an investigation be instituted to prove the truth or falsity of the charges preferred.

I am, Sir,

Your obedient Servant,

J. M. COOPER.

M. BURGESS, *Esq.*

*Education Office, Hobart Town, 4th June, 1861.*

SIR,

I HAVE been directed to acknowledge the receipt of your letter of the 30th ult., protesting against the proceedings of the Board "in reference to a complaint said to have been preferred against you by the Rev. W. W. F. Murray," and to acquaint you that the Board see no reason for departing from their decision that your services as Schoolmaster should be dispensed with in consequence of your contumacious refusal to comply with the order of the Board conveyed to you on the 30th April last.

With regard to your statement that no opportunity was afforded you by the Board of knowing the exact nature of the charges preferred against you by Mr. Murray, I am to observe that when the Board had under their consideration the letter of Mr. Murray to my address complaining of your conduct, as also the Report of the Inspector of Schools in reference to the contents of that letter, the Board knew that you were in possession of a letter from Mr. Murray to Dr. Officer giving in full detail the complaint which was repeated in Mr. Murray's letter to the Board, and upon which complaint you had refused to comply with Dr. Officer's request, on his visit to the School accompanied by the Inspector of Schools, that you would promise not to offend again in a similar manner. The Board, therefore, could only regard your representation of the 10th May, "that you had not had any complaint of the kind referred to officially laid before you, and that you were not consequently in a position to take further action in the matter," as an evasion which ought not to have been resorted to by any one charged with the education of children, and altogether unbecoming the relation in which as a Schoolmaster you stood to the Board of Education; and it was on this view of your case that you were informed, on the 14th May, that unless you apologised to Mr. Murray, as previously directed, your services would be discontinued.

I remain, &c.,

(Signed) MURRAY BURGESS, *Secretary.*

Mr. COOPER, *New Norfolk.*

*EXTRACT from Minutes of the Southern Board of Education, dated 3rd June, 1861, No. 2028.*

"THE Secretary was instructed to make application, through the Government, that the District Constable at New Norfolk be requested to take charge of the School and School property pending the appointment of Mr. Cooper's successor."

*EXTRACT from Minutes of the Southern Board of Education, dated 10th June, 1861, No. 2037.*

“READ a letter from District Constable Richardson, reporting that Mr. Cooper had declined to hand over to him the School Property at New Norfolk, because he had not been furnished with a copy of the Minute of the Board directing his dismissal; whereupon it was resolved as follows:—

“As it appears from the letter of Mr. Richardson, District Constable of New Norfolk, that Mr. Cooper does not recognise the terms of his removal from the office of Schoolmaster at New Norfolk, and requires a particular memorandum of removal from the Board before he hands over charge of the School, it is hereby notified that his services are dispensed with from this date; and he is requested to hand over the School-house and Property of the Board to Mr. Richardson. With regard to his crop, it can be allowed to remain to suit his convenience.”

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*Southern Board of Education, 11th June, 1861.*

(Copy.)

SIR,

I AM directed by the Board of Education to acknowledge the receipt of certain Resolutions passed at a Public Meeting of the inhabitants of New Norfolk, of which you were Chairman, and conveyed to the Board in the handwriting of Mr. Cooper, together with a letter from himself protesting against a Resolution of the Board to remove him from office unless he apologised to Mr. Murray for the offence of addressing him in a rude and improper manner when acting in his capacity of Special Visitor of the School.

The Board have no means of knowing upon what data the Meeting adopted these Resolutions; but presuming they have been grounded upon Mr. Cooper's own representation of the merits of the case, and, judging from the evasive course of proceeding adopted by that gentleman in his communications with the Board, that he grounds his defence upon the plea that he has been dealt with upon *ex parte* statements, without having had the opportunity afforded him of defending himself, I am directed to convey to you, for the information of the inhabitants of the District, a correct account of the circumstances which have led to his removal from office.

Before doing so, and in order that you may the more clearly understand the imperative necessity under which the Board acted in dealing with Mr. Cooper in this case, it becomes necessary to inform you that Mr. Cooper had been previously censured by the Board for an ungovernable act of temper, which the Board passed over because Mr. Cooper had made an acknowledgment of error to the party concerned; and although his conduct upon that occasion was very flagrant, the Board had made every allowance for the excited feelings under which he may have acted, and dealt with him in a lenient manner, hoping that for the future he would endeavour to act in a conciliatory spirit as became one entrusted with the education of young people, and preserve an impartial bearing free from the influence of local disputes.

