

Q.—Are you aware that slips of paper were passed round to some of the candidates during the examination? A.—Yes.

Q.—Did you get one? A.—Yes.

Q.—What was upon it? A.—The answers to the questions in Arithmetic.

By Dr. Hodgins, Chairman:

Q.—Have you the paper? A.—No.

Q.—And I suppose you cannot produce it? A.—No.

By Mr. McDowall, Complainant:

Q.—Who gave the paper to you? A.—Mr. Borthwick.

Q.—Did he take it back again? A.—Yes.

Q.—You copied the answers, I suppose? A.—I did.

By Dr. Hodgins, Chairman:

Q.—When was this paper given? A.—Near the close of the examination.

Q.—Before you handed in your papers? A.—Yes.

By Mr. McDowall, Complainant:

Q.—Do you remember being in company with some ladies—Mr. Borthwick being present—and one of them wondering what would be the subject next day? A.—Yes.

Q.—Do you know who it was expressed the wish? A.—No.

Q.—Have you any recollection of his answer? A.—Yes.

Q.—What was it? A.—Something about counting our teeth.

Q.—Was there anything else? A.—I do not remember.

Q.—Was there any other examiner present? A.—No.

Q.—You are certain this reply was made by Mr. Borthwick? A.—I am.

Q.—The day the slips were passed round, have you any recollection of some of the candidates remaining in the room after the time? A.—I left before the time was up, having finished my questions.

Q.—Where did you go for luncheon? A.—To one of the rooms up-stairs in the Central School West.

Q.—When did you return? A.—I do not remember.

Q.—Do you remember approaching the examination room? A.—I do not.

Q.—Were you down in the lower flat at all? A.—I was not.

Q.—Do you know if the doors of the examination rooms were locked? A.—I think they were. They were generally kept locked.

Q.—Have you any distinct recollection on the day the piece of paper was given of returning with Mr. and Miss Rathwell? A.—I did not go home with them.

Q.—Do you say you did not go home with them at any time? A.—I do not think I did.

By Mr. Gibb (Counsel for Mr. Borthwick):

Q.—When these slips of paper were handed round, you had done some of your questions? A.—Yes.

Q.—Then you had them on two pieces of paper. Had you made the calculations yourself? A.—Yes.

Q.—And compared them with the answers on the slip? A.—Yes.

BELINDA GILMOUR.

Signed in presence of

P. LE SUEUR,
Commissioner.

The Commission took recess.

The Commission resumed the investigation at 7.30 P.M.

Dr. Hodgins—Is it necessary, Mr. Borthwick, to go further on the 3rd, 4th, 5th and 6th charges?

Mr. Borthwick—I think so. I have not called any witnesses on my side.

Mr. A. Smirle was called, and on being handed the Bible to be sworn, said: In the first place, before I take the oath, I would ask if I am obliged to come up here and give evidence?

Dr. Hodgins—You can be obliged to come here and give any evidence the Chief Superintendent requires. I think you can be compelled to give evidence affecting the "interests or character" of your school, as required by the ninety-second section of the Act.

Mr. Smirle was then sworn, and examined by Mr. McDowall, Complainant:

Q.—Were you in the city during the July examinations? A.—I was in occasionally.

Q.—Were you about the building during that time? A.—Yes.

Q.—Did you go there in company with anybody at any time? A.—I cannot answer that positively.

Q.—During the second-class examination did you? A.—I remember going with Mr. Martin, but I do not remember whether it was first or second class.

Q.—Did Mr. Martin and you board together at that time? A.—We did during the first, I cannot say whether we did during the second, but to the best of my recollection we did.

Q.—Did you go near the examination more than once? A.—Oh, yes; I was there daily during the first-class examination.

Q.—Were you there during the second class? A.—Occasionally.

Q.—Could you say you were there more than four or five times? A.—I could not say positively.

By Dr. Hodgins, Chairman:

Q.—Did you go there as a candidate or merely to witness the examination? A.—Merely to witness the examination.

By Mr. McDowall, Complainant:

Q.—Were you in the second-class department while the candidates were writing? A.—I passed through while they were writing.

Q.—Did you notice any figuring on the black-board? A.—Yes.

Q.—Did you observe it? A.—Not closely.

Q.—What was the nature of it? A.—There was a row of figures, perpendicular down the board.

Q.—Was it numbered? A.—I could not say.

Q.—How many rows were there? A.—I could not say.

Q.—Could you say there were more than three? A.—I could not swear to it.

Q.—Could you swear there was not as many as five? A.—I could not swear as to the number.

Q.—Did you observe the writing? A.—Not critically.

Q.—Did you observe it so much as to know whose handwriting it was? A.—Perhaps if I had examined it more closely I could, but I could not swear to it.

By Mr. Le Sueur, Commissioner:

Q.—Did you take it to be any one person's writing? A.—Not at the time. I may state my attention was called to the writing on the board.

Q.—By whom? A.—I could not say.

By Dr. Hodgins, Chairman:

Q.—By one of the candidates? A.—Yes.

Q.—How could you have come in contact with the candidates? A.—By permission. I wanted to speak to one of the candidates.

Q.—Who gave that permission? The presiding examiner.

Q.—Did he ask you the nature of your communication? A.—I cannot swear positively that he did or did not.

Dr. Hodgins—I can hardly imagine the Inspector allowing any outsider to communicate with a candidate without knowing the nature of his communication.

By Mr. Le Sueur, Commissioner:

Q.—Don't you remember what you said? A.—I had nothing more specially than to ask how the candidates were getting on. I was interested in their examination. I did not consider there was anything wrong in asking or receiving the privilege of speaking to any candidate. I have had similar permission at other examinations.

Q.—From whom did you receive permission? A.—From the presiding Inspector.

Q.—Your attention having been called to the writing on the black-board, what was its nature? A.—The answers to one of the papers, either Mathematics or mixed Mathematics.

Q.—How could you distinguish between the ordinary answers of school exercises and the questions then being worked? A.—I took the word of the person who called my attention to it.

Q.—Did you examine it to see the character of the writing? A.—I did not. I glanced at it very carelessly.

Q.—Was it a lady you spoke to? A.—I cannot swear positively.

By Mr. McDowall, Complainant:

Q.—Don't you know as a matter of fact that Mr. Martin was the only gentleman among the candidates? A.—I could not swear there was not another.

Q.—You don't think it was Mr. Martin called your attention to it? A.—I might have said at the beginning it was a lady. I could give an opinion, and a very decided opinion, that it was a lady, but I could not swear positively.

By Dr. Hodgins, Chairman:

Q.—Did you know the party? A.—Yes, I knew all that were writing on the front seats.

Q.—Can you tell us what was written on the board? A.—I could not.

Q.—You could not tell us whether it was a demonstration in *ex-tenso* or simply the answer to a question? A.—I could say it had no appearance of a demonstration, but I could not say it was the answers, because I did not examine it.

By Mr. McDowall, Complainant:

Q.—That person that called your attention to the writing on the board—did that person hand you a paper and ask "Is that worked right?" A.—No.

Q.—You have no recollection of that? A.—I cannot remember.

By Dr. Hodgins, Chairman:

Q.—Have you any recollection, distinct or otherwise? A.—I don't recollect anything of that kind being done.