

of us suggested—whether Mr. Borthwick or myself I cannot say—that a change in the programme might be made to accommodate them. At any rate, Mr. Borthwick consented. I could not state what the paper was, but I know it was insignificant. A candidate objected to the proposition, and we did not go on with it.

(Signed) SAMUEL RATHWELL.

Signed in my presence,
P. LE SUEUR,

Commissioner.

Mr. Joseph Martin, (Teacher, New Edinburgh), sworn, and examined by Mr McDowall, Complainant.

Q.—Are you aware that the answers in Natural Philosophy were written on the blackboard in the July examination of 1874? A.—Yes.

Q.—Will you state what you know took place at that time? A.—When we were writing on Natural Philosophy papers some time during the time that was allotted for this paper, the Inspector wrote the answers on the board. I remember this distinctly, and the remembrance is enforced by the fact that one of the answers written on the board was incorrect. If I remember correctly, I had some questions worked. One of them did not coincide with my own. I mentioned the fact to the Inspector, pointing out that the answer was not a reasonable one, and he immediately changed the answer to mine.

By Dr. Hodgins, Chairman:

Q.—Was this during the time of the examination of the paper?

A.—Yes, during the time we were writing on the Natural Philosophy paper.

By Mr. McDowall, Complainant:

Q.—You saw these answers written by Mr. Borthwick's own hand?

A.—Yes.

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

Q.—When did this occur? A.—In the July examination, 1874.

Q.—Do you recollect whether when this was done you had worked out your answers? A.—I had at least worked one.

Q.—Had you them all worked out? A.—I cannot recollect clearly.

Q.—You do not know, so far as you are concerned, that this that was written on the board was written after you had finished. A.—No.

Q.—Can you say whether the others had finished? A.—I cannot. As the examinations are conducted, it is totally impossible for one candidate to know what the others are doing.

Q.—Then you do not know what the others were doing? A.—No. I can say this, however, they remained for some time writing with the papers in front of them.

Q.—Name some who remained? A.—Eliza Living, Caroline Rathwell, Annie Stacey and Miss Pilson (Candidates).

Q.—Then you take upon yourself to swear all these had not their answers written before you saw the writing on the board? A.—I can swear, to the best of my knowledge, they continued writing on the paper.

Q.—Can you say whether the persons you name had finished their answers at the time? A.—As far as I could possibly know, I can.

Q.—Do you know they had? A.—They were writing on papers that were in front of them, and the answers were put on the board sometime before the allotted time was up.

By Dr. Hodgins, Chairman:

Q.—What time did the examination on this particular paper commence? A.—At 9 o'clock.

Q.—What time was allotted to it? A.—Three hours.

Q.—How long after the opening of the examination did this writing on the blackboard take place? A.—I could not say positively. I can say this, however, some time elapsed after it was written.

Q.—Was it half an hour before it closed? A.—I should say more.

Q.—Was it three-quarters of an hour? A.—I should say more than that.

Q.—Was it possible to conclude the answers to that paper within two hours? A.—I don't know.

Q.—Had any left before the writing on the board? A.—As far as I can recollect, no person left until the time was fully up.

Q.—This information was written before they closed their papers and handed them to their examiners? A.—Yes.

Q.—And it was written in time to correct any answer that might be incorrect. A.—Yes.

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

Q.—What examiners were present? A.—The Inspector.

Q.—Was he alone? A.—He conducted the entire examination alone, but Mr. Rathwell, (Examiner) at different times came into the room.

Q.—Did Mr. Rathwell, (Examiner) come in at that time?

A.—Of course it is some time since, and I will not swear positively whether he did or not. He did not sit there at all. The Inspector was the only one who presided. The other examiners were in an

adjoining room examining papers. I do not recollect Mr. McMillan, (Examiner) coming in so often as Mr. Rathwell (Examiner). He might have come in two or three times during the writing of the papers.

Q.—Was the writing on the board during any time that he came in? A.—I could not say.

By Mr. Slack, Commissioner:

Q.—Do you know any one instance where a candidate re-wrote a paper and corrected an answer? A.—I could not say.

Q.—I thought you knew an instance where papers were changed? A.—I do not know of my own knowledge of a single instance. I heard of one.

By Mr. Le Sueur, Commissioner:

Q.—Would not the writing of these answers on the blackboard be equally advantageous to all the candidates? A.—In all probability it would. It would depend of course, upon their knowledge of the subject. I cannot say they were very advantageous to me, because the paper was a subject with which I had no trouble, and I could work the questions anyway. Of course if anyone could reap benefit from the answers, they all could.

Q.—Did you avail yourself at all, of the benefit? A.—I could not say. I might have done so. I certainly looked at the answers and compared them with my own, and found one of them on the board incorrect.

By Mr. McDowall, Complainant:

Q.—You say all benefited alike. Would it not depend upon their advancement? A.—I meant that. It did not benefit me very much.

By Mr. Le Sueur, Commissioner:

Q.—What was the object so far as you could discern of Mr. Borthwick writing on the board? A.—In order that the candidates should put in good papers, I suppose, I cannot tell you the Inspector's motives.

Q.—The candidates were all there when the answers were written on the board? A.—Yes.

Q.—And in a position where they could all see them? A.—Yes.

Q.—But would not that very act excite the indignation of those who were perfect? A.—I agree with you, it would.

By Mr. McDowall, Complainant:

Q.—You were examined before the City Board? A.—Yes.

Q.—How long did the answers remain on the board? A.—I do not remember seeing them rubbed off.

Q.—What time did you stop writing? A.—As far as I can remember, about noon.

Q.—When you returned after noon, did you see answers still on the board? A.—I cannot say.

Q.—Have you any knowledge of slips of paper having been handed by the Inspector to the candidates while they were writing?

A.—Yes. He passed them to a number of candidates as he passed through the room. He left one with me.

By Dr. Hodgins, Chairman:

Q.—Have you got that slip? A.—No.

Q.—What were the words on it? A.—“You have passed in English Grammar, H. J. B.”

Q.—That was on the one given to you? A.—Yes.

Q.—Are you aware of anything that was written on other slips? A.—Not personally.

Q.—What did you suppose was his object? A.—I thought he wanted to encourage me.

Q.—Would it be of any use to you? A.—Gentlemen of the Commission know that English Grammar is a test subject, and that the knowledge of having passed it would encourage me.

Q.—Had the examination ended in that branch? A.—Yes.

Q.—Have you a distinct recollection that anything occurred with regard to the Physiology and Botany paper the day before it was written? A.—I have.

Q.—Did you hear the Inspector give any hints to the candidates? A.—I did.

Q.—What did he say? A.—The previous day to that on which the Physiology paper was to come up, the Inspector in reply to a question asking him for information (something like this: “What are we to read up in Physiology?”) made remarks which embodied most of the Physiology paper.

Q.—Who asked this question? A.—Some of the lady candidates. I was a stranger then and did not know them apart.

Q.—What was the answer? A.—It was something to this effect: “Count your teeth,” and short statements like that of the questions which appeared next day.

Q.—What were the other words? A.—Something like that: “Feel your bones,” and other expressions embodying the whole Physiology questions, being hints similar to those I have mentioned. I think he said “Think of what you eat,” but I would not be positive.