In this expectation they have been disappointed; and with every desire to support Mr. Cooper in the legitimate exercise of his authority, his conduct in the present case has been so perverse and contumacious as to leave the Board no other alternative than to remove him.

The circumstances which have led to this result are as follows:—

A complaint was preferred by Mr. Menzies, forwarded by the Rev. Mr. Murray as Special Visitor of the School, relative to an extra charge for School Fees. As this complaint appeared to have arisen out of a misunderstanding, the Board supported Mr. Cooper, but they expressed the hope, which was justified by reference to past as well as present proceedings, that in his intercourse with the inhabitants he would endeavour to preserve a conciliatory demeanour.

This very natural, and certainly not uncalled for, admonition on the part of the Board Mr. Cooper thought proper to resent as something like a personal wrong, attributing it to the representations of the Rev. Mr. Murray; and, acting seemingly upon these impressions, he appears to have taken the first opportunity that presented itself of accosting Mr. Murray in a rude and offensive manner while acting as Special Visitor of the School before the assembled children.

The Inspector, Mr. Stutzer, being on the spot, enquired with Dr. Officer into the case, and reported upon it to the Board. Annexed is a copy of that Report.

You will perceive from thence that Mr. Cooper was in full possession of the charge preferred against him by Mr. Murray; and that he had in his possession a letter from Mr. Murray to Dr. Officer, identical in substance with that forwarded by Mr. Murray to the Board, containing that charge. For Mr. Cooper to profess an ignorance of the charge, after an official enquiry had taken place upon it in presence of the Inspector and Dr. Officer, could not but be regarded as extremely disingenuous; and the Board accordingly treated his request to be furnished with a copy of Mr. Murray's letter as an evasive attempt to re-open a question which had been already disposed of.

You will observe that the case is a very simple one, and narrows itself into the single issue whether or not Mr. Cooper had addressed Mr. Murray while acting as Special Visitor of the School in a rude and offensive manner. The Board held that he had done so; and whatever Mr. Cooper's own impression of his own manner and conduct may have been, there can be no question but that he was quite wrong in addressing Mr. Murray at all upon personal matters in the presence of the children in the school.

The Board called upon Mr. Cooper to apologise: he has evaded doing so, and has added to his original fault the discreditable artifice of pretending not to know or be acquainted with the charge preferred against him was one which was enquired into on the spot in his presence, and when he was in possession of a letter of Mr. Murray's containing that charge.

The Board gave time to Mr. Cooper to choose between the alternative of making an apology which would not have humiliated him, or being removed from charge of the School. This interval he has used in attempts to resist the action of the Board; and however they may regret this step for his own sake, his removal has been rendered imperatively necessary entirely through his own misconduct.

I have, &c.  
(Signed) MURRAY BURGESS, Secretary.

Captain FENTON, Fenton Forest.

New Norfolk, 5th November, 1861.

Your Excellency will remember that I laid before you a Petition some months ago against my removal from the Public School without the charge preferred against me being officially laid before me, or any opportunity being afforded of producing evidence of rebutting the same.

Your Excellency was pleased then to inform me that the Petition and other documents accompanying would be laid before the Board of Education for their report thereon; thereafter you would consider the question.

I hope Your Excellency will oblige me by forwarding for my inspection and information the Board's report, or a copy of the same.

I enclose a copy of a document presented by my Pupils, who were all standing within a few feet of Mr. Murray and myself when engaged in conversation.

That document, signed by fourteen witnesses, declares Mr. Murray's statement wholly untrue.

I have the honor to be,  
Your Excellency's obedient Servant,  
J. M. COOPER.

Sir H. E. F. YOUNG.

New Norfolk, 28th August, 1861.

WE, the undersigned Pupils who attended the Public School here, under Mr. Cooper, on the occasion of Rev. Mr. Murray's last visit, remember observing a somewhat lengthened conversation between Mr. Murray and Mr. Cooper. Being only a few feet from both when engaged in that conversation, we noticed that it was carried on agreeably and with good will on both sides; and we believe the statement made by Mr. Murray, "that Mr. Cooper rudely addressed him," wholly untrue.

We sign this document with the approval of our Parents.

