

Q.—What would you be positive of? A.—That a statement was made which bore the same relations to the other questions as "Count your teeth" did to the teeth question.

*By Mr. Le Sueur, Commissioner:*

Q.—How many questions were there? A.—I could not say positively, but I think three.

A paper on Physiology was here submitted to the witness.

*By Mr. McDowall, Complainant:*

Q.—How many questions are there in Physiology? A.—Four. There appears to be no question here with regard to the teeth. However, I positively affirm that the Inspector, in reply to a question, gave such an answer as embodied the question in Physiology. My memory has served me wrong in supposing that that reference to the teeth was any part of the question.

Q.—The next morning, when you came to the school and saw the paper, you had a distinct recollection of the Inspector's answers? A.—Yes.

Q.—Did it strike you at once that the Inspector had given information? A.—Yes.

Q.—Did it strike you that if you had gone home and consulted your text books on these particular questions you could have floored the paper? A.—I had that impression next morning, and mentioned it to Mr. Smirle.

*By Dr. Hodgins, Chairman:*

Q.—This was given in reply to a question what the paper would be? A.—Yes, we were going out of the hall, and being a stranger I remember what I heard.

*By Mr. Slack, Commissioner:*

Q.—What hints do you decidedly swear to? A.—I swear positively that the hints were such as would answer the questions.

Q.—What were the hints? A.—I could not swear positively. I know when I saw the paper it came to my mind that if I had availed myself of the Inspector's hints I could have answered them, but this examination was one I had no hesitation about. I felt confident I could pass it.

Q.—You are sure that is the paper which has been shown you? A.—Yes; I never was at any except second and third class examinations.

Q.—When did you write for your first certificate? A.—This year. I find the paper that has been shown me is a first class paper, and not the one I wrote on in July, 1874.

*By Dr. Hodgins, Chairman:*

Q.—You applied for the second class certificate before Mr. Borthwick? A.—Yes.

Q.—And for the first before whom? A.—Before Mr. May, this summer.

Q.—You did not avail yourself of the information given by the Inspector? A.—No.

Q.—Are you sure? A.—I would not like to make a positive statement.

*By Mr. McDowall, Complainant:*

Q.—Is this the second class paper in the 1874 examination (paper handed to witness)? A.—Yes.

*Mr. McDowall.*—I ask to have these put in in evidence:—7th—Enumerate the bones of the trunk; 8th—Describe the process of digestion; 9th—Classify the teeth of an adult.

Q.—You have a distinct recollection of that hint about the teeth? A.—I have a most distinct recollection.

Q.—And when you saw the paper, what did you say to yourself? A.—I thought to myself the answer given to the young lady or young ladies just covered those questions in the same way that "count your teeth" would lead a person to read up the information on that subject.

Q.—Was this information given to one candidate? A.—No, to nearly all the candidates.

Q.—How many? A.—Six or seven.

Q.—Do you know any of the candidates? A.—Yes, those I mentioned before:—Miss Rathwell, Miss Living, Miss Stacey and Miss Pilson (candidates).

Q.—During that examination in July, 1874, have you any recollection of the time being extended? A.—I have.

Q.—Will you state exactly on what paper it was, and what was the extent of the time as far as you know? A.—I cannot say positively what paper, but it was one the time for which was the morning. It was not English Grammar, and it must have been Natural Philosophy, Arithmetic or Algebra.

*By Mr. Slack, Commissioner:*

Q.—The charge does not specify whether it was morning or afternoon? A.—It was in the forenoon. On that paper—I think it was Arithmetic—I got through at the usual time, 12 o'clock, perhaps a little before. I put in my papers, went home, and got my dinner. I took dinner with Mr. Smirle (teacher), and came back with him. When I came back, the young ladies were still writing on that paper.

*By Dr. Hodgins, Chairman:*

Q.—You did not enter the room? A.—Yes.

Q.—After you had closed your examination? A.—Yes, after the time when the papers should have been closed up. I came in at about 20 minutes to one. The paper was very difficult and I felt satisfied when I went away that it was not done.

Q.—Your own paper had been handed in? A.—Yes; they were writing when I went away, and when I came back.

Q.—Did you take your seat again? A.—Not until my time was called.

Q.—Are you positive they were writing on the same subject that they had been when you left? A.—They had not put in their papers, and I was led to suppose they were writing on the same subject.

Q.—How do you know it was the same class you left yourself some time before you went to dinner? A.—My powers of vision—I saw them.

*By Mr. Slack, Commissioner:*

Q.—Do you know they were answering the same questions? A.—To the best of my knowledge. I saw them writing in the same places, and with everything around them the same. I mentioned the matter to Mr. Smirle; said I, "That is strange."

*By Mr. Le Sueur, Commissioner:*

Q.—Was there any exercise for that interval of time, between when you left and when you returned? A.—No. That time was given us for dinner.

Q.—Who was presiding when you returned? A.—The Inspector.

Q.—And he was there when you left? A.—Yes.

Q.—And they were writing in the same place? A.—I am thoroughly satisfied they were writing on the same paper, whatever it was. I am almost positive it was arithmetic.

Q.—Was any objection made to the extension of time? A.—No.

Q.—And you did not take advantage of it? A.—No.

Q.—Was any proposition made to extend the time? A.—Not to my knowledge.

Q.—Can you remember whether you began punctually that day? A.—Yes, to the minute, or almost so.

*By Mr. McDowall, Complainant:*

Q.—You think the time was three-quarters of an hour? A.—Yes, from 40 to 45 minutes; a little more if anything.

*By Mr. Gibb, Counsel for Mr. Borthwick:*

Q.—It was the day before the examination took place you heard about the Physiology paper? A.—Yes.

Q.—Were you amongst the party that made the inquiry? A.—I was.

Q.—Who else were there? A.—A good many of the candidates.

Q.—Were you coming out of any room where an examination had taken place? Q.—I am not positive. I think we were in the hall.

Q.—Were all that had been examined in the hall at that time? A.—I could not tell you.

Q.—Can you tell who were there? A.—I could not.

Q.—Do you recollect any parties who were there except yourself? A.—Most of the candidates were there.

Q.—Could you name any? A.—I could not, because I might name some who were not there.

C.—You cannot name any that were there? A.—I cannot. I am satisfied there was nobody in the building except the examiners and the candidates.

Q.—I want you to mention some who were not there? A.—I would not mention any particular one.

Q.—You don't recollect who put the question? A.—No.

Q.—You do not recollect the exact words of the question? A.—No.

Q.—Do you recollect the exact words of the answer? A.—I recollect part of it—"Count your teeth."

Q.—Can you give any other hint that Mr. Borthwick made, positively? A.—I cannot give the exact words.

Q.—Did you make any observations at the time? A.—I might have.

Q.—Did you as a matter of fact? A.—I don't recollect anything about that.

Q.—Who do you say you mentioned this to? A.—Mr. Smirle.

Q.—Is he the person engaged in getting up this prosecution? A.—No.

Q.—How do you come to be a witness? Have you anything against the Inspector? A.—No. I am very sorry to be here. He has done me many favours. These matters I know about the examination I never made any secret of. I talked about them to the teachers in the city time and again. I am under a feeling of obligation to Mr. Borthwick, and willing to acknowledge it at any time. I had not, at the time, experience enough for teaching, and Mr. Borthwick very kindly gave me an Inspector's certificate, by