	<i>Age.</i>			<i>Age.</i>
George Griffiths .....	11		John Williams .....	15
Alfred Bishop .....	14		Louisa Williams .....	12
Samuel Bishop .....	12		Mary Ann Gordon .....	12
James Alexander Brown .....	11		Margaret Mackie .....	9
William Gadd .....	11		T. Downie .....	11
Charles Gadd .....	9		James Rossiter .....	13
Jane Thompson .....	11		Sarah Lumsden .....	12

REFERRED to Mr. Burgess. I declined to interfere in the case with the Board's decision after I had perused very voluminous documents.

H. E. F. YOUNG.  
Novr. 25, 1861.

*Southern Board of Education, 13th November, 1861.*

SIR,

IN compliance with your request I have laid before the Board copy of an address presented to you on the 18th August last by certain of your Pupils at the Public School, New Norfolk; and in reply I have now been directed to inform you that the Board see no reason to alter their previous decision on your case.

I remain, &c.,

(Signed) MURRAY BURGESS, *Secretary.*

MR. COOPER, *New Norfolk.*

*New Norfolk, 21st November, 1861.*

SIR,

A FEW days ago I received a letter signed by you, stating that, "at your request, I laid before the Board a document presented by certain of your pupils," &c. Now, Sir, I should wish to be informed if you laid that document before the Board, stating that I had requested you to do so in order that the Board might reconsider the question? If such is the case I suppose you will have no objection to furnish me with a copy of that request.

I am, Sir,

Your obedient Servant,

J. M. COOPER.

M. BURGESS, *Esq.*

WE, the undersigned Parents and Guardians, who have or had pupils at the Public School, New Norfolk, do hereby certify that the Teacher (Mr. Cooper) has cultivated a courteous spirit in all his communications with us relative to the education of the children entrusted to his care.

- |                                             |                                            |
|---------------------------------------------|--------------------------------------------|
| 1. Ralph Terry.                             | 51. Sarah Doran.                           |
| 2. William Downie.                          | 52. Thomas Nicholson.                      |
| 3. John Hanson.                             | 53. H. Brown.                              |
| 4. John Gadd.                               | 54. John Rossiter.                         |
| 5. James Edwards, his + mark.—J. M. C.      | 55. William Menzie, his + mark.            |
| 6. Thomas Allwright.                        | 56. A. Laing.                              |
| 7. Alexander Smith.                         | 57. James Gillice.                         |
| 8. William Stokes.                          | 58. Joseph Wood, his + mark.               |
| 9. Mrs. Neil Graham, A. S.                  | 59. John Wamersley.                        |
| 10. Charles Lewis.                          | 60. John Breeze, his + mark.—J. B.         |
| 11. Charles Tyler.                          | 61. Thomas Potter, his + mark.—J. M. C.    |
| 12. James Simper.                           | 62. Peter Gray.                            |
| 13. William Morrison.                       | 63. Peter Tallon.                          |
| 14. Charles Cannell.                        | 64. Joseph Randall, his + mark.—J. M. C.   |
| 15. James Bishop.                           | 65. C. Griftern Seil.                      |
| 16. W. G. Salier.                           | 66. Frederick Wass.                        |
| 17. C. A. Griffiths.                        | 67. W. Harris, his + mark.—R. T.           |
| 18. R. Thompson.                            | 68. James Lumsden.                         |
| 19. F. Hoodgson, his + mark.—R. T.          | 69. George Hardwicke.                      |
| 20. Tozarer E. Pole.                        | 70. John Martin.                           |
| 21. Edward Gordon.                          | 71. Henry Gurney.                          |
| 22. Phoebe Excell.                          | 72. George Bloomfield.                     |
| 23. Neil Mackinnon.                         | 73. William Mathews.                       |
| 24. James Donnellan.                        | 74. James Bruce.                           |
| 25. James O'Brien Croker.                   | 75. John Thurley.                          |
| 26. Henry Warmingham.                       | 76. Henry Wooley.                          |
| 27. Thomas Catten.                          | 77. Robert Parsons.                        |
| 28. Thomas Arnold.                          | 78. Mary Jackson.                          |
| 29. William Miles.                          | 79. R. Burrows.                            |
| 30. James Wilshire.                         | 80. Robert Williams.                       |
| 31. Bridget Fitzgerald.                     | 81. M. Bromley.                            |
| 32. Margaret Smith.                         | 82. Eliza Cockerell.                       |
| 33. Catherine Morris.                       | 83. H. M. Cockerell.                       |
| 34. Louisa Elley.                           | 84. Mark Glenn.                            |
| 35. Thomas Turner, his + mark.—J. M. C.     | 85. Mary Smith.                            |
| 36. Ann England, her + mark.—J. M. C.       | 86. (Illegible.)                           |
| 37. John Tremain, his x mark.—J. M. C.      | 87. James Mackie.                          |
| 38. Dorothy Porthouse.                      | 88. Margaret Burke, her x mark.—J. M. C.   |
| 39. Mary Ann Bennett, her + mark.—J. M. C.  | 89. Michael Carey.                         |
| 40. Elizabeth Ryan, her + mark.—T. M. C.    | 90. Patrick Meara.                         |
| 41. Elizabeth Williams.                     | 91. James Ryan.                            |
| 42. Mary Tolbert, her + mark.—E. W.         | 92. Richard Martin, his + mark.—J. M. C.   |
| 43. Elizabeth Boag, her + mark.—J. M. C.    | 93. William Warren.                        |
| 44. Catherine Synnott, her + mark.—J. M. C. | 94. Thomas Terry.                          |
| 45. John Hanscombe, his + mark.—J. M. C.    | 95. George Rigby.                          |
| 46. Charles Miller, his + mark.—J. M. C.    | 96. Catherine Laskay, her x mark.—J. M. C. |
| 47. Elizabeth Warren, her + mark.—J. M. C.  | 97. Mary Gorham, her x mark.—J. M. C.      |
| 48. Elijah Simpson, his + mark.—J. M. C.    | 98. Charles Morey.                         |
| 49. Ann Ogden.                              | 99. Wm. Sherwood.                          |
| 50. William Howe.                           | 101. John Palmer, his + mark.—J. M. C.     |

WE the undersigned Special Visitors have much pleasure in bearing testimony to the courteous manner and bearing manifested by Mr. Cooper in all his intercourse with us pertaining to the management of the Public School at New Norfolk.

HENRY LLOYD, J.P.  
WILLIAM DOWNIE.  
WILLIAM WHITTAKER.  
WM. CAHILL.

WE the undersigned Visitors do certify that Mr. Cooper manifested an affable and courteous deportment to us on the occasion of our visits to the Public School, New Norfolk.

J. Turnbull.  
M. Terry.

J. Officer.  
M. Officer.

M. A. Downie.  
Ebenz. Shoobridge.

### REQUISITION OF THE INHABITANTS OF NEW NORFOLK.

*New Norfolk, November 22nd, 1861.*

HAVING heard, with feelings of regret, that you are about to close your School at the end of the year, we the undersigned parents and guardians residing in or near New Norfolk, believing that the Board of Education, by many of their late acts, has failed, or will do so, in retaining in their service such a body of respectable educated men as would tend to forward the interests of education in the Colony, most earnestly desire you to continue your present School, expecting, ere long, a salutary change in educational matters. That during your stay amongst us, embracing a number of years, we have known you holding the rank of a First Class Master, while the children under your care, both as regards their morals and education, have made that progress which at once proves to us the necessity of soliciting your stay amongst us. We may also add that the same regret would be felt at the loss of your valuable partner's (Mrs. Cooper's) services.

W. G. Salier.	Stansel Griffiths.	— Catten.	R. Thompson.
William Downie.	James Mathews, sen.	— Smith.	William Stokes.
W. James.	John Frost.	— Menzie.	Robert Williams.
John Hanson.	John Gadd.	— Burke.	E. F. Bromley.
Ralph Terry.	Richard Martin.	Louisa Elley.	R. Cockerill for H. M. Cock-
William Mathews.	J. Bennett.	Neil M'Kinnon.	James Tubb.
Thomas Allwright.	Henry Smith.	H. Phillips.	Joseph Krimmer.
— Thompson.	John Bishop.	S. Wass.	Thomas Fitzgerald.
Chas. Morey.	C. Griffiths.	— Hodgson.	H. C. Hurst.
Wm. Johnson.	R. Burrows.	— Thurley.	Thos. Nicholson.
W. Barton.	John Rossiter.	Ed. Gordon.	A. Riddock.
T. Arnold.	Andw. Guy.	William Boag.	W. Mills.
W. Davis.	James Bruce.	E. Williams.	R. Timbs.
N. M'Kinnon.	Charles Lewis.	Z. P. Workman.	R. Hall.
Wm. Rousell.	Thomas Patten.	Wm. Howe.	J. Randall.
T. A. Shone.	M. A. Mann.	H. Brown.	James Salter.
T. Shone.	John Clay.	— Cardwell.	James W. Salter.
Robert J. Wills.	James Lumsden.	Mrs. Tyler.	Charles Williams.

To Mr. J. M. COOPER.

*New Norfolk, 18th December, 1861.*

MRS. COOPER and myself have much pleasure in acceding to the request that the School be continued, as at present, more especially coming from those who have employed my services for many years, and have had ample opportunities afforded of estimating my character as a moral Teacher.

Your opinion of the acts of the Board of Education can excite little surprise in the mind of any one conversant with the fact that "privileged communications" are received and recorded without the nature of these being known to the accused, thereby giving any unprincipled person an opportunity of destroying the character of any public servant with impunity.

The pernicious effects of such a practice may be inferred from the following example:—Rev. Mr. Murray visited the Public School here, appeared more than usually pleased and agreeable during his visit; after leaving wrote a private letter to a Member of the Board complaining that I had rudely addressed him in the presence of the pupils, who he said were listening attentively.

In a private interview with the Inspector and a Member of the Board, previous to any complaint having been made officially against me, I distinctly denied the charge, and offered to produce evidence that it was untrue.

During the time Mr. Murray and myself were conversing, my highest class was standing close to us, both observing attentively what was passing. The subjoined declaration of the pupils will show the transaction in its true light.

I have the honor to be,  
Your obedient Servant,

J. M. COOPER.

To Messrs. SALIER, JAMES DOWNIE, and others  
signing the Requisition.



New Norfolk, 9th January, 1862.

MAY it please Your Excellency to cause to be laid before me any statement made by the Board of Education affecting anything stated in my Petition to Your Excellency, in order that I may have an opportunity of explaining or rebutting any contrary statement.

I have the honor to be,  
Your Excellency's obedient Servant,

J. M. COOPER.

To His Excellency Colonel GORE BROWNE, &c.

For Ministers—

THE Officer Administering would like to know what reply is to be given to the Memorial from the same writer.—T. G. B., Jan. 11.

Education Office, Hobart Town, 14th January, 1862.

SIR,

I HAVE received and laid before the Board the Minute of the Administrator of the Government, under date the 3rd instant, covering a Petition, with enclosures, from Mr. Cooper, late Conductor of the Public School at New Norfolk; and I have now, by direction of the Board, the honor to transmit the accompanying Correspondence for His Excellency's information, from which it will be seen that ample enquiry has already been granted in Mr. Cooper's case.

I have been further directed to call attention to the Minute of Sir Henry Young, dated 25th November last, (Enclosure No. 13), on a previous appeal of Mr. Cooper, wherein His Excellency remarked that "after perusal of very voluminous data he declined to interfere with the Board's decision."

I have the honor to be,  
Sir,

Your most obedient Servant,

MURRAY BURGESS, Secretary.

The Hon the Colonial Secretary.

*In re* Petition of Mr. Cooper, late Schoolmaster at New Norfolk.

Submitted,—That Mr. Cooper be informed that no sufficient grounds appear to exist warranting a re-opening of this case, which has been fully investigated by the Board of Education, and with whose decision Governor Sir Henry Young subsequently declined to interfere.

(Signed) W. HENTY.

19th January, 1862.

His Excellency the Governor.

New Norfolk, 11th August, 1862.

To His Excellency Colonel GORE BROWNE, &c., &c.

I BEG to inform Your Excellency that I presented a Petition praying for an investigation into certain charges said to have been preferred against me by the Rev. W. W. F. Murray to the Southern Board of Education, of which charges the Board neither laid a copy before nor gave me an opportunity of rebutting the same, and dismissed me from the service because I would not comply with a certain Resolution of that body, founded on misrepresentations.

I received a copy of an answer forwarded to Your Excellency by the Executive Council, stating that an investigation had previously taken place.

I have now to inform Your Excellency that nothing of the sort ever took place in my presence; farther, I can prove that Members of the Board declared their determination at the very outset to prevent such a thing from taking place at all.

I trust Your Excellency, in order to prevent further doubt about the matter, will see fit to cause the Board of Education to lay before you the following particulars:—the date of Mr. Murray's complaint, and the complaint itself; the investigators appointed, and by whom; when and where the investigation took place; what witnesses were examined; the report of the investigators thereon; thereafter, the conditions proposed by the Board otherwise I could not remain in the Public School.

Your Excellency will, I have no doubt, consider it only an act of justice to lay also before me for my information the information sought for from the Board of Education, as well as return the Petition and other documents attached presented to Your Excellency some months ago.

I have the honor to be,  
Your Excellency's obedient Servant,  
J. M. COOPER.

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*Colonial Secretary's Office, 18th August, 1862.*

SIR,

I AM directed to acknowledge the receipt of your Memorial to His Excellency the Governor requesting that the Board of Education may be directed to lay before His Excellency certain particulars connected with the investigation of the complaints preferred by the Rev. Mr. Murray against yourself, and that such particulars, together with your last Petition and accompanying documents, may be sent to you.

In reply, I am to inform you that, the case having been finally disposed of, the Governor does not see any advantage to be gained by a re-examination of the subject, and must decline acceding to your request.

The Petition you refer to, with the documents attached, are returned to you herewith.

I am, &c.,

(Signed) B. T. SOLLY.

Mr. J. M. COOPER, *New Norfolk.*

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*To His Excellency Colonel GORE BROWNE, Companion of the Most Honorable Order of the Bath, Captain-General and Governor-in-Chief of Tasmania and its Dependencies.*

The Petition of James Macadam Cooper, Teacher, New Norfolk.

HUMBLY SHOWETH :

THAT your Petitioner filled the office of Public Teacher here from September, 1854, to June 1861, with satisfaction to those concerned : that the School was favourably reported on by all the Inspectors of that period in their Reports to the Southern Board of Education : that, previous to coming to this Colony, your Petitioner held a respectable position amongst the Scottish Teachers, being a Member of the Educational Institute of Scotland, and holding also many excellent Testimonials from those taking an active part in Educational matters in Scotland : that the School attendance had so much increased during the previous eighteen months that the School accommodation was quite inadequate for the Pupils gathered from various parts of the District : that the Board of Education, in order to remedy that defect, requested your Petitioner to ascertain what amount of Subscriptions the Inhabitants would be prepared to advance for the proposed new School-house : that the Rev. W. W. F. Murray, one of the Special Visitors of the School, fancying the ground promised as a site for the School belonged to the Church, took umbrage at your Petitioner, and set two or three of the inhabitants against him : that ever after Mr. Murray tried by every means to injure the Petitioner in his capacity of Public Teacher, by attempting to set the Parents of the Children against him : that, failing in his object amongst the Parents, Mr. Murray next commenced to write complaints against your Petitioner to the Board of Education : that your Petitioner is prepared to prove the complaints false, so far as he has been enabled to find out what they are ; but the Board of Education received some of his communications as privileged ones, (*i.e.*) communications which are not laid before the accused, although evidently made use of by the Board of Education against those complained of : that Mr. Murray wrote a long letter to the Board on the strength of statements said to have been preferred by Mr. Menzie, Butcher, charging your Petitioner with overcharging for School-fees, dismissing his son from School, and being uncourteous to Mr. Menzie : that your Petitioner, on receiving this letter, wrote to the Board disproving the two first, and assured the Board that the last was untrue : that Mr. Murray wrote a subsequent letter on the same subject to the Board, and that the Board, in their deliverance on the case stated, while they freed your Petitioner from any blame in the matter regarding the overcharge, took occasion to refer to courtesy and giving him some advice thereto, and referred to Mr. Murray's subsequent letter : that your Petitioner applied to have that letter forwarded for his information : that the Board absolutely refused its production : that your Petitioner, finding from private sources that the subsequent letter referred to stated that want of courtesy was a common complaint against him amongst the Parents of the Children : that your Petitioner applied to and received from the Parents and Guardians of all those residing in and about New Norfolk that had had Children with him since coming here a Testimonial, certifying that, in all his intercourse with them, he had cultivated a courteous spirit : out of 106 Parents and Guardians 101 signed the above-mentioned Testimonial, and Visitors and Special Visitors (with the exception of Mr. Murray) bore stronger evidence to the same effect : that some time after your Petitioner spoke to Mr. Murray, as a Special Visitor, in a

friendly manner about various things pertaining to the on-going of the School: that Mr. Murray appeared more than usually pleased and satisfied as to what had passed in School: that your Petitioner was astonished three days after in receiving a letter from Dr. Officer, enclosing a private letter from Mr. Murray complaining that your Petitioner had rudely addressed him in the presence of the Pupils, asking Dr. Officer to reason with your Petitioner on the impropriety of his conduct, and requesting Dr. Officer privately to get a promise from your Petitioner that it should not occur again: that your Petitioner, finding the letter full of untruths and mis-statements, offered (as Mr. Murray had expressed a desire that it should be settled privately without coming before the Board) to refer the matter to the investigation of the Special Visitors, and your Petitioner offered to do whatever the Special Visitors recommended: that the Inspector, Mr. Stutzer, being on a visit to some Schools in the neighbourhood, called, in conjunction with Dr. Officer, to try to settle the matter privately, previous to Mr. Murray preferring a charge against and laying it officially before the Board: that your Petitioner then not only denied the words attributed, but the manner also, and refused to comply with the suggestions of Dr. Officer and Mr. Stutzer to stultify himself by promising not to do again what he believed he had never done, and stated that nothing short of a public investigation would satisfy him, mentioning those able to bear evidence, even the Female Teacher, the advanced Pupils, and himself: that your Petitioner heard nothing farther of the matter until he received a letter enclosing a Resolution passed by the Board; viz. "That Mr. Cooper be informed that his conduct in rudely addressing the Rev. Mr. Murray, while acting as Special Visitor, was most improper and irregular, and that his subsequent refusal to make amends for such conduct, when remonstrated with by Dr. Officer and Mr. Stutzer, renders it necessary that he should be removed from the School unless he make a written apology to Mr. Murray, and give an assurance that there shall not be a recurrence of such conduct:" that at the time the Inspector and Dr. Officer called no charge had been made against your Petitioner to the Board; consequently, when he received the Board's mandate, he expressed his inability to comply, seeing that no official opportunity had been given him of knowing the exact nature of the charges, and no opportunity of rebutting the same: that, supposing your Petitioner had been unprincipled enough to comply, in the first place with Dr. Officer's and the Inspector's suggestions, or, secondly, with the Board's, the advanced Pupils being perfectly aware of the utter groundlessness of Mr. Murray's charges: that the Board expressed their determination to remove him, failing compliance with their former Resolution: that that Resolution demanded of him to tell an untruth and apologise for what he never did, and promise that he should never do again what he had never done: that the great body of the Pupils in school knew Mr. Murray's charges to be false, and had your Petitioner followed the directions of the Board, it must have deprived him of all moral influence over his Pupils, and rendered him unfit to be an Instructor of Youth: that your Petitioner is quite able and willing to devote his time and talents to the instruction of Youth, but is debarred by conditions which no honest, truthful man could submit to: that the Board forwarded instructions to the District Constable to take possession of the premises and furniture: that your Petitioner declined to give up the premises, unless the Board formally dismissed him: that the Board forwarded a dismissal on the 12th June, declaring him dismissed on the 10th of the same month: that the Female Teacher, who was not appointed at the same time as your Petitioner, and had taught under the Board three or four years, was not dismissed, but had the doors closed against her, and no explanation offered: your Petitioner now appeals to His Excellency to prevent the Board of Education from dismissing a public servant upon clandestine charges, and prays that His Excellency may cause an investigation to take place, to prove the truth or falsity of the charges preferred by Mr. Murray.

And your Petitioner will ever pray.

REFERRED for the observations of the Board of Education.

B. TRAVERS SOLLY.  
26 Oct., 1863.

RETURNED, by order of the Board, with the Papers relating to Mr. Cooper's dismissal, for the information of the Government.

T. STEPHENS.  
19th Nov., 1863.

*Colonial Secretary's Office, 27th November, 1863.*

SIR,

I AM directed to acknowledge the receipt of your Memorial praying that His Excellency will cause an investigation into the circumstances attending your removal from the office of Schoolmaster at New Norfolk.

In reply, I am to inform you that your Petition was referred to the Board of Education, who have laid before the Government the former papers connected with your case; and that after a careful consideration of all the circumstances, they see no grounds to justify an interference with the decision of the Board; and I am to refer you to my communication of the 18th August, 1862, which you are requested to view as the final answer of the Government in connection with this subject.

I have, &c.,

(Signed) B. T. SOLLY.

Mr. J. M. COOPER, *New Norfolk.*